

Regular Meeting - July 8, 1958

The meeting was called to order by the Chairman, the following members being present: Mr. Albert Golden, Mr. Joe T. Allen, Sr., Mr. Richard Finlay, Mr. Wilson Whitfield, and Mr. Clifford Wilson.

The meeting was opened with prayer by the Reverend Thrower of the First Presbyterian Church.

Mr. Williard Cook came before the Board and presented a plat known as Westwood Subdivision, in Section 33, Township 2 North, Range 28 West. Commissioner Wilson offered a motion to approve the plat, which was seconded by Commissioner Whitfield and unanimously carried. Mr. Cook also presented a plat known as West Milton Heights, Second Addition, in Section 17, Township 1 North, Range 28 West (W 1/2 of NW 1/4). Commissioner Finlay offered a motion to approve this plat, which was seconded by Commissioner Whitfield and unanimously carried.

Mr. Cook presented a third plat for approval known as Progressive Acres Subdivision, a portion of Section 41, Township 5 North, Range 29 West,, inside corporate limits of Jay, Fla. Commissioner Finlay offered a motion to approve this plat, subject to the approval of the County Attorney and County Engineer, which was seconded by Comdssioner Wilson and unanimously carried.

A resolution was presented to the Board by Attorney Curtis Golden, for Mr. Earl Woodbury of Avalon Beach for the closing of two dead end streets. RESOLUTION FOLLOWS:

Whereas, Earl Woodbury of Avalon Beach, Florida, appeared before the Board of County Commissioners on July 8, 1958, and proposed that they consider the vacation, discontinuance, and closing of the two dead end streets, 20 or 30 feet strips, in Block

742 and 743 (also known as Block 847) as designated and dedicated to the public in Avalon Beach Subdivision, first addition heretofore duly approved and accepted by the Board of County Commissioners and recorded in Plat book A, page _ of the public records of Santa Rosa County, Florida.

And, whereas, the Board of County Commissioners did on said date by a unanimous vote determine to hold a public hearing at 10:00 o'clock A.M. on the 8th day of April, A.D.,1958, concerning the advisability of closing vacating, and abandoning said roads.

And, whereas, the said Board of County Commissioners, has determined that publication of said hearing was duly advertised pursuant to Chapter 336.09, General Statutes of Florida for 1958, and has on this date at 10:00 o'clock A.M. held a public hearing concerning the advisability of closing, vacating and abandoning said roads.

And, whereas, it has been determined by the said Board of County Commissioners that the public interest will best be served and protected by vacating, closing and abandoning said roads.

Now Therefore, be it resolved by the Board of County Commissioners that the said two dead end streets, 20 or 30 feet strip, in Block 742, and 743 (also known as Block 847), as designated and dedicated to the public in Avalon Beach Subdivision first addition and recorded in Plat Book A, page __ of the Public records of Santa Rosa County, Florida, are hereby vacated, and abandoned, and any interest which the public or Santa Rosa County has therein, or might have therein is relinquished and restored in the original owners thereof.

Duly adopted and approved by a majority of the Board of County Commissioners in open meeting this 8th day of July, 1959.

(See File # 11)

/s/ Albert Golden

/s/ Clifford Wilson

/s/ Wilson Whitfield

/s/ Richard Finlay

/s/ Joe T. Allen, Sr.

/s/ Ray C. Helms, Clerk

Mrs. Ora Edmunds came before the Board concerning the Public Health Center, she ask the Board to write a letter to the attention of Mr. Forehand, of the State Health Department advising him when the County's part of the money for this unit will be available. Commissioner Finlay offered a motion to write this letter, which was seconded by Commissioner Whitfield and unanimously approved.

Mrs. E. A. Murphy came before the Board in connection with the closing of a road on her property. The Board advised Mrs. Murphy they would look into this as soon as possible.

After a discussion on Civil Defense with Mrs. Ora Edmunds Commissioner Whitfield offered a motion to appoint Commissioner Finlay to attend the Civil Defense meetings and assist in any way he can. Commissioner Allen seconded the motion and it was unanimously carried.

Mr. Pat Emmanuel came before the Board in connection with the vacating of a plat known as Oriole Beach. Commissioner Wilson offered a motion to take the necessary steps to have this plat vacated, which was seconded by Commissioner Whitfield and unanimously carried. The hearing was set for the meeting of August 12, 1958. (see Pages 455 and 456 for further information)

Attorney Earl Lewis came before the Board to get a corrective deed for Mr. Chaffin.

APPLICATION FOLLOWS:

CORRECTIVE COUNTY DEED

Application No. 792

Deed No. 117

Under Chapter 23831, Acts of 1947, Santa Rosa County, Florida.

This Corrective deed made this 8th day of July, A.D., 1958, by Santa Rosa County, Florida, party of the first part and Herbert A. Liehr, party of the second part.

WITNESSETH that the said party of the first part for and in consideration of the sum of One Dollar (\$1.00) and good and valuable considerations and by proper resolution passed and adopted by the Board of County Commissioners of Santa Rosa County, Florida, on July 8, 1958, and which One Dollar (\$1.00) and other good and valuable considerations were paid to the party of the first part by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the

party of the second part, his heirs, and assigns forever, the following described land, lying and being in Santa Rosa County, Florida, to-wit:

Block 43, Section 23, Township 1 North, Range 29 West, Floridatown Heights, as shown in that certain subdivision plat of Floridatown Heights, prepared by Overman and Carter, and recorded in Plat Book A, page 23, public records of Santa Rosa County, Florida.

In WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice-Chairman of said Board, the day and year aforesaid.

OFFICIAL SEAL)

Attest: /s/ Ray C. Helms

Ray C. Helms, (or Deputy Clerk Circuit Court, Santa Rosa County, Florida)

Santa Rosa County, Florida By Its Board of County Commissioners

/s/ Albert Golden, Its Chairman

STATE OF FLORIDA

COUNTY OF SANTA ROSA

BE IT REMEMBERED, that on this day of July, A.D., 1958, the foregoing instrument of writing was presented for record to the subscriber, the Clerk of the Circuit Court in and for the County aforesaid, and the same being properly authenticated, I have duly recorded the same in Deed Book __, page __.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court the day and year mentioned.

/s/ Ray C. Helms, Clerk Circuit Court Santa Rosa County, Florida

Commissioner Wilson offered a motion to approve the corrective deed and adopt the following resolution, which was seconded by Commissioner Whitfield and unanimously carried.

STATE OF FLORIDA,

RESOLUTION

COUNTY OF SANTA ROSA

WHEREAS, on the 11th day of October, A.D., 1949, Santa Rosa County, Florida, by its Board of County Commissioners, conveyed to R.J. Parker property described as Blocks 42, 43, and 44, Section 23, Township 1 North, Range 29 West, without stating in which subdivision the property is located; and

WHEREAS, the said described property is situated in Floridatown Heights, as shown in that certain subdivision plat of Floridatown Heights, prepared by Overman and Carter, and recorded in Plat Book A, page 23, public records of Santa Rosa County, Florida; and

WHEREAS, it is the desire of the members of the Board of County Commissioners of Santa Rosa County, Florida, to give a deed of corrections correcting the description contained in the hereinabove mentioned deed, as same is shown recorded in Deed Book A-73, Page 122, public records of Santa Rosa County, Florida, and

WHEREAS, Mr. Ed Chaffin was the owner of a portion of the hereinabove described real property, namely: Block 43, Section 23, Township 1 North, Range 29 West, Floridatown Heights, as shown in that certain Subdivision Plat of Floridatown Heights, prepared by Overman and Carter, and recorded in Plat Book A, page 23, public records of Santa Rosa County, Florida; and which property he has conveyed to Herbert A. Liehr, and which deed is not recorded, but has been shown to the members of the said Board of County Commissioners of Santa Rosa County, Florida, on this the 8th day of July, A.D., 1958; and

WHEREAS, the members of the Board of County Commissioners of Santa Rosa County, Florida, have determined that it is the proper thing for said Commissioners Board to convey the property owned by said Ed Chaffin, and conveyed by him to Herbert A. Liehr, by a corrected deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Rosa County, Florida, that this Board does hereby unanimously agree that the Board of County Commissioners of Santa Rosa County, Florida, issue and properly execute a corrective deed, conveying by a complete description, to Herbert A. Liehr, Block 43, Section 23, Township 1 North, Range 29 West, Floridatown

Heights, as shown in that certain subdivision plat of Floridatown Heights, prepared by Overman and Carter, recorded in Plat Book A, Page 23, public records of Santa Rosa County, Florida; and that Hon. Ray C. Helms, Clerk of Circuit Court, Santa Rosa County, Florida, attest the said corrective deed.

RESOLVED AND ADOPTED this 8th day of July, A.D., 1958.

ATTEST: /s/ Ray C. Helms, Clerk of Circuit Court Ex Officio, Clerk of said Board of County Commissioners, Santa Rosa County, Florida.

BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA.

/s/ Albert Golden, Chairman

The Clerk read the minutes of the meetings of June 2, June 10, and June 18, Commissioner Whitfield offered a motion to adopt the minutes as read, which was duly seconded by Commissioner Finlay and unanimously approved.

Oriole Beach (Pine Beach Corporation)

PETITION TO BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA

Comes now Pine Beach Corporation, a Florida corporation, by its undersigned attorneys, and hereby petitions the Board of County Commissioners of Santa Rosa County, Florida, to vacate the following plats or portions of plats, to-wit:

1. Plat of San Carlos Addition to Oriole Beach, subdivision of a portion of Section 31, Township 2 South, Range 28 West, Santa Rosa County, Florida, according to Plat thereof recorded in Plat Book A at page 53 of the public records of Santa Rosa County, Florida.
2. All of the plat of Boone's First Addition to Oriole Beach, a subdivision of a portion of Section 31, Township 2 South, Range 28 West, Santa Rosa County, Florida, according to plat thereof recorded in Plat

Book A at page 80 of the public records of Santa Rosa County, Florida, less and except Lots 8 and 9 of said Boone's First Addition to Oriole Beach.

In support of this Petition, your petitioner attaches hereto and makes a part hereof the following:

1. Letter of Holsberry & Emmanuel, Attorneys at Law, addressed to this Board showing that fee simple title to said property is vested in your petitioner.
2. Proof of Publication of the Press-Gazette, a newspaper regularly published in Santa Rosa County, Florida, showing publication of Notice of Public Hearing relative to this matter, published in said newspaper in its issues of June 26, 1958 and July 3, 1958.
3. Certificate of Clerk of Circuit Court of Santa Rosa County, Florida, showing that all taxes have been paid through 1957.
4. Your petitioner further alleges that the property involved in this petition is unimproved and that no persons will be affected adversely hereby and that no streets, roads, rights of way, or alleys will be closed or vacated which have become highways necessary for use by the traveling public.

Wherefore, your petitioner prays that this Board will enter a resolution pursuant to the authority granted by Florida Statutes 192.29 and 192.30, and the other Laws of Florida, vacating said plats or portions of plats described hereinabove.

PINE BEACH CORPORATION

By: /s/ Pat Emmanuel.

Holsberry & Emmanuel Attorneys at Law

510 Florida National Bank Bldg.

Pensacola, Florida

July 3, 1958

Board of County Commissioners of Santa Rosa County

Milton, Florida

Re: East Oriole Beach, a Subdivision of a Portion of Lot 6, Section 31, Township 2 South, Range 28 West, Santa Rosa County, Florida according to Plat recorded in plat Book B, at page 47 of the records of said County - Our File 4501.

Gentlemen:

This is to advise that we have examined abstract of title to the above real estate prepared by West Florida Abstract & Title Company certified to 9 June 1958, and based thereon we find title to all of the above described property to be in Pine Beach Corporation and that said corporation owns the fee simple title to all of that property included in said Plat which is included in its Petition for Vacation of plats scheduled for 9:00 o'clock A.M. on July 8, 1958 at public hearing before your Board.

HOLSBERRY & EMMANUEL, Attorneys at Law

510 Florida National Bank Bldg.

Pensacola, Florida

BY: /s/ Pat Emmanuel

Notice of publication filed - see file no. 10

STATE OF FLORIDA

CERTIFICATE

COUNTY OF SANTA ROSA

I, the undersigned Clerk of Circuit Court of Santa Rosa County, Florida, do hereby certify that all State and County taxes up through and including the year 1957, have been paid on the following described real estate, to-wit:

All of the subdivision of East Oriole Beach, a portion of Lot 6, Section 31, Township 2 South, Range 28 West, Santa Rosa County, Florida, according to plat filed in Plat Book B at page 47 of the public records of Santa Rosa County, Florida.

I do further certify that there are not outstanding any back taxes or tax certificates on any of the property described hereinabove but that all taxes are paid to current date.

I further certify that taxes for 1958 cannot be paid until November 1, 1958, and that same are therefore not yet payable.

Witness my hand and official seal this 8th day of July, 1958.

/s/ Ray C. Helms, Clerk Circuit Court of Santa Rosa County, Florida

Seal

PETITION

Comes now Pine Beach Corporation, a Florida corporation, by its undersigned attorneys and files this Petition with the Board of County Commissioners of Santa Rosa County, Florida, and says:

1. By instrument dated May 26, 1930, Gulf Security Corporation conveyed to Santa Rosa County a strip of land in Section 31, Township 2 South, Range 28 West, by deed recorded in Deed Book A-40, page 567, and hereafter, by corrective deed dated September 29, 1930, recorded in Deed Book A-41 at page 41 of the public records of Santa Rosa County, Florida, said Gulf Security Corporation conveyed to the County of Santa Rosa a right-of-way in said Section, particularly described in said deed.

2. That no street, road or highway has ever been built or constructed upon or across any of the land described in either of the aforesaid deeds, although they have been of record for approximately 28 years, but, notwithstanding that fact, the State of Florida has built and constructed a State Road in said Section 31, which serves the purposes originally anticipated for the road to be constructed by Santa Rosa County and for which the aforesaid deeds were executed.

3. That each of the above said deeds contained provisions that the title would revert to the grantor in the event of abandonment of the right-of-way, clear of any claim by virtue of the deed, and that the County of Santa Rosa has abandoned such proposed roads and rights-of-way, by virtue of the fact that they have failed to use or exercise such rights-of-way for a period of more than 27 years.

4. That your Petitioner has succeeded to all right, title claim and interest of Gulf Security Corporation, and that the land described in, and referred to, in the aforesaid two deeds, has been heretofore platted of public record, by plats approved by the Board of County Commissioners of Santa Rosa County, Florida, as Boone's First Addition to Oriole Beach, according to plat thereof recorded in Plat Book A at page 80, and, more recently, by plat entitled East Oriole Beach, recorded in Plat Book B at page 41 of the public records of Santa Rosa County, Florida, and by such plats, this Board of County Commissioners has, in effect recognized that said rights-of-way included in the aforesaid deeds had not been exercised, and permitted the land therein included to be platted as lots and blocks.

5. Your Petitioner alleges that none of the land included in the aforesaid deeds was acquired for State or Federal highways and that none of said land included in the aforesaid deeds has been or is now being used for roads, streets, highway or right-of-way purposes. That the vacation and closing and abandonment of said rights-of-way, will not affect any other person adversely and is for the best interest of the public.

Wherefore, your Petitioner prays that this Board will adopt a Resolution scheduling a public hearing on this Petition at a time and date to be set by this Board.

Respectfully submitted,

HOLSEERRY & EMMANUEL, Attornets at Law

510 Florida National Bank Bldg.

Pensacola, Florida

BY: /s/ Pat Emmanuel

For: PINE BEACH CORPORATION

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You will please take notice that, upon the Petition of Pine Beach Corporation, a Florida corporation, the undersigned Board of County Commissioners of Santa Rosa County, Florida, will, on the 12th day of August, 1958, at 9:30 o'clock A.M. Central Daylight Saving Time, schedule and hold a public hearing in its office in the Santa Rosa County Courthouse in Milton, Florida, to consider and act upon, the Petition of Pine Beach Corporation to vacate, close and abandon the roads, streets, and rights-of-way described and included in deeds to Santa Rosa County recorded in Deed Book A-40 at page 567 and Deed Book A-41 at page 41 of the public records of said County, and more particularly described as follows:

1. A strip of land 60 feet wide each side of and parallel to the following described line over, on, through and across the fractional SE 1/4 of the SE 1/4 of Section 31, Township 2 South, Range 28 West, containing 10 acres more or less, beginning at a point 2860 feet south of the Northeast corner of said section, thence running in a southwesterly direction through said property to a point 3775.1 feet south of the Northwest corner of said section.

2. A strip of land 120 feet wide on each side of and parallel to the center line of the said public road, location of said centerline being as follows: Commencing on the east boundary line of Lots 6 of Section 31, Township 2 South, Range 28 West, at a point 341.3 feet south of the Northeast corner of said lot; thence south 80o55' west a distance of 913.7 feet to a point on the west boundary of the tract of land in aforesaid lot owned by the said Gulf Security Corporation. The said center line bing as now surveyed, located and staked in, over, through and across the said land.

At said time and place this Board will consider the advisability of vacating, closing and abandoning the aforesaid rights- of-way, roads and streets, and renouncing the same and disclaiming and renouncing any right of the County and the public in and to the land therein described, to the owner thereof.

(Seal of Board of County Commissioners of Santa Rosa County, Florida)

BOARD OF OOUNTY COMMISSIONERS SANTA ROSA COUNTY, FLORIDA

/s/ Albert Golden its Chairman

RESOLUTION

The Petition of Pine Beach Corporation, coming on this date to be heard and it having requested a public hearing in connection with same,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA, That a public hearing in connection with the Petition of Pine Beach Corporation to vacate, close and abandon certain roads, streets and rights-of-way be, and it is hereby, scheduled and set for a public hearing to be held by this Board in its office in the Santa Rosa County, Courthouse on the 12th day of August, 1958, at 9:30 o'clock A.M. Central Daylight Saving Time.

THIS RESOLUTION ADOPTED THIS 8th DAY OF July, 1958.

BOARD OF COUNTY COMMISSIONERS SANTA ROSA COUNTY, FLORIDA

BY: /s/ Albert Golden Its Chairman

Attest: /s/ Ray C. Helms Its Clerk

RESOLUTION:

The Petition of Pine Beach Corporation, a Florida corporation, coming on to be heard for the facations of the plat of San Carlos Addition to Oriole Beach and a portion of the plat of Boone's First Addition to Oriole Beach, all more particularly described hereinafter, and said Petition coming on this date before this Board for public hearing at the time and place scheduled for same, and this Board finding that the necessary requirements of law have been complied with:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA AS FOLLOWS:

1. That proper Petition has been filed herein by Pine Beach Corporation and that it is the owner in fee simple of all of the real estate involved in this proceeding and more particularly described hereinafter.

2. That all State and County taxes have been paid through the year 1957 on the subject real estate and that taxes for 1958 cannot yet be paid.

3. That proper Notice of this hearing was duly published in the Press-Gazette a newspaper regularly published in Santa Rosa County, Florida, in its issues of June 26, 1958 and July 3, 1958, and that such publication complies with the requirements of Florida Statutes 192.30.

4. That all persons desiring to be heard in this matter have been heard at this public hearing, held at the time and place scheduled for same.

5. That the vacation of said plats will not affect any other person or party adversely and that, no streets, roads or alleys which have become highways necessary for use by the traveling public are affected or included within the terms of this Resolution and this proceeding.

6. That the following described plats or portions of plats are hereby vacated, to-wit:

(a) Plat of San Carlos Addition to Oriole Beach, a subdivision of a portion of Section 31, Township 2 South, Range 28 West, Santa Rosa County, Florida, according to plat thereof recorded in Plat Book A at page 53 of the public records of Santa Rosa County, Florida.

(b) All of the plat of Boone's First Addition to Oriole Beach, a subdivision of a portion of Section 31, Township 2 South, Range 28 West, Santa Rosa County, Florida, according to plat thereof recorded in Plat Book A at page 80 of the public records of Santa Rosa County, Florida, less and except Lots 8 and 9 of said Boone's First Addition to Oriole Beach.

7. That the aforesaid plats or portions of plats particularly described in the preceding paragraph are hereby vacated and the streets, roads, alleys and rights of ways shown and delineated thereon are hereby vacated, closed and abandoned.

8. That all requirements of Florida Statutes 192.29 and 192.30 and other Laws of Florida relative to the vacation of plats have been fully complied with herein.

THIS RESOLUTION ADOPTED this 8th day of July, 1958.

BOARD OF COUNTY COMMISSIONERS SANTA ROSA COUNTY, FLORIDA

BY: /s/ Albert Golden Its Chairman

Attest: /s/ Ray C. Helms Its Clerk

See File # 10

Commissioner Wilson offered a motion that the Board give the Tax Collector, Archie Glover, authority to purchase an Air Conditioner and pay for same out of his excess fees. Commissioner Allen seconded the motion and it was unanimously carried.

Bills in the General Revenue Fund were approved, signed and ordered paid. Bills in the Road and Bridge Fund signed and ordered paid. Bills in the Fine and Forfeiture fund were approved signed and ordered paid when funds are available.

There being no further business the meeting was adjourned.

BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA

/s/ Albert Golden, CHAIRMAN

ATTEST: /s/ Ray C. Helms, CLERK