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Ret: Joyce Bradley if

INSTR # 200513571
OR BK 01310 PGS 0498-0505
RECORDED 04/18/2005 09:05:06 AM
JOHN A. CRAWFORD
CLERK OF CIRCUIT COURT
NASSAU COUNTY, FLORIDA
RECORDING FEES 69.50

ORDINANCE NO. 99-05

AN ORDINANCE AMENDING ORDINANCE NO. 83-19, AS AMENDED. THIS ORDINANCE RE-ZONES AND RE-CLASSIFIES THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF OPEN RURAL TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "PLUMMERS CREEK"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners 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, the "owners" of that certain property described in the attached Exhibit "A" intend to develop the described property in accordance with a master plan; and

WHEREAS, the "owners" of that certain property described in the attached Exhibit "A" have applied for a re-zoning and re-classification of that property from OPEN RURAL (OR) to that of a PLANNED UNIT DEVELOPMENT (PUD); and

WHEREAS, the Planning and Zoning Board of Nassau County has considered said application and held public hearings on the same after due notice, and made its findings and recommendations thereon; and

WHEREAS, the County Commission of Nassau County has considered the findings and recommendations of the Planning Board and held its own public hearings on the application after due notice and also considered the Comprehensive Land Use Plan, and finds that the property described in the attached Exhibit "A" is suitable in location and character for the uses proposed in said application according to the criterion as set

REC 69.50

forth in Article 24 of Ordinance No. 83-19, as amended, of the County of Nassau.

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, that the application for the Planned Unit Development is hereby approved and the land shall be re-zoned as a Planned Unit Development (PUD) in accordance with and subject to the provisions of Article 24 of Ordinance No. 83-19, of the County of Nassau and further subject to the additional conditions and requirements:

SECTION 1. The Planned Unit Development concept shall be as indicated on the Preliminary Development Plan attached hereto as Exhibit "B". The Planned Unit Development is further subject to the requirements of Ordinance No. 83-19.

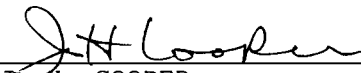
SECTION 2. Owner and Description. The land re-zoned by this Ordinance is owned by Nassau Partners, Ltd., owners.

SECTION 3. Conditions: The conditions set forth as Exhibit "C" shall be made a part of this PUD, and the property shall be subject to said conditions. Further, the conditions set forth for site plan review are applicable, as are Goals and Objectives of the Comprehensive Plan.

SECTION 4. This Ordinance shall take effect upon adoption by the Board of County Commissioners, the approval by the Department of Community Affairs of the Comprehensive Plan amendment or approval of the Comprehensive Plan amendment pursuant to an administrative hearing, and filing in the Secretary of State's Office. The ordinance shall not be filed with the Secretary of State's Office until there is an approval by the Department of Community Affairs of the Comprehensive Plan amendment or approval of the Comprehensive Plan amendment pursuant to an administrative hearing process.

ADOPTED this 25th day of January, 1999, by the Board of
County Commissioners of Nassau County, Florida.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



J. H. COOPER
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN

EXHIBIT "A"

SEPTEMBER 21, 1998

LEGAL DESCRIPTION OF THE PLUMMERS CREEK PROJECT IN SECTIONS 11,12 AND 13, TOWNSHIP 2 NORTH, RANGE 26 EAST, NASSAU COUNTY, FLORIDA.

FOR: NASSAU PARTNERS, LTD.

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN SECTIONS 11, 12 AND 13, TOWNSHIP 2 NORTH, RANGE 26 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE POINT WHERE THE EASTERLY RIGHT-OF-WAY LINE OF EDWARDS ROAD (AN 80-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) INTERSECTS THE CURVED SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 200/A-1-A (A VARIABLE WIDTH RIGHT-OF-WAY AS MONUMENTED) AND RUN IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 5779.58 FEET, A CHORD DISTANCE OF 1213.96 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 78°-20'-43" EAST, RUN THENCE NORTH 72°-19'-01" EAST, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200/A-1-A, A DISTANCE OF 972.07 FEET TO A ONE-HALF INCH IRON PIPE AT THE WESTERLY MEAN HIGH WATER LINE OF PLUMMERS CREEK FOR A POINT HEREAFTER CALLED POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING AND RUN SOUTH 08°-11'-00" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID EDWARDS ROAD, A DISTANCE OF 292.53 FEET TO A POINT; RUN THENCE NORTH 81°-49'-00" EAST, PERPENDICULAR TO LAST MENTIONED RIGHT-OF-WAY LINE, A DISTANCE OF 351.96 FEET TO A POINT; RUN THENCE SOUTH 13°-00'-00" EAST, A DISTANCE OF 1420.00 FEET TO A POINT; RUN THENCE SOUTH 24°-00'-00" EAST, A DISTANCE OF 1080.00 FEET TO A POINT; RUN THENCE SOUTH 12°-00'-00" EAST, A DISTANCE OF 1130.00 FEET TO A POINT ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF NASSAU PARTNERS LTD ACCORDING TO DEED RECORDED IN BOOK 839, PAGE 767 OF THE OFFICIAL RECORDS OF SAID COUNTY; RUN THENCE SOUTH 90°-00'-00" EAST ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 1600.05 FEET TO A POINT; RUN THENCE SOUTH 40°-00'-00" EAST ALONG THE SOUTHWESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1340.06 FEET TO A POINT; RUN THENCE SOUTH 85°-00'-00" EAST ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1072.69 FEET TO A POINT; RUN THENCE NORTH 20°-00'-00" WEST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 956.13 FEET TO A POINT; RUN THENCE NORTH 15°-00'-00" EAST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 966.30 FEET TO A ONE-HALF INCH IRON PIPE AT THE WESTERLY MEAN HIGH WATER LINE OF PLUMMERS CREEK THAT BEARS SOUTH 37°-31'-32" EAST, 4468.26 FEET FROM SAID POINT "A"; RUN THENCE GENERALLY IN A NORTHERLY DIRECTION ALONG THE MEANDERINGS OF THE WESTERLY MEAN HIGH WATER LINE OF PLUMMERS CREEK, A DISTANCE OF 7500 FEET, MORE OR LESS, TO SAID POINT "A"; RUN THENCE SOUTH 72°-15'-01" WEST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO 200/A-1-A, A DISTANCE OF 972.07 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 5779.58 FEET, A CHORD DISTANCE OF 1213.96 FEET TO THE POINT OF BEGINNING, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 78°-20'-43" WEST.

THE LAND THUS DESCRIBED CONTAINS 309.91 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD LYING WITHIN.

PARK D. PRIVETT, JR.
REGISTERED SURVEYOR-NO. 2841, FL

REF. DWG. NO. (B-3-358(A)-9-98)

DWN. BY: JTH PREPARED BY: CKD. BY: PJ

PRIVETT AND ASSOCIATES, INC.
SURVEYORS AND LAND PLANNERS

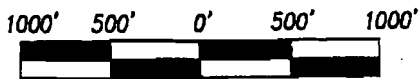
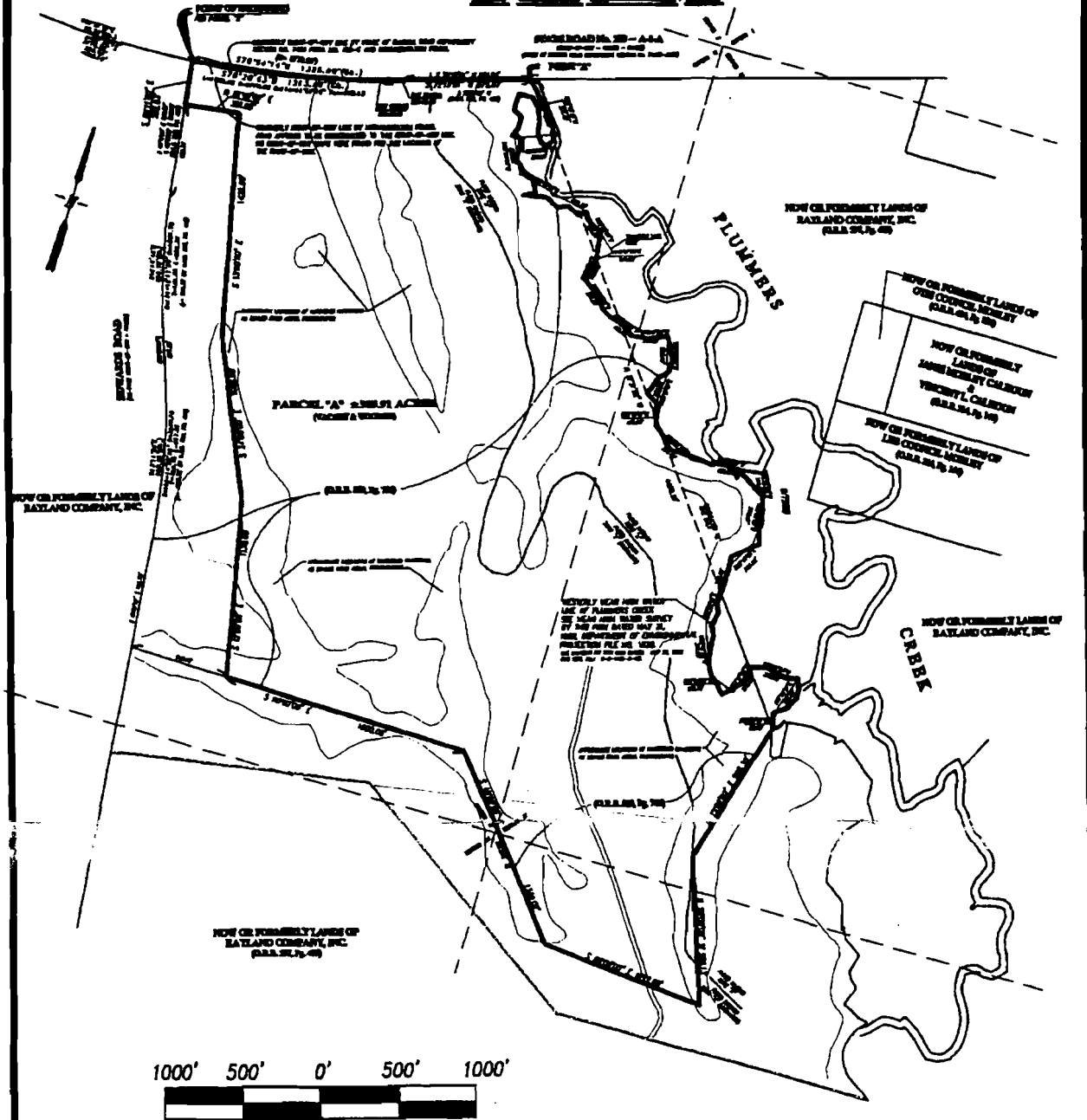
1201 SHADOWLAWN DRIVE
ST. MARYS, GEORGIA 31558

SKETCH DATE: (912) 882-3738 SEPT. 21, 1998

**MAP TO SHOW SKETCH OF
A PORTION OF SECTIONS 11, 12 AND 13
TOWNSHIP 2 NORTH, RANGE 26 EAST,
NASSAU COUNTY, FLORIDA**

(ACCORDING TO DEEDS RECORDED IN BOOK 579, PAGE 487, OF THE
OFFICIAL RECORDS OF SAID COUNTY.)

FOR: NASSAU PARTNERS, LTD.



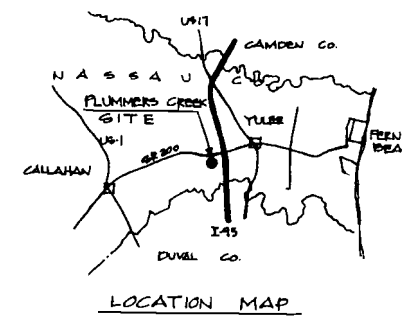
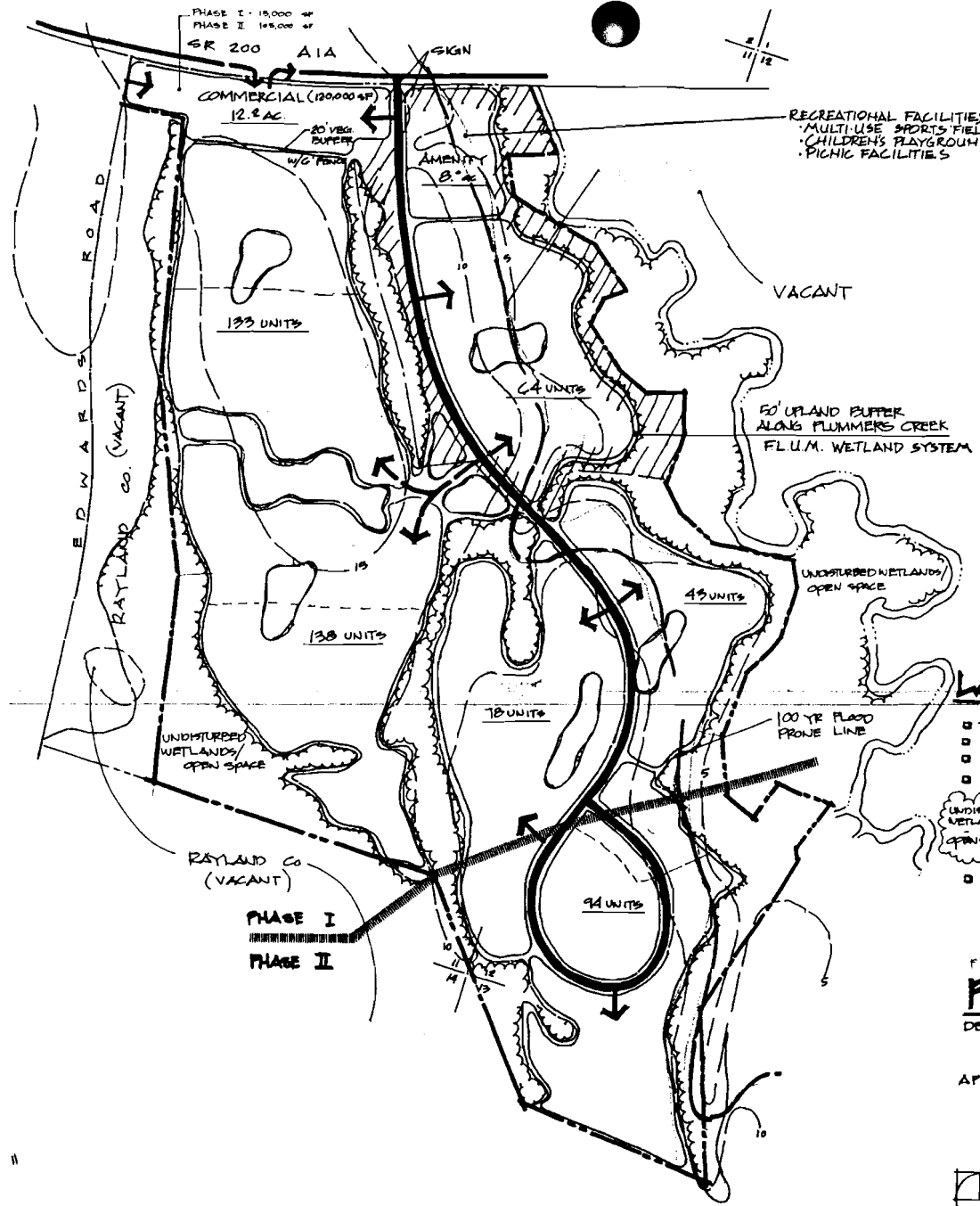
GRAPHIC SCALE: 1" = 1000'

NOTE:

- 1.) SEE DRAWING BY THIS FIRM DATED SEPT. 21, 1998 AND HAVING OUR DRAWING NUMBER: S-3-358(A)-9-98.

DWN. BY: JTH	PREPARED BY:	CKD. BY: PJ
PRIVETT AND ASSOCIATES, INC.		
SURVEYORS AND LAND PLANNERS		
1201 SHADOWLAWN DRIVE		
ST. MARYS, GEORGIA 31558		
SKETCH DATE:	(912) 882-3738	SEPT. 21, 1998

**PLUMMERS CREEK
PUD Rezoning**



LAND USE DATA

□ TOTAL LAND AREA	309.91 AC.
□ TOTAL HOME SITES	650
□ TOTAL OPEN SPACE REQ.	62.2 AC (20%)
□ TOTAL OPEN SPACE PROVIDED	65.2 AC
- ACTIVE AMENITY	8.2 AC
- WETLAND PRESERVE (M)	37.0 AC
- STORMWATER LAKES	20.0 AC
- TOTAL	65.2 AC
□ TOTAL NON-RESIDENTIAL	
- COMMERCIAL - 100,000 SF	12.2 AC

FREELIMINARY DEVELOPMENT PLAN
PLUMMERS CREEK

DEVELOPER: NASSAU PARTNERS LTD.
TIMMOTHY G. SHEA

APPLICANT:

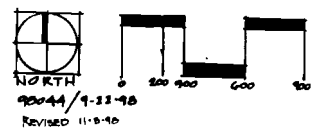


EXHIBIT B

EXHIBIT "C"

1. Approval of Comprehensive Plan Amendment and Development Agreement: This PUD approval shall become effective on the effective date of the Comprehensive Plan Future Land Use Map (FLUM) Amendment and the related Development Agreement for a larger property that includes the subject PUD tract, and shall be subject to any special conditions that are adopted with said FLUM amendment.
2. Recreational Amenity: Prior to the issuance of the certificate for occupancy for the 100th dwelling unit, the Developer shall improve the recreation site by constructing a multi-purpose playfield sized to accommodate a standard soccer field, a children's playground and picnic facilities. The sidewalks on streets adjacent to the site shall be located on the park side of the streets.
3. Stormwater Facilities: All stormwater ponds shall be constructed to Water Management District configuration standards whereby fences are not required, and shall be deeded to the homeowners association which will have responsibility for maintenance and insurance.
4. Open Spaces: Open Spaces shall be protected by deed restrictions and property owners conditions.
5. Development Standards: The development shall be subject to the following standards:
 - a. Minimum Lot Requirements:
 1. Minimum lot width: fifty (50) feet
 2. Minimum lot area: five thousand (5,000) square feet
 - b. Minimum Yard Requirements
 1. Front yard: twenty (20) feet
 2. Side yard: five (5) feet
 3. Rear yard: ten (10) feet
 - c. Building Restrictions:
 1. Maximum building height: thirty five (35) feet
 2. Maximum lot coverage: forty five (45) percent
 - d. Signage:

Signage shall conform to requirements of the Zoning Code. Both the residential and the commercial sites will have an entry identification sign at their respective SR-200/ALA entrances and entry identification signs will be permitted at residential and commercial entrances on Edwards Road.

Each entry sign shall not exceed 150 SF per sign face unless approved at Final Development Plan review.

e. Buffers:

A twenty (20) foot wide vegetative buffer and a six (6) foot high opaque fence shall be provided along the boundaries between the commercial site and residential sites.

f. Commercial Uses:

Uses and development within the commercial tract will be controlled by Article 15: Commercial Neighborhood: CN, of the Nassau County Zoning Code.

6. Sidewalks and Streetlights: Sidewalks shall be provided on one side of the street in the residential areas. Streetlights will also be provided.
7. Construction Standards: All development shall be in accordance with the County's subdivision standards and United Water's standards.
8. Wetland Buffers: As illustrated on the Preliminary Development Plan, the wetlands along the eastern side of the project are mapped on the Future Land Use Map and shall be protected with a fifty (50) foot wide upland buffer. All other wetlands on the property shall be buffered pursuant to specific permit requirements of the St. Johns River Water Management District.