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RESOLUTION NO. 2008- 198

Public Records of
St. Johns County, FL
Clerk # 2008048376,
O.R. 3119 PG 1138-1144
09/03/2008 at 01:29 PM,
REC. \$29.00 SUR. \$32.00

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,
VACATING A PORTION OF KINGFISH AVENUE WITHIN
WELLINGTON BY THE SEA PLAT.**

WHEREAS, a petition has been filed by qualified land owners to vacate part of certain unopened 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, this Board expressly does not accept any unopened streets or easements, expressly or implied, that are dedicated to the Public of St. Johns County within the Subdivision; and,

WHEREAS, it appears that 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. The above stated Recitals are incorporated, herein and made a part hereof.
2. It is hereby found and determined that the action taken in paragraph #2 below is in the best interest of the public.
3. That the following described streets, alleyways, roads, or portions thereof; 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.

4. That the notice required by Section 336.10, Florida Statutes, of the adoption of this resolution is hereby authorized to be published.

Jack P. Halterman
M+R

5. That the applicant shall pay all recording costs.

DATED this 22nd day of July, 2008.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *Thomas G. Manuel*

Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

BY: *Pam Halterman*
Deputy Clerk

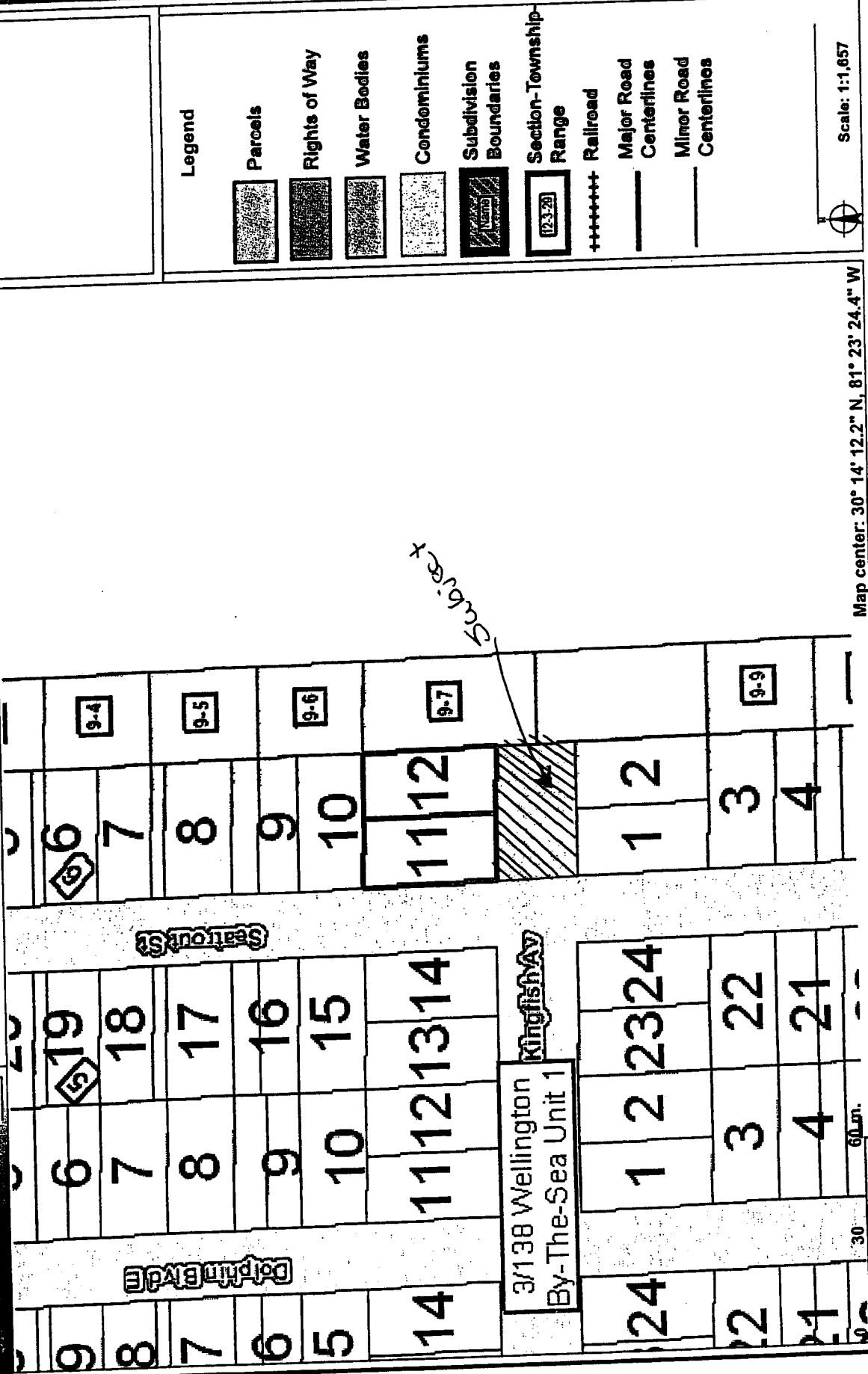
RENDITION DATE 7/24/08



SCHEDULE "A"

All that part of Kingfish Avenue (formerly Amos Street) lying between Lots 11 and 12, Block 6 and Lots 1 and 2, Block 7, Unit No. 1 Wellington-By-The-Sea (Dolphin Cove), as recorded in Map Book 3, page 138, of the public records of St. Johns County, Florida.

St. Johns County Property Appraiser



Legend

- Parcels
- Rights of Way
- Water Bodies
- Condominiums
- Subdivision Boundaries
- Section-Township-Range
- Railroad
- Major Road Centerlines
- Minor Road Centerlines

Scale: 1:1,657

The information provided on this map was derived from data that was compiled by the St. Johns County Property Appraiser's Office solely for the governmental purpose of property assessment. This information is not a survey and should not be relied upon by anyone for a determination of property ownership. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. www.sjcpa.us

The St. Augustine Record

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING 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 **KAREN J BRANNON**

who on oath says that she is an Employee 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 **NOTICE OF HEARING**

In/ the matter of **VACATE KINGFISH AVE**

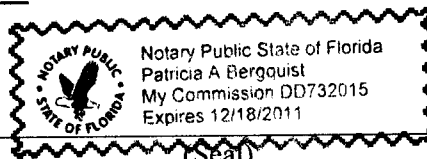
was published in said newspaper **JULY 1, 2008.**

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 **1st day of JULY 2008.**

by *Karen J Brannon* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

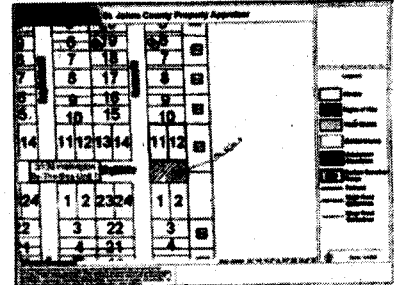
Patricia A Bergquist
(Signature of Notary Public)
PATRICIA A BERGQUIST



NOTICE OF PUBLIC HEARING ON VACATION OF CERTAIN STREETS, ALLEYWAYS OR ROADS (KINGFISH AVENUE)

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 July 22, 2008 at 9:00 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 and discontinue and close portions of certain streets, alleyways or roads, described as follows:

All that part of Kingfish Avenue (formerly Amos Street) lying between Lots 11 and 12, Block 6 and Lots 1 and 2, Block 7, Unit No. 1 Wellington-By-The-Sea (Dolphin Cove), as recorded in Map Book 3, Page 138, of the public records of St. Johns County, Florida.



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 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.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act persons needing a special accommodation or an interpreter to participate in this proceeding should contact ADA Coordinator, at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095, no later than 5 days prior to the date of this hearing.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Yvonne King, Deputy Clerk
L1793-8 July 1, 2008**

The St. Augustine Record

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **KAREN J BRANNON**

who on oath says that she is an Employee 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 NOTICE**

In/ the matter of **ADOPTION OF RESOLUTION**

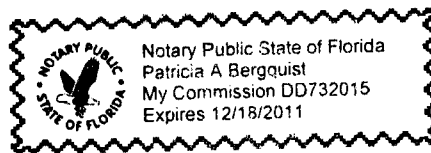
was published in said newspaper **AUG 11, 2008.**

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 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 this **11th day of AUGUST 2008.**

by *Karen J Brannon* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A Bergquist
(Signature of Notary Public)
PATRICIA A BERGQUIST

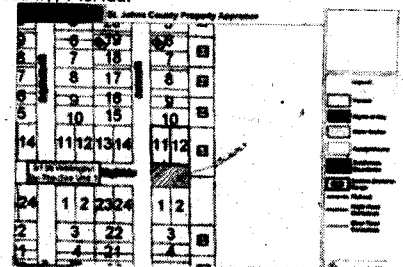


(Seal)

NOTICE OF ADOPTION OF A RESOLUTION VACATING, ABANDONING, DISCONTINUING AND CLOSING CERTAIN STREETS, ALLEYWAYS, ROADS OR EASEMENTS (KINGFISH AVENUE)

TO WHOM IT MAY CONCERN:
Take notice that the Board of County Commissioners of St. Johns County, Florida, has adopted a resolution vacating, abandoning, discontinuing and closing certain streets, alleyways, roads, or easements more particularly described as follows:

All that part of Kingfish Avenue (formerly Amos Street) lying between Lots 11 and 12, Block 6 and Lots 1 and 2, Block 7, Unit No. 1 Wellington-By-the-Sea (Dolphin Cove), as recorded in Map Book 3, Page 138, of the public records of St. Johns County, Florida.



Said resolution was adopted on the 22nd day of July, 2008 and is on file and recorded in County Commissioners' Minutes dated: July 22, 2008 in the Office of the Clerk of the Circuit Court of St. Johns County, Florida. This notice is published pursuant to Section 336.10, Florida Statutes.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Yvonne King
Deputy Clerk
L2175-8 Aug 11, 2008

**PETITION TO VACATE PORTIONS OF
CERTAIN, STREETS, ALLEYWAYS, OR ROADS**

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

Comes now Robert M. Then respectfully petitions this Honorable Board as follows:

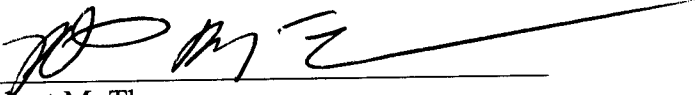
1. To vacate, abandon, discontinue and close portions of those certain public streets, alleyways, or roads situated in St. Johns County, Florida, hereinafter more particularly described; to renounce and disclaim any right of St. Johns County and the public in and to the lands constituting such portions 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 336.01, Florida Statutes, 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 all the lands abutting said portions of streets, alleyways, or roads sought to be vacated, and Petitioner is the only person who would be affected thereby; and said


portions of streets, alleyways or roads are no longer necessary or desirable.

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.

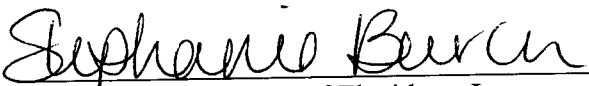

Robert M. Then

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Robert M. Then, 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.


Robert M. Then

SWORN TO AND SUBSCRIBED before me this 8 day of April, 2008.


Notary Public – State of Florida at Large

My Commission expires _____



Stephanie Burch
Commission # DD424424
Expires May 1, 2009
Bonded Troy Pain - Insurance, Inc. 800-385-7019

Consent and Joinder

COME 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 8 day of April, 2008.

Deborah L. Pilcher
Deborah L. Pilcher
Jerry D. Pilcher
Jerry D. Pilcher

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Deborah L. Pilcher and Jerry D. Pilcher, 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 Ponte Vedra Beach, Florida.

County of St. Johns, State of Florida

This 8 day of April, 2008.

Stephanie Burch
Notary Public – State of Florida at Large

My Commission expires _____



Stephanie Burch
Commission # DD424424
Expires May 1, 2009
Bonded Troy Fahn - Insurance, Inc. 800-385-7019

SCHEDULE "A"

All that part of Kingfish Avenue (formerly Amos Street) lying between Lots 11 and 12, Block 6 and Lots 1 and 2, Block 7, Unit No. 1 Wellington-By-The-Sea (Dolphin Cove), as recorded in Map Book 3, page 138, of the public records of St. Johns County, Florida.

St. Johns County Property Appraiser
Detailed Information on 052515 0070

PIN: 052515 0070						
Owner's Name				Physical Address		
THEN ROBERT M				16 SEATROUT ST		
Mailing Address				Map Page		
16 SEATROUT ST				4A21N		
				Sec/Town/Range		
PONTE VEDRA BEACH , FL 32082-2059				21/ 3/ 29		
Values						
Land	\$2,500.00		Building Sketch	click here	click here to see map	
Extra Features	\$0.00		Heated/Cooled Area	0		
Building Value	\$0.00		Adjusted Area	0		
Market	\$2,500.00		Year Built			
Assessed	\$2,500.00		Tax District	300		
Exempt	\$0.00		Neighborhood Code	00215600		
Taxable	\$2,500.00		Use Code/Description	000000/VACANT		
Building Type Description			Building Frame			
Exterior Wall			Roof Cover			
Roof Structure			Interior Wall			
Flooring Type			Heating System			
A/C Types			Foundation Types			
			Floor Systems			
Legal Description						
9-7 PT OF GL 2 LYING E OF LOT 12 BLK 6 & E OF N1/2 KINGFISH AVE WELLINGTON BY THE SEA UNIT						
Sale Date	Adjusted Price	Book&Page	Instrument	Qualified	Vacant or Improved	RCode
12/23/2002	\$100.00	1873 & 1334	QC	U	V	1
05/17/1993	\$0.00	992 & 72	QT	U	V	1
	\$0.00	0&0				0

St. Johns County Property Appraiser
Detailed Information on 054706 0110

PIN: 054706 0110						
Owner's Name					Physical Address	
THEN ROBERT M					16 SEATROUT ST	
Mailing Address					Map Page	
16 SEATROUT ST					4A21N	
					Sec/Town/Range	
PONTE VEDRA BEACH , FL 32082-2059					21/ 3/ 29	
Values						
Land	\$90,000.00		Building Sketch	click here	click here to see map	
Extra Features	\$20,170.00		Heated/Cooled Area	1,340		
Building Value	\$107,080.00		Adjusted Area	1,602		
Market	\$217,250.00		Year Built	1978		
Assessed	\$108,941.00		Tax District	300		
Exempt	\$25,000.00		Neighborhood Code	00023700		
Taxable	\$83,941.00		Use Code/Description	000100/SINGLE FAM		
Building Type Description	SINGLE FAM		Building Frame	MS		
Exterior Wall	CS		Roof Cover	CS		
Roof Structure	GH		Interior Wall	DW		
Flooring Type	CP		Heating System	AD		
A/C Types	CN		Foundation Types	PF		
			Floor Systems	CS		
Legal Description						
3-138 WELLINGTON BY THE SEA UT 1 LOTS 11 & 12 BLK 6 OR714/1634 &1875/966(Q/C)						
Sale Date	Adjusted Price	Book&Page	Instrument	Qualified	Vacant or Improved	RCode
12/23/2002	\$100.00	1875 & 966	QC	U	I	1
04/01/1986	\$0.00	714 &1634		U	I	1
01/01/1985	\$0.00	664&1887		U	I	1

SCHEDULE "A"

All that part of Kingfish Avenue (formerly Amos Street) lying between Lots 11 and 12, Block 6 and Lots 1 and 2, Block 7, Unit No. 1 Wellington-By-The-Sea (Dolphin Cove), as recorded in Map Book 3, page 138, of the public records of St. Johns County, Florida.