

RESOLUTION NO. 88-84

RESOLUTION OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA
VACATING A PORTION OF
PINECREST ESTATES SUBDIVISION PLAT

WHEREAS, the fee-simple owner of certain real property desires to remove said real property from the subdivision plat known as Pinecrest Estates

NOW THEREFORE, be it resolved by the Board of County Commissioners of St. Johns County, Florida:

1. The partial vacation of the lands described in Exhibit A hereof from the aforementioned subdivision plat will not affect the ownership or right of convenient access of persons owning other parcels located in the subject subdivision.

2. None of the streets and rights of way within the portion of Pinecrest Estates Subdivision plat sought to be vacated have become highways necessary for use by the traveling public.

3. In accordance with Florida Statute §177.101(3) the Pinecrest Estates Subdivision plat as recorded in Map Book 3, page 144 of the Public Records of St. Johns County, Florida is hereby modified by the vacation from said subdivision plat of that real property set forth on the legal description attached hereto as Exhibit "A". The remaining balance of the Pinecrest Estates Subdivision shall remain as platted, unaffected by this action.

4. The vacation of the referenced property from the Pinecrest Estates Subdivision is not inconsistent with the current duly adopted St. Johns County Comprehensive Plan.

5. The County acknowledges receipt and approval of the following items, which are, by attachment, made a part of this Resolution:

(a) Exhibit "A" - Legal description of the vacated portion of Pinecrest Estates subdivision.

(b) Exhibit "B" - Proof of publication on behalf of the real property owner of it's notice of intent to apply to the Board of County Commissioners of St. Johns County, Florida to vacate the Exhibit A lands from the subdivision plat.

(c) Exhibit "C" - Tax certificates evidencing that all applicable taxes have been paid.

(d) Exhibit "D" - A map of the property to be vacated from the plat.

(e) Exhibit "E" - Title Opinion showing that the persons making application for the partial plat vacation own the fee simple title to the portion of Pinecrest Estates Subdivision that is to be vacated and that all state and county taxes pertaining to said lands have been paid.

6. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 22nd day of March, 1988.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hartley
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Lynda L. McDonald
Deputy Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

Blocks 35 and 36, together with Lots 4 through 22, Block 25, Lots 8 through 25, Block 34, together with a part of Cedar Avenue, Orange Street, Lime Street, Washington Street, and a certain unnamed street, all in Pinecrest Estates, as recorded in Map Book 3, page 144 of the Public Records of St. Johns County, Florida being more particularly described as follows:

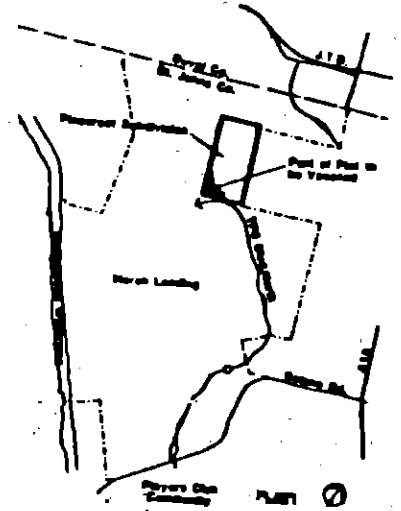
For a point of beginning commence at the Southwest corner of Pinecrest Estates; thence North $00^{\circ}11'52''$ W., along the west line of said Pinecrest Estates, a distance of 803.91 feet; thence South $89^{\circ}04'19''$ E., parallel with the north line of said Block 25 and its westerly projection thereof, a distance of 123.87 feet; thence South $00^{\circ}00'36''$ E. a distance of 175.00 feet; thence South $89^{\circ}04'19''$ E. a distance of 100.00 feet; thence South $00^{\circ}00'36''$ E., along the east line of said Block 25 and its southerly projection thereof, a distance of 190.00 feet; thence South $89^{\circ}04'19''$ E., along the north line of said Block 35 and its westerly projection thereof, a distance of 240.00 feet; thence South $00^{\circ}00'36''$ E., along the east line of said Block 35, a distance of 175.00 feet; thence South $89^{\circ}04'19''$ E., along the north line of Lots 8 and 25, Block 34 and the westerly projection thereof, a distance of 240.00 feet; thence South $00^{\circ}00'36''$ E., along the east line of said Block 34 and its southerly projection thereof, a distance of 261.44 feet to the south line of aforementioned Pinecrest Estates; thence North $89^{\circ}16'08''$ W., along said line, a distance of 701.21 feet to the point of beginning. Containing 7.55 acres more or less.

The St. Augustine Record
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

PLAT VACATION NOTICE
 NOTICE IS HEREBY GIVEN that M.L. Partnership, Fie Properties, Inc. and Marsh Landing Venture, Ltd. intend to to the St. Johns County Board of County Commissioners to v the following described property from the Pinecrest Estates 3 vision Plat.

DESCRIPTION OF PROPERTY:
 Block 35 and 36, together with Lots 4-22, Block 25, Lots 8-25, 34, together with a part of Cedar Avenue, Orange Street, Street and Washington Street, all in Pinecrest Estates Subdi as recorded in Map Book 3, page 144 of the Public Records Johns County, Florida.



This application will be considered by the St. Johns C Board of County Commissioners at the following time and pla 2:00 p.m., Tuesday, March 22, 1988
 Auditorium
 St. Johns County Administration Building
 420 Lewis Speedway (County Road #16-A and U.S. 1 North St. Augustine, Florida
 For information concerning this application, contact Plaintiff's attorney, Bruce J. Fletcher, Ulmer, Merchison, Asl Taylor, P.A., Post Office Box 429, Jacksonville, Florida 32201, 344-5452; or contact the Secretary of the St. Johns County Board of County Commissioners, Post Office Drawer 847, St. Johns Florida 32084.
 L170 Feb. 27, march 1

STATE OF FLORIDA,
 COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
 LINDA MURRAY _____ who on oath says that he is
 ACCOUNTING CLERK _____ 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 _____
 PLAT VACATION NOTICE _____
 _____ in the matter of _____
 PINECREST ESTATES _____
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
 FEBRUARY 27, 1988 & MARCH 5, 1988

Affiant further says that the 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 Sundays, 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
 this 7th day of MARCH
 A.D. 19 88

[Signature]
 Notary Public, State of Florida
 My Commission Expires Aug. 4, 1989
 Bonded Thru Troy Fair Insurance, Inc.

COPY OF ADVERTISEMENT

The St. Augustine Record

PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____

KRISTI ROBERTSON who on oath says that he is
ACCOUNTING CLERK 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 _____

PLAT VACATION NOTICE

_____ in the matter of _____
VACANT PROPERTY FROM PINECREST ESTATES SUBDIVISION

_____ in the _____ Court,

was published in said newspaper in the issues of _____
JANUARY 27, 1988 & FEBRUARY 3, 1988

Affiant further says that the 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 Sundays, 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 Kristi Robertson
this 3rd day of FEBRUARY

A.D. 19 88
[Signature]
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires Aug. 4, 1989
Bonded Through Fidelity Insurance, Inc.

PLAT VACATION NOTICE
NOTICE IS HEREBY GIVEN that M.L. Partnership, Fletcher Properties, Inc. and Marsh Landing Venture, Ltd. intend to apply to the St. Johns County Board of County Commissioners to vacate the following described property from the Pinecrest Estates Subdivision Plat.
DESCRIPTION OF PROPERTY:
- Blocks 35 and 36, together with Lots 4-22, Block 23, Lots 8 - 23, Block 34, together with a part of Cedar Avenue, Orange Street, Lime Street and Washington Street, all in Pinecrest Estates Subdivision as recorded in Map Book 3, page 144 of the Public Records of St. Johns County, Florida.
For information concerning this matter contact applicants' attorney, Bruce J. Fletcher, Ulmer, Murchison, Ashby & Taylor, P.A., Post Office Box 479, Jacksonville, Florida 32201, 904-354-5452; or once application has been made, contact the Secretary of the St. Johns County Board of County Commissioners, Post Office Drawer 349, St. Augustine, Florida 32084.
DATED THIS - day of January, A.D. 1988.
L915 Jan. 27, Feb. 3, 1988

EXHIBIT "C"

11013509 1987 TAX NOTICE/RECEIPT ST. JOHNS COUNTY REAL ESTATE

2

			DUE NOV	DUE DEC	DUE JAN	DUE FEB	DUE MAR
			167.46	169.21	170.95	172.70	174.44
K-TYPE	ESCROW CODE	MILLAGE CODE	TAXES LEVIED		MILLAGE	MAKE CHECK TO:	
		3000	GEN CO	82.25	7.3560	DENNIS W. HOLLINGSWORTH	
ASSESSED VALUES			SCHOOL	82.70	7.3970	TAX COLLECTOR	
			SJRWMD	2.31	0.2070	PO DRAWER A	*RECEIPTED*
AND	11.180		F. I. N. D	0.75	0.0670	ST. AUGUSTINE	01-08-88
MP	0		MSQTO	4.08	0.3650	FL 32085-0638	170.95
JT	11.180		AIRPORT	2.35	0.2100		42*038527
TEMP	0		SC TN RG	ACRES		KWITNEY PAUL TRUSTEE	
DNEX	11.180	17 03 29		0.00		SUITE 512 420 LINCOLN RD	
3-144 PINECREST ESTS LOTS 4 THRU 29						MIAMI BCH FL 33139-3015	
BLK 25 OR541/714							

SEE REVERSE SIDE FOR INSTRUCTIONS) THIS TAX NOTICE BECOMES A RECEIPT WHEN VALIDATED BY TAX COLLECTOR. 051920-0000 REPRINT

11013540 1987 TAX NOTICE/RECEIPT ST. JOHNS COUNTY REAL ESTATE

2

			DUE NOV	DUE DEC	DUE JAN	DUE FEB	DUE MAR
			1.726.20	1.744.19	1.762.17	1.780.15	1.798.13
K-TYPE	ESCROW CODE	MILLAGE CODE	TAXES LEVIED		MILLAGE	MAKE CHECK TO:	
		3000	GEN CO	847.78	7.3560	DENNIS W. HOLLINGSWORTH	
ASSESSED VALUES			SCHOOL	852.50	7.3970	TAX COLLECTOR	
			SJRWMD	23.86	0.2070	PO DRAWER A	*RECEIPTED*
AND	7.740		F. I. N. D	7.72	0.0670	ST. AUGUSTINE	12-28-87
MP	107.510		MSQTO	42.07	0.3650	FL 32085-0638	1744.19
JT	115.250		AIRPORT	24.20	0.2100		42*035379
TEMP	0		SC TN RG	ACRES		MARSH LANDING VENTURE LTD	
DNEX	115.250	17 03 29		0.00		PO BOX 1219	
3-144 PINECREST ESTS LOTS 8 THRU 25						PONTE VEDRA BCH FL 32082-1219	
BLK 34 OR612/444							

SEE REVERSE SIDE FOR INSTRUCTIONS) THIS TAX NOTICE BECOMES A RECEIPT WHEN VALIDATED BY TAX COLLECTOR. 052140-0000 REPRINT

11013541 1987 TAX NOTICE/RECEIPT ST. JOHNS COUNTY REAL ESTATE 2

			DUE NOV	DUE DEC	DUE JAN	DUE FEB	DUE MAR
			1,484.91	1,500.38	1,515.84	1,531.31	1,546.70
TYPE	ESCROW CODE	MILLAGE CODE	TAXES LEVIED		MILLAGE	MAKE CHECK TO:	
		3000	GEN CO	729.27	7.3560	DENNIS W. HOLLINGSWORTH	
ASSESSED VALUES			SCHOOL	733.34	7.3970	TAX COLLECTOR	
			SJRWMD	20.52	0.2070	PO DRAWER A	*RECEIPTED*
ND	13.760		F. I. N. D	6.64	0.0670	ST. AUGUSTINE	12-28-87
P	85.380		MSQTO	36.19	0.3650	FL 32085-0638	1500.38
T	99.140		AIRPORT	20.82	0.2100		42*035378
EMP	0		SC TN RG	ACRES		M L PARTNERSHIP	
JNEX	99.140		17 03 29	0.00		P O BOX 1219	
3-144 PINECREST EST BLK 35						PONTE VEDRA BEACH FL 32082-1219	
OR684/1943							

SEE REVERSE SIDE FOR INSTRUCTIONS) THIS TAX NOTICE BECOMES A RECEIPT WHEN VALIDATED BY TAX COLLECTOR. PARCEL 052143-0000 REPRINT

11013542 1987 TAX NOTICE/RECEIPT ST. JOHNS COUNTY REAL ESTATE 2

			DUE NOV	DUE DEC	DUE JAN	DUE FEB	DUE MAR
			167.46	169.21	170.95	172.70	174.44
TYPE	ESCROW CODE	MILLAGE CODE	TAXES LEVIED		MILLAGE	MAKE CHECK TO:	
		3000	GEN CO	82.25	7.3560	DENNIS W. HOLLINGSWORTH	
ASSESSED VALUES			SCHOOL	82.70	7.3970	TAX COLLECTOR	
			SJRWMD	2.31	0.2070	PO DRAWER A	*RECEIPTED*
ND	11.180		F. I. N. D	0.75	0.0670	ST. AUGUSTINE	12-28-87
P	0		MSQTO	4.08	0.3650	FL 32085-0638	169.21
T	11.180		AIRPORT	2.35	0.2100		42*035358
EMP	0		SC TN RG	ACRES		KWITNEY PAUL TRUSTEE	
JNEX	11.180		17 03 29	0.00		420 LINCOLN RD	
3-144 PINECREST ESTS LOTS 1 THRU 13						MIAMI BCH FL 33139-3015	
& 20 THRU 32 BLK 36 OR541/715							

SEE REVERSE SIDE FOR INSTRUCTIONS) THIS TAX NOTICE BECOMES A RECEIPT WHEN VALIDATED BY TAX COLLECTOR. PARCEL 052145-0000 REPRINT

11013543 1987 TAX NOTICE/RECEIPT ST. JOHNS COUNTY REAL ESTATE 2

			DUE NOV	DUE DEC	DUE JAN	DUE FEB	DUE MAR
			38.63	39.03	39.44	39.84	40.24
TYPE	ESCROW CODE	MILLAGE CODE	TAXES LEVIED		MILLAGE	MAKE CHECK TO:	
		3000	GEN CO	18.98	7.3560	DENNIS W. HOLLINGSWORTH	
ASSESSED VALUES			SCHOOL	19.08	7.3970	TAX COLLECTOR	
			SJRWMD	0.53	0.2070	PO DRAWER A	*RECEIPTED*
ND	2.580		F. I. N. D	0.17	0.0670	ST. AUGUSTINE	01-22-88
P	0		MSQTO	0.94	0.3650	FL 32085-0638	39.44
T	2.580		AIRPORT	0.54	0.2100		53*039531
EMP	0		SC TN RG	ACRES		MARSH LANDING VENTURES LTD	
JNEX	2.580		17 03 29	0.00		P O BOX 1219	
3-144 PINECREST ESTATES LOTS 14 THRU						PONTE VEDRA BEACH FL 32082-1219	
19 BLK 36 OR685/443							

ULMER, MURCHISON, ASHBY & TAYLOR

1600 FIRST UNION BUILDING
POST OFFICE BOX 479
JACKSONVILLE, FLORIDA 32201

(904) 354-5652

TELECOPIER: (904) 354-9100

HERMAN ULMER (1895-1980)
CHARLES H. MURCHISON (1899-1987)
JOHN W. BALL (1910-1978)

CLARENCE G. ASHBY
W. SPERRY LEE
OF COUNSEL

JAMES B. TAYLOR
HERMAN ULMER, JR.
LEWIS S. LEE
JOHN W. MOOERS
NATHAN H. WILSON
WILLIAM E. SCHEU
JOHN S. DUSS, IX
DOUGLAS H. MORFORD
EDWARD L. KELLY
CARL M. STEWART
B. THOMAS WHITEFIELD
CLARENCE H. HOUSTON, JR.
EDWARD W. LANE, III
LORI E. TERENS
LINDA R. HURST
BRUCE J. FLETCHER

March 18, 1988

Board of County Commissioners
of St. Johns County, Florida
P. O. Box 1533
St. Augustine, Florida 32085-1533

RE: Partial Vacation of Pinecrest Estates Subdivision
Plat - St. Johns County, Florida

Dear County Commissioners:

We have been requested to provide the St. Johns County Board of County Commissioners with our opinion of title as to certain lands, which lands are the subject matter of a petition before the Board of County Commissioners for the above referenced partial plat vacation.

Based on our examination of the following title insurance policies: (a) Chicago Title Insurance Company, policy number 10-0044-04-000178 as to Block 25, Lots 4 thru 22; (b) Chicago Title Insurance Company policy number 10-0044-04-000179 as to Block 36, Lots 1 thru 13 and 20 thru 32; (c) First American Title Insurance Company policy number FA-0-237633 as to Block 35; (d) First American Title Insurance Company policy number FA-0-237631 as to Block 36, Lots 14 thru 19 and (e) Commonwealth Land Title Insurance company policy number 112-082867 as to Block 34, Lots 8 thru 25 and various tax receipts provided by the Tax Collector for St. Johns County, it is our opinion that all ad valorem real estates taxes currently due and owing have been paid. Further, as of the dates set forth in each of the aforementioned policies the fee simple title to the real property is vested as follows:


- (a) Block 25, Lots 4 thru 22 - Fletcher Properties, Inc.
- (b) Block 36, Lots 1 thru 13 and 20 thru 32 - Fletcher Properties, Inc.
- (c) Block 35 - M. L. Partnership.
- (d) Block 36, Lots 14 thru 19 - Marsh Landing Venture, Ltd.

(e) Block 34, Lots 8 thru 25 - Marsh Landing Venture, Ltd.

Subject to the following:

1. Ad valorem real property tax levied and assessed on the subject property subsequent to December 31, 1987 (note taxes for 1987 are paid).
2. Rights or claims of parties in possession not shown by the public records.
3. Encroachments, overlaps, boundary line disputes and any matters which would be disclosed by an accurate survey and inspection of the premises.
4. Encroachments or claims of easements, not shown by the public records.
5. Lien or claims of lien, not shown by the public records.
6. Riparian rights and title to any portion of the land lying below the normal high waterline of all marshes, tidal flats and creeks as to all Parcels.
7. Purchase money mortgage dated January 5, 1988 given by Fletcher Properties, Inc. unto Paul Kwitney, Trustee, recorded in Official Records Volume 770, page 154, current public records of St. Johns County, Florida as to Lots 4 thru 22 of Block 25 of said Pinecrest Estates Subdivision.

Very truly yours,


Bruce J. Fletcher
For the Firm

sr

ULMER, MURCHISON, ASHBY & TAYLOR

1600 FIRST UNION BUILDING
POST OFFICE BOX 470
JACKSONVILLE, FLORIDA 32201

(904) 354-5652
TELECOPIER:(904) 354-9100

HERMAN ULMER (1895-1980)
CHARLES H. MURCHISON (1899-1987)
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CLARENCE G. ASHBY
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OF COUNSEL

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JOHN W. MOOERS
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CLARENCE H. HOUSTON, JR.
EDWARD W. LANE, III
LORI E. TERENS
LINDA R. HURST
BRUCE J. FLETCHER

March 17, 1988

James G. Sisco, Esquire
St. Johns County Attorney
Post Office Box 1533
St. Augustine, Florida 32085-1533

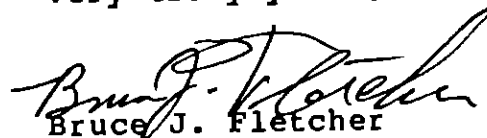
Re: Partial Vacation of Pinecrest Estates Subdivision Plat

Dear Mr. Sisco:

With reference to the above-captioned matter, enclosed please find a copy of the resolution to vacate a portion of the Pinecrest Estates subdivision plat, together with all required exhibits. Also enclosed is an executed petition from the owners of the real property which will be affected by this action.

If I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,


Bruce J. Fletcher
For the Firm

BJF/tlc
Enclosures

cc: Betty Sue Solana (w/encl.)
Millie Lindner (w/encl.)
Paul Z. Fletcher (w/encl.)
John S. Duss, IV (w/encl.)
Marie Hudson (w/encl.)

PETITION FOR PLAT VACATION

We, the undersigned, constituting the fee simple owners of the real property described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Property") hereby petition the Board of County Commissioners of St. Johns County, Florida to vacate a portion of the Pinecrest Estates Subdivision Plat; said portion being the Property. Said Pinecrest Subdivision is located entirely within the confines of St. Johns County, Florida.

The partial vacation of the Property from the aforementioned Pinecrest Subdivision plat will not affect the ownership or right of convenient access of persons owning other parcels located in the subject subdivision.

None of the streets and rights-of-way within the portion of Pinecrest Estates Subdivision Plat sought to be vacated have become highways or improved rights of way necessary for use by the traveling public.

Respectively submitted,

"PETITIONERS"

M. L. PARTNERSHIP

By: *De F...*
Its: _____

FLETCHER PROPERTIES, INC.

By: *De F...*
Its: _____

MARSH LANDING VENTURE, LTD.

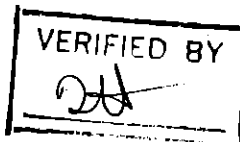
By: *De F...*
Its: _____

EXHIBIT "A"

LEGAL DESCRIPTION

Blocks 35 and 36, together with Lots 4 through 22, Block 25, Lots 8 through 25, Block 34, together with a part of Cedar Avenue, Orange Street, Lime Street, Washington Street, and a certain unnamed street, all in Pinecrest Estates, as recorded in Map Book 3, page 144 of the Public Records of St. Johns County, Florida being more particularly described as follows:

For a point of beginning commence at the Southwest corner of Pinecrest Estates; thence North $00^{\circ}11'52''$ W., along the west line of said Pinecrest Estates, a distance of 803.91 feet; thence South $89^{\circ}04'19''$ E., parallel with the north line of said Block 25 and its westerly projection thereof, a distance of 123.87 feet; thence South $00^{\circ}00'36''$ E. a distance of 175.00 feet; thence South $89^{\circ}04'19''$ E. a distance of 100.00 feet; thence South $00^{\circ}00'36''$ E., along the east line of said Block 25 and its southerly projection thereof, a distance of 190.00 feet; thence South $89^{\circ}04'19''$ E., along the north line of said Block 35 and its westerly projection thereof, a distance of 240.00 feet; thence South $00^{\circ}00'36''$ E., along the east line of said Block 35, a distance of 175.00 feet; thence South $89^{\circ}04'19''$ E., along the north line of Lots 8 and 25, Block 34 and the westerly projection thereof, a distance of 240.00 feet; thence South $00^{\circ}00'36''$ E., along the east line of said Block 34 and its southerly projection thereof, a distance of 261.44 feet to the south line of aforementioned Pinecrest Estates; thence North $89^{\circ}16'08''$ W., along said line, a distance of 701.21 feet to the point of beginning. Containing 7.55 acres more or less.



FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

1988 MAR 28 PM 1:20

Carl "Bud" Mantel
CLERK OF CIRCUIT COURT