

RESOLUTION NO. 2008- 364

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,
VACATING A PORTION OF RIVIERA BOULEVARD.**

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 #3 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.
5. That the applicant shall pay all recording costs.

DATED this 16th day of December, 2008.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Candi Steven
Chair

ATTEST: Cheryl Strickland, Clerk

BY: Pam Halteman
Deputy Clerk

RENDITION DATE 12/18/08



"Schedule A"

DESCRIPTION (by Surveyor)

A parcel of land situated in Section 44, Township 8 South, Range 30 East, St. Johns County, Florida and being more particularly bounded and described as follows:

COMMENCE at the Southwest Corner of said Section 44; thence North $01^{\circ}10'28''$ East, along the west line of said Section 44, a distance of 1992.74 feet to the South Right of Way Line of Roehrs Road; thence North $88^{\circ}45'56''$ East, along said South Right of Way Line, a distance of 66.46 feet to the POINT OF BEGINNING for the herein described Parcel; thence continue easterly along said line, a distance of 104.67 feet to the East Right of Way Line of Riviera Boulevard; thence South $02^{\circ}06'47''$ East, along said East Right of Way Line, a distance of 739.70 feet to the south end of said Riviera Boulevard; thence South $88^{\circ}10'28''$ West, along said south end, a distance of 80.04 feet; thence North $02^{\circ}06'47''$ West, along the West Right of Way Line of Riviera Boulevard, a distance of 715.90 feet to a point of curvature to the left having a radius of 25.00 feet, a central angle of $89^{\circ}07'17''$, and a chord bearing and chord distance of North $46^{\circ}40'26''$ West, 35.08 feet; thence northwesterly along the arc a distance of 38.89 feet to the POINT OF BEGINNING.

The oforedescribed Parcel contains 59,367.45 square feet or 1.36 acres, more or less

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 14th day of August, 2008.

STATE OF Florida
COUNTY OF St. Johns

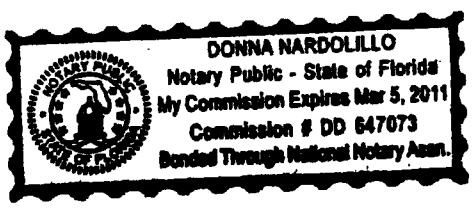
I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Scott L. Johnson

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 200 Riviera Blvd, St. Augustine, FL
County of St. Johns, State of Florida
This 14th day of August, 2008.

Donna Nardolillo
Notary Public

My Commission Expires: March 5, 2011



"Schedule A"

DESCRIPTION (by Surveyor)

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COMMENCE at the Southwest Corner of said Section 44; thence North $01^{\circ}10'28''$ East, along the west line of said Section 44, a distance of 1992.74 feet to the South Right of Way Line of Roehrs Road; thence North $88^{\circ}45'56''$ East, along said South Right of Way Line, a distance of 66.46 feet to the POINT OF BEGINNING for the herein described Parcel; thence continue easterly along said line, a distance of 104.67 feet to the East Right of Way Line of Riviera Boulevard; thence South $02^{\circ}06'47''$ East, along said East Right of Way Line, a distance of 739.70 feet to the south end of said Riviera Boulevard; thence South $88^{\circ}10'28''$ West, along said south end, a distance of 80.04 feet; thence North $02^{\circ}06'47''$ West, along the West Right of Way Line of Riviera Boulevard, a distance of 715.90 feet to a point of curvature to the left having a radius of 25.00 feet, a central angle of $89^{\circ}07'17''$, and a chord bearing and chord distance of North $46^{\circ}40'26''$ West, 35.08 feet; thence northwesterly along the arc a distance of 38.89 feet to the POINT OF BEGINNING.

The oforedescribed Parcel contains 59,367.45 square feet or 1.36 acres, more or less

PETITION TO VACATE PORTIONS OF CERTAIN STREETS, ALLEYWAYS OR ROADS

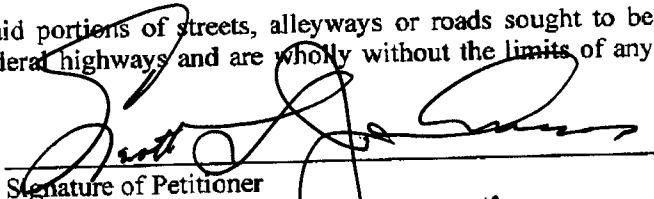
TO: THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

Comes now Halna Inc. (a.k.a. Hydro Aluminum) and 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:

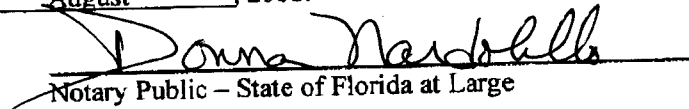
Legal description as per attached EXHIBIT "A"

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, 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.



 Signature of Petitioner

SWORN TO AND SUBSCRIBED before me this 14th day of August, 2008.



 Notary Public - State of Florida at Large

My Commission expires March 5, 2011

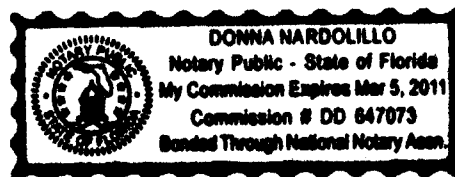


EXHIBIT A

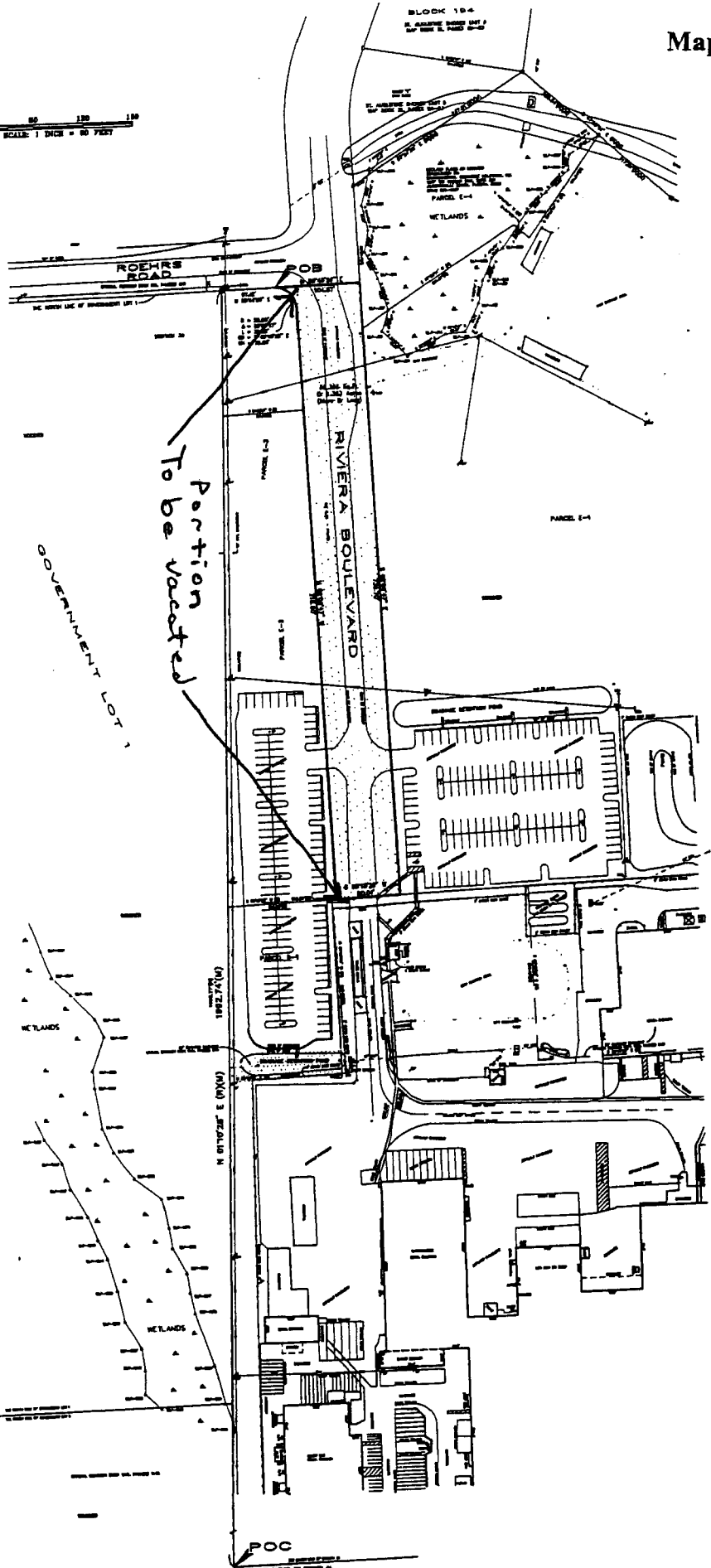
DESCRIPTION (by Surveyor)

A parcel of land situated in Section 44, Township 8 South, Range 30 East, St. Johns County, Florida and being more particularly bounded and described as follows:

COMMENCE at the Southwest Corner of said Section 44; thence North $01^{\circ}10'28''$ East, along the west line of said Section 44, a distance of 1992.74 feet to the South Right of Way Line of Roehrs Road; thence North $88^{\circ}45'56''$ East, along said South Right of Way Line, a distance of 66.46 feet to the POINT OF BEGINNING for the herein described Parcel; thence continue easterly along said line, a distance of 104.67 feet to the East Right of Way Line of Riviera Boulevard; thence South $02^{\circ}06'47''$ East, along said East Right of Way Line, a distance of 739.70 feet to the south end of said Riviera Boulevard; thence South $88^{\circ}10'28''$ West, along said south end, a distance of 80.04 feet; thence North $02^{\circ}06'47''$ West, along the West Right of Way Line of Riviera Boulevard, a distance of 715.90 feet to a point of curvature to the left having a radius of 25.00 feet, a central angle of $89^{\circ}07'17''$, and a chord bearing and chord distance of North $46^{\circ}40'26''$ West, 35.08 feet; thence northwesterly along the arc a distance of 38.89 feet to the POINT OF BEGINNING.

The aforescribed Parcel contains 59,367.45 square feet or 1.36 acres, more or less

Exhibit B:
Map Depicting Vacation



LEGEND	DESCRIPTION
Symbol	Corner of lot
Symbol	Survey
Symbol	Proposed
Symbol	Existing
Symbol	Right of Way
Symbol	Easement
Symbol	Setback
Symbol	Utility
Symbol	Water
Symbol	Storm Sewer
Symbol	Sewer
Symbol	Gas
Symbol	Electric
Symbol	Telephone
Symbol	Cable TV
Symbol	Other

DESCRIPTION (by Surveyor)
A parcel of land situated in Section 44, Township 4 South, Range 20 East, St. John County, Florida and being more particularly bounded and described as follows:
COMMENCE at the Southwest Corner of said Section 44, thence North 07°17'00" East, along the west line of said Section 44, a distance of 1992.74 feet to the South Right of Way Line of South Coast Thruway North 87°47'00" East, along said South Right of Way Line, a distance of 84.40 feet to the POINT OF BEGINNING for the bounded Parcel, a distance thence southerly westerly along said line, a distance of 104.67 feet to the East Right of Way Line of Midway Development thence South 87°07'00" East, 726.70 feet to the South end of said Midway Development thence South 87°07'00" East, along said boundary, a distance of 60.04 feet thence North 30°00'00" West, along the West Right of Way Line of Midway Development, a distance of 776.00 feet to a point of curvature to the left having a radius of 26.00 feet, a central angle of 89°17'17", and a chord bearing and chord distance of North 46°47'26" West, 26.00 feet, thence northerly along the arc a distance of 26.00 feet to the POINT OF BEGINNING.
The aforementioned Parcel contains 62,347.44 square feet or 1.38 acres, more or less.

NOTES
THE SEVERAL ALIENS IN THIS INSTRUMENT ARE JOINT PARTIES, AND THE USE OF THE WORD "THEY" SHOULD BE UNDERSTOOD TO MEAN EACH AND EVERY ONE OF THEM. THESE PARTIES HAVE AGREED TO SIGN THIS INSTRUMENT, AND TO WARRANT, DEFEND, AND GUARANTEE THE SAME, IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA STATUTES.
THE DATE OF RECORDING OF THIS INSTRUMENT IS THE DATE OF THE DATE OF RECORDING OF THIS INSTRUMENT.
ALL CLAIMS OF MORTGAGES OR OTHER INTERESTS IN THE PROPERTY HEREIN DESCRIBED SHALL BE SUBJECT TO THE RIGHTS OF THE PARTIES HERETO AS HEREIN EXPLICITLY STATED.
ALL UNPAID TAXES OR OTHER TAXES OWING TO ANY AUTHORITY SHALL BE THE RESPONSIBILITY OF THE PARTIES HERETO.
THIS INSTRUMENT SHALL BE VALID AND ENFORCEABLE IN ACCORDANCE WITH THE LAW.
THE PARTIES HERETO HAVE AGREED TO SIGN AND WARRANT THE SAME, AND TO WARRANT, DEFEND, AND GUARANTEE THE SAME, IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA STATUTES.
THIS INSTRUMENT IS INTENDED TO AND FOR THE USE AND BENEFIT OF THE PARTIES HERETO.
IN WITNESS WHEREOF, the several parties have signed and affixed their hands and seals at St. John, Florida, this 1st day of January, 2001.
THE SIGNATURES OF THE PARTIES HERETO SHALL BE CONSIDERED AS VALID AND ENFORCEABLE IN ACCORDANCE WITH THE LAW.

ANCIENT CITY SURVEYING
187115

SKETCH OF LEGAL

DRAWN BY: J. L. HAYES
DATE: 1/1/01
SCALE: AS SHOWN
SHEET: 1 OF 1

**Exhibit C:
Title Certificate**

**ESTATE TITLE OF ST. AUGUSTINE, INC.
71 Carrera St.
St. Augustine, Florida 32084
(904) 829-5674
Fax Number: (904) 829-5832**

July 21, 2008

Danielle F. Foreman
Office of Karen M. Taylor, Land Planner
77 Saragossa Street
Saint Augustine, FL 32084

RE: Riviera Boulevard (Southern Portion)

I hereby certify the attached list to be all property owners adjacent to property listed in Exhibit "A" which is also attached hereto and by reference incorporated herein. This list is composed from the most current tax rolls on file in the Property Appraiser's Office in and for St. Johns County, Florida.

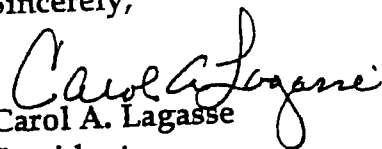
The owner of record for the property listed in Exhibit "A" is as follows:

St. Johns County, a political subdivision of the State of Florida

Please be advised that this office accepts no pecuniary liability for the information or lack of information contained herein.

It has been our sincere pleasure assisting you in this matter. If this office can be of further assistance to you or your clients in the future, please do not hesitate to contact us at the number listed above.

Sincerely,


Carol A. Lagasse
President

Legal Description of Riviera Boulevard (Southern Portion)

DESCRIPTION (by Surveyor)

A parcel of land situated in Section 44, Township 8 South, Range 30 East, St. Johns County, Florida and being more particularly bounded and described as follows:

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The aforescribed Parcel contains 59,367.45 square feet or 1.36 acres, more or less

RECORD PROPERTY OWNERS

184410 0000

**Halna, Inc. (formerly known as V. A. W. Extrustions, Inc.)
200 Riviera Boulevard
St. Augustine, FL 32086**

184410 0010

**Halna, Inc. (formerly known as V.A.W. Extrustions, Inc.)
200 Riviera Boulevard
St. Augustine, FL 32086**

184410 0030

**Halna, Inc. (formerly known as V. A. W. Extrustions, Inc.)
200 Riviera Boulevard
St. Augustine, FL 32086**

Exhibit "A"

The St. Augustine Record

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 **ULINDA E. VERSTRAAT**

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 **VACATING RIVIERA BLVD**

L 3420-8 was published in said newspaper **DECEMBER 1, 2008**

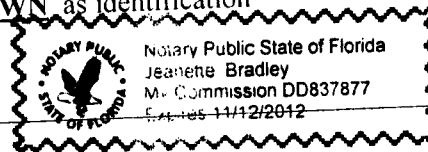
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 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 2nd day of DEC 2008.

by Ulinda E. Verstraat who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification

Jeanette Bradley

(Signature of Notary Public)
JEANETTE BRADLEY



(Seal)

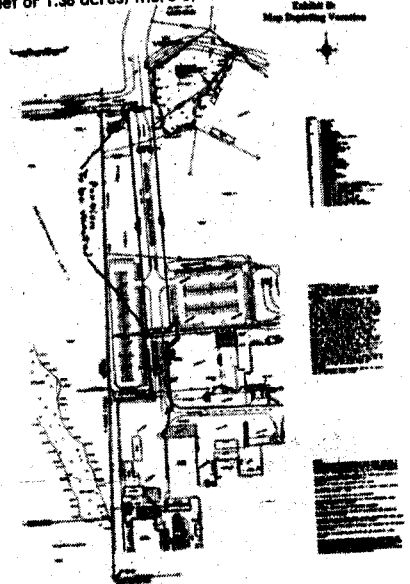
NOTICE OF PUBLIC HEARING ON VACATION OF CERTAIN STREETS, ALLEYWAYS OR ROADS (RIVIERA BOULEVARD)

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 December 16, 2008 at 9:00 a.m. in the County Auditorium of the St. Johns County Administration Building, 500 San Sebastian View, 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:

A parcel of land situated in Section 44, Township 8 South, Range 30 East, St. Johns County, Florida, and being more particularly bounded and described as follows:

COMMENCE at the Southwest Corner of said Section 44; thence North 01 degrees 10' 28" East, along the west line of said Section 44, a distance of 1992.74 feet to the South Right of Way Line of Roehrs Road; thence North 88 degrees 45' 56" East, along said South Right of Way Line, a distance of 66.46 feet to the POINT OF BEGINNING for the here in described Parcel; thence continue easterly along said line, a distance of 104.67 feet to the East Right of Way Line of Riviera Boulevard; thence South 02 degrees 06' 47" East, along said East Right of Way Line, a distance of 739.70 feet to the south end of said Riviera Boulevard; thence South 88 degrees 18' 28" West, along said south end, a distance of 80.04 feet; thence North 02 degrees 06' 47" West, along the West Right of Way Line of Riviera Boulevard, a distance of 715.90 feet to a point of curvature to the left having a radius of 25.00 feet, a central angle of 89 degrees 07' 17", and a chord bearing and chord distance of North 46 degrees 40' 26" West, 35.08 feet; thence northwesterly along the arc a distance of 38.89 feet to the POINT OF BEGINNING.

The aforescribed Parcel contains 59,367.45 square feet or 1.36 acres, more or less.



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, 500 San Sebastian View, St. Augustine, FL 32095, no later than 5 days prior to the date of this hearing.

BOARD OF COUNTY COMMISSIONER
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Yvonne King, Deputy Clerk

L3420-8 Dec 1, 2008