

RESOLUTION NO. 89-5

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 10th day of January, 19 89.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Henry Washburn
Chairman

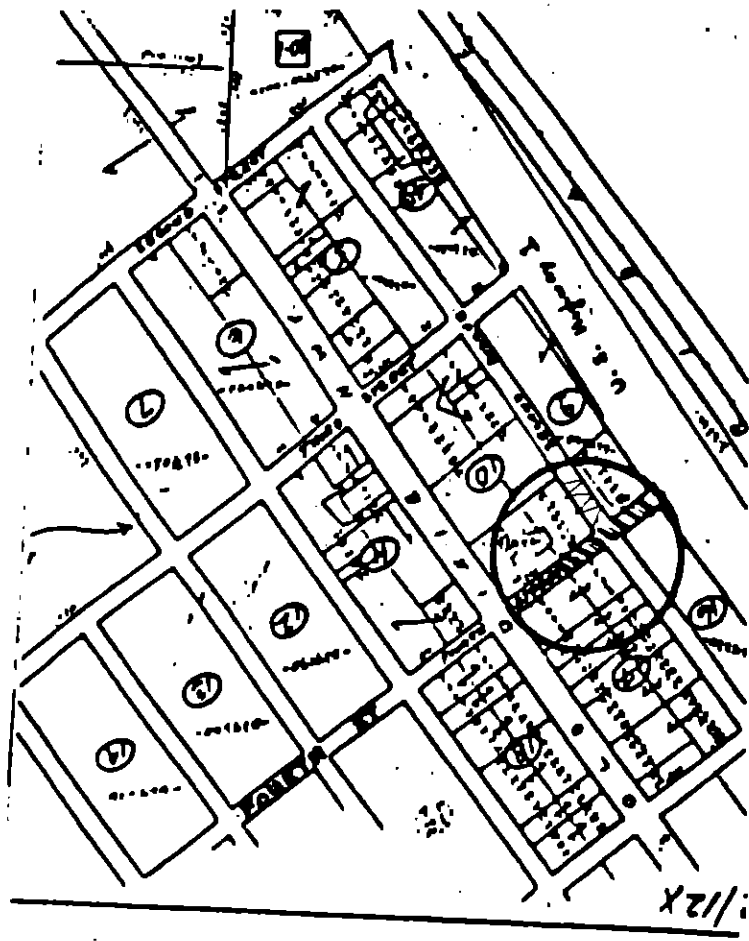
ATTEST: CARL "BUD" MARKEL, CLERK

BY: Connie E. McDaniel
Deputy Clerk

SCHEDULE "A"

A portion of Fourth Street, Hilden Subdivision, St. Johns County, Florida, lying between Blocks 9 and 10 to the South and Blocks 16 and 17 to the North, more fully described as follows:

Commence at the intersection of the Southerly right-of-way of Fourth Street with the Westerly right-of-way of the Old Dixie Highway, the point of commencement also being the Northeast corner of Lot 40, Block 10, Hilden Subdivision; thence proceed in a Westerly direction along the Northern boundary of Block 10; to the Northeast corner of Block 9; thence continue in a Westerly direction along the Northern boundary of Block 9 to the Easterly right-of-way of State Road U.S. 1; thence proceed in a Northerly direction along the right-of-way of U.S. 1 to the Southwest corner of Block 16, Hilden Subdivision; thence proceed in an Easterly direction along the Southern boundary of Block 16 to the Southwest corner of Block 17; thence proceed along the Southern boundary of Block 17 to the intersection with the Westerly right-of-way with the Old Dixie Highway; thence proceed in a Southerly direction along the Westerly right-of-way of Old Dixie Highway to the point of beginning.



PETITION TO VACATE PORTIONS OF
CERTAIN STREETS, ALLEYWAYS OR ROADS

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

Comes now MACDONALD CONSTRUCTION CO., 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 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 1985, 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.

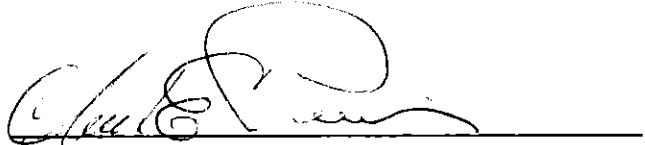
3. In support hereof, Petitioner shows that he is the owner of certain lands bordering said portions of the streets, alleyways or roads sought to be vacated. The names and addresses of all other

owners or persons having an interest in any lands bordering said portions of the streets, alleyways or roads sought to be vacated are as follows:

List as per attached SCHEDULE "B"

and those persons joined in and consented to the petition of the petitioner.

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



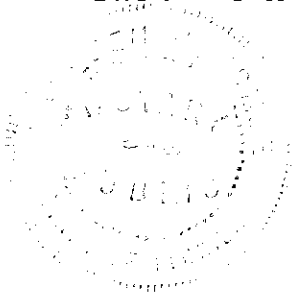
CHARLES E. PELLICER, ESQUIRE
ATTORNEY FOR PETITIONER
MACDONALD CONSTRUCTION CO., INC

STATE OF FLORIDA
COUNTY OF ST. JOHNS

CHARLES E. PELLICER, 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.



SWORN TO AND SUBSCRIBED before me this 11 day of October, 1988.



Notary Public
State of Florida at Large

My commission expires: NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires June 30, 1991

SCHEDULE "A"

A portion of Fourth Street, Hilden Subdivision, St. Johns County, Florida, lying between Blocks 9 and 10 to the South and Blocks 16 and 17 to the North, more fully described as follows:

Commence at the intersection of the Southerly right-of-way of Fourth Street with the Westerly right-of-way of the Old Dixie Highway, the point of commencement also being the Northeast corner of Lot 40, Block 10, Hilden Subdivision; thence proceed in a Westerly direction along the Northern boundary of Block 10; to the Northeast corner of Block 9; thence continue in a Westerly direction along the Northern boundary of Block 9 to the Easterly right-of-way of State Road U.S. 1; thence proceed in a Northerly direction along the right-of-way of U.S. 1 to the Southwest corner of Block 16, Hilden Subdivision; thence proceed in an Easterly direction along the Southern boundary of Block 16 to the Southwest corner of Block 17; thence proceed along the Southern boundary of Block 17 to the intersection with the Westerly right-of-way with the Old Dixie Highway; thence proceed in a Southerly direction along the Westerly right-of-way of Old Dixie Highway to the point of beginning.

SCHEDULE "B"

CONSENT AND JOINDER

COMES NOW, the undersigned as adjacent owners of the following County Road sought to be vacated, to-wit:

LEGAL DESCRIPTION AS PER ATTACHED SCHEDULE "A"

and do hereby join in the petition to vacate same now or hereafter to be filed before the County Commission of St. Johns County, Florida.

Dated this 18th day of OCTOBER, 1988.

Elizabeth R. Arnold

Horace L. Arnold

STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, HORACE ~~HORACE~~ L. ARNOLD AND ELIZABETH R. ARNOLD

to me well known to be the persons described in and who executed the foregoing Consent and Joinder, and acknowledged before me that they executed the same freely and voluntarily for the purpose therein expressed.

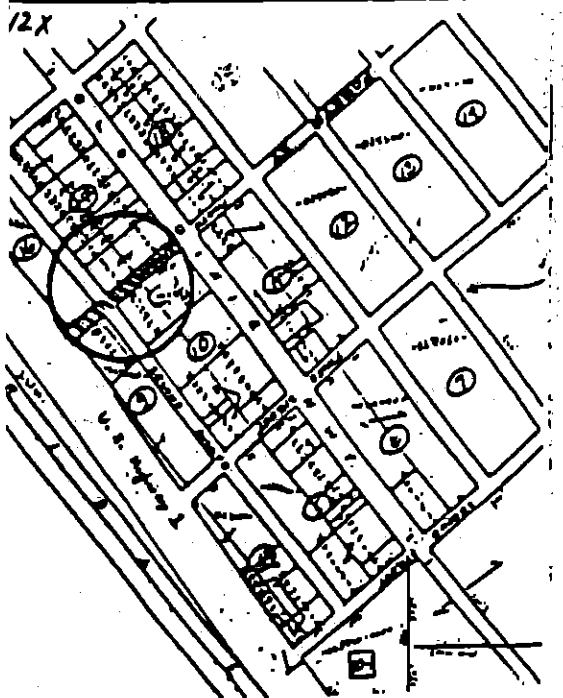
WITNESS my hand and official seal at ST. AUGUSTINE, County of ST. JOHNS, State of FLORIDA, this 18th day of OCTOBER, 1988.

[Signature]
Notary Public

My commission expires:
July 30, 1990

COPY OF ADVERTISEMENT

NOTICE OF PUBLIC HEARING ON PETITION TO VACATE PORTIONS OF CERTAIN STREETS, ALLEYWAYS OR ROADS. Take notice that the Board of County Commissioners of St. Johns County, Florida, upon petition of qualified land owners, will hold a public hearing on January 10, 1989, at 10:00 a.m. in the County Auditorium of the St. Johns County Administration Building, 4020 Lewis Speedway (County Road 16-A) and U.S. #1 North, St. Augustine, Florida, to consider and determine whether it will vacate, abandon, discontinue and close portions of certain streets, alleyways or roads described as follows:



SCHEDULED "A" A portion of Fourth Street, Hilden Subdivision, St. Johns County, Florida, lying between Blocks 9 and 10 to the South and Block 16 and 17 to the North, more fully described as follows: Commence at the intersection of the Southerly right-of-way of Fourth Street with the Westerly right-of-way of the Old Dixie Highway, the point of commencement also being the Northeast corner of Lot 40, Block 10, Hilden Subdivision; thence proceed in a Westerly direction along the Northern boundary of Block 10; to the Northeast corner of Block 9; thence continue in a Westerly direction along the Northern boundary of Block 9 to the Easterly right-of-way of State road U.S. 1; thence proceed in a Northerly direction along the right-of-way of U.S. 1 to the Southwest corner of Block 16, Hilden Subdivision; thence proceed in an Easterly direction along the Southern boundary of Block 16 to the Southwest corner of Block 17; thence proceed along the Southern boundary of Block 17 to the intersection with the Westerly right-of-way with the Old Dixie Highway; thence proceed in a Southerly direction along the Westerly right-of-way of Old Dixie Highway to the point of beginning. All parties having any interest in said matter will be afforded an opportunity to be heard at the public hearing. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice is published pursuant to the provisions of section 336.10 Florida Statutes 1985.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA Carl "Bud" Markel, Its Clerk By Connie E. McDaniel Deputy Clerk L973 Dec. 21, 1988

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING 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 she 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 Public Hearing in the matter of Vacate Street, Alleyway & Roads in the Court, was published in said newspaper in the issues of December 21, 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 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me Kristi Robertson this 21st day of December A.D. 19 88

Notary Public, State of Florida Notary Public My Commission Expires Aug. 4, 1989 Bonded thru Troy Fain - Insurance, Inc.