

COPY

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 1787432 OR BOOK 1282 PAGE 928
Recorded: 02/28/00 13:01

This instrument prepared by:
JoAnn M. Riley
under the direction of
Daniel S. McIntyre, County Attorney
St. Lucie County
2300 Virginia Avenue
Ft. Pierce, FL 34982

RESOLUTION NO. 00-43

DATE: February 1, 2000

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, CLOSING, VACATING AND ABANDONING ANY INTEREST OF ST. LUCIE COUNTY AND THE GENERAL PUBLIC IN THAT CERTAIN RIGHT-OF-WAY KNOWN AS PEPPER LANE AS RECORDED IN THE BAY TREE SUBDIVISION, PLAT BOOK 32, PAGE 1 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:

1. **That Sections 177.101, 336.09 and 336.10, Florida Statutes, as amended, and Section 11.10.01 et. seq. of the St. Lucie County Land Development Code, provide that the County may adopt resolutions vacating rights-of-way in whole or in part, which are under the jurisdiction of the Board of County Commissioners of St. Lucie County, Florida.**
2. **Pursuant to Plat Book 32, Page 1, St. Lucie County and the general public have a dedicated interest in the following described land:**

**THAT CERTAIN RIGHT-OF-WAY KNOWN AS PEPPER LANE AS
RECORDED IN BAY TREE SUBDIVISION, PLAT BOOK 32, PAGE 1,
OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.**

3. **The purpose of the abandonment is to allow the Bay Tree Homeowner's Association the ability to create a private gated community.**

COPY

OR BOOK 1282 PAGE 929

4. *A Notice of Intent to Abandon was advertised on October 8 and 19, 1998, and no objections were filed.*
5. *All relevant public utilities have given written consent for the abandonment except Adelphia Cable and Fort Pierce Utilities Authority. To satisfy their needs, B.T. Homeowner's Association, Inc. (formerly known as Bay Tree Homeowner's Association) has executed Utility Easements on their behalf.*
6. *County Department staff members have reviewed the petition and have filed no objections to the proposed abandonment.*
7. *All abutting property owners have consented to the proposed abandonment.*
8. *It is in the best interest of the public to vacate and abandon the right-of-way more particularly described as follows:*

**THAT CERTAIN RIGHT-OF-WAY KNOWN AS PEPPER LANE AS
RECORDED IN BAY TREE SUBDIVISION, PLAT BOOK 32, PAGE 1,
OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.**

and to renounce and disclaim any rights of St. Lucie County and the general public in and to the right-of-way of Pepper Lane.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Lucie County, Florida:

That PEPPER LANE lying in Section 11, Township 37 South, Range 41 East, St. Lucie County, Florida is hereby closed, vacated and abandoned and the right, title and interest of St. Lucie County and the general public in and to said lands hereby disclaimed and renounced.

Chairman John D. Bruhn

AYE

Vice-Chairman Frannie Hutchinson

AYE

COPY

OR BOOK 1282 PAGE 930

Commissioner Cliff Barnes

AYE

Commissioner Doug Coward

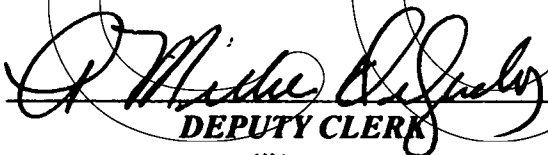
AYE

Commissioner Paula Lewis

AYE

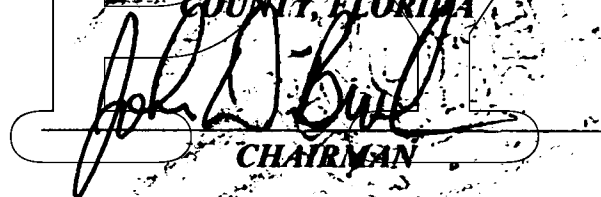
PASSED AND DULY ADOPTED this 1st day of February, 2000.

ATTEST:


DEPUTY CLERK



BOARD OF COUNTY
COMMISSIONERS OF ST. LUCIE
COUNTY, FLORIDA


CHAIRMAN

APPROVED AS TO FORM AND
CORRECTNESS:

BY:


COUNTY ATTORNEY

COPY



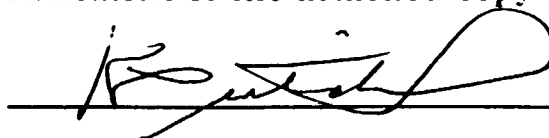
COPY

The Stuart News and The Port St. Lucie News (an edition of The Stuart News)

STATE OF FLORIDA
COUNTY OF MARTIN: COUNTY OF ST. LUCIE:

Before the undersigned authority appeared KATHLEEN PRITCHARD
who on oath says that he/she ACCOUNTING MANAGER
of The Stuart News, and The Port St. Lucie News,
a daily newspaper Published at Stuart in Martin County, Florida,
that the attached copy of advertisement, being a ST LUCIE CO BOARD OF CO COMM
in the matter of PUBLIC HEARING
in the _____ Court, was Published in The
Stuart News and The Port St. Lucie News in the issues of JANUARY 14, 2000

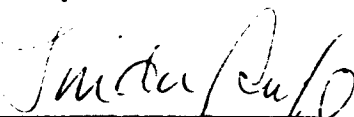
Affiant further says that the said The Stuart News and The
Port St. Lucie News is a newspaper published at Stuart, in said
Martin County, Florida with offices and paid circulation in
Martin County, Florida, and St. Lucie County, Florida and that
the said newspapers have heretofore been continuously published
in said Martin County, Florida and distributed in Martin County,
Florida and St. Lucie County, Florida, for a period of one year
next preceding the first publication of the attached 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 this
advertisement for publication in the said newspaper. The Stuart
News has been entered as second class matter at the post office
in Stuart, Martin County, Florida, and Ft. Pierce, St. Lucie
County, Florida and has been for a period of one year next
preceding the first publication of the attached copy of
advertisement.



Sworn to and subscribed before me

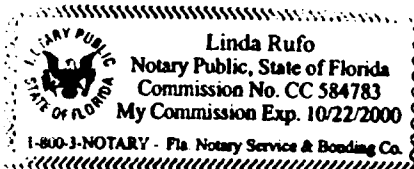
this 22nd day of FEBRUARY

A.D. 2000



(Seal)

Notary Public



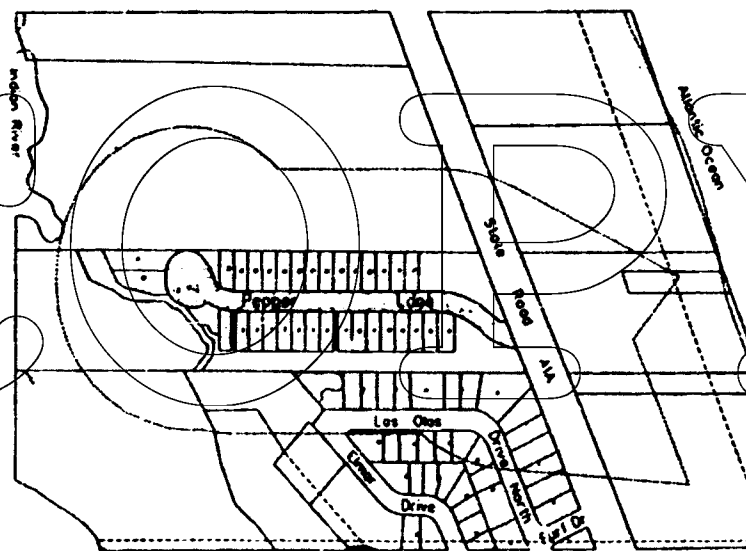
NOTICE OF PUBLIC HEARING FEBRUARY 1, 2000

TO WHOM IT MAY CONCERN:

You will take notice that in accordance with the provisions of Sections 177.101, as amended 336.09 and 336.10, Florida Statutes, as amended, and the St. Lucie County Land Development Code, Section 11.10.01 et. seq., a public hearing will be held by the St. Lucie County Board of County Commissioners, in the County Commission Chambers, 3rd floor of the Roger Poitras Administration Annex, 2300 Virginia Avenue, Fort Pierce, Florida, on February 1, 2000, at 7:00 P.M. or as soon thereafter as practicable, on the petition of Thomas C. Brown, President of the Bay Tree Homeowners Association to abandon Pepper Lane as described below:

THAT CERTAIN RIGHT-OF-WAY KNOWN AS PEPPER LANE AS RECORDED IN BAY TREE SUBDIVISION AS RECORDED IN PLAT BOOK 32, PAGE 1 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

All interested parties may appear and be heard at the time and place above specified. Written comments received in advance of the public hearing will also be considered. Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Manager at (561) 462-1777 or TDD (561) 462-1428 at least forty-eight (48) hours prior to the meeting.



Proposed Abandonment
300' Radius



Community Development
Geographic Information System
Map created May 21, 1999

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA
/s/ JOHN D. BRUHN, CHAIRMAN
PUBLISH DATE: January 14, 2000

COPY

OR BOOK 1282 PAGE 933

BOCC

2300 VIRGINIA AVENUE

FORT PIERCE, FL 34982

ATTN.: JoANN RILEY



STATE OF FLORIDA
COUNTY OF ST. LUCIE

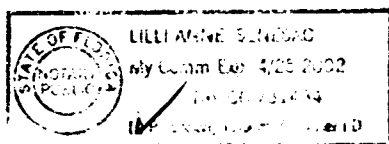
Before the undersigned authority personally appe
Gawel, or Cathi Revels, who on oath says that he/she
manager of The Tribune, a daily newspaper published at l
County, Florida; that the attached copy of the advertise
NOTICE OF PUBLIC HEARING

in the matter of petition of Thomas C. Brown, wil
February 1, 2000, etc.
was published in said newspaper in the issues of January

Affiant further says that The Tribune is a newspaper published at Fort Pierce, i
and that the said newspaper has heretofore been continuously published in St. l
and has been entered as second class mail matter at the post office in Fort F
Florida, for a period of one year next preceding the first publication of the attac
affiant further says that he has neither paid nor promised any person, firm or cc
commission or refund for the purpose of securing this advertisement for public
Sworn to and subscribed before me **February 9, 2000**

Cathi Revels
Kelli Anne Senise

Notary Public



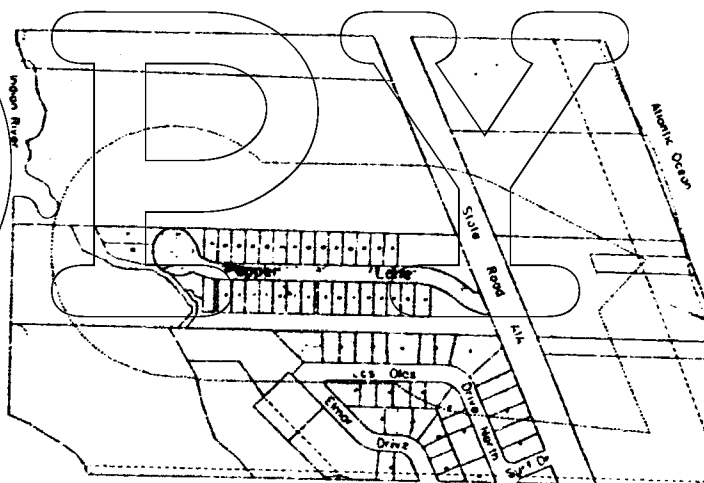
NOTICE OF PUBLIC HEARING FEBRUARY 1, 2000

TO WHOM IT MAY CONCERN:

You will take notice that in accordance with the provisions of Sections 177.101, as amended 336.09 and 336.10, Florida Statutes, as amended, and the St. Lucie County Land Development Code, Section 11.10.01 et. seq., a public hearing will be held by the St. Lucie County Board of County Commissioners, in the County Commission Chambers, 3rd floor of the Roger Poitras Administration Annex, 2300 Virginia Avenue, Fort Pierce, Florida, on February 1, 2000, at 7:00 P.M. or as soon thereafter as practicable, on the petition of Thomas C. Brown, President of the Bay Tree Homeowners Association to abandon Pepper Lane as described below:

THAT CERTAIN RIGHT-OF-WAY KNOWN AS PEPPER LANE AS RECORDED IN BAY TREE SUBDIVISION AS RECORDED IN PLAT BOOK 32, PAGE 1 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

All interested parties may appear and be heard at the time and place above specified. Written comments received in advance of the public hearing will also be considered. Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Manager at (561) 462-1777 or TDD (561) 462-1428 at least forty-eight (48) hours prior to the meeting.



COPY



**The Stuart News and
The Port St. Lucie News**
(an edition of The Stuart News)

STATE OF FLORIDA
COUNTY OF MARTIN: COUNTY OF ST. LUCIE:

Before the undersigned authority appeared KATHLEEN PRITCHARD
who on oath says that he/she ACCOUNTING MANAGER
of The Stuart News, and The Port St. Lucie News,
a daily newspaper Published at Stuart in Martin County, Florida,
that the attached copy of advertisement, being a ST LUCIE CO BOARD OF CO COMM
in the matter of ABANDONMENT

in the _____ Court, was Published in The
Stuart News and The Port St. Lucie News in the issues of FEBRUARY 7, 2000

Affiant further says that the said The Stuart News and The
Port St. Lucie News is a newspaper published at Stuart, in said
Martin County, Florida with offices and paid circulation in
Martin County, Florida, and St. Lucie County, Florida and that
the said newspapers have heretofore been continuously published
in said Martin County, Florida and distributed in Martin County,
Florida and St. Lucie County, Florida, for a period of one year
next preceding the first publication of the attached 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 this
advertisement for publication in the said newspaper. The Stuart
News has been entered as second class matter at the post office
in Stuart, Martin County, Florida, and Ft. Pierce, St. Lucie
County, Florida and has been for a period of one year next
preceding the first publication of the attached copy of
advertisement.

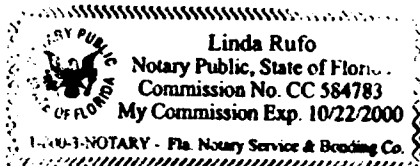
Sworn to and subscribed before me

this 22nd day of FEBRUARY

A.D. 2000

(Seal)

Notary Public



COPY

NOTICE OF ABANDONMENT

TO WHOM IT MAY CONCERN:

In accordance with the provisions of Sections 177.101, 336.09 and 336.10, Florida Statutes, as amended, and Section 11.10.01 et. seq. of the St. Lucie County Land Development Code, on the 1st day of February, 2000, the Board of County Commissioners of St. Lucie County, Florida, approved the petition of Thomas C. Brown, President of the Bay Tree Homeowner's Association, to close, vacate and abandon a public right-of-way known as PEPPER LANE hereinafter described, and renounce and disclaim any right of St. Lucie County and the public in and to the lands lying within that portion of said public right-of-way known as PEPPER LANE as hereinafter more particularly described as follows:

THAT CERTAIN RIGHT-OF-WAY KNOWN AS PEPPER LANE AS RECORDED IN BAY TREE SUBDIVISION, PLAT BOOK 32, PAGE 1, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA
2300 VIRGINIA AVENUE
FT. PIERCE, FL. 34982
PUBLISH: February 7, 2000

COPY

BOCC

2300 VIRGINIA AVENUE

FORT PIERCE, FL 34982

ATTN.: JoANN RILEY

THE TRIBUNE
P.O. Box 69
Fort Pierce, St. Lucie County, Florida 34954-0069

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Before the undersigned authority personally ap-
Gawel, or Cathi Revels, who on oath says that he/she
manager of The Tribune, a daily newspaper published a
County, Florida; that the attached copy of the advertiser
NOTICE OF ABANDONMENT

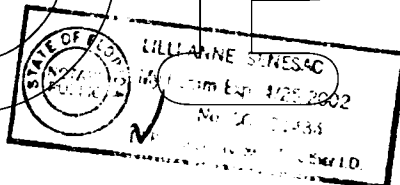
in the matter of petition of Thomas C. Brown, etc.
was published in said newspaper in the issues of Febru

Affiant further says that The Tribune is a newspaper published at Fort Pierce, in said St. Lucie County, Florida,
and that the said newspaper has heretofore been continuously published in St. Lucie County, Florida, each day
and has been entered as second class mail matter at the post office in Fort Pierce, in said St. Lucie County,
Florida, for a period of one year next preceding the first publication of the attached 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 this advertisement for publication in the said newspaper.

Sworn to and subscribed before me **February 9, 2000**

Cathi Revels
della Anne Service

Notary Public



**NOTICE OF ABANDONMENT
TO WHOM IT MAY CONCERN:**

In accordance with the provisions of Sections 177.101, 336.09 and 336.10, Florida Statutes, as amended, and Section 11.10.01 et. seq. of the St. Lucie County Land Development Code, on the 1st day of February, 2000, the Board of County Commissioners of St. Lucie County, Florida, approved the petition of Thomas C. Brown, President of the Bay Tree Homeowner's Association, to close, vacate and abandon a public right-of-way known as PEPPER LANE hereinafter described, and renounce and disclaim any right of St. Lucie County and the public in and to the lands lying within that portion of said public right-of-way known as PEPPER LANE as hereinafter more particularly described as follows:

**THAT CERTAIN RIGHT-OF-WAY KNOWN AS
PEPPER LANE AS RECORDED IN BAY TREE
SUBDIVISION, PLAT BOOK 32, PAGE 1, OF THE
PUBLIC RECORDS OF ST. LUCIE COUNTY,
FLORIDA.**

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

PUBLISH: February 7, 2000

OR BOOK 1262 PAGE 936

Y