

RESOLUTION NO. 86-174

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:

Orange Avenue from the Westerly Right-of-Way line of State Road A1A 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).

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 recording costs 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

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.

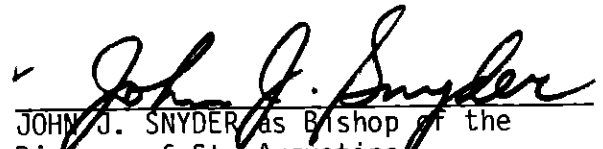
4. Petitioner further shows that said portions of streets, alleyways or roads sought to be vacated are neither state nor federal highways and are wholly without limits of any municipality.

  
\_\_\_\_\_  
JOHN J. SNYDER, Bishop of the  
Diocese of St. Augustine

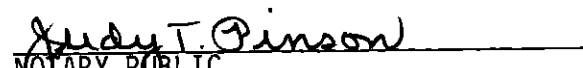
STATE OF FLORIDA

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

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

EXHIBIT "A"

A F F I D A V I T

STATE OF FLORIDA)  
  ) ss  
COUNTY OF DUVAL )

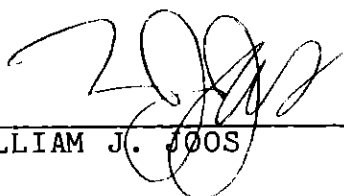
BEFORE ME, the undersigned authority, personally appeared, WILLIAM J. JOOS, who having been by me first duly sworn, deposes and says:

- 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:


Orange Avenue from the Westerly Right-Of-Way line of State Road A1A 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).

- 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 adjacent 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 SAIECO 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  
ALA 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

RESOLVED that this board of county commissioners of St. Johns County, Florida, on ~~September 11th~~ 1954, at 9 o'clock a. m., upon petition of the qualified landowner will consider the advisability of exercising the power granted to it by Chapter 343, Florida Statutes, 1953, and determine whether or not St. Johns County, Florida will vacate, abandon, discontinue and close the public streets, avenues or roads; renounce and disclaim any right of said county and the public in and to the land constituting such streets, avenues or roads; and renounce and disclaim any right of said county and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for streets, avenues or roads; which streets, avenues or roads are delineated on the following described portions of the following described recorded maps or plats, to-wit:

- a. Map or plat of that portion of Seminole Avenue between Orange Avenue and Palmetto Avenue, Biera Mar Subdivision of Lot 1, Section 22, Township 8 South, Range 30 East, and Lot 8, Section 15, Township 8 South, Range 30 East, which map or plat is on file in Map Book 3, page 69, in the office of the Clerk of the Circuit Court, St. Johns County, Florida.
- b. Map or plat of that portion of Osceola Avenue between Orange Avenue and Satsuma Avenue, Biera Mar Subdivision of Lot 1, Section 22, Township 8 South, Range 30 East, and Lot 8, Section 15, Township 8 South, Range 30 East, which map or plat is on file in Map Book 3, page 69, in the office of the Clerk of the Circuit Court, St. Johns County, Florida.

and the notice required by said Chapter 343, Florida Statutes, 1953 is hereby authorized and directed to be posted and published, and Honorable Dan F. Mickler, a member of this board of county commissioners of St. Johns County, Florida is hereby designated to make a personal in-



DEED 215 no 155

pection of the streets, avenues or roads delineated on the  
above described portions of the above described recorded maps  
or plats, and to report the results of his inspection.

ST. AUGUSTINE RECORD: Publish July 16-23-30 August 6th  
 Send Proof to Hiram Faver, Clerk  
 Send bill to Upchurch, Melton & Upchurch

NOTICE OF PROCEEDINGS FOR THE CLOSING OF A ROAD.

TO WHOM IT MAY CONCERN:

You will please take notice that the Board of County Commissioners of St. Johns County, Florida, upon petition of the qualified landowner will at 9 o'clock a. m. on the 14th day of ~~August~~ <sup>September</sup>, 1954, at the County Court House in St. Augustine, Florida, consider and determine whether or not the county will vacate, abandon, discontinue and close, will renounce and disclaim any right of the county and the public in and to any land, or interest therein, acquired for road or highway purposes and will renounce and disclaim any right of the county and the public in and to any land, or interest therein, delineated upon the following described portions of the following described recorded map or plats, to-wit:

- a. Map or plat of that portion of Seminole Avenue between Orange Avenue and Palmetto Avenue, Biera Mar Subdivision of Lot 1, Section 22, Township 8 South, Range 30 East, and Lot 8, Section 15, Township 8 South, Range 30 East, which map or plat is on file in Map Book 3, page 69, in the office of the Clerk of the Circuit Court, St. Johns County, Florida.
- b. Map or plat of that portion of Osceola Avenue between Orange Avenue and Satsuma Avenue, Biera Mar Subdivision of Lot 1, Section 22, Township 8 South, Range 30 East, and Lot 8, Section 15, Township 8 South, Range 30 East, which map or plat is on file in Map Book 3, page 69, in the office of the Clerk of the Circuit Court, St. Johns County, Florida.

PERSONS INTERESTED MAY APPEAR AND BE HEARD AT THE TIME AND PLACE ABOVE SPECIFIED.

(SEAL)

BOARD OF COUNTY COMMISSIONERS OF  
 ST. JOHNS COUNTY, FLORIDA

ATTEST:

Hiram Faver  
 Clerk and Auditor

By     Dan F. Miskler      
 Chairman

DEED 215 PG 157

The following certificate of Hiram Faver, Clerk Circuit Court, ex-officio Clerk and Auditor Board of County Commissioners, was filed:

STATE OF FLORIDA,

ST. JOHN'S COUNTY.

I, Hiram Faver, Clerk Circuit Court, ex-officio Clerk and Auditor, Board of County Commissioners, St. Johns County, Florida, do hereby certify that on July 17, 1954, I did post a copy of the foregoing NOTICE OF PROCEEDINGS FOR THE CLOSING OF A ROAD at the following places:

1. Eastern front door of the St. Johns County Court House, St. Augustine, Florida
2. At intersection of Osceola STREET and Orange Avenue, Biera Mar Subdivision, as recorded in Map Book 5, Page 52, records of St. Johns County, Florida

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 17th day of July, A. D. 1954.

*Hiram Faver*  
Clerk Circuit Court, ex-officio  
Clerk and Auditor Board of  
County Commissioners, St.  
Johns County, Florida

The following proof of Publication of NOTICE OF PROCEEDINGS FOR THE CLOSING OF A ROAD was received and filed:

### The St. Augustine Record

PUBLISHED SUNDAY AND EVERY AFTERNOON EXCEPT SATURDAY

ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS.

Before the undersigned authority personally appeared

A. H. TEBALTY

who on oath says that he is

PUBLISHER

of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement, being a

NOTICE OF PROCEEDINGS

in the matter of

CLOSING OF A ROAD

in the \_\_\_\_\_ Court,

was published in said newspaper in the issue of

JULY 18, 23, 30, AUG. 6, 1964

Affiant further says that the said St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Saturdays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me

On this 11th day of August

A. D. 1964

A. H. Tebalty

(S&S)

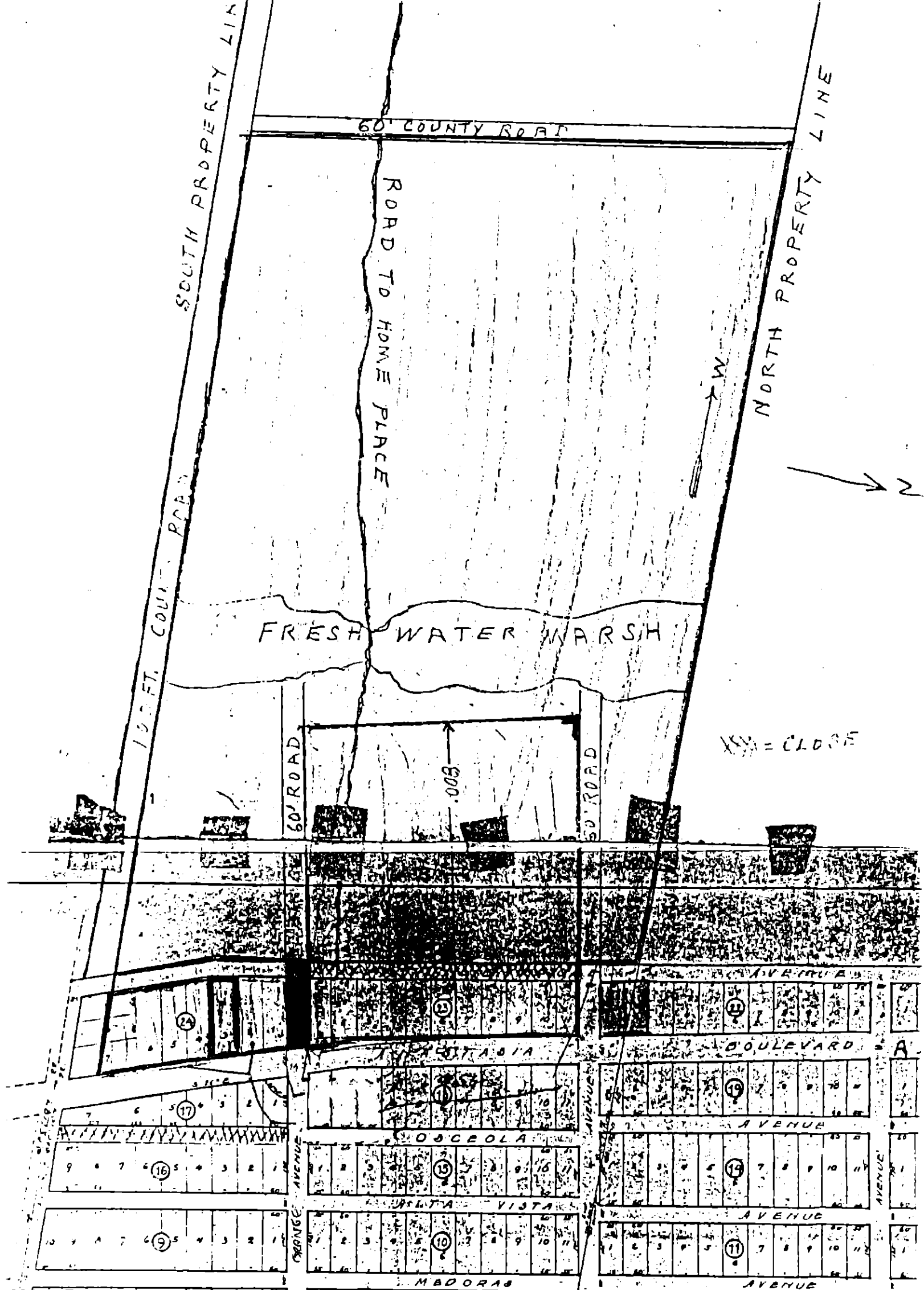
Notary Public

By Commission Expires

February 11, 1965

COPY OF ADVERTISEMENT

*[Faded and mostly illegible text, likely a duplicate of the main document's content.]*



PROPERTY WITHIN YELLOW : Owned by John J. Snyder as Bishop of the Diocese of St. Augustine  
 PROPERTY IN PINK : Portion of Orange Avenue proposed to be closed  
 Orange Avenue from the Westerly Right-of-Way  
 line of State Road A1A running Westerly to  
 the Westerly line of Seminole Avenue (as re-  
 flected on the plat of Bier Mar, Plat Book 3,  
 page 69, St. Johns County current public records).

EXHIBIT "A"