

RESOLUTION NO. 87-143

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.

3.

That the applicant shall pay all recording costs.

DATED this 14th day of July, 1987.

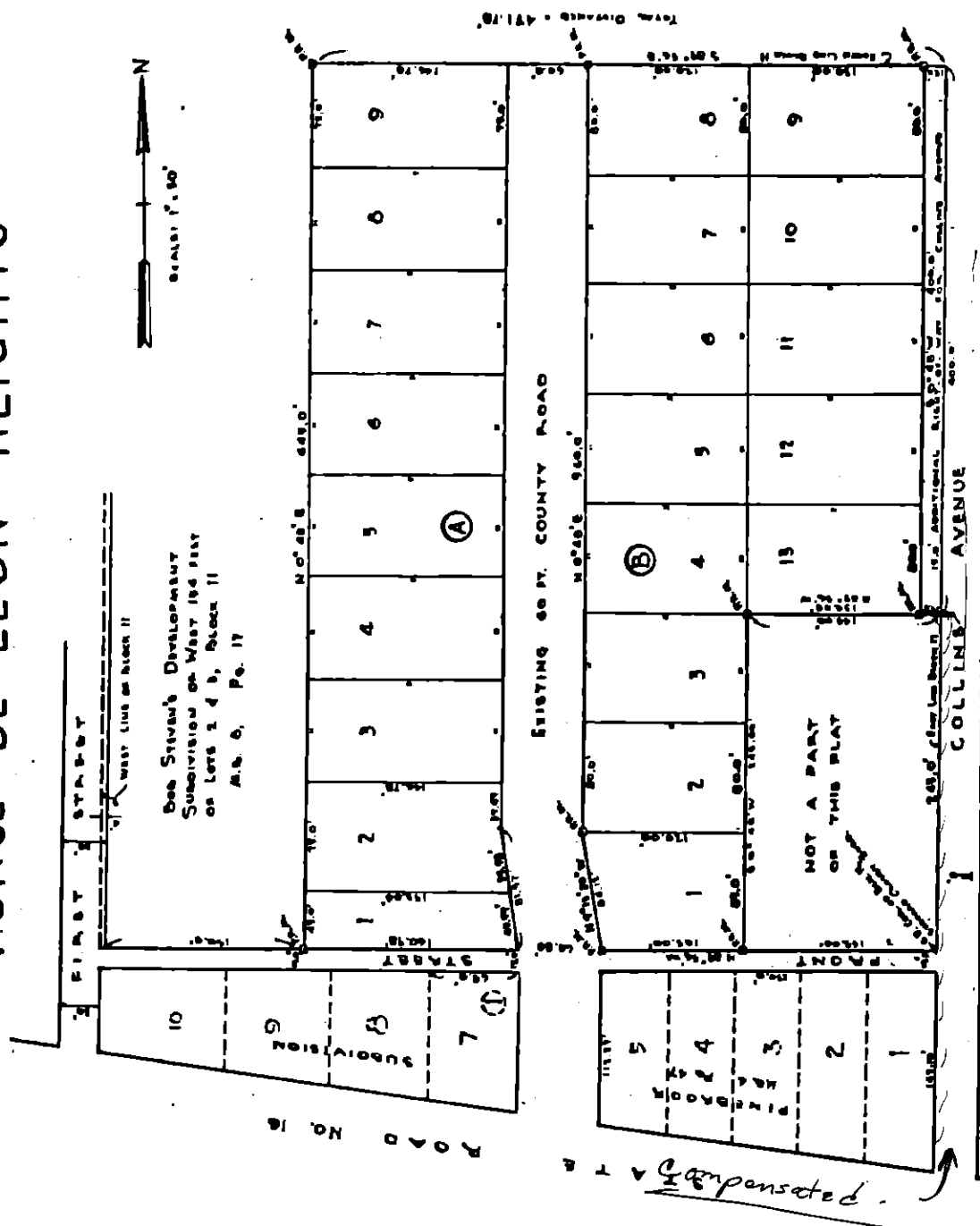
BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Phillip L. Lydon  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kent  
Deputy Clerk

# LORDS ADDITION TO PONCE DE LEON HEIGHTS



That part of Front Street in LORDS ADDITION to PONCE de LEON HEIGHTS as recorded in Map Book 10, Page 87, St. Johns County, Florida, Records, lying South and adjacent to Lot 1, Block B, of said Subdivision, and South and adjacent to the South 45 feet of part shown, but not included, as part of the Plat of LORDS ADDITION, and that portion lying North and adjacent to Lots 1, 2, 3, 4, and 5 of PINEBROOK SUBDIVISION as recorded in Map Book 4, Page 47, of St. Johns County, Florida, Records *excepting therefrom (not to be vacated) the East 15 feet of Front Street (located North of said Lot 1)*

UPCHURCH, BAILEY AND UPCHURCH, P. A.

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501 ATLANTIC BANK BUILDING  
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FRANK D. UPCHURCH  
(1894-1986)

HAMILTON D. UPCHURCH  
JOHN D. BAILEY, JR.  
H. DAVIS UPCHURCH, JR.  
FRANK D. UPCHURCH, III  
TRACY W. UPCHURCH

April 7, 1987

FN-H-86-706

BY HAND DELIVERY

Ms. Cheryl Kent, Clerk  
Board of County Commissioners  
of St. Johns County  
County Administration Offices  
State Road 16-A  
St. Augustine, Florida 32084

Re: Petition to vacate a portion of Front Street

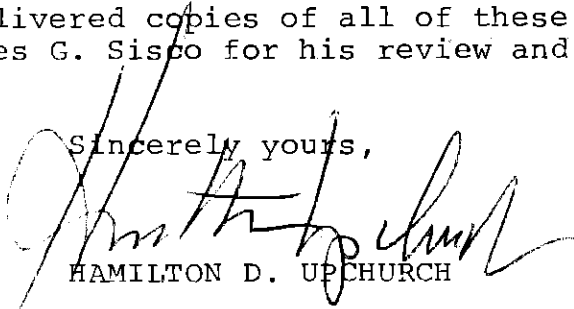
Dear Ms. Kent:

Attached please find the following documents concerning the request of Paul W. Burnett, Sr., and Barbara Ann Burnett, his wife, to vacate a portion of Front Street:

1. Petition to Vacate executed by Paul W. Burnett, Sr., and Barbara Ann Burnett, his wife;
2. Proposed Notice of Public Hearing on Petition to Vacate with an attached location map.
3. Proposed Resolution setting the public hearing.
4. Proposed Resolution vacating the portion of Front Street described therein.
5. Our opinion letter setting forth the owners of real property adjoining the portion of Front Street sought to be vacated.

I have this date delivered copies of all of these documents to County Attorney James G. Sisco for his review and comment.

Sincerely yours,

  
HAMILTON D. UPCHURCH

HDU:vsh

Encls.

cc: Honorable James G. Sisco

PETITION TO VACATE

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

Petitioners, PAUL W. BURNETT, SR., also known as PAUL W. BURNETT, and BARBARA ANN BURNETT, also known as BARBARA A. BURNETT, his wife, respectfully petition the Board of County Commissioners of St. Johns County, Florida, as follows:

1. To vacate, discontinue and abandon that certain portion of Front Street more particularly described as follows:

That part of Front Street in LORDS ADDITION to PONCE de LEON HEIGHTS as recorded in Map Book 10, Page 87, St. Johns County, Florida, Records, lying South and adjacent to Lot 1, Block B, of said Subdivision, and South and adjacent to the South 45 feet of part shown, but not included, as part of the Plat of LORDS ADDITION, and that portion lying North and adjacent to Lots 1, 2, 3, 4, and 5 of PINEBROOK SUBDIVISION as recorded in Map Book 4, Page 47, of St. Johns County, Florida, Records.

2. In support of this petition, petitioners respectfully show:

(a) They are the fee simple owners of the parcels of real property which abut on the North and South the portion of Front Street which petitioners seek to vacate, discontinue and abandon.

(b) Said portion of Front Street is unopened and has never been used by the general public, petitioners, or surrounding property owners.

3. To grant petitioners the relief which they seek herein will in no way disturb or violate the rights of any other land owners, the general public, or St. Johns County.

4. Petitioners do hereby waive personal service of notice or any other process in connection with this proceeding.

There are no other persons owning property adjoining said portion of Front Street, which petitioners seek to vacate.

WHEREFORE, petitioners request the Board of County Commissioners to adopt a resolution declaring its intention to vacate said portion of Front Street and thereafter adopt a resolution vacating, discontinuing and abandoning same.

RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of March, 1987.

Paul W. Burnett Sr.  
Paul W. Burnett, Sr.

Barbara Ann Burnett  
Barbara Ann Burnett

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

PAUL W. BURNETT, SR., also known as PAUL W. BURNETT, and BARBARA ANN BURNETT, also known as BARBARA A. BURNETT, his wife, being first duly sworn by me, the undersigned officer, say on oath that they are the persons named in the foregoing Petition to Vacate; that they have read same and know the contents thereof, and that the statements contained therein are true and correct.

Paul W. Burnett Sr.  
Paul W. Burnett, Sr.

Barbara Ann Burnett  
Barbara Ann Burnett

SWORN TO AND SUBSCRIBED before me this 27 day of March, 1987.

R. James A. Russo  
Notary Public, State of Florida at Large  
My commission expires 1-6-89