

RESOLUTION NO. 2008-109

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,
VACATING PART OF AN UNOPENED RIGHT OF WAY DRAINAGE
AND UTILITY EASEMENT AS MORE FULLY DESCRIBED
BELOW. PROVIDING FOR AN EXPRESS PROVISION, NOT
ACCEPTING ANY OTHER UNOPENED RIGHT OF WAY;
PROVIDING FOR AN ACCEPTANCE DATE**

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.

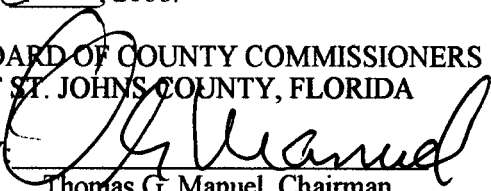
5. That the applicant shall pay all recording costs.



DATED this 15th day of April, 2008.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY:


Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

BY: Pam Haltem
Deputy Clerk

RENDITION DATE 4/18/08

SCHEDULE "A"

LEGAL DESCRIPTION FOR PART OF RIVERSIDE BOULEVARD TO BE VACATED:

That part of RIVERSIDE BOULEVARD bounded on the North by the North line of Lot 10, and the extension thereof the said North line of Lot 10 East across the width of said RIVERSIDE BOULEVARD and bounded on the South by the South line of Lot 12, and the extension thereof the said South line of Lot 12 East across the width of said RIVERSIDE BOULEVARD, said lots being located in Block "D", RIVERDALE, according to Map or Plat thereof recorded in Map Book 1, Page 149, of the Public Records of St. Johns County, Florida.

The St. Augustine Record

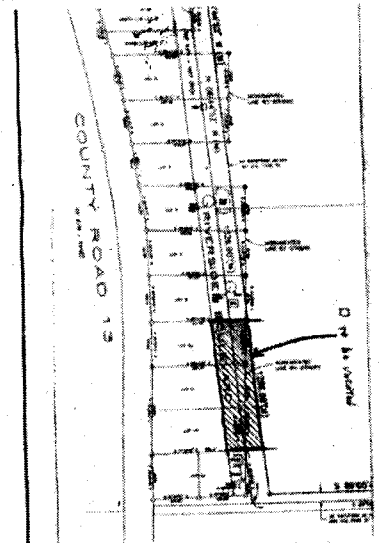
PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

NOTICE OF PUBLIC HEARING ON VACATION OF CERTAIN STREETS, ALLEY- WAYS OR ROADS

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 April 15, 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, discontinue, and close portions of certain streets, alleyways or roads, described as follows:

That part of RIVERSIDE BOULEVARD bounded on the North by the North line of Lot 10, and the extension thereof the said North line of Lot 10 East across the width of said RIVERSIDE BOULEVARD and bounded on the South by the South line of Lot 12, and the extension thereof the said South line of Lot 12 East across the width of said RIVERSIDE BOULEVARD, said lots being located in Block "D", RIVERDALE, according to Map or Plat thereof recorded in Map Book 1, Page 149, 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
L863-8 Mar 31, 2008**

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

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

who on oath says that she is an Accounting Clerk 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 RIVERSIDE**

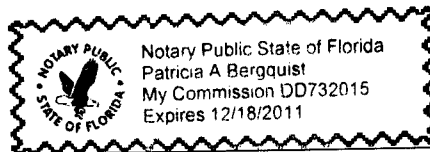
was published in said newspaper **MAR 31, 2008.**

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 **31st day of MARCH 2008.**

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

Patricia A Bergquist



(Seal)

(Signature of Notary Public)
PATRICIA A BERGQUIST

This copy
is at the post
office

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**

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 ADOPTION**

In/ the matter of **VACATE RIVERSIDE**

was published in said newspaper **MAY 7, 2008.**

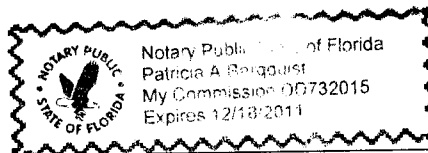
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 **9th** day of **May, 2008.**

by *Sarah Selfridge* who is personally known to me
or who has produced PERSONALLY KNOWN as identification.

Patricia A Bergquist
(Signature of Notary Public)

PATRICIA A BERGQUIST



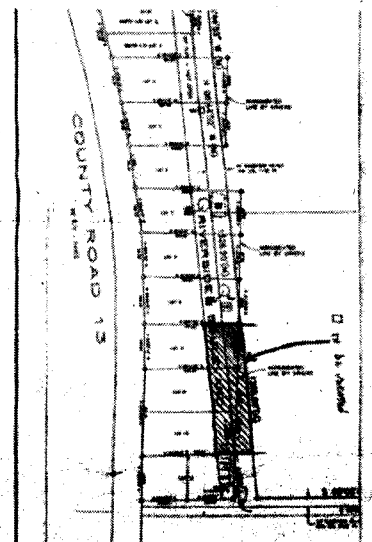
(Seal)

NOTICE OF ADOPTION OF A RESOLUTION VACATING, ABANDONING, DISCONTINUING AND CLOSING CERTAIN STREETS, ALLEY- WAYS, ROADS OR EASEMENTS

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:

That part of RIVERSIDE BOULEVARD bounded on the North by the North line of Lot 10, and the extension thereof the said North line of Lot 10 East across the width of said RIVERSIDE BOULEVARD and bounded on the South by the South line of Lot 12, and the extension thereof the said South line of Lot 12 East across the width of said RIVERSIDE BOULEVARD, said lots being located in Block "D", RIVERDALE, according to Map or Plat thereof recorded in Map Book 1, Page 149, of the Public Records of St. Johns County, Florida.



Said resolution was adopted on the 15th day of April, 2008 and is on file and recorded in County Commissioners Minutes dated: April 15, 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

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

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

COMES NOW Eugene C. Kohls, Gavin M. Korth and Jessica L. Korth, Jim Wilcox, Jr. and Beverly R. Wilcox, William and Joann G. Reinhardt 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 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 as 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 336.10, 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, Petitioners shows 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 or desirable.
4. Petitioners further show said portions of streets, alleyways or roads sought to be vacated are neither state or federal highways and are wholly without the limits of any municipality.



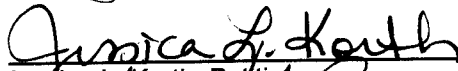
Eugene C. Kohls, Petitioner



Gavin M. Korth, Petitioner




Jim Wilcox, Jr., Petitioner



Jessica L. Korth, Petitioner



Beverly R. Wilcox, Petitioner



Joann G. Reinhardt, Petitioner



William Reinhardt, Petitioner

ACKNOWLEDGEMENTS

**State of Florida
County of St. Johns**

Eugene C. Kohls, 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.


Sworn to and subscribed before me this 4 day of Dec 2007
Eugene C. Kohls, signature


**State of Florida
County of St. Johns**

STEPHEN COLLINS
Notary Public, State of Florida
My Commission Expires Jan. 23, 2011
Commission # DD632247
Notary Public - State of Florida at Large
My Commission expires _____

Gavin M. Korth, 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.

Sworn to and subscribed before me this 4 day of Dec 2007
Gavin M. Korth, signature



**State of Florida
County of St. Johns**

STEPHEN COLLINS
Notary Public, State of Florida
My Commission Expires Jan. 23, 2011
Commission # DD632247
Notary Public - State of Florida at Large
My Commission expires _____

Jessica L. Korth, 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.

Sworn to and subscribed before me this 4 day of Dec 2007.
Jessica L. Korth, signature

Notary Public - State of Florida at Large
Commission expires _____


STEPHEN COLLINS
Notary Public, State of Florida
My Commission Expires Jan. 23, 2011
Commission # DD632247

ACKNOWLEDGEMENTS

**State of Florida
County of St Johns**

Joann Reinhardt, 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.

Joann Reinhardt, signature
Sworn to and subscribed before me this 4 day of Dec 2007.

Notary Public - State of Florida at Large
My Commission expires _____

**State of Florida
County of St Johns**



STEPHEN COLLINS
Notary Public, State of Florida
My Commission Expires Jan. 23, 2011
Commission # DD632247

Beverly R. Wilcox, 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 the statements contained herein are true.

Beverly R. Wilcox, signature
Sworn to and subscribed before me this 4 day of Dec 2007.

Notary Public - State of Florida at Large
My Commission expires _____

**State of Florida
County of St. Johns**



STEPHEN COLLINS
Notary Public, State of Florida
My Commission Expires Jan. 23, 2011
Commission # DD632247

Jim Wilcox, Jr., 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 the statements contained herein are true.

Jim Wilcox, Jr. signature
Sworn to and subscribed before me this 4 day of Dec 2007

Notary Public - State of Florida at Large
My Commission Expires _____



STEPHEN COLLINS
Notary Public, State of Florida
My Commission Expires Jan. 23, 2011
Commission # DD632247

ACKNOWLEDGEMENTS

**State of Florida
County of St. Johns**

William Reinhardt, being by me, the undersigned officer, first duly sworn, says on oath that he is the petitioner named in the forgoing 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.

William Reinhardt, signature

Sworn to and subscribed before me this 4 day of Dec 2007

Notary Public – State of Florida at Large
My Commission expires _____



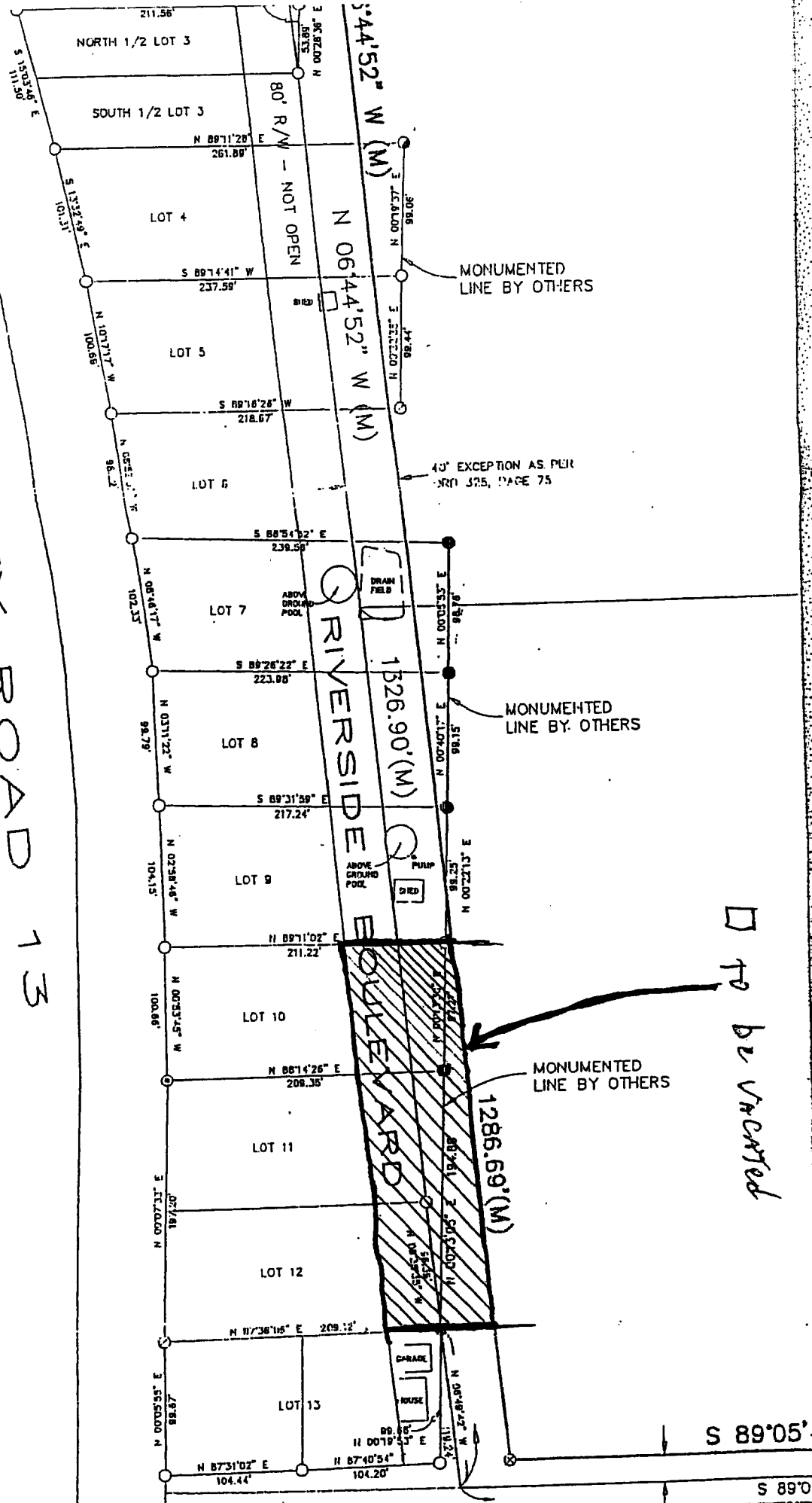
STEPHEN COLLINS
Notary Public, State of Florida
My Commission Expires Jan. 23, 2011
Commission # DD632247

SCHEDULE "A"

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COUNTY ROAD 13
65' R/W - PAVED



SCHEDULE "B"

**ALL PERSONS AFFECTED BY THIS VACATION OF ROAD
BY THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

OWNERS OF LOT 10

William and Joann G. Reinhardt
4215 Susan Street
Hastings, Florida 32145-4954

OWNERS OF LOT 11

Jim and Beverly r. Wilcox
136 Elgin Road
East Palatka, Florida 32131

OWNERS OF LOT 12

Gavin and Jessica Korth
1186 CR 13 South
St. Augustine, Florida 32092

OWNER OF TRACT 2

Eugene C. Kohls
5201 Atlantic Boulevard
Apartment 228
Jacksonville, Florida 32207-2432

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

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who on oath says that she is an Accounting Clerk of the St. Augustine Record,
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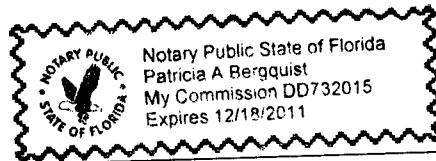
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Sworn to and subscribed before me this **31st day of MARCH 2008.**

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

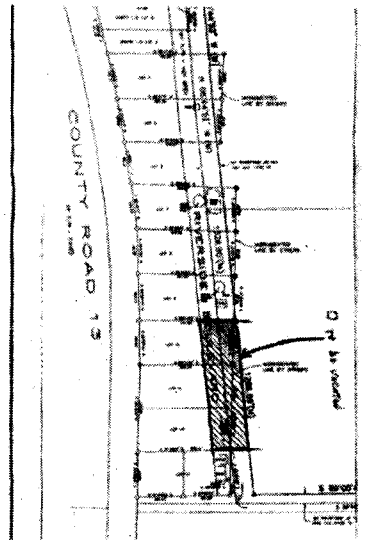


(Seal)

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**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Yvonne King, Deputy Clerk
L863-8 Mar 31, 2008**