

RESOLUTION NO. 2009- 16

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR HISTORIC PROPERTY LOCATED AT 15 BRIDGE STREET, ST. AUGUSTINE, FLORIDA, IN ACCORDANCE WITH ST. JOHNS COUNTY ORDINANCE 97-61 AND SECTION 196.1997, FLORIDA STATUTES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County Ordinance 97-61, known as the St. Johns County Historic Preservation Property Tax Exemption Ordinance, sets out the procedures for an ad valorem tax exemption to be given to an owner of historic property in St. Johns County in the amount of the assessed value of the improvements to be determined by the Property Appraiser's Office; and

WHEREAS, St. Johns County Ordinance 97-61, authorizes the Planning and Building Division of the City of St. Augustine to supervise and administer the rules and regulations pertaining to review of applications for property tax exemptions, and provides for review by the City's Historic Architectural Review Board (HARB) pursuant to Sections 196.1997 and 196.1998, Florida Statutes; and

WHEREAS, the City Commission of the City of St. Augustine passed Resolution No. 2008-26 on December 9, 2008 finding that the application for historic preservation property tax exemption for property located at 15 Bridge Street, St. Augustine, Florida had been properly reviewed and approved by the City's HARB, and designated that the property is an historic property; and

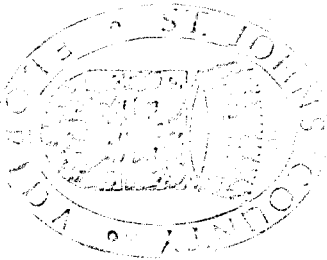
WHEREAS, the property located at 15 Bridge Street, St. Augustine, Florida is owned by Thomas C. Heinrich; and

WHEREAS, the Board of County Commissioners finds it appropriate and in the public interest to grant an historic property tax exemption to Thomas C. Heinrich, the owner of the property at 15 Bridge Street, St. Augustine, Florida, for a period of five (5) years beginning January 1, 2009 through December 31, 2013, provided that the property owner complies with the Covenant to ensure protection of the historical and architectural integrity of the site.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AS FOLLOWS:

1. The above 'Whereas' clauses are accepted as findings of fact and incorporated by reference herein.
2. The historic property is located at 15 Bridge Street, St. Augustine, Florida, and is owned by Thomas C. Heinrich.
3. The historic property ad valorem tax exemption begins January 1, 2009, and expires December 31, 2013, for the property located at 15 Bridge Street, St. Augustine, Florida.
4. The historic property meets the requirements of Section 196.1997, Florida Statutes.
5. This Resolution shall take effect immediately upon passage by the Board of County Commissioners of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida this 20th day of January, 2009.



BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson  
Cyndi Stevenson, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Pam Halterman  
Deputy Clerk

RENDITION DATE 1/22/09

**HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT**

This Covenant is made the 3<sup>th</sup> day of December, 2008, by Thomas C. Heinrich (hereinafter referred to as the Owner) and in favor of the City of St Augustine (hereinafter referred to as the Local Government) for the purpose of the restoration, renovation, or rehabilitation of a certain Property located at 15 Bridge Street, St Augustine, Florida which is owned in fee simple by the Owner; and is  listed in the National Register of Historic Places,  is a contributing property to a National Register listed district, or  locally designated under the terms of Section 28-87, Code of the City of St Augustine, Florida. The areas of significance of this property, as identified in the National Register nomination or local designation report for the property or the district in which it is located are  architecture;  history; and/or  archeology.

The Property is comprised essentially of grounds, collateral, appurtenances, and improvements excluding the carriage house identified as 15½ Bridge Street which was not renovated and will be the subject of a future tax exemption application. The property is more particularly described as follows: City of St Augustine, West 62 feet of Lot 3, Block 27 as per OR 2767, Page 851, St Johns County Clerk of the Courts; and further identified by the following parcel identification number: 198700-0000 as assigned by the St Johns County Property Appraiser. In consideration of the tax exemption granted by the Local Government, the Owner hereby agrees to the following for the period of the tax exemption which is from January 1, 2009, to December 31, 2013.

1. The Owner agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, and/or archeological integrity of the Same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places or designation under Section 28-87, Code of the City of St Augustine, Florida.

2. The Owner agrees that no visual or structural alterations will be made to the Property without the prior written permission of the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office).

The address of the certified Local Historic Preservation Office is:

Historic Architectural Review Board  
c/o St Augustine Planning & Building Department  
P. O. Box 210  
St Augustine, FL 32085-1027  
Telephone: (904) 825-1065

The address of the Division of Historical Resources is:

Office of Cultural & Historical Programs  
Bureau of Historic Preservation  
R. A Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250  
Telephone: (850) 245-6333

3. [Only for properties of archeological significance] The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archeological resource, provided that permission for alteration of the site is obtained pursuant to item #2 above.
4. The Owner agrees that the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office) and appropriate representatives of the Local Government, their agents and designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether or not the conditions of this Covenant are being observed.

5. In the event of the non-performance or violation of the maintenance provision of the Covenant by the Owner or any successor-in-interest during the term of the Covenant, the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office) will report such violation to the St Johns County Property Appraiser and Tax Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12 (3), F.S.
  
6. If the Property is damaged by accidental or natural causes during the Covenant period, the Owner will inform the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office) in writing of the damage to the Property, including 1) an assessment of the nature and extent of the damage; and 2) an estimate of the cost of restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion. In order to maintain the tax exemption, the Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office).
  
7. If the Property has been destroyed or severely damaged by accidental or natural causes, that is, if the historical integrity of the features, materials, appearance, workmanship, and environment or archeological integrity which made the property eligible for listing in the National Register of Historic Places or designation under Section 28-87, Code of the City of St Augustine, Florida have been lost or so damaged that restoration is not feasible, the Owner will notify the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office) in writing of the loss. The  Division of Historical

Resources or the  City of St Augustine (Local Historic Preservation Office) will evaluate the information provided and notify the Owner in writing of its determination regarding removal of the Property from eligibility for tax exemption. If the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office) determines that the Property should be removed from eligibility for tax exemption, it will notify the St Johns County Property Appraiser and Tax Collector in writing so that the tax exemption can be cancelled for the remainder of the Covenant period. In such cases, no penalty or interest shall be assessed against the Owner.

8. If it appears that the historical integrity of the features, materials, appearance, workmanship, and environment or archeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under Section 28-87, Code of the City of St Augustine, Florida have been lost or damaged deliberately or through gross negligence of the Owner, the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office) shall notify the Owner in writing. The Owner shall have 30 days to respond indicating any extenuating circumstances which show that the damage was not deliberate or due to gross negligence. If the Owner cannot show such extenuating circumstances he shall develop a plan for restoration of the Property and a schedule for completion of the restoration. In order to maintain the tax exemption, the Owner shall complete the restoration work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office). If the Owner does not complete the restoration work on the agreed upon time schedule, the  Division of Historical Resources or the  City of St Augustine (Local Historic Preservation Office) will report such violation to the St Johns County Property Appraiser and Tax Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the differences between

the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12 (3), F.S

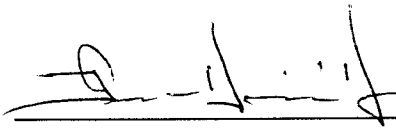
9. The terms of this Covenant shall be binding on the current Property owner, transferees, and their heirs, successors, or assigns.

This Covenant shall be enforceable in specific performance by a court of competent jurisdiction.

OWNER

Thomas C. Heinrich

Name



Signature

11-17-08

Date

LOCAL GOVERNMENT - City of St Augustine

Joseph L. Boles

Mayor

Name of Authorized  
Local Official

Title

Signature

12-8-08

Date

**RESOLUTION NO. 2008-26**

**A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR AN HISTORIC PROPERTY LOCATED AT 15 BRIDGE STREET; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS;** the City Commission for the City of St. Augustine, Florida, is the local governing authority as prescribed by s. 196.1997, Florida Statutes, to approve an ad valorem tax exemption for an historic property; and

**WHEREAS;** the City Commission finds that the property located at 15 Bridge Street is owned by Thomas C. Heinrich and is designated as an historic property under the terms of the local preservation ordinance; and

**WHEREAS;** on January 18, 2007 the Historic Architectural Review Board (HARB) for the City of St. Augustine reviewed and approved an application for work to be completed at 15 Bridge Street; and

**WHEREAS;** on July 16, 2007 the City of St Augustine Planning and Building Department (the designated local historic preservation office), issued a building permit with an identified direct contract price in the amount of \$456,000 for interior and exterior renovations for the building located at 15 Bridge Street; and

**WHEREAS;** on November 3, 2008, the Planning and Building Department issued a Certificate of Occupancy for an single family residence at 15 Bridge Street; and

**WHEREAS,** on November 20, 2008, the HARB for the City of St. Augustine reviewed an application for the work completed at 15 Bridge Street, approved a certificate of completeness, and recommended the property located at 15 Bridge Street for an historic preservation property tax exemption; and

**WHEREAS,** the City Commission for the City of St. Augustine has reviewed and approved the associated Historic Preservation Property Tax Exemption Covenant and hereby determines that it is in the best interest of public health, safety, and general welfare to approve a Historic Preservation Property Tax Exemption for a single family residence at 15 Bridge Street.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:**

Section 1. Historic Preservation Property Tax Exemption. The City Commission for the City of St. Augustine, Florida, finds that the historic property located at 15 Bridge Street meets the requirements of s. 196.1997, Florida Statutes, and hereby grants an ad valorem property tax



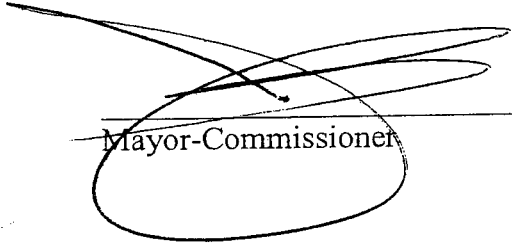
exemption for the improvements made at 15 Bridge Street. The property tax exemption begins January 1, 2009 and expires of December 31, 2013.

Section 2. Effective Date. This resolution shall become effective immediately upon adoption.

**PASSED** by the City Commission for the City of St. Augustine, Florida, this 5<sup>th</sup> day of DECEMBER, 2008.

ATTEST:

KATHY ROGERS, CMC  
City Clerk

  
\_\_\_\_\_  
Mayor-Commissioner

Prepared by:  
Craig M. Herzog  
Action Title Services of St. Johns County, Inc.,  
3670 US 1 South, Suite 110  
St. Augustine, Florida 32086  
File Number: 06-2838

# This Corrective Limited Liability Company Warranty Deed

This Indenture, made, September 22 2006 A.D.  
Between Bridge & Marine L.L.C. whose post office address is: PO Box 351209, Jacksonville, Florida 32235 a limited liability company existing under the laws of the State of Florida, Grantor and Thomas C. Heinrich, whose post office address is: 210 Regis Court, Longwood, Florida 32779, Grantee.

**Witnesseth**, that the said Grantor, for and in consideration of the sum of **Ten and No/100 Dollars (\$10.00)**, 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:

A portion of Lot 3, Block 27, City of St. Augustine, Florida, according to map thereof on file in the Office of the Clerk of the Circuit Court, St. Johns County, Florida, and designated as the "Map of 1923", as follows:

Beginning at the Northwest corner of said Lot 3, Block 27, as the Point of Beginning; thence run Easterly along the North line of said Lot 3 a distance of 62 feet, more or less, to a point which point lies on a line parallel to the West line of said Lot 3 and intersects the center of a large Sycamore tree; thence run South along said parallel line to the South line of said Lot 3; thence run Westerly along said South line to the Southwest corner of said Lot 3; thence run North along the West line of said Lot 3 to the Point of Beginning.

This deed is being re-recorded to correct that certain deed as recorded in Official Records Book 2767, Page 851 of the public records of St. Johns County, Florida in that the notary and grantor are related.

**SUBJECT TO** covenants, restrictions, easements, limitations and reservations of record, if any. However, this reference does not reimpose same. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any. Subject to taxes and assessments for the current year.

Parcel Identification Number: **1987000-0000**

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon as defined by Article X, Section 4 of the Florida Constitution, nor is it adjacent to or contiguous with any of his/their homestead(s).

**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 whomsoever.

**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.

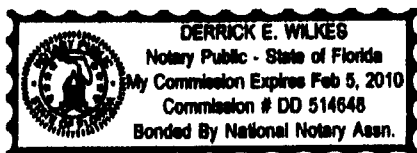
*[Signature]*  
Witness Print Name: Henry Adams - Witness

*[Signature]*  
Witness Print Name: Martha Pepper - Witness

State of FLORIDA  
County of Duval

(COMPANY SEAL)  
*[Signature]*  
**Bridge & Marine L.L.C.**  
By: **David Pepper, Manager/Member**

The foregoing instrument was acknowledged before me this September 22 2006, by **David Pepper**, the **Manager/Member** of **Bridge & Marine L.L.C.** A limited liability company existing under the laws of the State of **Florida**, on behalf of the company. He/She is personally known to me.



*[Signature]* (Seal)  
Notary Public  
Notary Printed Name: Derrick E. Wilkes  
My Commission Expires: \_\_\_\_\_