

ORDINANCE NO. :436

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE CITY OF PORT ST. JOE, BY AND THROUGH THE PROCEDURES REQUIRED FOR LARGE SCALE MAP AMENDMENTS PURSUANT TO AUTHORITY PROVIDED BY FLORIDA STATUTES SPECIFICALLY CHANGING ALL OR PART OF PARCELS #03040-050, AND 3020-000, BEING 57.73 ACRES FROM COUNTY AGRICULTURAL TO PUBLIC USE; PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST JOE, FLORIDA:

SECTION 1. APPROVAL:

The application for amendment to the Future Land Use Map for the property described in Composite Exhibit "A" is approved and the land use designation is hereby changed to **Public Use**.

SECTION 2. CONSISTENCY WITH THE CITY OF PORT ST. JOE COMPREHENSIVE PLAN:

The Board of City Commissioners hereby finds and determines that the approval of the application and change in land use as set forth in Section 1 is consistent with the goals, objectives and policies of the City of Port St. Joe Comprehensive Plan.

SECTION 3. ENFORCEMENT:

The City may enforce this Ordinance as authorized by law.

SECTION 4. FUTURE LAND USE MAP:

Upon this Ordinance becoming effective, the City of Port St. Joe Future Land Use Map shall be amended to show the Property as having a land use of **Public Use**. The City Manager is hereby directed to revise the City of Port St. Joe Future Land Use Map to reflect this designation.

SECTION 5. REPEAL:

All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 6. SEVERABILITY:

The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not effect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

SECTION 7. EFFECTIVE DATE:

This Ordinance shall become effective upon approval of the future land use map change described above.

16th This Ordinance was adopted in regular meeting after its second reading this day of March, 2010.

**THE CITY OF PORT ST. JOE BOARD
OF CITY COMMISSIONERS**



Mayor

Attest :



City Manager

Holley Hill Cemetery according to the Plats thereof recorded in the Public Records of Gulf County, Florida

and

Warranty Deed marked #1

and

Survey, marked #2

COMPOSITE EXHIBIT "A"

Holly Hill Cemetery according to the Plats thereof
recorded in the Public Records of Gulf County, Florida

AND

A parcel of land lying in a portion of the South half of the Southeast quarter of the Northeast quarter of the Southeast quarter, the North half of the Northeast quarter of the Southeast quarter, and the South half of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 18, Township 8 South, Range 10 West, and lying also in a portion of the Southwest quarter of Section 17, Township 8 South, Range 10 West, all in Gulf County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 18, Township 8 South, Range 10 West, Gulf County, Florida, said point being a 2 inch by 2 inch lightwood stake; thence proceed North 00 degrees 50 minutes 51 seconds East along the East line of said Section 18 for a distance of 960.97 feet to the intersection with a chain link fence and the Point of Beginning; thence North 89 degrees 59 minutes 53 seconds West in line with said chain link fence for a distance of 630.55 feet; thence North 00 degrees 00 minutes 07 seconds East for a distance of 660.00 feet; thence South 89 degrees 59 minutes 53 seconds East for a distance of 660.00 feet; thence South 00 degrees 00 minutes 07 seconds West for a distance of 660.00 feet to a point bearing South 89 degrees 59 minutes 53 seconds East from the Point of Beginning and in line with said chain link fence; thence North 89 degrees 59 minutes 53 seconds West along said chain link fence for a distance of 29.45 feet to the Point of Beginning, and containing 10.00 acres, more or less

AND

Begin at a found railroad rail marking the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 7, Township 8 South, Range 10 West, Gulf County, Florida and run thence South 89 degrees 57 minutes 17 seconds East along the South boundary line of said Section 7 for a distance of 350.97 feet to a found six inch concrete monument (no identification) lying on the Westerly right of way line of Madison Street (100 foot right of way); thence South 27 degrees 13 minutes 44 seconds West along said Westerly right of way line for 316.51 feet to a found six inch, State Road Department, right of way, concrete monument on a point of curve to the right; thence along said right of way line and curve with a radius of 769.02 feet, through a central angle of 50 degrees 21 minutes 00 seconds, for an arc distance of 675.79 feet (chord of said arc being South 52 degrees 24 minutes 14 seconds West, 654.26 feet); thence South 77 degrees 34 minutes 44 seconds West, for 62.51 feet to a point on the Easterly right of way line of the Apalachicola Northern Railroad; point lying on a curve concave to the Easterly; thence Northwesterly along said right of way line and curve with a radius of 3302.05 feet, through a central angle of 06 degrees 59 minutes 45 seconds, for an arc distance of 403.19 feet (chord of said arc being North 14 degrees 56 minutes 00 seconds West, 402.94 feet); thence North 11 degrees 26 minutes 08 seconds West along said right of way line for a distance of 1658.55 feet; thence South 89 degrees 57 minutes 17 seconds East for 592.01 feet to the Northwest corner of the City of Port St. Joe, a municipal corporation in Gulf County, Florida as described in Deed Book 24, Page 548 of the Public Records of Gulf County, Florida; thence South 00 degrees 02 minutes 43 seconds West along the West boundary line of said property for a distance of 1320.00 feet to a found six inch concrete monument (no identification) marking the Southwest corner of said property; thence South 89 degrees 57 minutes 17 seconds East along the South boundary line of said property for 204.99 feet to the Point of Beginning. Containing 23.223 acres, more or less.

THIS INSTRUMENT PREPARED BY:
S. RUSSELL SCHOLZ
RISH, GIBSON, SCHOLZ & GROOM, P.A.
P. O. BOX 39
PORT ST. JOE, FL 32457

Parcel No. _____

Inst:200823001165 Date:3/17/2008 Time:11:27 AM
Doc Stamp-Deed:0.70
OK DC, Rebecca L. Norris, Gulf County B:455 P:464

SPECIAL WARRANTY DEED

THIS WARRANTY DEED Made the 17th day of March, 2008, by ST. JOE TIMBERLAND COMPANY OF DELAWARE, L.L.C., a Delaware limited liability company, hereinafter called the Grantor, to THE CITY OF PORT ST. JOE, a municipal corporation, whose post office address is P.O. Box 278, Port St. Joe, FL 32457, hereinafter called the Grantee,

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in GULF County, Florida, viz:

A parcel of land lying in a portion of the South half of the Southeast quarter of the Northeast quarter of the Southeast quarter, the North half of the Northeast quarter of the Southeast quarter of the Southeast quarter, and the South half of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 18, Township 8 South, Range 10 West, and lying also in a portion of the Southwest quarter of Section 17, Township 8 South, Range 10 West, all in Gulf County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 18, Township 8 South, Range 10 West, Gulf County, Florida, said point being a 2 inch by 2 inch lightwood stake; thence proceed North 00 degrees 50 minutes 51 seconds East along the East line of said Section 18 for a distance of 960.97 feet to the intersection with a chain link fence and the Point of Beginning; thence North 89 degrees 59 minutes 53 seconds West in line with said chain link fence for a distance of 630.55 feet; thence North 00 degrees 00 minutes 07 seconds East for a distance of 660.00 feet; thence South 89 degrees 59 minutes 53 seconds East for a distance of 660.00 feet; thence South 00 degrees 00 minutes 07 seconds West for a distance of 660.00 feet to a point bearing South 89 degrees 59 minutes 53 seconds East from the Point of Beginning and inline with said chain link fence; thence North 89 degrees 59 minutes 53 seconds West along said chain link fence for a distance of 29.45 feet to the Point of Beginning, and containing 10.00 acres, more or less

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to the land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

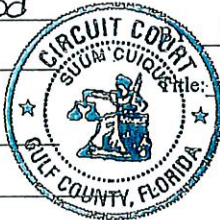
ST. JOE TIMBERLAND COMPANY
OF DELAWARE, L.L.C.

Analise M Wood
Signature of Witness

Analise M Wood
Printed Name of Witness

[Signature]
Signature of Witness

Joshua Knight
Printed Name of Witness



[Signature]
Title: Vice - President

STATE OF FLORIDA

COUNTY OF Duval

JOSHUA KNIGHT
Notary Public, State of Florida
My comm. exp. Aug. 18, 2009
Comm. No. DD 463364

The foregoing instrument was acknowledged before me this 17th day of March, 2008, by David Hapellen as Vice President of St. Joe Timberland Company of Delaware, L.L.C., a Delaware limited liability company, on behalf of said corporation. Form of I.D.: ()
Personally known Other

[Signature]
Notary Public

1

EXHIBIT A

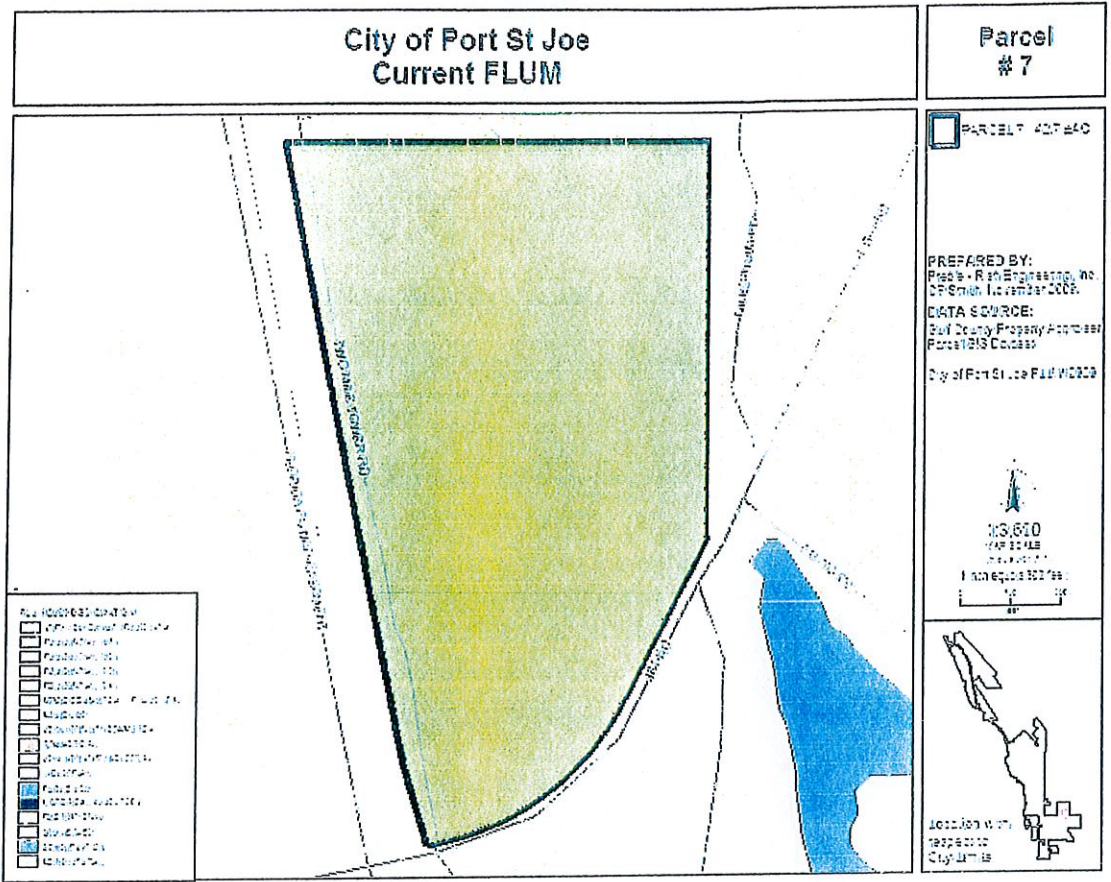


EXHIBIT B

