

RESOLUTION NO. 2013- 123  
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA  
VACATING A PORTION OF THE PLAT OF MCLAUGHLIN ADDITION TO  
ST. AUGUSTINE, MAP OF NEW AUGUSTINE.

WHEREAS, a petition has been filed by the qualified fee simple land owner(s) 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

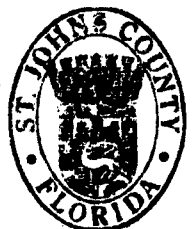
WHEREAS, All current county taxes have been paid and vacation of the plat will not deny convenient public access; and

WHEREAS, it appears that there are no objections and the facts contained in the petition are true.

NOW, THEREFORE, 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.

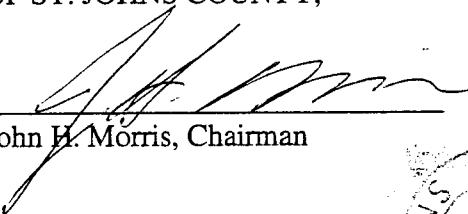
I HEREBY CERTIFY THAT THIS DOCUMENT  
IS A TRUE AND CORRECT COPY AS APPEARS  
ON RECORD IN ST. JOHNS COUNTY, FLORIDA  
WITNESS MY HAND AND OFFICIAL SEAL  
THIS 7 DAY OF June 2013  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners  
BY Ram Halterman D.C.



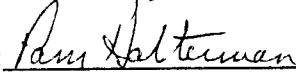
2. That the following described portion of the plat of McLaughlin Addition to St. Augustine, Map of New Augustine, on file in the office of the Clerk of Circuit Court, in the Public Records of St. Johns County, Florida, (Exhibit A) is hereby vacated and abandoned and this Board hereby renounces and disclaims any right of the County and the public in and to the above described property, such property being returned to 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.

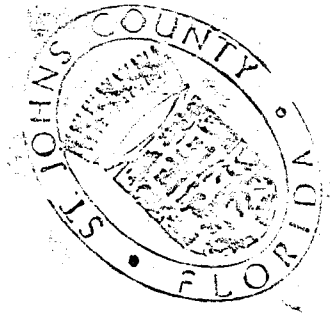
PASSED AND ADOPTED THIS 4~~th~~ DAY OF June, 2013.

BOARD OF COUNTY  
COMMISSIONERS  
OF ST. JOHNS COUNTY,

By:   
John H. Morris, Chairman

ATTEST: Cheryl Strickland, Clerk

By:   
Deputy Clerk



RENDITION DATE 6/5/13

TMBC LEGAL

Lots 24, 25 and 27 thru 42 of Block 3, together with Lots 38, 39 and 42 Block 2, and that portion of McLaughlin Street north of 3<sup>rd</sup> Street to a point parallel with the north line of the aforementioned Lot 24, MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE on file in the office of the Clerk of the Circuit Court of St. Johns County, Florida

THE ST. AUGUSTINE RECORD

COPY OF ADVERTISEMENT  
PLAT VACATION  
NOTICE

GARY B DAVENPORT P A  
2225 A1A S STE C-8  
SAINT AUGUSTINE FL 32080

NOTICE IS HEREBY GIVEN THAT Tabernacle Missionary Baptist Church of St. Augustine, Inc, a Florida corporation not-for-profit, together with Mary Mitchell and Willie Mitchell, Jr., and Rena Mae Stokes, intend to petition the Board of County Commissioners for St. Johns County, Florida to vacate a portion of the Plat known as MCLAUGHLINS ADDITION, MAP TO ST. AUGUSTINE dated June 1918 in the West half of the HUERTAS GRANT, in Section 45, Township 7 South, Range 29 East, according to the official map of NEW AUGUSTINE, on file in the office of the Clerk of Circuit Court of St. Johns County, Florida, more particularly described as follows:

Ref.#: L1070-13  
P.O.#: TABERNACLE

Lots 24, 25 and 27 thru 42 of Block 3, together with Lots 38, 39 and 42 Block 2, and that portion of McLaughlin Street north of 3rd Street to a point parallel with the north line of the aforementioned Lot 24, MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE on file in the office of the Clerk of the Circuit Court of St. Johns County, Florida L1070-13 Apr 10, 17, 2013

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 **STEVEN SMITH** who on oath says that he/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 **MISC NOTICE**

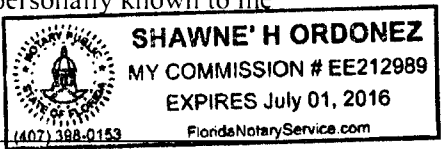
In the matter of **PLAT VACATION - TABERNACLE MISS. BAPTIST** was published in said newspaper on **04/10/2013, 04/17/2013**

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 has 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/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 \_\_\_\_\_ day of APR 17 2013

by St. Smith who is personally known to me or who has produced as identification

[Signature]  
(Signature of Notary Public)



(Seal)

**RESOLUTION NO. 2013-123**  
**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA**  
**VACATING A PORTION OF THE PLAT OF MCLAUGHLIN ADDITION TO**  
**ST. AUGUSTINE, MAP OF NEW AUGUSTINE.**

WHEREAS, a petition has been filed by the qualified fee simple land owner(s) 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.

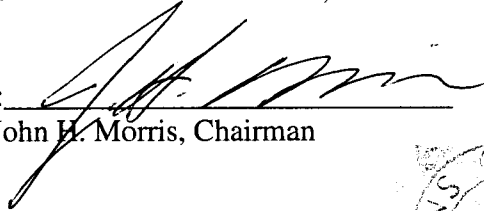
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AS FOLLOWS:

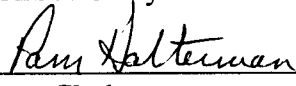
1. That the allegations of fact recited in paragraph 3 and 4 of the petition are hereby adopted as findings of fact in this Resolution.

2. That the following described portion of the plat of McLaughlin Addition to St. Augustine, Map of New Augustine, on file in the office of the Clerk of Circuit Court, in the 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 to 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 4~~th~~ DAY OF June, 2013.

BOARD OF COUNTY  
COMMISSIONERS  
OF ST. JOHNS COUNTY,

By:   
John H. Morris, Chairman

ATTEST: Cheryl Strickland, Clerk  
By:   
Deputy Clerk



RENDITION DATE 6/5/13

TMBC LEGAL

Lots 24, 25 and 27 thru 42 of Block 3, together with Lots 38, 39 and 42 Block 2, and that portion of McLaughlin Street north of 3<sup>rd</sup> Street to a point parallel with the north line of the aforementioned Lot 24, MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE on file in the office of the Clerk of the Circuit Court of St. Johns County, Florida

# 2

**THE ST. AUGUSTINE RECORD**

**COPY OF ADVERTISEMENT  
PLAT VACATION  
NOTICE**

GARY B DAVENPORT P A  
2225 A1A S STE C-8  
SAINT AUGUSTINE FL 32080

Ref.#: L1070-13  
P.O.#: TABERNACLE

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

NOTICE IS HEREBY GIVEN THAT  
Tabernacle Missionary Baptist  
Church of St. Augustine, Inc, a  
Florida corporation not-for-profit,  
together with Mary Mitchell and  
Willie Mitchell, Jr., and Rena Mae  
Stokes intend to petition the Board  
of County Commissioners for St.  
Johns County, Florida to vacate a  
portion of the Plat known as  
MCLAUGHLINS ADDITION, MAP  
TO ST. AUGUSTINE dated June  
1918 in the West half of the HUER-  
TAS GRANT, in Section 45, Town-  
ship 7 South, Range 29 East,  
according to the official map of  
NEW AUGUSTINE, on file in the  
office of the Clerk of Circuit Court  
of St. Johns County, Florida, more  
particularly described as follows:

Lots 24, 25 and 27 thru 42 of Block 3,  
together with Lots 38, 39 and 42  
Block 2, and that portion of  
McLaughlin Street north of 3rd  
Street to a point parallel with the  
north line of the aforementioned  
Lot 24, MCLAUGHLIN ADDITION  
TO ST. AUGUSTINE, MAP OF  
NEW AUGUSTINE on file in the  
office of the Clerk of the Circuit  
Court of St. Johns County, Florida  
L1070-13 Apr 10, 17, 2013

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **STEVEN SMITH**  
who on oath says that he/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 **MISC NOTICE**

In the matter of **PLAT VACATION - TABERNACLE MISS. BAPTIST**  
was published in said newspaper on **04/10/2013, 04/17/2013**

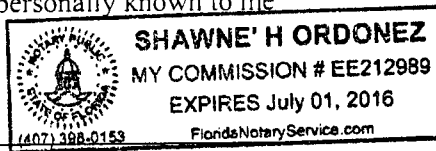
Affiant further says that the St. Augustine Record is a newspaper published  
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper  
heretofore has been continuously published in said St. Johns County, Florida,  
each day and has been entered as second class mail matter at 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/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 \_\_\_\_\_ day of APR 17 2013

by St. Smith who is personally known to me  
or who has produced as identification

[Signature]

(Signature of Notary Public)



(Seal)



Attachment 2  
Petition

## **PLAT VACATION**

**PETITION TO VACATE  
THE PLAT OF MCLAUGHLIN ADDITION TO ST. AUGUSTINE, MAP OF NEW ST.  
AUGUSTINE**

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

Petitioners, Tabernacle Missionary Baptist Church, Inc., together with Mary Mitchell and Willie Mitchell, Jr., and Rena Mae Stokes, respectfully petition this Honorable Board as follows:

1. To vacate the following described portion of the Plat of MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE, on file in the office of the Clerk of the Circuit Court 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 MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE 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 MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE, 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 it is the fee simple owner of all lands lying within the portion of the Plat of MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE, 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. Petitioner further shows that a notice to the public of Petitioner's intent to apply for vacation of a portion of the Plat of MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE pursuant to Florida Statute 177.101(4) was published in two weekly issues of a newspaper of general circulation as evidenced by the Proof of Publication from the St. Augustine Record attached hereto as Exhibit "C".

6. The vacation by the County of the portion of the Plat of MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE sought to be vacated will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

TABERNACLE MISSIONARY BAPTIST CHURCH OF ST AUGUSTINE, INC.,  
A Florida corporation not-for-profit

By: Sharon W. Williams  
SHARON WILLIAMS  
Title Trustee

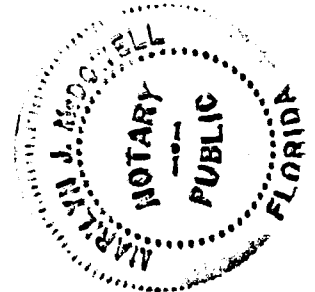
STATE OF FLORIDA  
COUNTY OF: ST JOHNS

Sharon Williams, Being by me, the undersigned officer, first duly sworn, says on oath that she is the (title) Trustee of Tabernacle Missionary Baptist Church of St/ Augustine, Inc., a Florida corporation, the Petitioner named in the foregoing Petition to vacate a portion of the plat of MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE, that she has read and knows the contents thereof and the statements contained therein are true and correct.

Sharon W. Williams  
(printed name)

SWORN TO AND SUBSCRIBED before me this 2nd day of February 2013, who is known to me or has provided PERSONALLY KNOWN as identification, and who did take an oath.

Marilyn J. McDowell  
Print Name: Marilyn J. McDowell  
Notary Public State of Florida at Large  
My commission Expires: \_\_\_\_\_  
Commission Number: \_\_\_\_\_



MARY MITCHELL

Mary Mitchell

WILLIE MITCHELL, JR.

Willie Mitchell Jr.

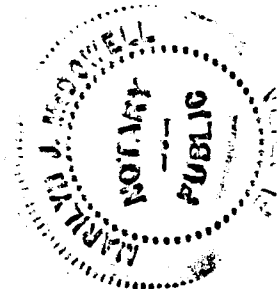
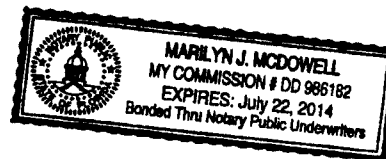
STATE OF FLORIDA  
COUNTY OF: ST JOHNS

MARY MITCHELL AND WILLIE MITCHELL, JR., Being by me, the undersigned officer, first duly sworn, say on oath that they are named in the foregoing Petition to vacate a portion of the plat of MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE, that they have read and know the contents thereof and the statements contained therein are true and correct.

Mary Mitchell and Willie Mitchell Jr.  
(printed name)

SWORN TO AND SUBSCRIBED before me this 2nd day of February 2013, who is known to me or has provided PERSONALLY KNOWN as identification, and who did take an oath.

Marilyn J. McDowell  
Print Name: Marilyn J. McDowell  
Notary Public State of Florida at Large  
My commission Expires: \_\_\_\_\_  
Commission Number: \_\_\_\_\_



RENA MAE STOKES

*Rena Mae Stokes*

STATE OF FLORIDA

COUNTY OF: ST JOHNS

RENA MAE STOKES, Being by me, the undersigned officer, first duly sworn, say on oath that she is named in the foregoing Petition to vacate a portion of the plat of MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE, that she has read and know the contents thereof and the statements contained therein are true and correct.

RENA M. STOKES

(printed name)

SWORN TO AND SUBSCRIBED before me this 2nd day of February

2013, who is known to me or has provided PERSONALLY KNOWN as

identification, and who did take an oath.

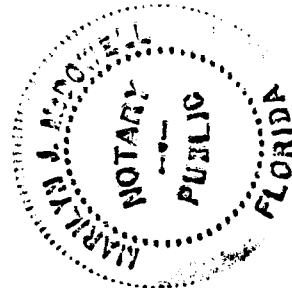
Marilyn J. McDowell

Print Name: Marilyn J. McDowell

Notary Public State of Florida at Large

My commission Expires: \_\_\_\_\_

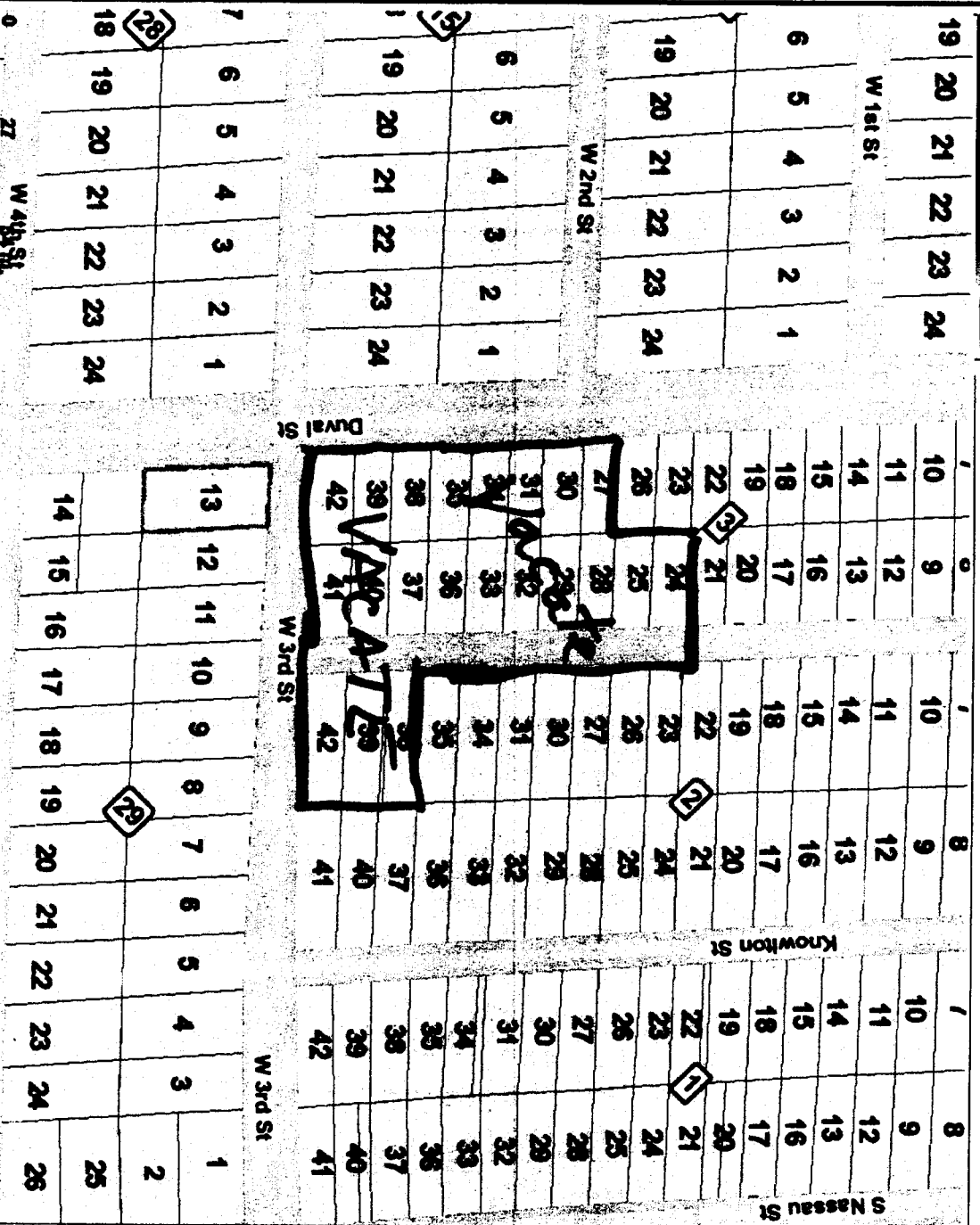
Commission Number: \_\_\_\_\_



**TMBC LEGAL**

**Lots 24, 25 and 27 thru 42 of Block 3, together with Lots 38, 39 and 42 Block 2, and that portion of McLaughlin Street north of 3<sup>rd</sup> Street to a point parallel with the north line of the aforementioned Lot 24, MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE on file in the office of the Clerk of the Circuit Court of St. Johns County, Florida**

# TMBC Plat Vacation












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.dcpa.us

Map center: 29° 53' 17.7" N, 81° 20' 25.9" W



## Legend

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

Scale: 1:1,535

## **PLAT VACATION**

### **NOTICE**

**NOTICE IS HEREBY GIVEN THAT** Tabernacle Missionary Baptist Church of St. Augustine, Inc, a Florida corporation not-for-profit, together with Mary Mitchell and Willie Mitchell, Jr., and Rena Mae Stokes intend to petition the Board of County Commissioners for St. Johns County, Florida to vacate a portion of the Plat known as **MCLAUGHLINS ADDITION , MAP TO ST. AUGUSTINE** dated June 1918 in the West half of the **HUERTAS GRANT**, in Section 45, Township 7 South, Range 29 East, according to the official map of **NEW AUGUSTINE**, on file in the office of the Clerk of Circuit Court of St. Johns County, Florida,

more particularly described as follows:

Lots 24, 25 and 27 thru 42 of Block 3, together with Lots 38, 39 and 42 Block 2, and that portion of McLaughlin Street north of 3rd Street to a point parallel with the north line of the aforementioned Lot 24, **MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE** on file in the office of the Clerk of the Circuit Court of St. Johns County, Florida

**Kevin Davenport Design Consultants, LLC**

Kevin M. Davenport, PE  
Florida Professional Engineer # 48894  
Florida Certificate Of Authorization #28220  
2225 A1A S., Suite C-8  
St. Augustine, FL 32080  
904-759-7829

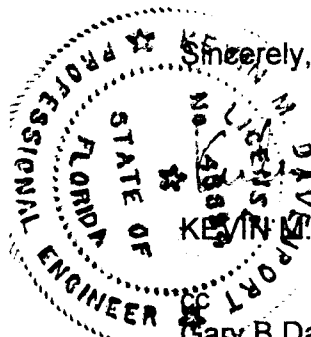
February 28, 2013

ST JOHNS COUNTY  
BOARD OF COUNTY COMMISSIONERS  
4020 LEWIS SPEEDWAY  
ST AUGUSTINE, FL 32085

RE: Tabernacle Missionary Baptist Church / Vacation of a portion of McLaughlin  
Addition Plat Map  
(Revised)

The proposed vacation of a portion of the McLaughlin Addition to St Augustine, New Augustine Plat Map (described on attached Ex. A) will have no effect on the traffic patterns within with the Plat. McLaughlin Street is currently not opened or improved within this portion of the plat and all lots adjacent to this portion of McLaughlin Street have access to other platted and open roads. A large portion of the lots along the east side of McLaughlin Street are encumbered by a large retention pond owned and maintained by St. Johns County. No residential lots will be unreasonably affected or inconvenienced by the partial plat vacation of the real Property as described on the attached exhibit A.

Sincerely,

  
2/28/13  
KEVIN M. DAVENPORT, PE  
Gary B Davenport  
TMBC





Paradise Title of St. Augustine, LLC  
670 A1A Beach Blvd. Suite B  
St. Augustine, FL 32080  
Phone: 904-471-2553  
Fax: 904-209-6823

Chicago Title Insurance Company

#### OWNERSHIP AND ENCUMBRANCE REPORT

Order No.: 4203379  
Customer Reference: P13-1304

This will serve to certify that Chicago Title Insurance Company has caused to be made a search of the Public Records of St. Johns County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from December 20, 1970, through November 29, 2012 at 5:00 PM, as to the following described real property lying and being in the aforesaid County, to-wit:

**Parcel 1:**

Lots 24, 25 and 27 thru 42 of Block 3, together with Lots 38, and 39, Block 2, and the portion of McLaughlin Street North of 3rd Street to a point parallel with the north line of the aforementioned Lot 24, MCLAUGHLIN ADDITION TO ST AUGUSTINE, MAP OF NEW AUGUSTINE on file in the office of the Clerk of the Circuit Court of, St. Johns County, Florida

**Parcel 2:**

Lot 42, Block 2, McLaughlin Addition to St. Augustine, Map of New Augustine on file in the office of the Clerk of the Circuit Court of St. Johns County, Florida.

Less and except lots in Official Records Book 1392, Page 454.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

Tabernacle Missionary Baptist Church of St. Augustine, Inc. as to Parcel 1 and Willie Mitchell, Jr. and Mary Mitchell and Rena Mae Stokes as to Parcel 2.

The following liens against the said real property recorded in the aforesaid Public Records have been found:

1. Warranty Deed recorded in Official Records Book 186, Page 210.
2. Warranty Deed recorded in Official Records Book 1344, Page 1497.
3. Warranty Deed recorded in Official Records Book 1392, Page 454.
4. General Warranty Deed recorded in Official Records Book 3185, Page 215.

5. Grant of Drainage Easement recorded in Official Records Book 3472, Page 630.

NOTE: 2012 Real Property Taxes in the gross amount of \$ are Exempt, under Tax I.D. No. 129190-0000.

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a Chicago Title Insurance Company agent for the purpose of issuing a Chicago Title Insurance Company title insurance commitment or policy.

In accordance with Florida Statutes Section 627.7843, the liability Chicago Title Insurance Company may sustain for providing incorrect information in this Report shall be the actual loss or damage of the Certified Party named above up to a maximum amount of \$1,000.00.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Report to be issued in accordance with its By-Laws.

Chicago Title Insurance Company

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Aaron W. Chance

# Attachment 3

## Supporting Materials

Prepared by:  
St. Johns County  
500 San Sebastian View  
St. Augustine, FL 32084

**GRANT OF DRAINAGE EASEMENT**

THIS INDENTURE, made this 1st day of MARCH, 2013, between **TABERNACLE MISSIONARY BAPTIST CHURCH OF ST. AUGUSTINE**, a domestic non-profit corporation of Florida, whose address is 280 Duval Street, St. Augustine, Florida 32084, hereinafter called **GRANTOR**, and **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called **GRANTEE**.

**WITNESSETH:** That Grantor, for and in consideration of the benefit that Grantor will receive, the receipt of which is hereby acknowledged, has granted and conveyed to the Grantee, its successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to drain surface waters either above or below the surface of the ground, together with the right to install and maintain drainage structures, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

All that portion of McLaughlin Street lying immediately adjacent to and westerly of Lots 35 and 38, Block 2 of McLaughlin Addition to St. Augustine, Map of New Augustine on file with the office of the Clerk of Court of St. Johns County, Florida.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

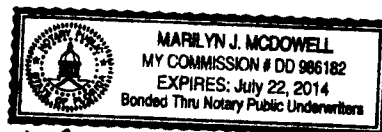
Signed and Sealed in Our  
Presence as Witnesses:

Grantor:  
Tabernacle Missionary Baptist Church  
of St. Augustine, Inc., a domestic non-  
profit corporation of Florida

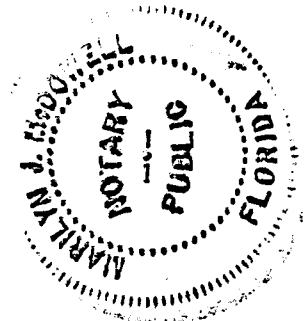
Johnny L. Moore  
Witness Print Name J.L.M.  
JOHNNY LEE MOORE

By: Sharon W. Williams  
Print Name: SHARON W. WILLIAMS  
Title: Trustee

Willie S. Orr  
Witness Print Name Willie Orr

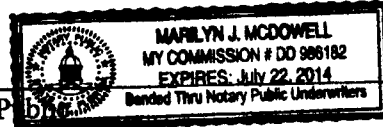


*Marilyn J. McDowell*



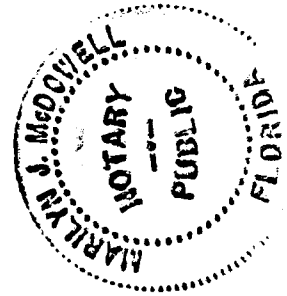
STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 1st day of MARCH, 2013, by SHARON W. WILLIAMS its Trustee of Tabernacle Missionary Baptist Church of St. Augustine, Inc. who is personally known to me or has produced PERSONALLY KNOWN as identification.



Notary Public

My Commission Expires: \_\_\_\_\_



Attachment 4  
SUPMAJ Order



## St. Johns County Board of County Commissioners

Growth Management | Development Review Division

**ORDER**  
**ST. JOHNS COUNTY, FLORIDA**  
**PLANNING AND ZONING AGENCY**

**RE:** Tabernacle Missionary Baptist Church  
c/o Gary B Davenport, PA  
1280 B Ponce De Leon Boulevard  
St. Augustine, FL 32084

**FILE NUMBER:** SUPMAJ 2009-21

**LEGAL:** Lots 24 & 25, 27 thru 42, Block 3 and Lots 12, 11, 12 & 13, Block 29 of MC  
LAUGHLIN'S ADDITION TO NEW AUGUSTINE  
(280 Duval Street)

**PARCEL:** 129180-0370; 129180-0000; 129190-0000; 132020-0000; 132030-0000;  
132040-0000

**DATE OF HEARING:** March 4, 2010

**ORDER GRANTING SPECIAL USE PERMIT**

The above referenced application for Special Use Permit to allow for a church in a residential zoning district (Section 2.03.12) and to allow for off-site parking and unpaved parking lots (Section 2.03.15) with a deviation to subpart 2.03.15.A that there be no intervening street between the off-site parking and the primary use, specifically located at 280 Duval Street, came before the Planning & Zoning Agency for public hearing on March 4, 2010.

**FINDINGS OF FACT**

Having considered the application, along with supporting documents; the Staff report prepared on January 5, 2010; statements by the applicant; and all evidence presented during public hearing, the Agency made the following Findings of Fact:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or the Land Development Code.
2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The Use, which is listed as a Special Use in the RS-3 (Residential, Single-family) zoning district, complies with all required regulations and standards of Article II of the Land Development Code.
4. The uses of a church and off-site and unpaved parking lots is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surround or adjacent uses or on community facilities or services.
5. The request is not in conflict with the Future Land Use Designation of Residential - D.
6. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to number, location and relationship to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The applicant, at the public hearing, has stated no objections to the proposed conditions.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby grants the Special Use Permit to allow for a church in a residential zoning district (Section 2.03.12) and to allow for off-site parking and unpaved parking lots (Section 2.03.15) with a deviation to subpart 2.03.15.A that there be no intervening street between the off-site parking and the primary use, specifically located at 280 Duval Street, subject to the following conditions:

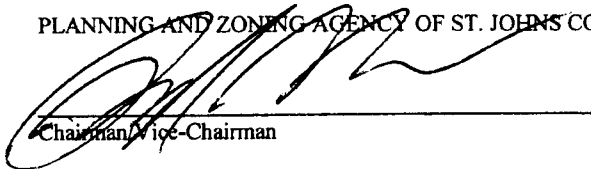
1. The Special Use Permit is granted to Tabernacle Missionary Baptist Church at the above location and shall be transferable after construction and will run with the title to the property limited to the same or similar use.
2. The Special Use Permit is granted under the condition of continual use. A church with associated off-site, unpaved parking that once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void. Commencement shall be defined by issuance of a Development Permit.
3. The proposed off-site, unpaved parking area will be used for overflow parking as needed.
4. A six (6) foot masonry wall or opaque fence with a minimum eighty percent (80%) opacity shall be erected along all property lines adjacent to residentially zoned property except as such fence may conflict with Roadway, Drainage and Utility Standards of the Code.
5. Adequate lighting shall be provided if off-site parking is to be used at night. The lighting shall be designed to minimize glare on adjacent property.
6. There shall be no sales or service activity of any kind on off-site parking areas.
7. The parking lot and Vehicle Use Area is stabilized with materials such as coquina, crushed stone, or gravel in a manner acceptable to the County Administrator or designee.
8. The Use being served has not daily public traffic.
9. The access apron leading from the unpaved parking lot and Vehicle Use Area into a County or State maintained roadway shall be paved as to not damage the roadway.
10. Regardless of the unpaved parking lot and Vehicle Use Areas, parking stall dimensions, access aisles, and curb ramps for handicap accessible spaces shall be designed to meet the standards of the Florida Accessibility Code for Building Construction. Unpaved parking lots and Vehicle Use Areas shall be considered impervious for drainage approval.
11. Approval of Special Use does not release project from adherence to all relevant requirements of the St. Johns Land Development Code.
12. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.06.01 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

DATED THIS 18 DAY OF March, 2010.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

  
Chairman/Vice-Chairman

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

  
Marie Hobbs  
Growth Management Department