

RESOLUTION

NO. 85-36

WHEREAS, a petition has been filed by qualified land owners to vacate part of certain public streets, alleyways or roads hereinafter described; and,

WHEREAS, this Board has heretofore passed a resolution as required by Section 336.09, Florida Statutes, and Notice of Public Hearing has been duly published and Proof of Publication has been filed with this Board; and,

WHEREAS, it appears that there are no objections and the averments of said petition are true,

NOW THEREFORE, IN CONSIDERATION OF THE PREMISES, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AS FOLLOWS:

1.

That the following described streets, alleyways or roads, to wit:

Legal description as per attached SCHEDULE "A"

be, and the same are hereby vacated, abandoned, discontinued and closed, and this Board hereby renounces and disclaims any right of the County and the Public in and to the above described streets, alleyways or roads, and any land in connection therewith.

2.

That the notice required by Section 336.10, Florida Statutes, of the adoption of this resolution is hereby authorized to be published.

DATED this 12th day of March , 19 85.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ray Walker
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Marie Hudson
Deputy Clerk

SCHEDULE "A"

LEGAL DESCRIPTION

A portion of a forty-foot county easement lying between Lots 23 and 26 of Scotts Subdivision, the same being a part of the F. Fatio Grant, Section 39, Township 5 South, Range 27 East, according to map in Deed Book "Y," Page 400, Public Records of St. Johns County, Florida; the said portion of easement lying south of State Road 13, and extending from a point of intersection with the southeasterly right-of-way line of said State Road 13 and running thence in a northeasterly direction, terminating at the northeasterly boundary line of the said Lots 23 and 26, a distance of 320 feet more or less.

OWNED BY I. ADAMS

TO ROBERTS RD. 240

7.04

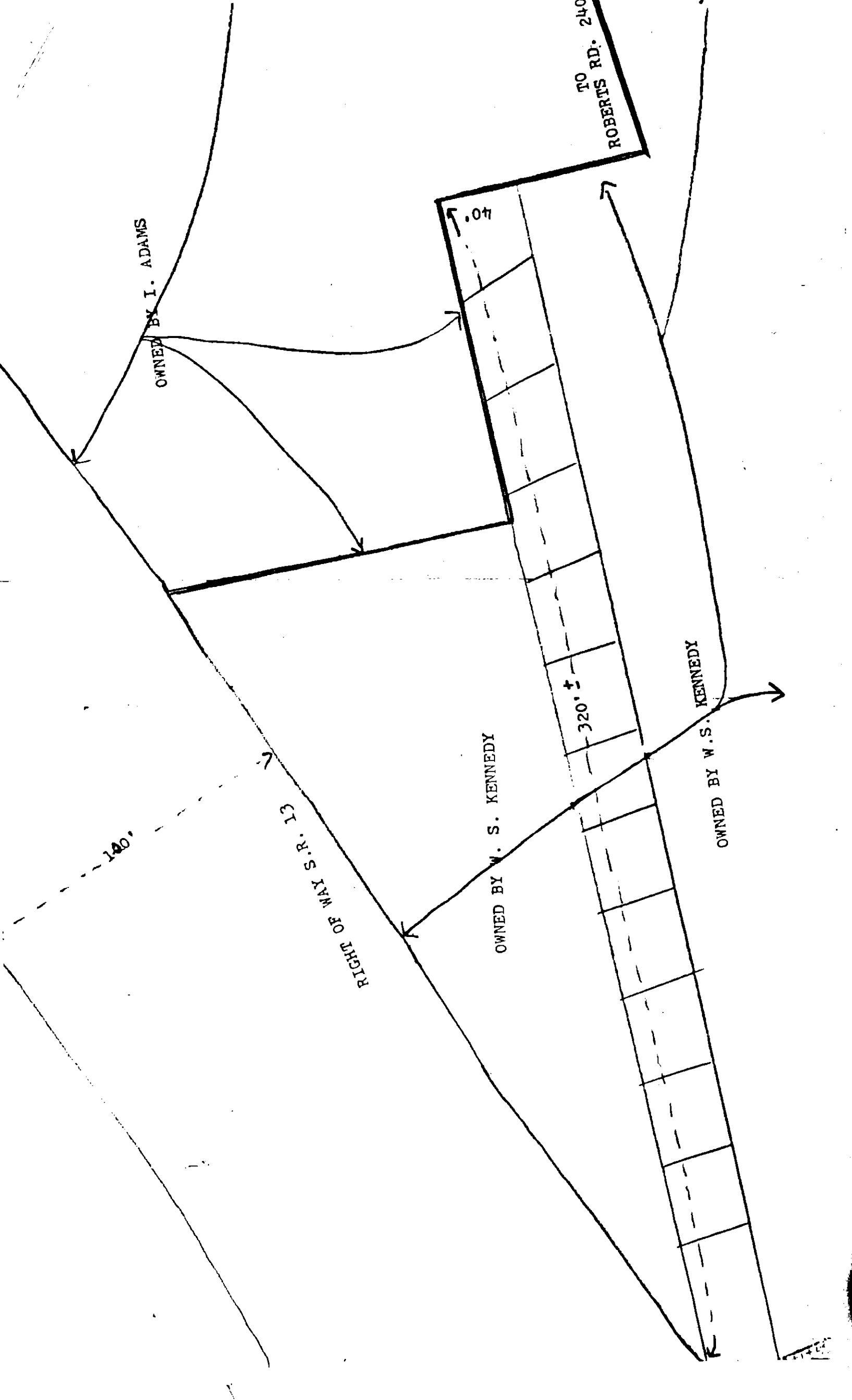
320' ±

OWNED BY W. S. KENNEDY

OWNED BY W. S. KENNEDY

140'

RIGHT OF WAY S. R. 13



PETITION TO VACATE PORTIONS OF
CERTAIN STREETS, ALLEYWAYS OR ROADS

TO: THE HONORABLE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

Comes now W. S. KENNEDY / and Joyce B. Kennedy his wife
(Rt. 6 Box 386B, Jacksonville, Fla.)
and IGNATIUS W. ADAMS / and Carole A. Adams his wife
(672 NE 79th St., Miami, Fla.)

and respectfully petition this Honorable Board as follows:

1. To vacate, abandon, discontinue and close portions of those certain public streets, alleyways or roads situate in St. Johns County, Florida, hereinafter more particularly described; to renounce and disclaim any right of St. Johns County and the public in and to the lands constituting such portions of said streets, alleyways or roads; and to renounce and disclaim any right of St. Johns County and the public in and to any lands or interest therein acquired by purchase, gift, devise, dedication or prescription for such portions of said streets, alleyways or roads described as follows:

Legal description as per attached SCHEDULE "A"

2. To adopt a resolution declaring that at a definite time and place a public hearing will be held to consider the advisability of the above, and to publish notice as prescribed by Section 336.10, Florida Statutes 1981, one time in a newspaper of general circulation advising of a public hearing in connection with the above matter, and thereafter adopting a resolution renouncing and disclaiming any right of the County and the public in and to the hereinbefore described portions of streets, alleyways or roads, and vacating, abandoning, discontinuing and closing same.

are
3. In support hereof, Petitioners shows that they, the
owner^s of all the lands abutting said portions of streets, alleyways
or roads sought to be vacated, and Petitioners^{are} the only persons
who would be affected thereby; and said portions of streets, alley-
ways or roads are no longer necessary nor desirable, and have in fact
never been utilized as such.

4. Petitioners further show that said portions of
streets, alleyways or roads sought to be vacated are neither state
nor federal highways and are wholly without the limits of any
municipality.

W. S. Kennedy

Joyce B. Kennedy
Charles Williams

Signature of Petitioner

Debra W. Adams

Signature of Petitioner

STATE OF FLORIDA

COUNTY OF ST. JOHNS

W. S. Kennedy and Joyce B. Kennedy his wife
undersigned officer, first duly sworn, says on oath that they^{are} the
petitioners named in the foregoing petition to vacate portions of
certain streets, alleyways or roads; that they^{have} read same and
know the contents thereof and that the statements contained herein
are true.

W. S. Kennedy

Joyce B. Kennedy

Signatures of Petitioners

SWORN TO AND SUBSCRIBED before me this 14th day of October,
1984.

Jean H. Foley

Notary Public
State of Florida At Large

My commission expires:

JUNE 6, 1987

STATE OF FLORIDA

COUNTY OF DADE

his wife

Ignatius W. Adams and Carole A. Adams, being by me, the

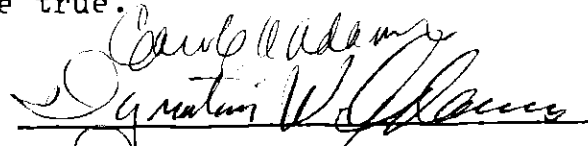
undersigned officer, first duly sworn, says on oath that they are

~~is one of the~~ petitioners named in the foregoing petition to

vacate portions of certain streets, alleyways or roads: that they have


~~been~~ read same and knows the contents thereof and that the

statements contained herein are true.


Signature of Petitioner

SWORN TO AND SUBSCRIBED before me this 4 day of OCT.,

1984. ~~11/17/87~~

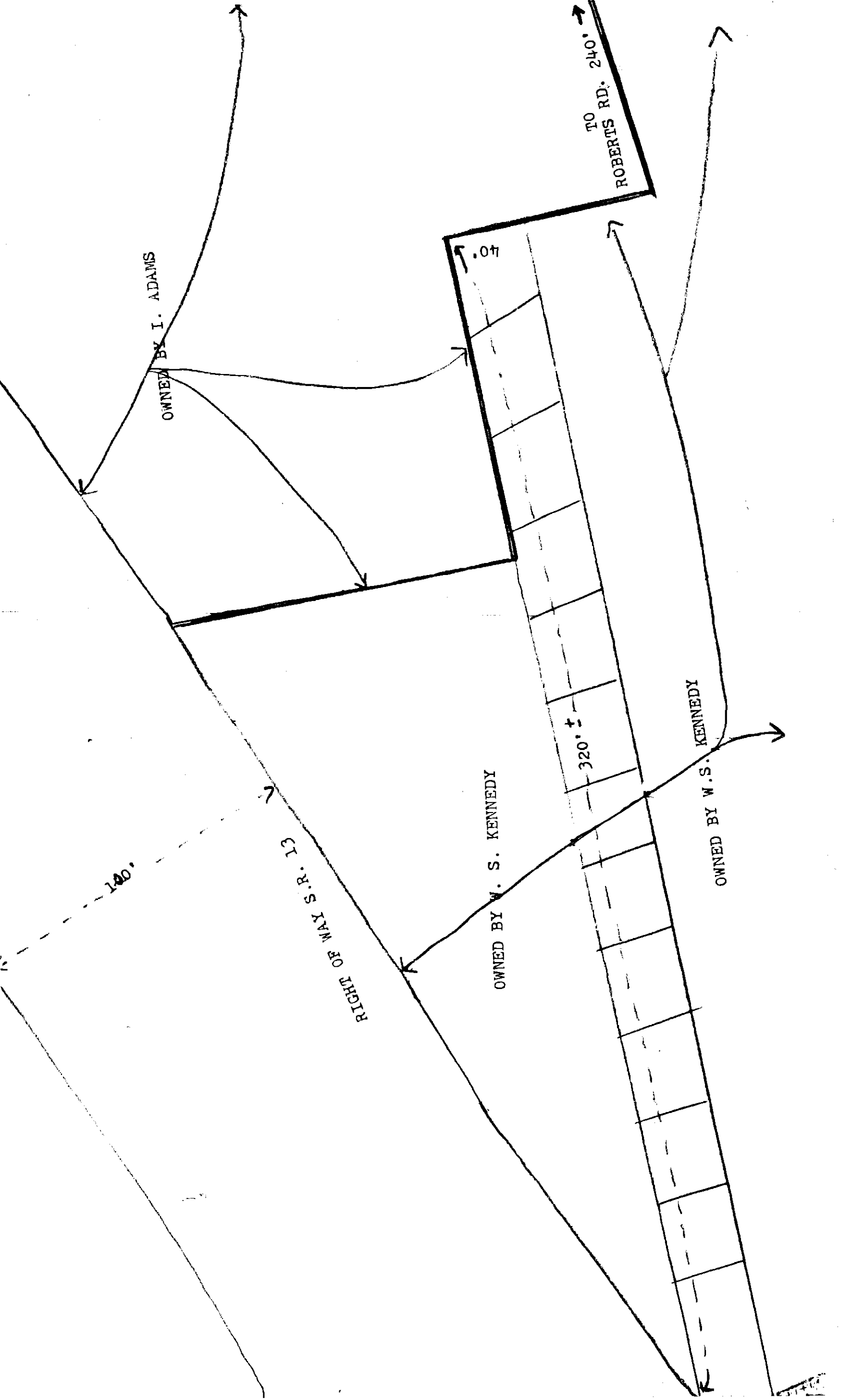

Notary Public
State of Florida At Large

My commission expires: 6-15-87

SCHEDULE "A"

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TO ROBERTS RD. 240'

.07

OWNED BY W. S. KENNEDY

320'

OWNED BY W.S. KENNEDY

140'

RIGHT OF WAY S.R. 13

SPINNER & HART, P. A.

ATTORNEYS AT LAW

GRANT F. SPINNER
GERALD R. HART
FRANCIS JEROME SHEA
WARREN E. THOMAS

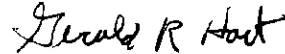
333 EAST BAY STREET
JACKSONVILLE, FLORIDA 32202-2991
(904) 354-8573

January 8, 1985

TO WHOM IT MAY CONCERN:

Having examined the Petition to Vacate that certain easement vested in St. Johns County, Florida, as described in legal description and site map attached thereto (and hereto), as well as documents relating to title, I am of the opinion that the described easement lies within properties presently owned by W. S. Kennedy and Joyce B. Kennedy his wife, and abuts upon property owned by I. Adams and Carole A. Adams his wife, and that the aforementioned individuals, each of whom is a signatory to the said petition, are the only persons who would be affected by the proposed vacation.

Signed,



Gerald R. Hart
Attorney at Law