

RESOLUTION NO. 86-113

WHEREAS, Ponce de Leon Heights was recorded in Map Book 3 page 72, and WHEREAS Ponce de Leon Unit 2 block D was recorded in Map Book 3 page 86, and WHEREAS Ponce de Leon Unit 2 block Z was recorded in Map Book 3 page 114, and WHEREAS Santa Rosa Subdivision was recorded in Map Book 3 page 103,146 through 149, public records of St. Johns County, Florida as named subdivisions; and

WHEREAS, the subdivision plats showed certain roads, streets or other ways that were expressly dedicated on the plat to the public; and

WHEREAS, the case of Bonifay v Dickson 459 So 2d 1089 (1 DCA Fla. 1984) indicates that the recording of a plat with streets designated and shown thereon can constitute an intention of the landowner to dedicate the streets to the County or the public; and

WHEREAS, Florida case law requires that dedicated streets must first be accepted by the County before they become County streets; and

WHEREAS, some of the roads within the subdivisions were opened, constructed or maintained by the County, and

WHEREAS, there does not appear to have been either a formal County Commission acceptance or an indicia or acceptance of all of the roads shown on the subdivision plat; and

WHEREAS, the County deems it advisable to publically indicate whether it has yet accepted any or all such roads as County roads;

NOW, THEREFORE, BE IT RESOLVED this 26 day of August, 1986, by the Board of County Commissioners of St. Johns County, Florida as follows:

1. All rights of way for roads, streets and ways that are depicted on the subdivision plat of Ponce de Leon Heights that was recorded in Map Book 3 page 72, and Ponce de Leon Unit 2 block D that was recorded in Map Book 3 page 86, and Ponce de Leon Unit 2 block Z that was recorded in Map Book 3 page 114, and Santa Rosa Subdivision that was recorded in Map Book 3 page 103,146 through 149, et. seq. of the public records of St. Johns County, Florida are hereby accepted as County Roads.

2. This resolution shall not be deemed to require St. Johns County to open, construct or maintain any roads within the above mentioned subdivision.

3. This resolution shall not be deemed to preclude the County from later vacating any roads that it has accepted.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis N. Buebaker  
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

By: Cheryl Kent  
Deputy Clerk