

RESOLUTION NO. 86-173

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:

Seminole Avenue running from the Northerly line of Orange Avenue, Southerly to the Westerly extension of the Southerly boundary of Lots 7, 8, and 9, Block 24, of Biera Mar, Map Book 3, page 69, current public records of St. Johns County, Florida.

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.

3. That the petitioner shall pay the cost of recording of the vacating.

DATED this 25th day of November, 1986.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Phyllis L. Lydon
Chairman

ATTEST: Carl "Bud" Markel, Clerk

By: Cheryl Kent
Deputy Clerk

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PETITION TO VACATE PORTIONS OF
CERTAIN STREETS, ALLEYWAYS OR ROADS

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

Comes now John J. Snyder as Bishop of the Diocese of St. Augustine and respectfully petitions 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, herein-after 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 Exhibit "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.

3. In support hereof, Petitioner shows that he is the owner of all the lands abutting said portions of streets, alleyways or roads sought to be vacated, and Petitioner is the only person who would be affected thereby; and said portions of streets, alleyways or roads are no longer necessary nor desirable.

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

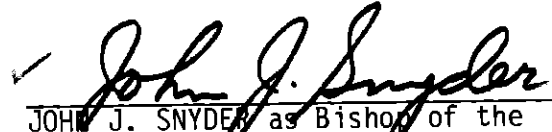
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JOHN J. SNYDER as Bishop of the
Diocese of St. Augustine

STATE OF FLORIDA

COUNTY OF ST. JOHNS

JOHN J. SNYDER as Bishop of the Diocese of St. Augustine, being by me, the undersigned officer, first duly sworn, says on oath that he is the petitioner named in the foregoing petition to vacate portions of certain streets, alleyways, or roads; that he has read same and knows the contents thereof and that the statements contained herein are true.



JOHN J. SNYDER as Bishop of the
Diocese of St. Augustine

SWORN TO AND SUBSCRIBED before me this 22nd day of September, 1986,



NOTARY PUBLIC
State of Florida at Large

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES MAR. 16, 1990.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

27:mc
PET

EXHIBIT "A"

Seminole Avenue running from the Northerly Line of Orange Avenue, Southerly to the Westerly extension of the Southerly boundary of Lots 7, 8 and 9, Block 24 of Biera Mar, Map Book 3, page 69, current public records of St. Johns County, Florida.

A F F I D A V I T

STATE OF FLORIDA)
) ss
COUNTY OF DUVAL)

BEFORE ME, the undersigned authority, personally appeared, WILLIAM J. JOOS, who having been by me first duly sworn, deposes and says:

1. That he is the attorney for the Diocese of Saint Augustine.

2. Attached hereto is search number 14583 prepared by St. Johns County Title & Abstract Company affirming title to all the adjacent lands surrounding the portion of the following described roadway, proposed to be closed by Petition, signed by John J. Snyder as Bishop of the Diocese of Saint Augustine:

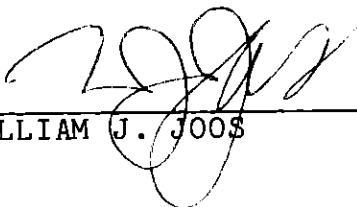
Seminole Avenue running from the Northerly line of Orange Avenue, Southerly to the Westerly extension of the Southerly boundary of Lots 7, 8 and 9, Block 24 of Biera Mar, Map Book 3, page 69, current public records of St. Johns County, Florida.

3. Said search confirms that the adjacent properties were acquired from time to time, with title vested in the Bishop of the Diocese of Saint Augustine at the time of the acquisition.

4. All of said adjusted properties were acquired at the time of acquisition by the existing Bishop of the Diocese of Saint Augustine and were acquired by said Bishop as a corporation sole; title of said properties by Florida law is held by the current Bishop of the Diocese of Saint Augustine, who at this time is John J. Snyder, the Petitioner.


5. Therefore, all of the lands adjacent to the roadway hereinabove described requested to be closed are titled now in John J. Snyder, as Bishop of the Diocese of Saint Augustine, a corporation sole.

FURTHER AFFIANT SAYETH NOT.



WILLIAM J. JOOS

SWORN TO AND SUBSCRIBED
before me this 1st day
of October, 1986



NOTARY PUBLIC
My Commission Expires:
Notary Public, State Of Florida At Large
My Commission Expires April 24, 1989
Bonded By SAFECO Insurance Company of America

SEARCH NO. 14,583

STATE OF FLORIDA

COUNTY OF ST. JOHNS

In re: Orange Avenue from the Westerly Right-of-Way line of State Road 1A1A running Westerly to the Westerly line of Seminole Avenue (as reflected on the plat of Biera Mar, Plat Book 3, page 69, St. Johns County current public records.

Seminole Avenue running from the Northerly line of Orange Avenue; Southerly to the Westerly extension of the Southerly boundary of Lots 7,8 and 9, Block 24, of Biera Mar, Map Book 3, page 69, current public records of St. Johns County, Florida.

The ST. JOHNS COUNTY TITLE & ABSTRACT COMPANY certifies that a search of the public records of St. Johns County, Florida, reveals that the following parcels of land, which lands adjoin the above captioned lands, are held of record as follows:

1. As to Block 23, Biera Mar Subdivision, and parcel of land described as 640', more or less, East and West, and 650', more or less, North and South, being part of Gov. Lot 1, Section 22, Township 8 South, Range 30 East, taxed as Parcel Account #1182370-0000, last deed of record conveys to Joseph P. Hurley, as Bishop of the Diocese of St. Augustine, said deed filed August 27, 1954 in Deed Book 213, page 141, of the public records of St. Johns County, Florida.
2. As to that part of Vacated Seminole Avenue lying South of the South line of Palmetto Avenue, West of Block 23, Biera Mar Subdivision, and North of the North line of Orange Avenue, last deed of record conveys to Joseph P. Hurley, as Bishop of the Diocese of St. Augustine, said deed filed August 27, 1954 in Deed Book 213, page 143, of the public records of St. Johns County, Florida.
3. As to that part of Gov. Lot 1 and part of Gov. Lot 2, Section 22, Township 8 South, Range 30 East, lying West of above parcels and North of Weff's Road, and taxed as Parcel Account # 1182380-0000, last deed of record conveys to Paul F. Tanner, as Bishop of the Diocese of St. Augustine, said deed filed April 11, 1968 in O.R. Book 123, page 86, of the public records of St. Johns County, Florida.
4. As to Lots 1, 2, 4, 5, 6,7, 8 and 9, Block 24, Biera Mar Subdivision, last deed of record conveys to Paul F. Tanner, as Bishop of the Diocese of St. Augustine, said deed filed April 11, 1968 in O.R. Book 123, page 86, of the public records of St. Johns County, Florida.
5. As to Lot 3, Block 24, Biera Mar Subdivision, last deed of record conveys to John J. Snyder, as Bishop of the Diocese of St. Augustine, said deed filed April 27, 1983 in O.R. Book 582, page 1, of the public records of St. Johns County, Florida.

Continued - - -

ST. JOHNS COUNTY ABSTRACT COMPANY

SEARCH NO. 14,583, Continued - - -

In furnishing this information the St. Johns County Title & Abstract Company assumes no monetary liability.

Dated: July 10, 1986.

ST. JOHNS COUNTY TITLE & ABSTRACT COMPANY

BY: Mary Jane Dardi

Mary Jane Dardi, Manager

ST. JOHNS COUNTY ABSTRACT COMPANY

Part of Assessment
Sheet No 5F/22N

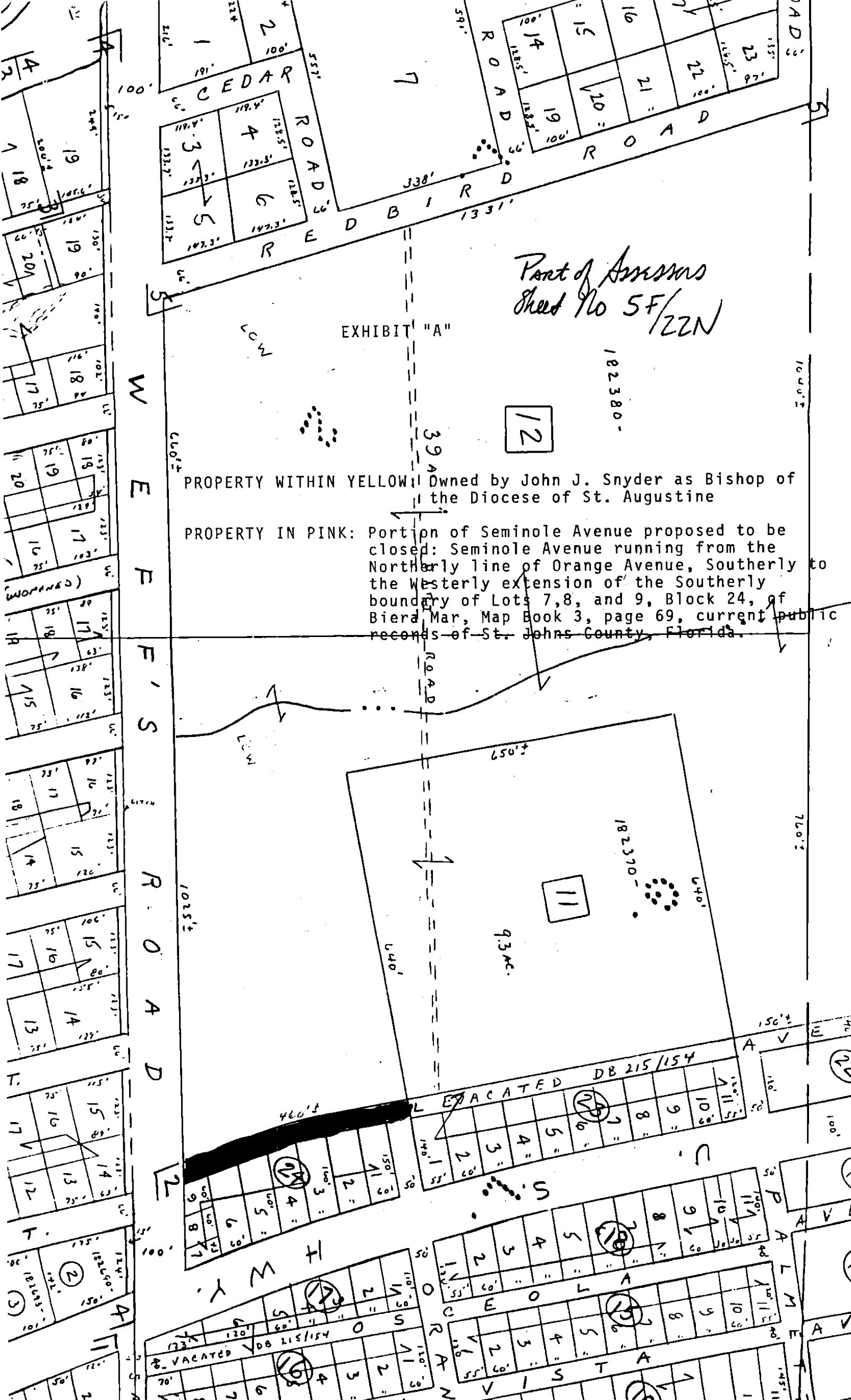


EXHIBIT "A"

PROPERTY WITHIN YELLOW: Owned by John J. Snyder as Bishop of the Diocese of St. Augustine

PROPERTY IN PINK: Portion of Seminole Avenue proposed to be closed: Seminole Avenue running from the Northernly line of Orange Avenue, Southerly to the Westerly extension of the Southerly boundary of Lots 7, 8, and 9, Block 24, of Biera Mar, Map Book 3, page 69, current public records of St. Johns County, Florida.

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VACATED DB 215/154

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CEDAR ROAD

ROAD

REDBIRD

WATER

ROAD

VACATED DB 151/154