

RESOLUTION NO. 95-112

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AUTHORIZING A REVOCABLE LICENSE TO STEPHEN OMODEO AND B. J. OMODEO, HIS WIFE TO OPEN A PORTION OF UNIMPROVED COUNTY RIGHT-OF-WAY KNOWN AS WINTON CIRCLE, TO CONSTRUCT A RESIDENTIAL DRIVEWAY.

WHEREAS, St. Johns County has received a request by Stephen Omodeo and B. J. Omodeo, his wife (hereinafter Owners) to use a portion of unimproved county right-of-way known as Winton Circle to construct a residential driveway (See Exhibit "A" attached hereto, incorporated by reference and made a part hereof).

NOW THEREFORE, BE IT RESOLVED, that the St. Johns County Board of County Commissioners hereby grants to said Owners of the following described Property: Woodridge II Subdivision Lot 8 as platted in Map Book 25 Page 39 and 40 (see Exhibit "B" attached hereto, incorporated by reference and made a part hereof) and recorded in Official Records 1092/920 of St. Johns County Florida (see Exhibit "C", attached hereto, incorporated by reference and made a part hereof) a revocable license to: construct and use a stabilized driveway within the unimproved County owned right-of-way known as Winton Circle (see Exhibit "D" attached hereto, incorporated by reference and made a part hereof).

Subject to the following conditions:

1. The owners hold marketable fee title to the property described in Exhibit "C".
2. This referenced revocable license is non-exclusive, and may be revoked upon opening of the subject right-of-way as a public road.
3. There will be only one single family residence constructed on the property (see Exhibit "E" attached hereto, incorporated by reference and made a part hereof).
4. The stabilized driveway with the 20 foot driving surface will be constructed within the 60 foot unimproved right-of-way of Winton Circle. The driveway will extend from the paved portion of Winton Circle south twenty one feet into the unimproved portion of Winton Circle and there terminate as shown on Exhibit "D".
5. This license shall be transferable to the subsequent Owners of the property but, the Owners of the above described property and any future Owners must remove and/or relocate the stabilized access at their expense, upon request by the County, for any reason, at any time in the future.
6. The stabilized access located within the County right-of-way must be privately maintained to St. Johns County standards by the lot owners at all times. St. Johns County will assume no responsibility for the maintenance of this use.

7. Neither the present Owners or subsequent Owners shall have any right to compensation for their improvements on said right-of-way should this license be revoked, nor shall any improvements entitle such Owners to continuation of this license.

8. This permission from the Board of County Commissioners is granted subject to issuance of all necessary permits, including, the FDEP and U.S. Army Corps of Engineers dredge and fill permits, St. Johns County Zoning Ordinance Section 7-4C (2), St. Johns County Paving and Drainage Ordinance Section 14, St. Johns County Ordinance 93-6 and approval of construction plans by the County Engineering Department.

CONSTRUCTION OF THIS STABILIZED DRIVING SURFACE IS NOT AUTHORIZED UNTIL ISSUANCE OF ALL REQUIRED PERMITS FOR CONSTRUCTION ARE OBTAINED.

9. The Owners of the above described property by acceptance of these conditions and locating the stabilized access within the right-of-way, agree to assume all liability for the permitting, locating, installation and maintenance of access for as long as it may remain within the unimproved County right-of-way.

10. The Owners of said property shall agree in writing to all conditions in this resolution before its terms shall be effective.

ADOPTED THIS 13th day of June, 1995 by the St. Johns County Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Bernard Ward
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Diana Sacetti
Deputy Clerk

April 1995

Board of County Commissioners
of St. Johns County, Florida
P. O. Box 349
St. Augustine, Florida 32084

REF: Residential driveway to be constructed within unimproved
County right-of-way known as Winton Circle.

This is to acknowledge that we agree with all the terms and
conditions as set forth in St. Johns County Resolution No. 95-
112 in regard to the above referenced driveway to be constructed
within the County right-of-way.

Stephen Omodeo
Stephen Omodeo

4873 Winton Circle
St. Augustine, Fl. 32086

Birtha J. Omodeo
Birtha J. Omodeo
4873 Winton Circle
St. Augustine, Fl. 32086

State of Florida
County of St. Johns

THE FOREGOING instrument was acknowledged before me this 21 day
of June 1995, by Stephen Omodeo and Birtha J. Omodeo who ~~are~~
~~personally known to me or~~ have produced ^{FL DL-0530-180-42-370-0}
^{FL DL-0530-070-369130} as
identification and who ~~did~~ (did not) take and oath.

Patricia DeGrande
Notary Public

Patricia DeGrande
(Name of notary, typed or printed)

My commission expires 1-26-96



PATRICIA DEGRANDE
MY COMMISSION # CG 176632 EXPIRES
January 26, 1996
BONDED THRU TROY FAH INSURANCE, INC.

TO WHOM IT MAY CONCERN

THIS LETTER IS ACCOMPANYING MY REQUEST FOR A BUILDING PERMIT ON LOT 8 OF THE WOODRIDGE II SUBDIVISION AS AN EXPLANATION OF THE URGENCY THAT I HOPE TO RELAY TO YOU.

MY FATHER AND MOTHER, ENZO AND PAULE OMODEO, WHO LIVE IN MIAMI, HAVE ALWAYS BEEN VERY INDEPENDENT -- AS THE YEARS WENT ON THEY WERE FORCED TO BECOME MORE DEPENDENT ON EACH OTHER. NOW FATHER TIME HAS MADE A WORLD THEY'RE NOT ACUSTOM TO -- DEPENDING ON SOMEONE ELSE-- FAMILY

THEY CANNOT DRIVE NOR WALK FAR AND NEED HELP WITH THE DAY-TO-DAY ACTIVITIES SUCH AS DRESSING, BATHING, ETC. -- THE HOUSE THEY HAVE LIVED IN FOR YEARS NOW PRESENTS TREMENDOUS DIFFICULTIES FOR THEIR WALKERS AND WHEELCHAIRS.

I PROPOSE TO BUILD AN ACCESSABLE HOME NEXT DOOR TO ME FOR THE CARE OF MY PARENTS AS TO MAKE THEM AS COMFORTABLE AS POSSIBLE WITH FACILITIES AND ALL OPENINGS TO FIT THEIR CURRENT DISABILITIES.

I HAVE A CONSTANT FEAR FOR THEIR SAFETY IN MIAMI AND NOW WITH THEIR DECLINING HEALTH THEIR DOCTORS SUGGEST LOOKING AT NURSING HOMES OR SOME TYPE OF ASSISTED LIVING. THESE ARE NOT AN OPTION WITH THEIR MONETARY SITUATION NOR WILL BE AN OPTION AS LONG AS I AM ABLE TO CARE FOR THEM.

THE NECESSITY OF THIS TYPE OF CARE FOR MY PARENTS I GLADLY ACCEPT BUT NOW LOOK TO YOU FOR HELP IN EXPEDITING A HOME WITH PROPER FACILITIES THEY CAN PRIDEFULLY EXIST IN.

THANK YOU IN ADVANCE FOR YOUR CONSIDERATION.

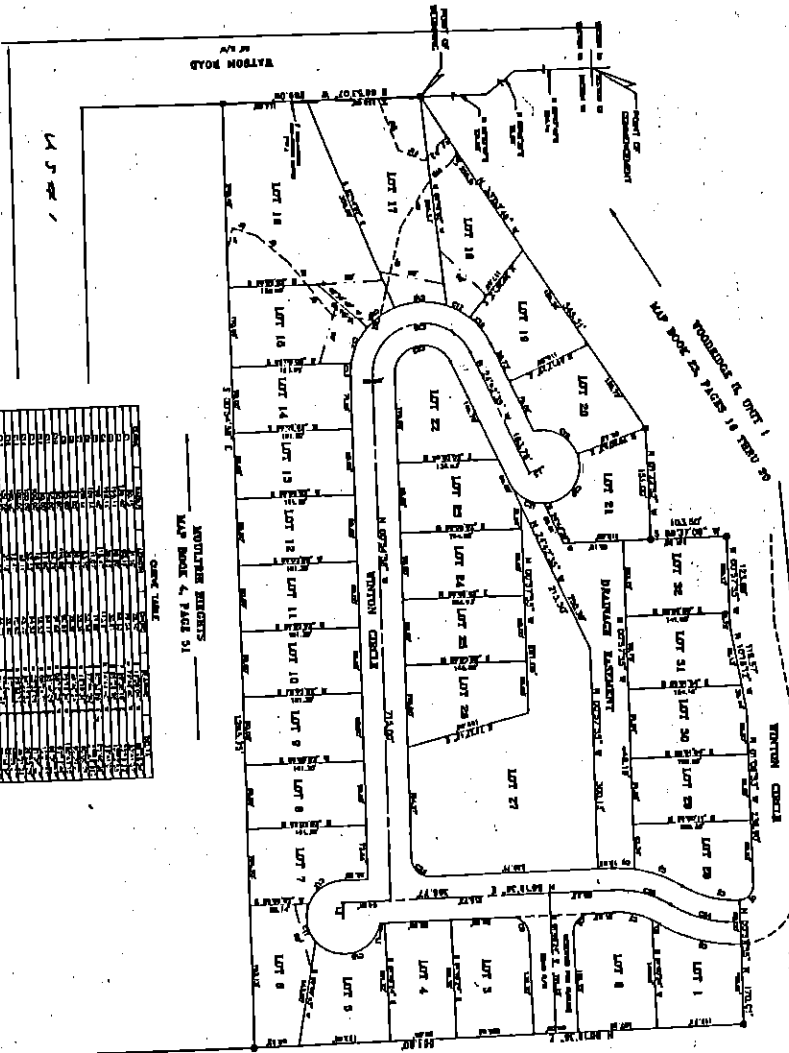
STEPHEN OMODEO

EXHIBIT A

WOODRIDGE II, A SUBDIVISION

PLAT OF

A PART OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST AND
A REPLAT OF THE PRESERVE AREA AS SHOWN ON THE PLAT OF
WOODRIDGE, UNIT I AS RECORDED IN MAP BOOK 23, PAGES
18-20 OF THE PUBLIC RECORDS OF ST. JOHN'S COUNTY, FLORIDA



NOTICES:

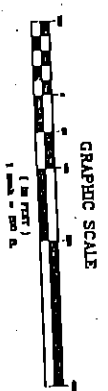
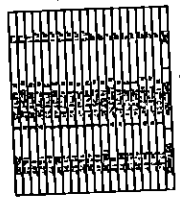
1. The plat of this subdivision is subject to the provisions of the Florida Subdivision Law, Chapter 71, Florida Statutes, and the rules and regulations of the Florida Department of Community Affairs, Chapter 61, Florida Administrative Code.

2. The plat of this subdivision is subject to the provisions of the Florida Subdivision Law, Chapter 71, Florida Statutes, and the rules and regulations of the Florida Department of Community Affairs, Chapter 61, Florida Administrative Code.

3. The plat of this subdivision is subject to the provisions of the Florida Subdivision Law, Chapter 71, Florida Statutes, and the rules and regulations of the Florida Department of Community Affairs, Chapter 61, Florida Administrative Code.

LEGEND:

- EASEMENT FOR UTILITY LINES
- EASEMENT FOR DRIVEWAY
- EASEMENT FOR DRIVEWAY
- EASEMENT FOR DRIVEWAY



CLARK, CLINEBAULT & ASSOCIATES, INC.
PLANNERS AND ENGINEERS
1111 N. W. 11th St., Ft. Lauderdale, Fla. 33304
Telephone: (305) 463-1111

Corporate Warranty Deed

This Indenture, made this 20th day of January A.D. 19 95 Between

GARRETT ENTERPRISES, INC.

whose post office address is: 4880 Winton Circle St. Augustine, Florida 32086

a corporation existing under the laws of the State of Florida (Grantor and STEPHEN OMODEO and B. J. OMODEO, his wife

whose post office address is: 4873 WINTON CIRCLE, ST AUGUSTINE, FL 32086

Grantees' Tax Id # : 261-64-5390 & 409-60-9534 (Grantee,

Witnesseth, that the said Grantor, for and in consideration of the sum of (Ten & NO/100) Dollars, to it in hand paid by the said (Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said (Grantee forever, the following described land, situate, lying and being in the County of St. Johns State of Florida, to wit: Lot 8, WOODRIDGE II, according to map or plat thereof recorded in Map Book 25, pages 39 and 40, of the public records of St. Johns County, Florida.

Recorded in Public Records St. Johns County, FL Clerk # 95002077 O.R. 1092 PG 920 10:43AM 01-24-95 Recording 5.00 Surcharge 1.00 Doc Stamp 91.00

Subject to covenants, restrictions and easements of record. Subject also to taxes for 1995 and subsequent years. Parcel Identification Number: 181891-0080 And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever. In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written. GARRETT ENTERPRISES, INC.

Signed and Sealed in Our Presence:

By: Darlene M. Garrett Darlene M. Garrett In Vice-President

Luann R. Michalek

Lema Gordon

(Corporate Seal)

State of Florida County of St. Johns

The foregoing instrument was acknowledged before me this 20th day of January 19 95 by Darlene M. Garrett of GARRETT ENTERPRISES, INC.

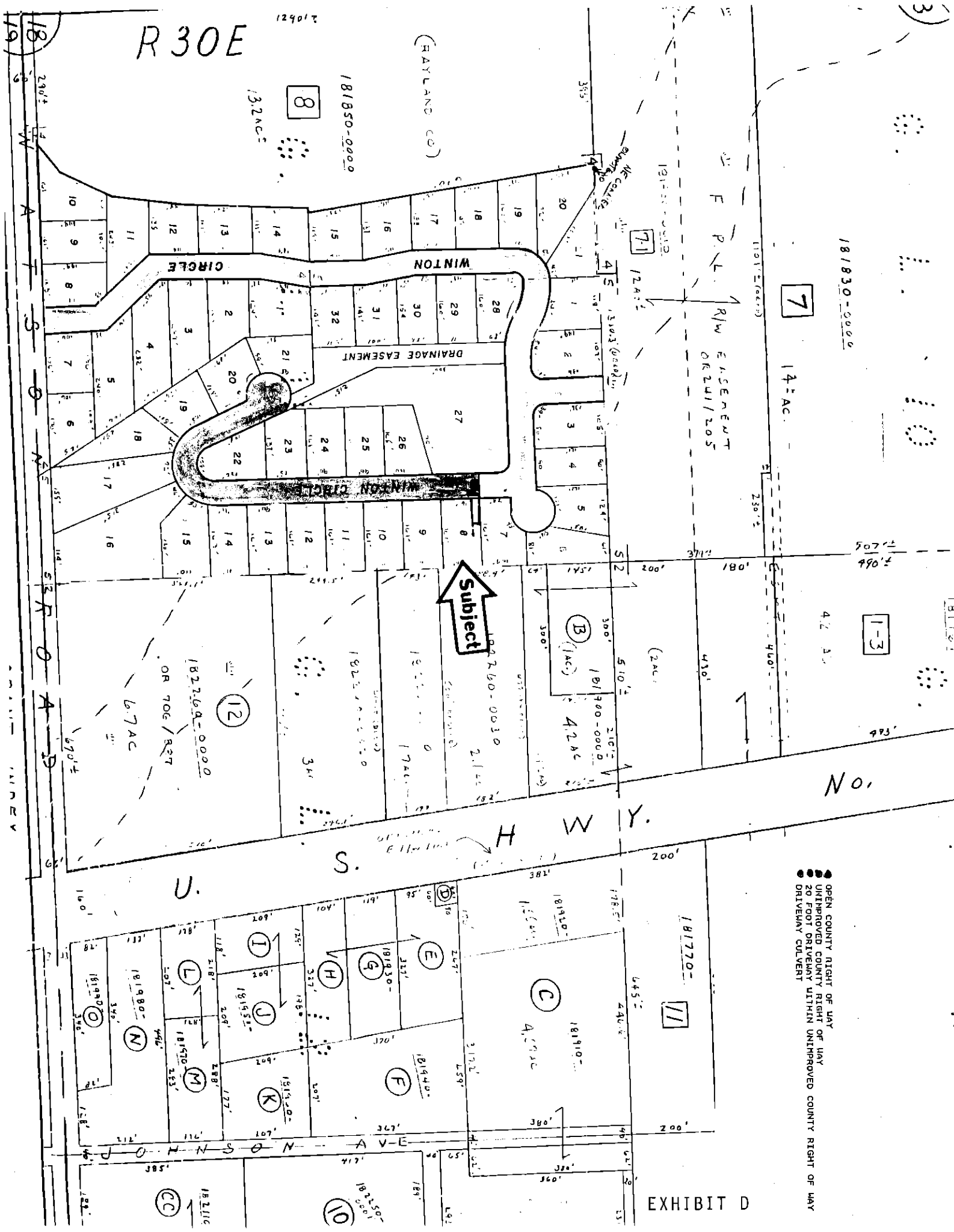
a corporation existing under the laws of the State of Florida on behalf of the corporation. He/She is personally known to me or has produced a Driver's License as identification.

PREPARED BY: RECORD & RETURN TO: North Florida Title Company P.O. Box 1186 St. Augustine, Florida 32085-2186 No:95-60718A

Luann R. Michalek LUANNE R. MICHALEK Notary Public, State of Florida My Comm. expires Sept. 25, 1995 Comm. No. CC 148226 Bonded thru Richard Ins. Agency

CWD-1 5/93

RETURN REQUESTED DOCUMENT TO MFC 1995 541 DR. 9/1/80 INK: NFL



R 30 E

(RAYLAND CO.)

181850-0000

13.2 AC.

8

F.P.L. EASEMENT OR 2/1/205

7

14 AC.

181830-0000

1-3

Subject

B (1 AC.)

181700-0000

4.2 AC.

182260-0000 OR 706/827

12

6.7 AC.

No.

S. H W Y.

● OPEN COUNTY RIGHT OF WAY
 ● UNIMPROVED COUNTY RIGHT OF WAY
 ● 20 FOOT DRIVEWAY WITHIN UNIMPROVED COUNTY RIGHT OF WAY DRIVEWAY CULVERT

EXHIBIT D

18
19
290'±
14
W
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670'±

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32

WINTON CIRCLE

WINTON CIRCLE

DRAINAGE EASEMENT

71

12.4 AC.

13.0 AC. (approx.)

12.4 AC.

5.2

200'

181'

430'

450'

210'

510'

300'

200'

181'

445'

440'

200'

181'

181'

181'

181'

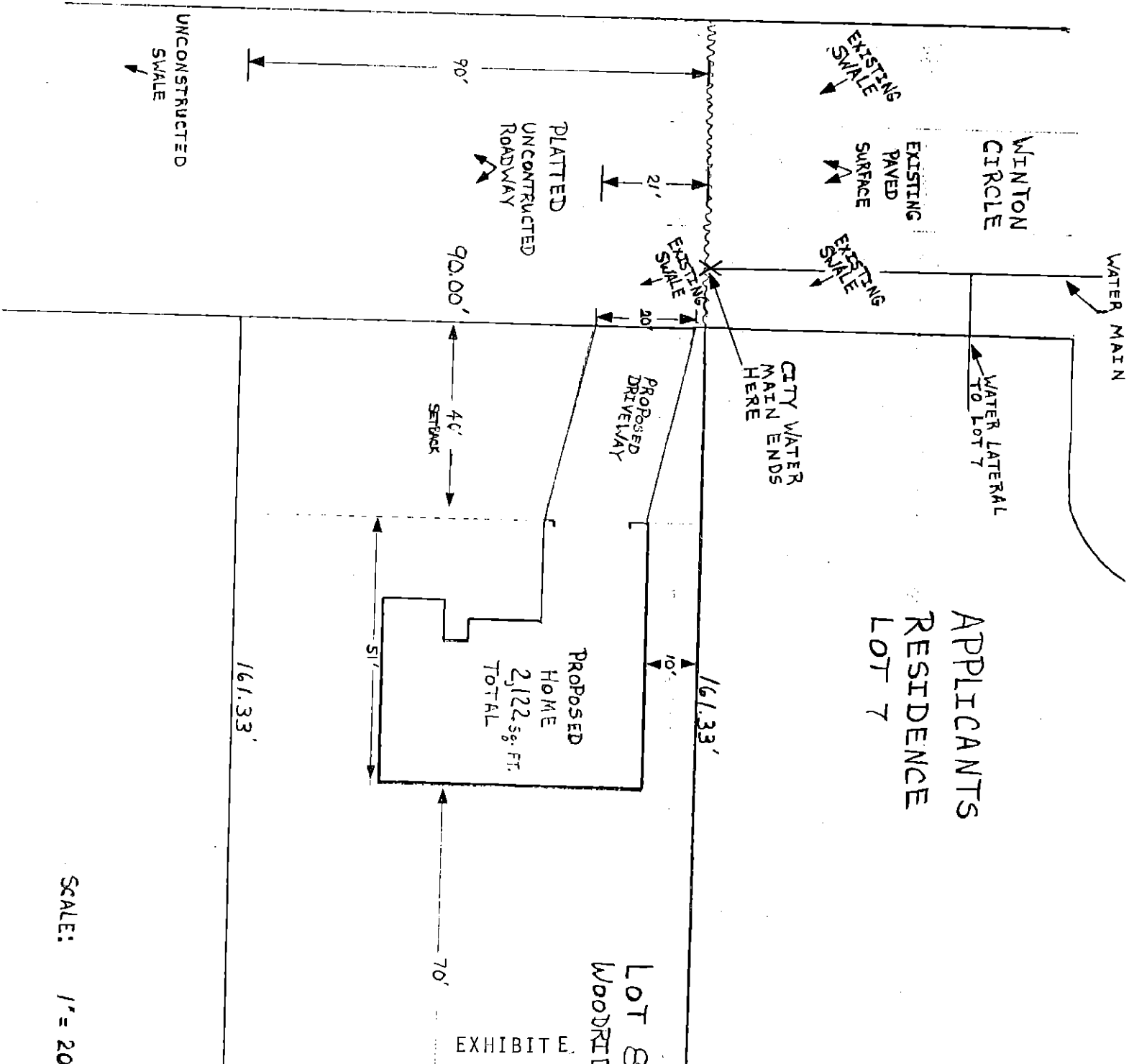
181'

PROPOSED CONST. LOT 8 Woodridge II

Applicant is proposing construction of a 2,122 sq. ft. home adjacent to and south of applicants home for the purpose of housing applicants parents.

RELATED FACTS

- City Water main within 10 feet of proposed homesite..needs lateral.
- Proper access for Fire, Rescue and other agencies is provided by Paved County road except for 20 ft. of approved County right-of-way that is graded but unpaved.
- Fire hydrant is within 250 feet of proposed homesite.
- Proposed structure is consistent with other homes in the subdivision.
- Applicant is willing to comply with all reasonable conditions and provisions felt necessary by St. Johns County in order to approve applicants request.
- Verifiable hardship case.



SCALE: 1" = 20'