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ORDINANCE NO. 91 - 18
AMENDMENT TO ORDINANCE NO. 83-19
NASSAU COUNTY, FLORIDA

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners, Nassau County, Florida, did adopt Ordinance No. 83-19, an Ordinance enacting and establishing a comprehensive zoning code for the unincorporated portion of Nassau County, Florida, and

WHEREAS, WILLIAM T. BRIGHTWELL, owner of the real property described in this Ordinance, has applied to the Board of County Commissioners for a rezoning and reclassification of the property from OPEN RURAL (OR) to RESIDENTIAL, SINGLE FAMILY ESTATE (RS-E).

WHEREAS, the Nassau County Zoning Board, after due notice and public hearing has made its recommendations to the Commission; and

WHEREAS, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the overall comprehensive zoning ordinance and orderly development of the County of Nassau, Florida, and the specific area;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Nassau County, Florida:

SECTION 1: PROPERTY REZONED: The real property described in Section 2 is rezoned and reclassified from OPEN RURAL (OR) to RESIDENTIAL, SINGLE FAMILY ESTATE (RS-E), as defined and classified under the zoning Ordinance, Nassau County, Florida.

SECTION 2: OWNER AND DESCRIPTION: The land rezoned by this ordinance is owned by WILLIAM T. BRIGHTWELL, and is described as follows:

See Exhibit "A" attached hereto and made a part hereof by specific reference.

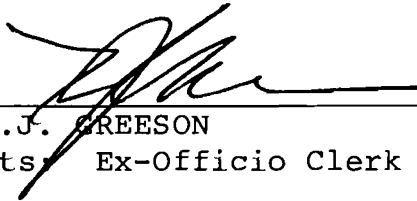
SECTION 3: EFFECTIVE DATE: This ordinance shall become effective upon being signed by the Chairman of the Board of

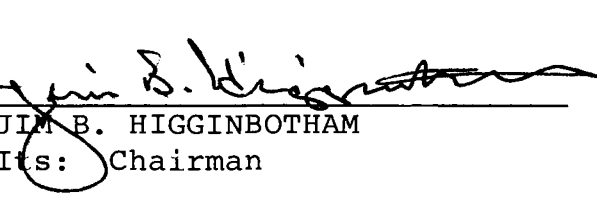
County Commissioners of Nassau County, Florida.

ADOPTED this 26th day of August, 1991.

CERTIFICATE OF AUTHENTICATION
ENACTED BY THE BOARD

BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA

ATTEST: 
T.J. GREESON
Its: Ex-Officio Clerk

BY: 
JIM B. HIGGINBOTHAM
Its: Chairman

rez.ord/

387

OFFICIAL RECORDS

EXHIBIT "A"

BOOK 322 PAGE 648

The Southerly Three Hundred Twenty (320.0) feet of the following described property:

That certain piece, parcel or tract of land situate, lying and being in the County of Nassau and State of Florida, known and described as:

A portion of the Samuel Harrison Grant, Section Forty-four (44), Township Two (2) North, Range Twenty-eight (28) East, Nassau County, Florida, being also known as Tract Fifty-five (55) of Rainbow Acres Subdivision, an unrecorded plat being more particularly described as follows:

Commence at the Northwesterly corner of Tract "A" of Alligator Creek Addition to Seymour Point Plat Book 2, page 73, public records of Nassau County, Florida, for a point of reference; thence South Thirty-seven (37) degrees, Thirty-seven (37) minutes, Ten (10) seconds West Seventy-four and Twenty-six Hundredths (74.26) feet to the Southerly right of way line of a Sixty (60.0) foot right of way; thence South Thirty-six (36) degrees, Sixteen (16) minutes, Twenty (20) seconds East, One Thousand Two Hundred Seventy-six and Three Tenths (1276.3) feet to a point; thence South Thirty-six (36) degrees, Fifty-seven (57) minutes, Twenty (20) seconds East Two Hundred Twenty-eight and Thirty-three Hundredths (228.33) feet to a point; thence South Fifty-three (53) degrees, Forty-three minutes, Forty (40) seconds West, One Thousand Ninety-five and Seventy-six Hundredths (1095.76) feet to a point in the Northerly right of way line of the Sixty-six (66.0) foot right of way; thence South Thirty-two (32) degrees, Thirty-one (31) minutes East, One Hundred Eighteen and Eight Hundredths (118.08) feet to the point of beginning; thence North Eighty (80) degrees, Thirty-five (35) minutes, Zero (00) seconds East, Two Hundred Four and Three Tenths (204.3) feet to a point; thence South Nine (09) degrees, Twenty-five (25) minutes, Zero (00) seconds East, Six Hundred Sixty (660.0) feet to a point in the Northerly right of way line of a Sixty (60.0) foot road; thence South Eighty (80) degrees, Thirty-five (35) minutes, Zero (00) seconds West, One Hundred Sixty-five (165.0) feet along the Northerly right of way line of said Sixty (60.0) foot road and to the Easterly right of way line of a Sixty-six (66.0) foot road; thence North Nine (09) degrees, Twenty-five (25) minutes, Zero (00) seconds West, Four Hundred Twenty (420.0) feet to a point which point is South Eighteen (18) degrees, Forty-three (43) minutes, Zero (00) seconds East from the point of beginning; thence Northeasterly along the Easterly right of way line of said Sixty-six (66.0) foot road for Two Hundred Forty-four (244.0) feet, more or less, to the point of beginning.

LESS AND EXCEPT that portion deeded to William T. Brightwell and Mary Brightwell, his wife, in Official Records Book 119, page 258.

L77508

FILED AND RECORDED
IN OFFICE

1950 OCT - 3 PM 4:46

D. O. HALL
CLERK COUNTY COMMISSIONER
NASSAU COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN that on Tuesday, the 6th day of August, 1991, at 7:30 p.m., the Planning and Zoning Board of Nassau County will hold a public hearing at the Yulee County Building, 70 Pages Dairy Road West, Yulee, Florida; to consider petition for Rezoning No. R-91-09, amending Ordinance No. 83-19; also be known that on Monday, the 26th day of August, 1991, at 7:00 p.m., the Board of County Commissioners of Nassau County will hold a public hearing on the said petition for rezoning, No. R-91-09, amending Ordinance No. 83-19, at the above location concerning the following described property in Nassau County.

DESCRIPTION OF PROPERTY:
Lot 55, Parcel #1, Rainbow Acres Subdivision Unrecorded Plat, as recorded in Official Records 119, Page 258, Nassau County, Florida.
Lot 55, Parcel #2, Rainbow Acres Subdivision Unrecorded Plat, as recorded in Official Records 322, Page 647, Nassau County, Florida.

Lots 56, 57, 58, 59, 60, and 61, Rainbow Acres Subdivision Unrecorded Plat in Official Records 89, Page 380, Nassau County, Florida.

A portion of the Samuel Harrison Grant, Section 44, Township 2 North, Range 28 East, Nassau County, Florida. Being also known as a portion of Lot 55, of Rainbow Acres Subdivision, an unrecorded plat.

Said portion being more particularly described as follows: for a point of reference commence at the Southwest corner of Lot 1, Alligator Creek Addition to Seymour Point according to plat recorded in the public records of said County in Plat Book 2, Page 73; where the Easterly right-of-way line of a graded County Road (a 60' Foot right-of-way) intersects with the Northernly right-of-way line of a graded County Road (a 60' Foot right-of-way); and run North 80°41' West along said Northernly right-of-way a distance of 152.15' feet to a point; run thence North 85°15' West continuing along said right-of-way a distance of 1,001.61' Feet to the beginning of a curve concave to the Southerly having a radius of 985.32 Feet; run thence in a Southwesterly direction along the arc of said curve and along said right-of-way a chord distance of 243.0' feet to the Point of Tangency (the bearing of the aforementioned chord being South 87°40' West); run thence South 80°35' West continuing along said right-of-way a distance of 173.59' Feet to a point; run thence North 9°25' West a distance of 417.0' Feet to the POINT OF BEGINNING.

From the Point of Beginning thus described continue North 9°25' West a distance of 243.0' feet to a point; run thence South 80°35' West a distance of 204.30' Feet to a point on the Easterly right-of-way line of a graded County Road (a 66' Foot right-of-way); run thence in a Southerly direction along said right-of-way and along the arc of a curve concave to the Westerly having a radius of 752.46' Feet a chord distance of 243.20' Feet to the Point of Tangency (the bearing of the aforementioned chord being South 18°43' East); run thence North 81°37'30" East a distance of 165.03' Feet to the Point of Beginning.

The portion of land thus described contains 1.0 acre more

The Southerly Three Hundred Twenty (320.0) feet of the following described property:

That certain piece, parcel or tract of land, situate, lying and being in the County of Nassau and State of Florida, known and described as:

A portion of the Samuel Harrison Grant, Section Forty-four (44), Township Two (2) North, Range Twenty-eight (28) East, Nassau County, Florida, being also known as Tract Fifty-five (55) of Rainbow Acres Subdivision, an unrecorded plat being more particularly described in Exhibit 'A' attached hereto and by this reference made a part hereof.

SUBJECT, however, to the current or 1980 taxes.

SUBJECT, also, to covenants, restrictions, easements and reservations of record, if any.

EXHIBIT 'A'

The Southerly Three Hundred Twenty (320.0) feet of the following described property:

That certain piece, parcel or tract of land situate, lying and being in the County of Nassau and State of Florida, known and described as:

A portion of the Samuel Harrison Grant, Section Forty-four (44), Township Two (2) North, Range Twenty-eight (28) East, Nassau County, Florida, being also known as Tract Fifty-five (55) of Rainbow Acres Subdivision, an unrecorded plat being more particularly described as follows:

Commence at the Northwesterly corner of Tract 'A' of Alligator Creek Addition to Seymour Point Plat, Book 2, page 73, public records of Nassau County, Florida, for a point of reference; thence South Thirty-seven (37) degrees, Thirty-seven (37) minutes, Ten (10) seconds West Seventy-four and Twenty-six Hundredths (74.26) feet to the Southerly right of way line of a Sixty (60.0) foot right of way; thence South Thirty-six (36) degrees, Sixteen (16) minutes, Twenty (20) seconds East, One Thousand Two Hundred Seventy-six and Three Tenths (1276.3) feet to a point; thence South Thirty-six (36) degrees, Fifty-seven (57) minutes, Twenty (20) seconds East Two Hundred Twenty-eight and Thirty-three Hundredths (228.33) feet to a point; thence South Fifty-three (53) degrees, Forty-three minutes, Forty (40) seconds West, One Thousand Ninety-five and Seventy-six Hundredths (1095.76) feet to a point in the Northernly right of way line of the Sixty-six (66.0) foot right of way; thence South Thirty-two (32) degrees, Thirty-one (31) minutes East, One Hundred Eighteen and Eight Hundredths (118.08) feet to the point of beginning; thence North Eighty (80) degrees, Thirty-five (35) minutes, Zero (00) seconds East, Two Hundred Four and Three Tenths (204.3) feet to a point; thence South Nine (09) degrees, Twenty-five (25) minutes, Zero (00) seconds East, Six Hundred Sixty (660.0) feet to a point in the Northernly right of way line of a Sixty (60.0) foot road; thence South Eighty (80) degrees, Thirty-five (35) minutes, Zero (00) seconds West, One Hundred Sixty-five (165.0) feet along the Northernly right of way line of said Sixty (60.0) foot road and to the Easterly right of way line of a Sixty-six (66.0) foot road; thence North Nine (09) degrees, Twenty-five (25) minutes, Zero (00) seconds West, Four Hundred Twenty (420.0) feet to a point which point is South Eighteen (18)

degrees, Thirty-three (33) minutes, Zero (00) seconds East from the point of beginning; thence North-easterly along the Easterly right of way line of said Sixty-six (66.0) foot road for Two Hundred Forty-four (244.0) feet, more or less, to the point of beginning.

LESS AND EXCEPT that portion deeded to William T. Brightwell and Mary Brightwell, his wife, in Official Records Book 119, page 258.

The street address and/or location for the above described property is: On the North side of Seymour Pt. Road, between Rainbow Acres Road and Tyson Road, off C.R. 107, Nassauville.

This application filed by: Mr. William T. Brightwell, Owner, 2606 Camella Drive, Tifton, GA 317984; and Mr. Curtiss H. Lasserre, Agent for Owner, P.O. Box 653, Fernandina Beach, FL 32034.

This property is now zoned as Open Rural (OR) and rezoning to Residential, Single Family Estate (RS-E) is sought.

A copy of the application may be examined at the Building and Zoning Office, located in the Five Points Office Building; 2290 South Eighth Street; Fernandina Beach, Florida 32034; Telephone 261-3511 or 879-1593 (Callahan) or 356-6670 (Jacksonville).

THE PUBLIC IS INVITED TO BE PRESENT AND BE HEARD, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING. HE WILL NEED A RECORD 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.

The Planning and Zoning Board may continue hearings on this matter.

EMMITT G. COAKLEY, Chairman
Nassau County Planning and Zoning Board
Nassau County, Florida
All persons interested are notified to be present and they will be heard at the public hearing before the Board of County Commissioners are herein above stated.
T. J. Greeson
Clerk of the Circuit Court
Nassau County, Florida
21-7-17-24-91
3778

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News-Leader

511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Florida 32034

Published Weekly

FERNANDINA BEACH, NASSAU COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF NASSAU:

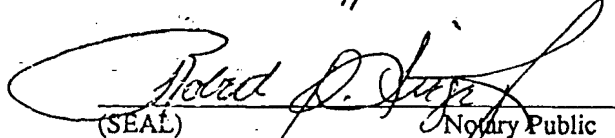
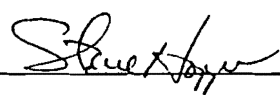
Before the undersigned authority personally appeared Steve Hopper, Publisher who on oath says that he is Business Manager of The Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida: that the attached copy of advertisement, being a Legal Notice in the matter of

ZONING NOTICE
Nassau County Planning and Zoning Board
Filed by: Mr. William T. Brightwell
Curtiss H. Lasserre, agent

published in said newspaper in the issues of
7-17-24-91
N.L. Ref. # 3778

Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said 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.

Sworn to and subscribed before me
this 25th day of JULY, A.D. 1991.



(SEAL) Notary Public
NOTARY PUBLIC, STATE OF FLORIDA
My commission expires April 23, 1992

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LEGAL DESCRIPTION FOR R-91-09

Lot 55, Parcel #1, Rainbow Acres Subdivision Unrecorded Plat, as recorded in Official Records 119, Page 258, Nassau County, Florida.

Lot 55, Parcel #2, Rainbow Acres Subdivision Unrecorded Plat, as recorded in Official Records 322, Page 647, Nassau County, Florida.

Lots 56, 57, 58, 59, 60, and 61, Rainbow Acres Subdivision Unrecorded Plat in Official Records 89, Page 380, Nassau County, Florida.

OFFICIAL RECORDS

1925

Day of September

A. D. 1925

EMMETT M. COOK and LILLIE M. COOK, his wife,

County of Nassau, State of Florida
part of the first part, and WILLIAM T. Brightwell and Mary Brightwell, his wife,
County of Georgia, State of Georgia

County of Nassau, State of Florida
County of Georgia, State of Georgia

Witnesseth that the said parties of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable considerations to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part and their heirs and assigns forever, all that certain parcel of land lying and being in the County of Nassau, State of Florida, more particularly described as follows: A Portion of the Samuel Harrison Grant, Section 44, Township 2 North, Range 28 East, Nassau County, Florida, being also known as a portion of Lot 55, of Rainbow Acres Subdivision, as recorded plat in the public records of said County in Plat Book 2, Page 3, said portion being more particularly described as follows: for a point of reference commencing at the Southwest corner of Lot 1, Alligator Creek Addition to Seymore Point according to plat recorded in the public records of said County in Plat Book 2, Page 3, where the Easterly right-of-way line of a graded County Road (a 60' Foot right-of-way) intersects with the Northerly right-of-way line of a graded County Road (a 60' Foot right-of-way); and run North 80°-01' West along said Northerly right-of-way a distance of 152.15 feet to a point; run thence North 85°-15' West continuing along said right-of-way a distance of 1,001.61 Feet to the beginning of a curve concave to the southerly having a radius of 985.32 Feet; run thence in a Southwesterly direction along the arc of said curve and along said right-of-way a chord distance of 243.01 Feet to the Point of Tangency (the bearing of the aforementioned chord being South 87°40' West); run thence South 80°35' West continuing along said right-of-way a distance of 73.59 Feet to a point; run thence North 9°25' West a distance of 417.0 Feet to the POINT OF BEGINNING; run thence North 9°25' West a distance of 243.01 feet to a point; run thence South 80°35' West a distance of 204.30 Feet to a point on the Easterly right-of-way line of a graded County Road (a 66' Foot right-of-way); run thence in a Southerly direction along said right-of-way and along the arc of a curve concave to the Westerly having a radius of 752.46 Feet a chord distance of 243.01 Feet to the Point of Tangency (the bearing of the aforementioned chord being South 18°43' East); run thence North 81°37'30" East a distance of 165.03 Feet to the Point of Beginning; the portion of land thus described contains 1.0 acre more or less.

together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, power and right of dower, reversion, remainder and easement thereto in anywise lawfully obtained, to have and to hold the same in fee simple forever unto the said parties of the second part, their heirs and assigns forever, together with the said part of the first part do hereby covenant, with the said parties of the second part, that they are lawfully seized of the said premises, that they are free from all encumbrances, and that they have a good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant and defend the same against the lawful claims of all persons whomsoever.

Witness my hand and seal of office this 10th day of September 1925, at Tallahassee, Florida.
Notary Public for Florida

EMMETT M. COOK
LILLIE M. COOK

THIS Indenture

OFFICIAL RECORDS

BOOK 322 PAGE 64

Made this 2nd day of October A. D. 1980

Between GEORGE H. SHEPPARD and LARA B. SHEPPARD, his wife, both of the City of Fernandina Beach, and

of the County of Nassau in the State of Florida, party of the first part, and WILLIAM T. BRIGHTWELL whose full post office address is: 805 West 22nd Street, City of Tifton, and

of the County of Tift in the State of Georgia, 31794 party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations Dollars to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part forever the following described land, situate, lying and being in the County of Nassau, State of Florida, to wit:

The Southerly Three Hundred Twenty (320.0) feet of the following described property:

That certain piece, parcel or tract of land, situate, lying and being in the County of Nassau and State of Florida, known and described as:

A portion of the Samuel Harrison Grant, Section Forty-four (44), Township Two (2) North, Range Twenty-eight (28) East, Nassau County, Florida, being also known as Tract Fifty-five (55) of Rainbow Acres Subdivision, an unrecorded plat being more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

SUBJECT, however, to the current or 1980 taxes.

SUBJECT, also, to covenants, restrictions, easements and reservations of record, if any.



And the said party of the first part hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed, and Delivered in Our Presence:

Delmy Jones
Deborah A. Canon

George H. Sheppard
Lara B. Sheppard

THIS INSTRUMENT WAS PREPARED BY
HERBERT W. FISHER
138 N. 4TH STREET
FERNANDINA BEACH, FLORIDA 32034

21 #2

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OFFICIAL RECORDS

EXHIBIT "A"

BOOK 322 PAGE 646

The Southerly Three Hundred Twenty (320.0) feet of the following described property:

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D. O. BAKER
CLEAR RECORDS
NASSAU COUNTY