

RESOLUTION 85-145

WHEREAS, a petition has been filed by qualified land owners to vacate part of certain 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, it appears that there are no objections and 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.

That the following described streets, alleyways or roads, 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.

2.

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

DATED this 22 day of October, 19 85.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: 
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: 

Deputy Clerk

SCHEDULE "A"

That portion of East Street, currently unopened, lying North of the easterly extension of the South line of Lot 2, Block 5, Rothschild's Addition to St. Augustine, Florida, as per map or plot thereof recorded at Map Book 3, Page 133, Public Records of St. Johns County, Florida, West of the west right-of-way line of State Road No. 5, also known as U. S. Highway No. 1, and East of Block 5, Rothschild's Addition to St. Augustine, Florida, as recorded in Map Book 3, Page 133, Public Records of St. Johns County, Florida

HENRY STREET

S 86° 21' 30" W - 235.6'

115.6'

30.02'

50.04' OLD PIPE

EAST STREET (Not Open)

2332

OLD PIPE

91° 20' 57" E - 193.77'

50.04'

7/8" 2W LINE U.S. NO. 1

OLD PIPE

511° 22' 10" E - 130.15'

OLD PIPE

28.66'

423'

S 86° 08' 10" E - 226.16'

12' ALLEY (VACATED)

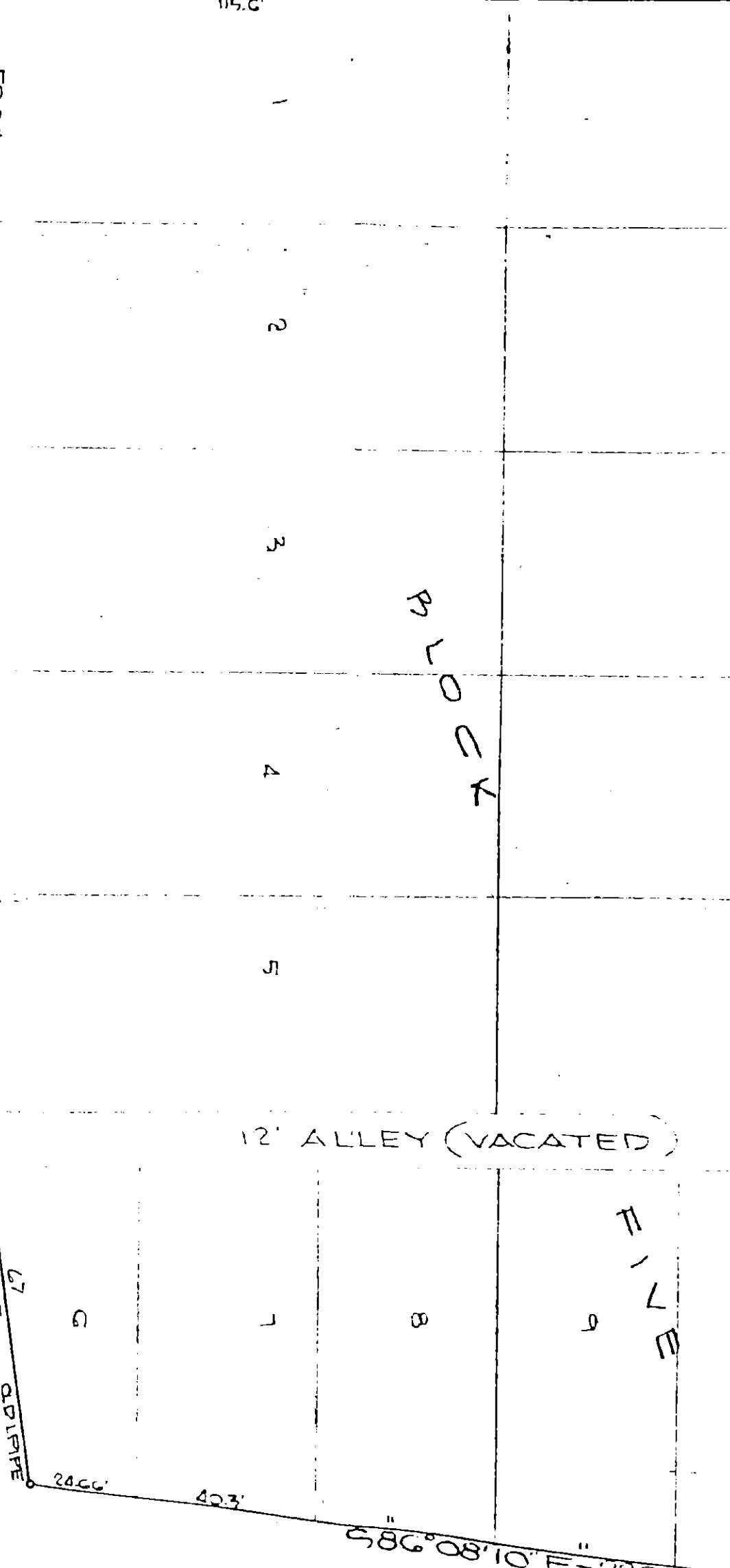
BLOCK

ALLEY

U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5)

24.45' OLD PIPE
40' OLD PIPE
24.56' OLD PIPE
586° 21' 30" W - 4.34'

24.45' OLD PIPE
40' OLD PIPE
24.56' OLD PIPE
586° 21' 30" W - 4.34'



PETITION TO VACATE PORTIONS OF
CERTAIN STREETS, ALLEYWAYS OR ROADS

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

Comes now N. PATRICK HALE AND SUE S. HALE
and respectfully petition 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 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 1981, 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, Petitioners show that they are the owners of all the lands abutting said portions of streets, alleyways or roads sought to be vacated and Petitioners are the only persons who would be affected thereby; and said portions of streets,

alleyways or roads are no longer necessary nor desirable.

4. Petitioners further show that said portions of streets, alleyways or roads sought to be vacated are neither state nor federal highways although said streets, alleyways or roads sought to be vacated border on same, and are wholly without the limits of any municipality.

5. A map showing the streets, alleyways or roads sought to be vacated is attached hereto, marked Schedule "B", and incorporated herein by reference.

N. Patrick Hale
Signature of Petitioner

Sue S. Hale
Signature of Petitioner

STATE OF FLORIDA

COUNTY OF ST. JOHNS

N. PATRICK HALE, 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.

N. Patrick Hale
Signature of Petitioner

SWORN TO AND SUBSCRIBED before me this 23 day of August, 1985.

Reuben D. Baker
Notary Public
State of Florida at Large

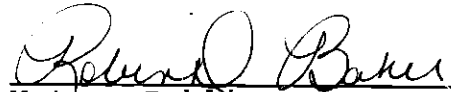
My commission expires:

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires June 21, 1988
Bonded Thru Patterson - Becht Agency

SUE S. HALE, being by me, the undersigned officer, first duly sworn, says on oath that she is the Petitioner named in the foregoing Petition to vacate portions of certain streets, alleyways or roads; that she has read same and knows the contents thereof and that the statements contained herein are true.

Sue S. Hale
Signature of Petitioner

SWORN TO AND SUBSCRIBED before me this 23 day of August,
1985.



Notary Public
State of Florida at Large

My commission expires:

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires June 21, 1988
Bonded Thru Patterson - Becht Agency

STATEMENT AND OPINION OF ATTORNEY
IN SUPPORT OF
PETITION TO VACATE PORTIONS OF
CERTAIN STREETS, ALLEYWAYS OR ROADS

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

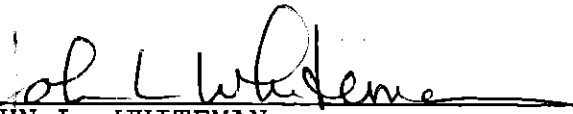
COMES NOW, JOHN L. WHITEMAN, 81 King Street, Suite A,
St. Augustine, Florida, and respectfully states to this Honorable
Board as follows:

1. I am an attorney licensed, and in good standing,
to practice law in the State of Florida.

2. At the request of Petitioners, N. PATRICK HALE AND
SUE S. HALE, I have examined the Public Records of St. Johns County
to determine the ownership of property bordering that portion of
East Street sought to be vacated, abandoned, discontinued and closed,
as particularly described in Schedule "A" to the Petition.

3. It is my opinion that title to all land bordering
said portion of East Street is owned by Petitioners N. PATRICK HALE
AND SUE S. HALE, except for that portion shown on the map accompany-
ing the Petition as bordering U. S. Highway No. One, also known as
State Road No. Five.

Respectfully submitted,


JOHN L. WHITEMAN
McCLURE AND WHITEMAN
81 KING STREET, SUITE A
P. O. Box 3504
ST. AUGUSTINE, FLORIDA 32085-3504
904 824-0879