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RESOLUTION NO. 2007- 13
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA
VACATING A PORTION OF THE PLAT OF WALLER PARK
SUBDIVISION

WHEREAS, a petition has been filed by the qualified fee simple land owner to vacate a portion of a certain subdivision plat hereinafter described in accordance with Section 177.101 Florida Statutes; and

WHEREAS, Notice of the intent to request the vacation has been duly published and Proof of Publication has been filed with this Board; and

WHEREAS, All current county taxes have been paid and vacation of the plat will not deny convenient public access; and

WHEREAS, it appears that there are no objections and the facts contained in the 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 allegations of fact recited in paragraph 3 and 4 of the petition are hereby adopted as findings of fact in this resolution.

Justin Park

2. That the following described portion of the Plat of Waller Park Subdivision as described in Map Book 3, Page 137, Public Records of St. Johns County, Florida (Exhibit A) is hereby vacated and abandoned and this Board hereby renounces and disclaims any right of the County and the public in and to the above described property, such property being returned into acreage.

3. That a certified copy of this resolution shall be filed in the Offices of the Clerk of the Circuit Court and duly recorded in the public records of St. Johns County, Florida.

4. That the applicant shall pay all recording costs.

PASSED AND ADOPTED THIS 9th DAY OF January 2007.

BOARD OF COUNTY
COMMISSIONERS
OF ST. JOHNS COUNTY,

By: Ben Rich
Ben Rich, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande
Deputy Clerk

RENDITION DATE 1-11-07

PLAT VACATION

**PETITION TO VACATE
A PORTION OF THE PLAT OF WALLER PARK**

**THE HONORABLE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

**Petitioners, Christopher C. Acebal and Jacqueline C. Acebal, respectfully
petition this Honorable Board as follows:**

1. To vacate the (following described portion of the) Plat of Waller Park, recorded in Map Book 3, Page 137, public records of St. Johns County, Florida, and all streets lying therein which have not become highways necessary for use by the traveling public. The portion of said Plat of Waller Park sought to be vacated is described as follows:

**(SEE EXHIBIT "A", ATTACHED HERETO AND BY REFERENCE
MADE A PART HEREOF.)**

2. To adopt a resolution vacating and abandoning the aforesaid portion of the Plat of Waller Park, and the streets lying therein none of which have become highways necessary for use by the traveling public.

3. In support hereof, Petitioners show that they are the fee simple owners of all lands lying within the portion of the Plat of Waller Park, sought to be vacated and that all state and county taxes due on the aforesaid property have been paid in full as evidenced by Certificate from the Tax Collector for St. Johns county attached hereto as Exhibit "B".

4. Petitioner further shows that none of the streets platted within the subject property have become highways necessary for use by the general public, nor have any of said streets been opened or used by members of the public.

5. Petitioners further show that a notice to the public of Petitioners intent to apply for vacation of a portion of the Plat of Waller Park, pursuant to Florida Statute 177.101(4) was published in two weekly issues of a newspaper of general circulation as evidence by the Proof of Publication from the St. Augustin Record attached hereto as Exhibit "C".

6. The vacation by the County of the portion of the Plat of Waller Park, sought to be vacated will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

By: Christopher C. Acebal
Christopher C. Acebal
(Owner)

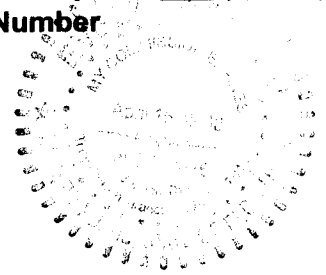
By: Jacqueline C. Acebal
Jacqueline C. Acebal
(Owner)

STATE OF FLORIDA
COUNTY OF Volusia

Christopher C. Acebal, Being by me, the undersigned officer, first duly sworn, says on the oath that he is the Petitioner named in the foregoing Petition to vacate (a portion of) the Plat of Waller Park, that he has read and knows the contents thereof and the statements contained therein are true and correct.

SWORN TO AND SUBSCRIBED before me this 9 day of October, 2006, who is known to me or has provided _____ as identification, and who did take an oath.

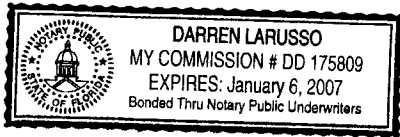
Evelyn Romano
Print Name: EVELYN ROMANO
Notary Public - State of Florida at Large
My Commission Expires: 4-16-08
Commission Number _____



STATE OF FLORIDA
COUNTY OF Duval

Jacqueline C. Acebal, Being by me, the undersigned officer, first duly sworn, says on oath that she is the Petitioner named in the foregoing Petition to vacate (a portion of) the Plat of Waller Park, that she has read and knows the contents thereof and the statements contained therein are true and correct.

SWORN TO AND SUBSCRIBED before me this 17th day of October, 2006, who is known to me or has provided _____ as identification, and who did take an oath



Darren Larusso
Print Name: Darren Larusso
Notary Public State of Florida at Large
My commission Expires: January 6, 2007
Commission Number: 175809

EXHIBIT 'A'

**Legal Description to accompany petition to vacate a portion
of Waller Park (Application Number VACPLA2006000003)**

**A portion of lots 2, 3, 4 and 11 and all of lots 9 and 10
Block "D" Waller Park and a portion of lots 2, 3 and 4
Block "E" Waller Park as recorded in map book 3 page
137 Public Records of St. Johns County, Florida.**

**Together with that portion of Castile Street lying between
Lots 2, 3 and 4 Block "E" and lots 2, 3, 4, 9, 10 and 11
Block "D", lying south of State Road 312 as now established.**

Also described as:

**All of the North 330 feet of the West 880 feet of the South 722.5 feet
of the Southeast one-quarter of the Southeast one-quarter lying
East of the County Road, Section 28, Township 7 South, Range
30 East, St. Johns County, Florida, less and except lands in Official
Records Book 84, Page 250, Official Records Book 235, Page 173
and Official Records Book 1191, Page 990 of the Public Records of
St. Johns County, Florida.**

St. Johns County Tax Collector

generated on 8/17/2006 2:29:15 PM EDT

Tax Record

Last Update: 8/17/2006 2:29:16 PM EDT

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account Number	Tax Type	Tax Year		
162110-0000	REAL ESTATE	2005		
Mailing Address		Physical Address		
ACEBAL CHRISTOPHER C ETAL 21 COQUINA POINT DR ORMOND BEACH FL 32174-0000		SR 312		
		GEO Number		
		280730-162110-0000		
Assessed Value	Exempt Amount	Taxable Value		
\$40,000.00	\$0.00	\$40,000.00		
Exemption Detail	Millage Code	Escrow Code		
NO EXEMPTIONS	550			
Legal Description				
28-07-28073 28 N330 OF W880 OF S722.5FT OF SE1/4 OF SE1/4 LYING E OF CO RD (EX 0.11AC R/W RD A1A OR84/250 & 0.834AC IN R/W SR#312 OR235/173) (EX PT TO DOT IN OR1191/990)OR2232/610 OR84/250 & 0.834AC IN R/W SR#312 OR235/173) (EX PT TO DOT IN OR1191/990)OR2232/610				
Ad Valorem Taxes				
Taxing Authority	Rate	Exemption Amount	Taxable Value	Taxes Levied
COUNTY				
GENERAL COUNTY	4.9300	0	\$40,000	\$197.20
ROAD	0.9000	0	\$40,000	\$36.00
HEALTH	0.0200	0	\$40,000	\$0.80
SCHOOL				
SCHOOL - STATE LAW	5.3320	0	\$40,000	\$213.28
SCHOOL - LOCAL BOARD	2.6640	0	\$40,000	\$106.56
SCHOOL BOND DEBT '89	0.2300	0	\$40,000	\$9.20
SJRWMD	0.4620	0	\$40,000	\$18.48
FIRE	1.2000	0	\$40,000	\$48.00
MOSQUITO	0.1550	0	\$40,000	\$6.20
PORT AUTHORITY	0.0581	0	\$40,000	\$2.32
FL INLAND NAV DISTRICT	0.0385	0	\$40,000	\$1.54
AIRPORT	0.2055	0	\$40,000	\$8.22
Total Millage		16.1951	Total Taxes	\$647.80
Non-Ad Valorem Assessments				
Code	Levying Authority	Amount		

Total Assessments		\$0.00
Taxes & Assessments		\$647.80
If Paid By		Amount Due
		\$0.00

Date Paid	Transaction	Receipt	Item	Amount Paid
11/26/2005	PAYMENT	5018668.0001	2005	\$621.89

Prior Years Payment History

Prior Year Taxes Due	
NO DELINQUENT TAXES	

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**
who on oath says that she is an 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 **NOTICE OF VACATE**
in the matter **PLAT VACATE/WALLER PK**
was published in said newspaper in the issues of
OCTOBER 14, 23, 2006.

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
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, for a period of one year preceding
the first publication of the 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 the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this **23RD** day of **OCTOBER 2006.**

by *Sarah Selfridge* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

PLAT VACATION NOTICE

Notice is hereby given that Christopher C. Acebal and Jacqueline C. Acebal intend to petition the Board of County Commissioners for St. Johns County, Florida to vacate a portion of the Plat of Waller Park, as recorded in Map Book 3 Page 137 of the public records of St. Johns County, Florida, more particularly described as follows:

A portion of lots 2, 3, 4 and 11 and all of lots 9 and 10 Block "D" Waller Park and a portion of lots 2, 3 and 4 Block "E" Waller Park as recorded in map book 3 page 137 Public Records of St. Johns County, Florida.

Together with that portion of Castile Street lying between lots 2, 3 and 4 Block "E" and lots 2, 3, 4, 9, 10 and 11 Block "D", lying south of State Road 312 as now established.
L2969-6 Oct 14, 21, 2006