

RESOLUTION NO. 2012-303

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA VACATING A PORTION OF
THE PLAT OF ARMSTRONG ADDITION.**

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 Armstrong Addition as recorded in Map Book 6, Page 14, of 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 into unplatted 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 16th DAY OF October, 2012.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY,

By: _____

J. Ken Bryan, Chairman



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 18th DAY OF Oct, 2012
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners
BY Jim Heisterman D.C.



ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman
Deputy Clerk

RENDITION DATE 10/18/12

Exhibit A
ARMSTRONG ADDITION
Legal Description

THAT PORTION OF THE PLAT FOR ARMSTRONG ADDITION, INCLUDING LOTS 1, 4 AND 5 OF BLOCK 21 AND LOT 1 OF BLOCK 22, AND THAT PORTION OF MALONEY STREET LYING IMMEDIATELY ADJACENT TO AND SOUTHWESTERLY OF SAID LOT 1, BLOCK 22, ACCORDING TO THE MAP OR PLAT THEROF AS RECORDED IN MAP BOOK 6, PAGE 14 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

**PETITION TO VACATE
A PORTION OF THE PLAT FOR ARMSTRONG ADDITION, INCLUDING
LOTS 1, 4 AND 5 OF BLOCK 21 AND LOT 1 OF BLOCK 22, AND THAT
PORTION OF MALONEY STREET LYING IMMEDIATELY ADJACENT TO
AND SOUTHWESTERLY OF SAID LOT 1, BLOCK 22, ACCORDING TO THE
MAP OR PLAT THEROF AS RECORDED IN MAP BOOK 6, PAGE 14 OF THE
PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.**

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

Mark Fuller and Edna Fuller, respectfully petitions this Honorable Board as follows:

1. To vacate the following described portion of the Plat of lots Armstrong Addition as recorded in Map Book 6, Page 14, public records 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 Plat 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 and the streets lying therein none if which have become highways necessary for use by the traveling public.
3. In support hereof, Petitions show that they are the fee simple owners of all lands lying within the portion of the Plat sought to be vacated and that all states 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 Petitioner's intent to apply for Vacation of a portion of the Plat 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 Public Publication from the St. Augustine Record attached hereto as Exhibit "C".
6. The vacation by the County of the portion of the Plat sought to be vacated, will not affect the ownership or right of convenient access of persons owning other parts of subdivision.

Mark Fuller
Mark Fuller

SWORN TO AND SUBSCRIBED before me this 30th day of July, 2012, who is known to me ~~or has provided~~ _____ as identification, and who did take an oath.

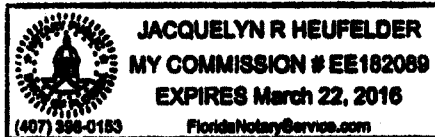


Jacquelyn R Heufelder

Print Name: Jacquelyn R Heufelder
Notary Public State of Florida at Large
My Commission Expires: 3/22/16
Commission Number: EE 182089

Edna Fuller
Edna Fuller

SWORN TO AND SUBSCRIBED before me this 30th day of July, 2012, who is known to me ~~or has provided~~ _____ as identification, and who did take an oath.



Jacquelyn R Heufelder

Print Name: Jacquelyn R Heufelder
Notary Public State of Florida at Large
My Commission Expires: ~~EE~~ 3/22/16
Commission Number: EE 182089

Exhibit A
ARMSTRONG ADDITION
Legal Description

THAT PORTION OF THE PLAT FOR ARMSTRONG ADDITION, INCLUDING LOTS 1, 4 AND 5 OF BLOCK 21 AND LOT 1 OF BLOCK 22, AND THAT PORTION OF MALONEY STREET LYING IMMEDIATELY ADJACENT TO AND SOUTHWESTERLY OF SAID LOT 1, BLOCK 22, ACCORDING TO THE MAP OR PLAT THEROF AS RECORDED IN MAP BOOK 6, PAGE 14 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

DENNIS W. HOLLINGSWORTH*

ST. JOHNS COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

Reminder REAL ESTATE 2011

PARCEL NUMBER	ESCROW CD	MILLAGE CODE
035400-0000		050

Exhibit B
ARMSTRONG ADDITION
Tax Certification

FULLER EDNA.MARK
 4925 HARVEY AVE
 ELKTON FL 32033-3123

4925 HARVEY AVE
 35-08-28 1.38 Acres
 6-14 ARMSTRONG ADDN BLK 21
 OR 728/671 & 1263/857(Q/C) &
 2997/1559(Q/C)

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE VALUE	TAXES LEVIED
COUNTY					
GENERAL COUNTY	5.2900	18,280		18,280	96.70
ROAD	0.6300	18,280		18,280	11.52
HEALTH	0.0171	18,280		18,280	0.31
SCHOOL					
SCHOOL-STATE LAW	5.7310	18,280		18,280	104.76
SCHOOL-LOCAL BOARD	2.2480	18,280		18,280	41.09
SJRWMD	0.3313	18,280		18,280	6.06
FIRE	1.4000	18,280		18,280	25.59
MOSQUITO	0.1325	18,280		18,280	2.42
FL INLAND NAV DISTRICT	0.0345	18,280		18,280	0.63
TOTAL MILLAGE	15.8144			AD VALOREM TAXES	289.08

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
2100 2011 S W DISPOSAL	1 unit @ 74.000	74.00
2101 2012 S W COLLECTION	1 unit @ 111.000	111.00
2102 2012 S W RECYCLING	1 unit @ 37.000	37.00
NON-AD VALOREM ASSESSMENTS		222.00

COMBINED TAXES AND ASSESSMENTS 511.08 See reverse side for important information

IF PAID BY	Mar 31 2012	Apr 30 2012	May 31 2012		
PLEASE PAY	511.08	526.41	527.91		

RETAIN THIS PORTION FOR YOUR
 RECORDS WALK-IN CUSTOMERS
 PLEASE BRING FOR RECEIPT

Per 102

IMPORTANT – PLEASE READ – INSTRUCTIONS AND INFORMATION

1. If you have **sold the property** described on this notice, please send this notice to the new owners or return it to the Tax Collector's Office immediately. If you sold the tangible personal property, but were the owner on January 1 of the tax year, you are responsible for the tax, per F.S. 197.122.
2. Please **verify the description** of the property. If any errors in the description are found, notify the Property Appraiser as soon as possible. This notice covers taxes for the calendar year, January 1 through December 31, of the year indicated on the front.
3. **Discounts** for early payment have been computed for you on the bottom of this notice. Please pay only one amount.
Schedule of Discounts: 4% in November 3% in December 2% in January 1% in February
Discounts are determined by postmark of payment.
4. Taxes and assessments are due November 1 and become delinquent April 1, at which time the law imposes the following additional charges.

For **real estate**, a 3% minimum mandatory charge is imposed on April 1st and an advertising charge is added during April. Tax Sale certificates will be sold on all unpaid accounts on or before June 1st resulting in additional charges.

For **tangible personal property** taxes, interest accrues at 1½ % per month plus advertising and fees. Tax warrants will be issued on all unpaid personal property taxes.

If the postmark indicates your payment was mailed on or after April 1st (delinquent date), the amount due is determined by the date your payment is **RECEIVED** by the Tax Collector.

5. If **paying by mail**, please **keep the top portion** of this bill along with your cancelled check. Please note, your taxes are not "paid" until the tax office issues a unique receipt number and your check clears the bank.
6. **Important Dates** to Remember:

Prior to March 1	Application required for exemptions with Property Appraiser F.S. 196.011
March 31	Deadline for Homestead Tax Deferral Application F.S. 197.2423(1)
April 1	Taxes become delinquent F.S. 197.333
April 30	Application to prepay taxes by installment must be filed with Tax Collector F.S. 197.222(1)
November	Taxes are due F.S. 197.333
	4% discount F.S. 197.162

7. **Questions and Problems:**

Tax Collector: Responsible for preparation and mailing of tax notices based on information contained on the current tax roll certified by the Property Appraiser and Non-Ad Valorem assessments provided by the levying authorities.

Property Appraiser: (Homestead Exemptions) Responsible for preparation of the current ad valorem tax roll, assessed value, exemptions, taxable value, assessed owner(s) name and address, address changes, and legal property description.

Taxing Authorities: Responsible for setting Ad Valorem Millage Rates.

Levying Authorities: Responsible for setting Non-Ad Valorem Assessments.

DENNIS W. HOLLINGSWORTH
 ST. JOHNS COUNTY TAX COLLECTOR
 Control # 1062799.0001 of 0001
 Date 05/30/2012
 Oper KAK
 Till 146
 Amount
 PAID BY: FULLER EDNA
 527.98 CA

ESTATE TITLE OF ST. AUGUSTINE
71 Carrera St.
St. Augustine, Florida 32084
PH: (904) 829-5674 FAX: (904) 829-5832
carol@estatetitlefla.com

October 9, 2012

St. Johns County Building and Zoning

Re: Vacation of portions of Armstrong Subdivision

To Whom It May Concern:

I hereby certify the owner of record of the property listed in Exhibit "A" is

Mark Allen Fuller, Jr. and Edna Fuller, his wife
By virtue of that certain Quit Claim Deed recorded in Official Records Book 2997, Page 1559 of the public records of St. Johns County, Florida.

Encumbrances:

Mortgage to Branch Banking and Trust Company- Official Records Book 3453, Page 200

All Real Estate Taxes are paid. See list in Exhibit "B" attached hereto.

We have not searched for nor do we assume any liability as to any restrictions, reservations, conditions or limitations of record. Further, this report does not cover any area improvement or special assessment by any county or municipal governmental agency. The liability of Estate Title of St. Augustine, Inc. shall not exceed \$1,000.00 as mandated by the State of Florida under section 626.7843, F.S. This search is not a title policy and should not be relied upon as such, nor should it be construed as an opinion of title.

This office accepts no pecuniary liability for information or lack of information contained herein.

Should you need further information, please feel free to call.

Estate Title of St. Augustine, Inc.



Carol A. Lagasse, President

EXHIBIT "A"

THAT PORTION OF THE PLAT FOR ARMSTRONG ADDITION, INCLUDING LOTS 1, 4 AND 5 OF BLOCK 21 AND LOT 1 OF BLOCK 22, AND THAT PORTION OF MALONEY STREET LYING BETWEEN THE TWO BLOCKS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 6, PAGE 14 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

EXHIBIT "B"

035410-0000
035400-0000

LOT 1 BLK 22 ARMSTRONG
BLOCK 21

PAID IN THE AMOUNT \$476.96
PAID IN THE AMOUNT \$527.91
(BULK ASSESSMENT)


LAND • PLANNER

EXHIBIT D
Armstrong Addition Plat Vacation
TRAFFIC PLANNER'S STATEMENT

July 6, 2012

Revised July 30, 2012

Ms. Kathy Nielsen
Development Review Coordinator
St. Johns County Development Services
4040 Lewis Speedway
St. Augustine, FL 32084

RE: Mark and Edna Fuller, Petition to Vacate a portion of the Plat for Armstrong Addition, including LOTS 1, 4 AND 5 OF BLOCK 21 AND LOT 1 OF BLOCK 22, AND THAT PORTION OF MALONEY STREET LYING IMMEDIATELY ADJACENT TO AND SOUTHWESTERLY OF SAID LOT 1, BLOCK 22, ACCORDING TO THE MAP OR PLAT THEROF AS RECORDED IN MAP BOOK 6, PAGE 14 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Dear Ms. Nielsen:

Review of the plat and street as described above, indicate that closure of this portion of Maloney Street will not have an adverse effect on the applicant's property, other properties within the area, other properties within the Armstrong Addition Subdivision or other properties outside the boundaries of the subdivision, as no access is afforded from this portion of the street to properties other than those owned by the applicant as listed herein.

This request is to vacate a portion of two (2) blocks, which include Lots 1, 4, and 5 of Block 21 and Lot 1 of Block 22, and the unopened right-of-way for Maloney Street that falls between the lots of the two (2) blocks. Maloney Street runs from Harvey Avenue, which is an opened paved street, to Yelvington Avenue, which is an unopened street. The lots, within both blocks, are owned by Mark and Edna Fuller, and are situated on either side of Maloney Street. The subdivision lots and roads are part of an antiquated subdivision that, in this case, is no longer relevant. Maloney Street, as well as a number of other streets within the subdivision, has never been opened. The Fuller's lots, as mentioned, have access from Harvey Avenue and as such, do not utilize Maloney Street. Harvey Avenue provides access for a number of homes along the street, which is accessible from Armstrong Road, which is a paved road and serves as the major access to the subdivision from State Road 207. Additional lots along Maloney Street, will continue to have access from Yelvington Avenue or Lopez Avenue to the east, although both of those streets are unopened as well. Vacating this portion of the roadway as well as the lots within

Ms. Kathy Nielsen

July 30, 2012

Page 2 of 2

the subdivision, will not affect any other property owners either within the subdivision or outside of the subdivision to either the east or to the west.

This portion of the forty (40) foot unopened Maloney Street right-of-way does not serve any purpose for traffic circulation through the subdivision and has never been officially opened or used for access. Vacating the portions of this right-of-way would eliminate an extraneous portion of right-of-way that has never been opened and would not be needed, even if remaining portions of the right-of-way serving other portions of the subdivision, were to be opened.

Therefore, review of the plat and right-of-way as described above, indicate that no property or person will be unreasonably affected or inconvenienced by the vacation of the aforementioned lots or that portion of the Maloney Street right-of-way.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,



Karen M. Taylor

ARMSTRONG ADDITION

A RE-DIVISION OF BLOCKS A, B, C, E LESS WEST 100 FT. OF BLOCK D, EXCEPT LOTS 1 TO 9 AND 11 TO 23, BLOCKS 6, 7, 8, 9, 10 AND 11 OF WILLIAMS AND JERRY PLAT OF ARMSTRONG IN PLAT BOOK 2 PAGE 14 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING A SUBDIVISION OF THE N.E. 1/4 OF SEC. 18, TOWNSHIP 6 SOUTH, RANGE 26 EAST, LESS 1 LAND SOLD TO TENNESSEE SOUTHERN RAILROAD.

SCALE 1 INCH = 200 FEET.
October 22, 1946

KNOW ALL MEN BY THESE PRESENTS:

That the plaintiffs, Williams and J. M. Nixons, her husband, the lawful owners of the above described property, have caused the same to be subdivided and platted and do hereby certify that the subdivision is correct and that the same is in accordance with the laws of the State of Florida and the rules and regulations of the State Board of County Commissioners. The same is being offered for sale and the proceeds therefrom should be used for the benefit of the State of Florida.

STATE OF FLORIDA COUNTY OF ST. JOHNS

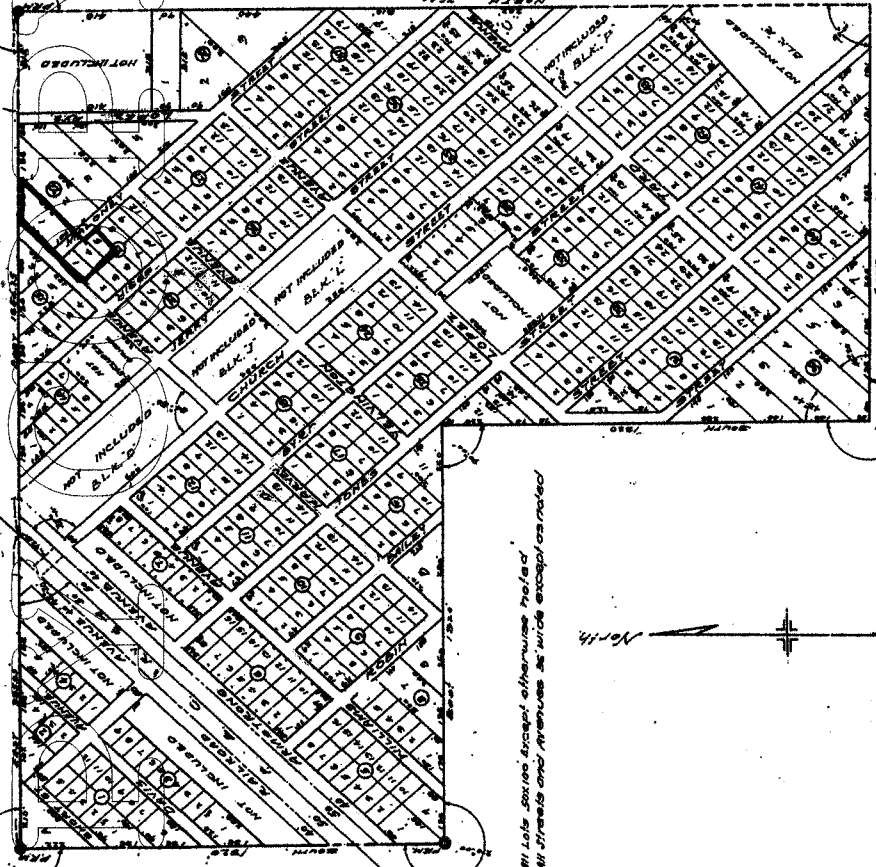
I, HERSEY CERTIFY THAT THIS DAY IN THE PRESENCE OF the State Board of County Commissioners, an official of the State Board of County Commissioners, and I, the undersigned, who are duly qualified before me, J. M. Nixons and J. M. Williams, his wife, to me well known and known to be the individuals in and who executed the foregoing subdivision and I have read and explained to them the contents and effect of the same and they have acknowledged the same in my presence and in the presence of the State Board of County Commissioners. I witness my hand and official seal in the County of St. Johns, State of Florida, this 12 day of November, 1946.

APPROVED FOR RECORD:

This plat has been examined and is hereby approved by the Board of County Commissioners of St. Johns County, Florida, at a regular meeting of said Board on this 12th day of November, 1946.

Attest: Board of County Commissioners.
Chairman
Clerk of Circuit Court

I, HERSEY CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE ABOVE DESCRIBED PROPERTY AS RECORDED UNDER MY OFFICIAL SEAL AND THAT THE SAME IS IN ACCORDANCE WITH THE LAWS OF FLORIDA AND THE RULES AND REGULATIONS OF THE STATE BOARD OF COUNTY COMMISSIONERS.



All lots shown except otherwise noted
All streets and avenues as wide except as noted

Exhibit H
ARMSTRONG ADDITION
Original Plat (showing portion to be vacated)

THE ST. AUGUSTINE RECORD

COPY OF ADVERTISEMENT

KAREN M TAYLOR
ATTN LAND PLANNER
77 SARAGOSSA ST
SAINT AUGUSTINE FL 32084

Ref.#: L1988-12
P.O.#: ARMSTRONGADD

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 **FULLER-PTL VACATE - VACATE ARMSTRONG ADDN**
was published in said newspaper on **07/25/2012, 08/01/2012**

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 1st day of August 2012
by Steven Smith who is personally known to me
or who has produced as identification

Shawne' H Ordenez

(Signature of Notary Public)



(Seal)

NOTICE

NOTICE IS HEREBY GIVEN THAT Mark Fuller and Edna Fuller, whose address is 4905 Harvey Avenue, Elkton, Florida 32033, intend to petition the Board of County Commissioners for St. Johns County, Florida to vacate a portion of the plat for Armstrong Addition, located in Section 35, Township 8 South, Range 28 East, St. Johns County, Florida, inclusive of the public records of St. Johns County, Florida more particularly described as follows:

THAT PORTION OF THE PLAT FOR ARMSTRONG ADDITION, INCLUDING LOTS 1, 4 AND 5 OF BLOCK 21 AND LOT 1 OF BLOCK 22, AND THAT PORTION OF MALONEY STREET LYING IMMEDIATELY ADJACENT TO AND SOUTHWESTERLY OF SAID LOT 1, BLOCK 22, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 6, PAGE 14 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
L1988-12 Jul 25, Aug 1, 2012