

RESOLUTION NO. 87-167

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 25th day of August, 19 87.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Phyllis L. Lydon
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Keat
Deputy Clerk

SCHEDULE "A"

A part of Henry Street as shown on the Plat of Rothchilds Addition to St. Augustine, Florida and being recorded in Map Book 3, Page 133, Public Records of St. Johns County, Florida, said part being bounded on the North by Block 1 of said Rothchilds Addition, bounded on the East by the West right-of-way line of Helen Street as shown on said plat, bounded on the South Block 18 of said plat and bounded on the Northeast by the Southwesterly right-of-way line of State Road No. 207 as now established for a 100 foot right-of-way; said part being more particularly described as follows:

For a Point of Beginning use the Southeast corner of Lot 1 of said Block 1; thence South $86^{\circ} 30'$ West along the South line of said Block 1, 167.94 feet to the Southwesterly right-of-way line of said State Road No. 207, said point being on a curve to the right, non tangent to the last line, and having a radius, chord and chord bearing of 5779.56 feet, 63.57 feet and South $34^{\circ} 28' 33''$ West; thence around the arc of said curve, 63.57 feet to its intersection with the North line of said Block 18; thence North $86^{\circ} 30'$ East along said North line 267.22 feet to the West right-of-way line of Helen Street; thence North $3^{\circ} 31'$ West, 50 feet to the Point of Beginning.



ROAD VACATION

PETITION TO VACATE PORTIONS OF CERTAIN STREETS,
ALLEYWAYS OR ROADS

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

Comes now, JON HAMILTON, as President of HAM'S NURSERY, INC., 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, 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 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 certain lands bordering said portions of the streets, alleyways or roads sought to be vacated. The name and addresses of all other owners having an interest in any lands bordering said portions of the street, alleyways or roads sought to be vacated are as follows:

List as per attached SCHEDULE "B"

and those persons were served with a copy of this petition by certified mail, return receipt requested, prior to the 10 day of July, 1987, and were advised to contact the Board of County Commissioners of St. Johns County, Florida, should they have any objection to the vacation of the said portion of the streets, alleyways or roads.

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 the limits of any municipality.

HAM'S NURSERY, INC.

Jon Hamilton
JON HAMILTON - President
Petitioner

STATE OF FLORIDA
COUNTY OF ST. JOHNS

JON HAMILTON, 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 street, alleyways or roads; that he has read same and knows the contents thereof and that the statements contained herein are true.

Jon Hamilton
JON HAMILTON

SWORN TO AND SUBSCRIBED before me this 16 day of

June, 1987

(SEAL)

Jennie G. Lee
Notary Public
My Commission Expires 4-6-91

SCHEDULE "A"

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For a Point of Beginning use the Southeast corner of Lot 1 of said Block 1; thence South $86^{\circ} 30'$ West along the South line of said Block 1, 167.94 feet to the Southwesterly right-of-way line of said State Road No. 207, said point being on a curve to the right, non tangent to the last line, and having a radius, chord and chord bearing of 5779.56 feet, 63.57 feet and South $34^{\circ} 28' 33''$ West; thence around the arc of said curve, 63.57 feet to its intersection with the North line of said Block 18; thence North $86^{\circ} 30'$ East along said North line 207.22 feet to the West right-of-way line of Helen Street; thence North $3^{\circ} 31'$ West, 50 feet to the Point of Beginning.

SCHEDULE "B"

BERTHA COHOON
Hastings Road
St. Augustine, Florida 32084

CONSENT FORM

DATE 8/21/87

I, BERTHA COHOON, the undersigned a/k/a MRS. G.B. COHOON, am an adjacent landowner to a portion of county owned property more particularly described as:

SEE ATTACHED LEGAL

It is my understanding that a petition has been filed asking St. Johns County to abandon/vacate that portion. I am in agreement with that petition and do concur and ask that it be abandoned/vacated.

Thomas O. Hennins
Witness

Bertha Cohoon
BERTHA COHOON

Jeannette Dale
Witness



Statutes 1985, and determine whether it will vacate, abandon, discontinue and close portions of certain streets, alleyways or roads described as follows:

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and the notice required by Section 336.10, Florida Statutes 1985, is hereby authorized and directed to be published.

Further, notice of the time, date, and place of the public hearing shall be promptly mailed by certified mail - return receipt requested, to each of the persons and entities at their addresses as described in Title Opinion.

Joseph H. Boles Jr., Esquire, July 9, 1987.

~~xxxx~~ attached to the petition to vacate.

TITLE OPINION

THIS OPINION is based upon and in conjunction with the Petition to Vacate, etc., as presented by HAM'S NURSERY, INC., by JON HAMILTON, President and is concerned with that certain county-owned property known as:


SEE ATTACHED LEGAL

It is the opinion of the undersigned that all landowners that are adjacent to that portion proposed for vacation have either signed the Petition to Vacate, etc., or have been listed therein as exceptions.

I am an attorney, licensed to practice before the bar in the State of Florida, #437522 (Florida Bar), #5099674 (American Bar.)


Joseph L. Boles, Jr., Esquire

SWORN TO before me this 9 day of July,
1987.


Notary Public

My commission expires:

June 9, 1988

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A part of Henry Street as shown on the Plat of Rothchilds Addition to St. Augustine, Florida and being recorded in Map Book 3, Page 133, Public Records of St. Johns County, Florida, said part being bounded on the North by Block 1 of said Rothchilds Addition, bounded on the East by the West right-of-way line of Helen Street as shown on said plat, bounded on the South Block 18 of said plat and bounded on the Northeast by the Southwesterly right-of-way line of State Road No. 207 as now established for a 100 foot right-of-way; said part being more particularly described as follows:

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