

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2000-05, AS AMENDED BY ORDINANCE NO. 2002-20, WHICH CREATED THE PLANNED UNIT DEVELOPMENT, "AMELIA NATIONAL"; SPECIFICALLY AMENDING EXHIBIT "C", THE PRELIMINARY DEVELOPMENT PLAN; REVISING AND CONSOLIDATING EXHIBIT "D", RECOMMENDED STAFF CONDITIONS, AND EXHIBIT "E", ADDITIONAL PUD CONDITION SUBMITTED BY APPLICANT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, adopted Ordinance No. 2000-05 on February 28, 2000, an Ordinance creating the Amelia National PUD; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, adopted Ordinance No. 2002-20 on April 22, 2002, which amended Ordinance No. 2000-05, to incorporate additional property into the PUD; and

WHEREAS, the developer desires to amend Exhibit E attached to Ordinance No. 2002-20 to allow for twenty (20) time-share, multi-family units and to submit a revised Preliminary Development Plan; and

WHEREAS, the PUD conditions established in Exhibit "D" and Exhibit "E" of Ordinance 2002-20 have been revised and amended into consolidated PUD conditions outlined in a new Exhibit "D" herein; 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

FILE 200510143 OF BOOK 01303 PGS 0226-0257 RECORDED 03/21/2005 08:18:08 NASSAU COUNTY, JOHN A. CRAWFORD, CLERK

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Return to: *
Joyce Bradley

REC 273-50

WHEREAS, the County Commission of Nassau County has considered the findings and recommendations of the Planning and Zoning 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" and Exhibit "B" is suitable in location and character for the uses proposed in said application according to the criterion as set forth in Article 25 of Ordinance No. 97-19 of the County of Nassau.

NOW, THEREFORE BE IT ORDAINED this 25th day of August, 2003, by the Board of County Commissioners of Nassau County that the application for the amendment to the Planned Unit Development is hereby approved and the land described shall be rezoned as Planned Unit Development (PUD) in accordance with and subject to the provisions of Article 25 of Ordinance No. 97-19, of the County of Nassau and further subject to the additional conditions, requirements and findings described below:

SECTION 1. The Planned Unit Development concept shall be as indicated on the Preliminary Development Plan attached hereto as Exhibit "C". The Planned Unit Development is further subject to the requirements of Ordinance No. 97-19.

SECTION 2. Owner. The land re-zoned by this Ordinance is owned by Amelia National Enterprises, LLC, owner.


SECTION 3. Conditions. The revised and amended conditions set forth as the consolidated Exhibit "D" shall be made a part of this PUD, ~~as recommended by staff, along with the conditions as~~

~~set forth in Exhibit "E" submitted by the applicant,~~ 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 in existence at the date of the ordinance or as amended pursuant to the E.A.R. based amendments as approved by the Florida Department of Community Affairs and the requirements of Ordinance No. 99-17, as amended, known as the Nassau County Roadway and Drainage Standards, and Ordinance No. 99-18, as amended, known as the Nassau County Development Review Regulations.

SECTION 4. This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.

ADOPTED this 25th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



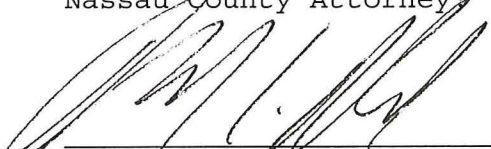
VICKIE SAMUS
Its: Chairman

ATTEST:



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

Approved as to form by the
Nassau County Attorney.



MICHAEL S. MULLIN

EXHIBIT "A"

EXHIBIT "A"

LEGAL DESCRIPTION FOR REZONING:
AMELIA NATIONAL UNIT ONE BOUNDARY

A PARCEL OF LAND, BEING A PORTION OF SECTIONS 26, 27, 29 AND 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FLOOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE NORTHWEST CORNER OF GOVERNMENT LOT 4, OF SAID SECTION 27, AND RUN THENCE SOUTH 00°06'24" EAST, ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 4, OF SAID SECTION 27, A DISTANCE OF 1,320.39 FEET, TO A POINT, BEING THE NORTHWEST CORNER OF GOVERNMENT LOT 1, SECTION 29; RUN THENCE SOUTH 00°05'34" EAST, ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 1, AND THEN ALONG THE WESTERLY LINE OF GOVERNMENT LOT 2, ALL IN SECTION 29, A DISTANCE OF 1,799.48 FEET, TO A POINT; RUN THENCE NORTH 86°00'00" WEST, A DISTANCE OF 795.27 FEET, TO A POINT; RUN THENCE NORTH 81°00'00" WEST, A DISTANCE OF 1,800.00 FEET, TO A POINT; RUN THENCE NORTH 84°00'00" WEST, A DISTANCE OF 1,250.70 FEET, TO A POINT; RUN THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 1,992.43 FEET, TO A POINT ON THE PROPOSED NORTHERLY RIGHT OF WAY LINE OF A PROPOSED 150 FOOT RIGHT OF WAY, AS SHOWN ON A SKETCH BY PRIVETT AND ASSOCIATES, DATED DECEMBER 17, 1999, DRAWING No. B-3-309(B)-12-96; RUN THENCE, ALONG THE NORTHERLY BOUNDARY OF SAID PROPOSED 150 FOOT RIGHT OF WAY, THE FOLLOWING SEVEN(7) COURSES AND DISTANCES:

COURSE No. 1: NORTH 80°00'00" WEST, A DISTANCE OF 2,532.28 FEET, TO THE POINT OF CURVATURE, OF A CURVE LEADING NORTHWESTERLY;

COURSE No. 2: THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF A CURVE, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 1,909.86 FEET, THROUGH A CENTRAL ANGLE OF 26°00'00" TO THE RIGHT, AND ARC DISTANCE OF 866.67 FEET, TO THE POINT OF TANGENCY, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 67°00'00" WEST, 859.25 FEET;

COURSE No. 3: NORTH 54°00'00" WEST, ALONG LAST SAID TANGENCY, A DISTANCE OF 550.61 FEET, TO THE POINT OF CURVATURE, OF A CURVE LEADING NORTHERLY;

COURSE No. 4: THENCE NORTHERLY, ALONG AND AROUND THE ARC OF A CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 954.93 FEET, THROUGH A CENTRAL ANGLE OF 52°00'00" TO THE RIGHT, AN ARC DISTANCE OF 866.67 FEET, TO THE POINT OF TANGENCY, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 28°00'00" WEST, 837.23 FEET;

COURSE No. 5: NORTH 02°00'00" WEST, ALONG LAST SAID TANGENCY, A DISTANCE OF 1,881.51 FEET, TO THE POINT OF CURVATURE, OF A CURVE LEADING NORTHERLY;

COURSE No. 6: THENCE NORTHERLY, ALONG AND AROUND THE ARC OF A CURVE, CONCAVE WESTERLY, AND HAVING A RADIUS OF 5,729.58 FEET, THROUGH A CENTRAL ANGLE OF 01°27'00" TO THE LEFT, AN ARC DISTANCE OF 145.00 FEET, TO THE POINT OF TANGENCY, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 02°43'30" WEST, 145.00 FEET;

COURSE No. 7: NORTH 03°27'00" WEST, ALONG LAST SAID TANGENCY, A DISTANCE OF 406.32 FEET, TO A POINT ON THE NORTHERLY LINE OF THAT CERTAIN 25 FOOT WIDE UTILITY EASEMENT DESCRIBED IN THAT INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 164, PAGE 580 OF THE PUBLIC RECORDS OF SAID NASSAU COUNTY, FLORIDA; RUN THENCE, ALONG THE NORTHERLY LINE OF SAID 25 FOOT WIDE UTILITY EASEMENT, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

COURSE No. 1: NORTH 87°43'05" EAST, A DISTANCE OF 1,428.54 FEET, TO A POINT;

COURSE No. 2: NORTH 88°40'45" EAST, A DISTANCE OF 820.40 FEET, TO A POINT;

COURSE No. 3: NORTH 88°10'15" EAST, A DISTANCE OF 1,419.45 FEET, TO A POINT;

COURSE No. 4: NORTH 88°55'25" EAST, A DISTANCE OF 359.25 FEET, TO A POINT;

THENCE NORTH 53°00'00" EAST, DEPARTING FROM AFORESAID NORTHERLY EASEMENT LINE, A DISTANCE OF 813.17 FEET, TO A POINT; RUN THENCE NORTH 37°00'00" EAST, A

DISTANCE OF 354.32 FEET, TO A POINT; RUN THENCE NORTH 00°00'00" WEST, A DISTANCE OF 277.67 FEET, TO A POINT; RUN THENCE SOUTH 87°00'00" EAST, A DISTANCE OF 335.30 FEET, TO A POINT ON THE WESTERLY LINE OF NASSAU LAKES SUBDIVISION PHASE 1-B, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGES 72 AND 73 OF THE PUBLIC RECORDS OF SAID NASSAU COUNTY, FLORIDA; RUN THENCE, ALONG THE WESTERLY AND SOUTHERLY BOUNDARY LINES OF SAID NASSAU LAKES SUBDIVISION PHASE 1-B, THE FOLLOWING THREE (3) COURSES AND DISTANCES:
COURSE No. 1: SOUTH 18°07'47" EAST, A DISTANCE OF 498.06 FEET, TO A POINT;
COURSE No. 2: SOUTH 68°12'42" EAST, A DISTANCE OF 655.25 FEET, TO A POINT;
COURSE No. 3: NORTH 77°22'52" EAST, A DISTANCE OF 2,340.00 FEET, TO THE SOUTHWESTERLY CORNER OF TRACT "D", OF AFORESAID NASSAU LAKES SUBDIVISION PHASE 1-B; RUN THENCE NORTH 89°29'45" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT "D", AND THEN ALONG THE SOUTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 408, PAGE 89, A DISTANCE OF 649.80 FEET, TO THE SOUTHEASTERLY CORNER OF SAID LANDS, AND TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 107, (A 66 FOOT PUBLIC ROAD RIGHT OF WAY, AS CURRENTLY ESTABLISHED); RUN THENCE SOUTH 04°32'33" EAST, ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID STATE ROAD No. 107, A DISTANCE OF 577.44 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID GOVERNMENT LOT 4, SECTION 27, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 796, PAGE 1442; RUN THENCE SOUTH 89°39'09" WEST, ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT 4, SECTION 27, A DISTANCE OF 935.49 FEET, TO THE NORTHWEST CORNER THEREOF, AND THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED CONTAINS 28,782,497 SQUARE FEET, OR 660.75 ACRES, MORE OR LESS, IN AREA.

LEGAL DESCRIPTION PREPARED BY:
A & J LAND SURVEYORS, INC.
DATED: February 28, 2002

EXHIBIT "B"

EXHIBIT "B"

LEGAL DESCRIPTION FOR REZONING
AMELIA NATIONAL UNIT TWO BOUNDARY

A PARCEL OF LAND BEING A PORTION OF SECTIONS 29 AND 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 28 EAST, AND RUN NORTH $89^{\circ}35'23''$ EAST, ALONG THE SOUTH LINE OF SAID SECTION 29, A DISTANCE OF 2,643.15 FEET, TO THE WESTERLY LINE OF GOVERNMENT LOT 4, OF SAID SECTION 29; RUN THENCE NORTH $00^{\circ}05'34''$ WEST, ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 947.75 FEET, TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE NORTH $00^{\circ}05'34''$ WEST, ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 4, AND THEN ALONG THE WESTERLY LINE OF GOVERNMENT LOT 3, A DISTANCE OF 2,609.08 FEET, TO A POINT; RUN THENCE NORTH $86^{\circ}00'00''$ WEST, A DISTANCE OF 795.27 FEET, TO A POINT; RUN THENCE NORTH $81^{\circ}00'00''$ WEST, A DISTANCE OF 1,800.00 FEET, TO A POINT; RUN THENCE NORTH $84^{\circ}00'00''$ WEST, A DISTANCE OF 1,250.70 FEET, TO A POINT; RUN THENCE SOUTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 1992.43 FEET, TO A POINT ON THE PROPOSED NORTHERLY RIGHT OF WAY LINE OF A PROPOSED 150 FOOT RIGHT OF WAY, AS SHOWN ON SKETCH BY PRIVETT AND ASSOCIATES, DATED DECEMBER 17, 1999, DRAWING No. B-3-309(B)-12-96; RUN THENCE, ALONG THE NORTHERLY BOUNDARY OF SAID PROPOSED 150 FOOT RIGHT OF WAY, THE FOLLOWING SIX (6) COURSES AND DISTANCES:

COURSE No. 1: THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF A CURVE, BEING CONCAVE SOUTHERLY, AND HAVING A RADIUS OF 1,273.34 FEET, THROUGH A CENTRAL ANGLE OF $20^{\circ}17'00''$ TO THE RIGHT, AN ARC DISTANCE OF 450.78 FEET, TO THE POINT OF TANGENCY, OF LAST SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $69^{\circ}51'30''$ EAST, 448.43 FEET;
COURSE No. 2: THENCE SOUTH $59^{\circ}43'00''$ EAST, ALONG LAST SAID TANGENCY, A DISTANCE OF 1,260.24 FEET, TO THE POINT OF CURVATURE, OF A CURVE LEADING SOUTHEASTERLY;
COURSE No. 3: THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF A CURVE, BEING CONCAVE NORTHERLY, HAVING A RADIUS OF 1,050.00 FEET, THROUGH A CENTRAL ANGLE OF $31^{\circ}34'37''$ TO THE LEFT, AN ARC DISTANCE OF 578.68 FEET, TO THE POINT OF TANGENCY OF LAST SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $75^{\circ}30'18''$ EAST, 571.38 FEET;
COURSE No. 4: THENCE NORTH $88^{\circ}42'23''$ EAST, ALONG LAST SAID TANGENCY, A DISTANCE OF 1,015.37 FEET, TO THE POINT OF CURVATURE, OF A CURVE LEADING SOUTHEASTERLY;

COURSE No. 5: THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF A CURVE, BEING CONCAVE SOUTHERLY, AND HAVING A RADIUS OF 1,200.00 FEET, THROUGH A CENTRAL ANGLE OF $19^{\circ}00'26''$ TO THE RIGHT, AN ARC DISTANCE OF 398.09 FEET, TO THE POINT OF TANGENCY OF LAST SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $81^{\circ}47'24''$ EAST, 396.26 FEET;
COURSE No. 6: THENCE SOUTH $72^{\circ}17'11''$ EAST, ALONG LAST SAID TANGENCY, A DISTANCE OF 366.85 FEET, TO A POINT ON THE AFORESAID WESTERLY LINE OF SAID GOVERNMENT LOT 4, SECTION 29, AND THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED, CONTAINS 9,373,307 SQUARE FEET, OR 215.18 ACRES, MORE OR LESS, IN AREA.

LEGAL DESCRIPTION PREPARED BY:
A & J LAND SURVEYORS, INC.
DATED: February 28, 2002

EXHIBIT "C"

EXHIBIT "D"
CONDITIONS

~~EXHIBIT "D"~~
~~CONDITIONS~~

~~In accordance to the criteria specified in Section 25.05 (c) (1-6) of the Zoning Code, Planning and Zoning Staff has made the following determinations and recommendations:~~

- ~~1. The proposed PUD is consistent with the surrounding low medium density residential character of the surrounding area. The density for the proposed PUD would be approximately .83 du/a. This is within the acceptable level of density for the FLUM classification of Residential, Medium Density, which allows up to 5 du/a.~~
- ~~2. Water and sewer be expanded to serve the general geographic impact area.~~
- ~~3. Of the total 674 acres of this proposed development, the preliminary plan shows 253.5 acres, or 37.5% of the total acreage to be dedicated as open space. Section 25.04 (F) (1) requires all PUD's to have a minimum of twenty percent (20%) of their total gross acreage as common recreation and open space. The preliminary plan has exceeded this requirement. The applicants have stated that this open space will be maintained by a property owner's association to be established by the developer.~~
- ~~4. On site recreational requirements may be applied off site to increase acreage for the adjacent regional park.~~
- ~~5. Water and Sewer service will be provided by JEA. The preliminary stormwater drainage plan presented has been found sufficient at this time.~~

- ~~6. Phases of development shown on the preliminary plan are feasible and reflect the compatibility to operate as an independent development.~~
- ~~7. The proposed Amelia National development will create a high quality residential community that will strengthen the character of the surrounding area and promote positive growth in the O'Neal-Nassauville area of the county.~~
- ~~8. Amelia National development is compatible with and conforms with the requirements of the Nassau County Comprehensive Plan and should comply with Policies 1.02.05 (B) and 1.08.07.~~
- ~~9. Lofton Square Boulevard the following conditions shall apply to the construction of the western connection to the future alignment of the Lofton Square Boulevard:~~
 - ~~a. The Developer shall work with the County and the other owners and developers whose properties are affected by Lofton Square Boulevard to support the research and development of a financing mechanism that will result in the design, permitting and construction of Lofton Square Boulevard as a public roadway on right of way owned by the County. The objectives of this effort are to effectuate a "fair share" mechanism for constructing the roadway with minimal impact on the county's general budget, and to achieve scheduling the improvement within the first three years of the County's 2001 Five Year Work Plan. The County will assist in convening the other parties related to~~

~~Lofton Square Boulevard, as well as owners of larger property located along County Road 107 that may benefit from the construction of Lofton Square Boulevard. The County will make the services of its current legal and financial consultants available to undertake the necessary studies to support establishment of the financing mechanism, with the costs of this consultation being included in the proceeds from the funding mechanism. The Applicant agrees to participate in an MSBU to be formed for the extension of Lofton Square Boulevard and to pay its fair share of the assessment.~~

~~b. If condition 2.a does not result in the construction of Lofton Square Boulevard prior to the issuance of the 350th residential Certificate of Occupancy in Amelia National, the developer shall have the option of extending Lofton Square Boulevard southward to the western entrance of Amelia National. In the event that the segment of Lofton Square Boulevard between 1) SR A1A and the entrance to North Hampton and the entrance to Flora Parke have not been constructed by this time, the developer will construct the respective segments as may be needed.~~

~~10. All necessary rights of way adjacent to the length of the PUD shall be improved in accordance with Nassau County standards; the developer shall be responsible for all improvements to the extension of Amelia~~

~~Concourse to the southeasterly boundary as it fronts said roadway if an Municipal Service Benefit Unit (MSBU) has not been initiated at the time of construction; the developer has agreed to join with other developers in the area to build the Amelia Concourse that would join the North Hampton and Lofton Pointe PUD's with CR 107 creating an alternate traffic route to relieve some traffic from A1A across the span between CR 107 and Chester Road; the proposal is to create an MSBU or some other financial vehicle; if the MSBU is not done the developer has the flexibility to extend the road from where it now terminates at North Hampton down to the initial entrance and as long as the developer has met traffic concurrency for the first phase; and over a period of time before commencing the later phases the developer shall provide a secondary ingress/egress point.~~

Exhibit "ED"
ADDITIONAL PUD CONDITIONS
~~SUBMITTED BY THE APPLICANT~~
CONSOLIDATED AMELIA NATIONAL PUD CONDITIONS

Nassau County's Zoning Ordinance requires that proposed PUD rezoning Ordinance enumerate conditions that assure that certain requirements attendant to execution of the Ordinance will be met. The following is a proposed set of conditions that the Applicant is committing to meet in response to the County's requirements. It is anticipated that these conditions will be converted into an exhibit that is attached to the PUD Ordinance.

The ~~proposed~~ Amelia National PUD is consistent with the ~~surrounding~~ low-medium density residential character of the surrounding area. The gross density ~~for~~ of the ~~proposed~~ Amelia National PUD would be approximately ~~.83~~ 0.86 dwelling units (du) per acre (ac). The net density (minus wetland, lake areas, golf and recreation, and right-of-way areas) of the Amelia National PUD is approximately 2.6 du/ac. This is within the acceptable level of density for the FLUM designation of Medium Density Residential Medium Density (MDR), which allows ~~up to 5 du/a~~ more than two (2) up to three (3) du/ac (**revised Condition # 1 from Exhibit "D" of Ordinance 2002-20**).

The ~~proposed~~ Amelia National development PUD will create a high-quality residential community that will strengthen the character of the surrounding area and promote positive growth in the O'Neal-Nassauville area of the County (**revised Condition # 7 from Exhibit "D" of Ordinance 2002-20**).

The Amelia National development PUD is compatible, ~~with~~ and conforms, with the requirements of the Nassau County Comprehensive Plan and ~~should comply~~ complies with Policies 1.02.05(B) and 1.08.07 (**revised Condition # 8 from Exhibit "D" of Ordinance 2002-20**).

A. Ownership and Maintenance: The Amelia National PUD and related facilities, other than individual residential lots or commercial parcels, will be owned, maintained and operated as follows:

1. The golf course, club and associated facilities will be owned, operated and maintained by the developer or its assignee.
2. Any common areas associated with the residential and commercial properties, including common preservation areas, amenities, landscape areas, signage, **lighting**, etc., will be managed by a homeowner's or property owner's association to be established by the developer through deed restrictions prior to the sale of any lots. This association will be a not-for-profit association. Membership in this association will be mandatory for all property owners within the Amelia National PUD. The association shall manage all common open space and recreational amenity areas that are not dedicated to the public. The association shall maintain, administrate, and operate this land and any other land within the PUD not publicly or privately owned. The association shall secure adequate liability insurance of the land.
3. The roadways and storm water management facilities will remain private and will be maintained and operated by the developer or the homeowner's or property owner's association as established by the developer.
4. Ownership, maintenance and operation of the water, sewer, electrical, telephone and other service utilities will be the responsibility of the respective franchise companies serving the area.

Water and sewer shall be expanded to serve the general geographic impact area (Condition # 2 of Exhibit "D" of Ordinance 2002-20).

5. Unified Control: The entire Amelia National PUD, 876 acres is owned by Amelia National Enterprise, LLC (Ssee attached Warranty Deeds attached to application on file).

B. Permitted Uses: The following uses are permitted as illustrated on the Preliminary Development Plan:

1. Land use breakdown is as follows:

Residential: 70%~~7~~

Commercial: not to exceed 5%~~7~~ and

Recreational: 25%

2. Up to a combined total of 749 single-family residences, patio homes, town homes, or fractional ownership (i.e time-share) multi family-units in areas designated on the Preliminary Development Plan.
3. Up to 20,000 square feet of office/commercial use to be controlled by Article 15: Commercial Neighborhood: CN of the Nassau County Zoning Ordinance. The location of this use will be at the secondary entrance at the southeastern end of the project onto the proposed Amelia Concourse.
4. A maintenance/service facility that may include a storage area for resident's boats and recreational vehicles.
5. An eighteen-hole golf course and associated driving range, cart barn, and other support facilities.
6. A golf clubhouse facility with food and beverage services. The Club Site Amenity and Golf Course Maintenance Facility shall be subject to site plan review by the Development Review Committee.
7. A social club facility including pool, tennis, children's playground and playfield and similar community recreational use.

C. Temporary Uses: The following temporary uses are permitted:

1. A temporary sales office for the sale of lots, houses, fractional ownership (i.e time-share) multi family units, commercial properties, and club memberships will be permitted within Phase 1, until all of the residential lots are sold.
2. Temporary construction trailers as needed to support the construction process for the various

uses. All trailers shall be removed within thirty (30) days of the completion of the permanent structures and facilities.

3. A temporary golf clubhouse and golf cart storage facility, which shall be removed upon completion of the permanent club.
4. Up to two temporary "mid-way" comfort facilities for the golf ~~club~~ course, which shall be removed upon completion of the permanent club and mid-way facilities. Port-O-Lets can be used if screened from view of neighboring homes with six (6) foot fencing.
5. These temporary facilities may utilize septic tanks and/or pump-out sewerage storage tanks as approved by the County Health Department, and temporary overhead electrical service.

D. Silviculture Uses: The property may continue to be used for Silviculture activity until such time as construction commences on specific portions of the site and any portions not subject to construction or other encumbrances may continue to be used for Silviculture subject to application of "best management practices" including controlled burning as approved by the Florida Forestry Division.

E. Access and Circulation:

1. Access: There shall be two primary entrances on the Amelia Concourse, a golf maintenance entrance on CR-107, and possible future additional accesses to the site as determined to be beneficial to the development and approved by Nassau County Staff. Access zones are shown on the Preliminary Development Plan to enable flexibility to align the entrances with surrounding constraints. The Preliminary Development Plan shows all access locations and is described as follows:
 - a. Primary Entrances: The initial primary entrance will be from the west end of the project onto the Amelia Concourse with a second primary entrance to be provided at the southeastern corner of the project on to

the Amelia Concourse, as shown on the Preliminary Development Plan.

- b. A Golf Maintenance/Service Entrance: A golf maintenance/service access ~~will~~ may be provided from the Amelia Concourse at or near the power line crossing at the northwest corner of Amelia National.
- c. Temporary Construction Entrance: Prior to the construction of ~~Lefton Square Boulevard,~~ Amelia Concourse the existing forest road within the right-of-way which has been established for ~~Lefton Square Boulevard,~~ Amelia Concourse may be utilized as a temporary access road to support construction, providing that there are no conflicts with the ~~Lefton Square Boulevard,~~ Amelia Concourse construction process.
- d. Emergency Entrance: An emergency access drive may be provided from the future ~~Lefton Square Boulevard~~ Amelia Concourse as shown on the Preliminary Development Plan.

F. Development Standards: The development shall be subject to the following standards:

- 1. Accessory Structures: Per Article 27.16 ~~28.15~~ of the Zoning Code.
- 2. Minimum Lot Requirements:
 - a) Minimum lot width: Fifty-five (55) feet for single-family units, thirty-five (35) feet for patio units, and twenty-five (25) feet for townhouse units.
 - b) Minimum lot area: Six thousand eight hundred (6800) square feet for single family units, three thousand five hundred (3,500) square feet for patio units, two thousand five hundred (2,500) square feet for townhouse units.
- 3. Minimum Yard Requirements:

- a) Front Yard: Twenty (20) feet.
- b) Side Yards: Five (5) feet for single-family lots eighty (80) feet wide and less and seven and one-half (7.5) feet for single-family lots larger than eighty (80) feet in width; a total of seven and one-half (7.5) feet for patio units with one side yard being allowed to be zero feet; Ten feet for the end of units of townhouse sets.
- c) Rear yard: Ten (10) feet
- d) All yards shall be measured from the finished face of the exterior foundation wall.

4. Building Restrictions:

- a) Maximum building height: Thirty-five (35) feet for residential and Forty-Five (45) feet for clubhouse and social club facilities, measured to average roof line elevation.
- b) Maximum lot coverage: Forty (40) percent for single-family houses; sixty (60) percent for patio units; seventy (70) percent for townhouse units.

5. Signage: Project identification signs that may also identify the golf club, not to exceed 150 square feet on each face may be installed at the two primary signage locations on the Amelia Concourse. A service entry sign not to exceed 50 square feet on each face may be installed at the service entrance on CR-107. Within the project, signs identifying each club, recreational facility and residential area may be installed not to exceed 50 square feet each. All project signs shall be designed as ground-mounted signs or integrated into or mounted on the landscape features such as walls and fences. All lighting of signs shall be ground-mounted units projecting onto the sign. Business identification signs for the office/commercial site will conform to the County code.

6. Landscaping and Buffers: The office/commercial site shall be buffered from adjacent properties by an opaque wall at least six feet in height and by a landscape planting area at least ten feet deep. The golf maintenance/service site shall be buffered with landscape planting at least ten feet in width. A landscape plan showing the treatment of the streetscape, entryways and intersection landscaping/hardscaping elements shall be submitted to, and approved by, the Planning Director before any horizontal improvements are made to the site.
7. Off-Street Parking and Loading: All off-street parking and loading requirements in Article 29 28 of Nassau County's Zoning Ordinance shall apply for the commercial and club uses.

G. Construction Standards:

1. All streets, sewer facilities, utilities and drainage shall be constructed according to the requirements of the Nassau County Subdivision Regulations.
2. The sidewalks required will be six (6) feet wide on one side of the main spine road and five (5) feet wide on one side of the internal residential streets. Sidewalks shall be built to applicable County standards. Sidewalks shall be required on both sides of the road where residential units are located and on a minimum of one side of the road in those areas necessary to connect the residential areas to the recreational areas and to each other. Six (6) foot sidewalks shall be required on one side of all streets. The sidewalks may meander to compliment landscaped and hardscaped areas. See attached Exhibit "F".

H. Utilities: All sewer, water, electrical, telephone, and cable distribution and collection lines will be constructed underground where possible, unless stated otherwise. Above ground utility elements such as transformers and switching boxes will be screened and/or landscaped. Above grade electrical, telephone and cable lines may be used to serve the maintenance and service

facility so long as they parallel the existing transmission line. Water and sewer service shall be provided by JEA (Condition # 5 of Exhibit "D" of Ordinance 2002-20). All utilities shall be provided in accordance with the rules and regulations established by the appropriate governmental agency. Ownership, maintenance and operation of the water, sewer, electrical, telephone and other service utilities will be the responsibility of the respective franchise companies serving the area. The existing power transmission line and easements, which traverse the property, and their future use are under the control of the respective holders of the easements and not the developer.

I. Open Spaces: The area depicted as "open spaces", including but not limited to the golf course, wetland preservation areas, wetland mitigation areas and recreational amenities, on the Preliminary Development Plan shall be permitted to be used for passive and active recreational activities. Multi-purpose trails and walkways may be constructed in and through these areas subject to applicable wetlands and other permits. The exact boundaries of all such areas shall be established on the Final Development Plans for each phase or increment of development. All privately owned common open space shall continue to conform to its intended use as specified in the Final Development Plan. To ensure this takes place, the Covenants and Restrictions will be recorded to run with the land to protect both present and future property owners. These restrictions shall prohibit the partition of any common open space.

Open Space Calculation:

Lakes: 103 acres, 12%
Golf Course and Amenity Center: 154 acres, 18%
Wetland Preservation: 235 acres, 27%
Total Open Space 492 acres, 57% of site.

Of the total ~~674~~ 876 acres of ~~this the proposed development~~ Amelia National PUD, the preliminary development plan shows ~~indicates that~~ 253.5 ~~472~~ acres, or ~~37.58%~~ 53.8% of the total acreage, ~~to be dedicated~~ shall be utilized as for open space in the form of wetlands and buffer, lake and recreation areas. Section 25.04(F)(1) of the Nassau County Zoning Code (Ordinance 97-19) requires all PUD's to have a minimum of twenty percent (20%) of their total gross acreage as open space. The preliminary development plan has

~~exceeds~~ this requirement. ~~The applicants~~ Section A2 herein have stated states this that open space ~~will~~ shall be maintained by a ~~property~~ homeowner's association to be established by the developer. Section A1 herein states that the golf course recreation amenity shall be owned and maintained by the developer or its assignee. **(revised Condition # 3 of Exhibit "D" of Ordinance 2002-20).**

J. Community Recreational Amenity: Prior to the issuance of the certificate of occupancy on the 150th residential unit, the developer shall provide a community recreational site that includes an open play field, children's play structure, benches and picnic facilities. The sidewalks on the street(s) abutting this facility shall be on the same side of the street as the facility. The location of this facility shall be established on a Final Development Plan. Upon agreement between the County and the Developer, the Developer shall have the option of fulfilling this requirement by contributing like kind value for land area and facilities at the County's regional park located to the south of Amelia National. This provision and the other recreational club facilities in Amelia National shall fulfill the County's recreational concurrency requirements.

K. Sidewalks and Trails: Multi-purpose sidewalks and trails may shall be provided to link the residential areas with the club and recreational facilities.

L. Street lights: Street lights shall be provided on each street in the residential areas.

M. Stormwater Management Facilities: All stormwater management facilities shall be permitted by and constructed to the standards of Nassau County and the St. Johns River Water Management District whereby fences are not required, and shall be conveyed to the homeowner's/property owner's association which shall have responsibility for maintenance and insurance.

N. Wetlands and Wetland Buffers: A professional analysis of the wetlands on the property has been undertaken based on the St. Johns River Water Management District (SJRWMD) criteria, and the wetland lines based on that analysis have been flagged and surveyed. In addition, the wetland areas that are generally defined on the County's Future Land Use Map have been indicated. The wetlands on the site will be managed subject to an Environmental Resource Permit from

the SJRWMD and Individual Permit from the US Army Corps of Engineers. These permits will utilize on-site wetland creation, enhancement and buffering to mitigate all impacts associated with the development such that there will be a net increase in wetland areas and improvement of wetland functions on the site. Existing and created wetlands that correspond to FLUM wetlands will be protected by an upland buffer as required by the current Nassau County requirements at the time of construction plan approval. All other wetlands on the site will be buffered pursuant to specific permit requirements of the St. Johns River Water Management District. All wetland areas and buffers shall be identified on the Final Development Plan(s).

O. ~~Lofton Square Boulevard~~ Amelia Concourse: The following conditions shall apply to the construction of the ~~western connection to the future alignment extension~~ of ~~the Lofton Square Boulevard~~ Amelia Concourse:

- A₁. The Developer shall work with the County and the other owners and developers whose properties are affected by ~~Lofton Square Boulevard~~ Amelia Concourse to support the research and development of a financing mechanism that will result in the design, permitting and construction of ~~Lofton Square Boulevard~~ the Amelia Concourse extension to County Road 107 as a public roadway on right-of-way owned by the County. The objectives of this effort are to effectuate a "fair share" mechanism for constructing the roadway with minimal impact on the county's general budget, and to achieve scheduling the improvement within the first three years of the County's 2001 Five-Year Work Plan. The County will assist in convening the other parties related to ~~Lofton Square Boulevard~~ the extension of Amelia Concourse, as well as owners of larger property located along County Road 107 that may benefit from the construction of ~~Lofton Square Boulevard~~ the Amelia Concourse extension. The County will make the services of its current legal and financial consultants available to undertake the necessary studies to support establishment of the financing mechanism, with the costs of this consultation being included in the proceeds from the funding mechanism. The Applicant agrees to participate in an MSBU to be formed for the

extension of Lofton Square Boulevard Amelia Concourse and to pay its fair share of the assessment (revised Condition # 9a from Exhibit "D" of Ordinance 2002-20).

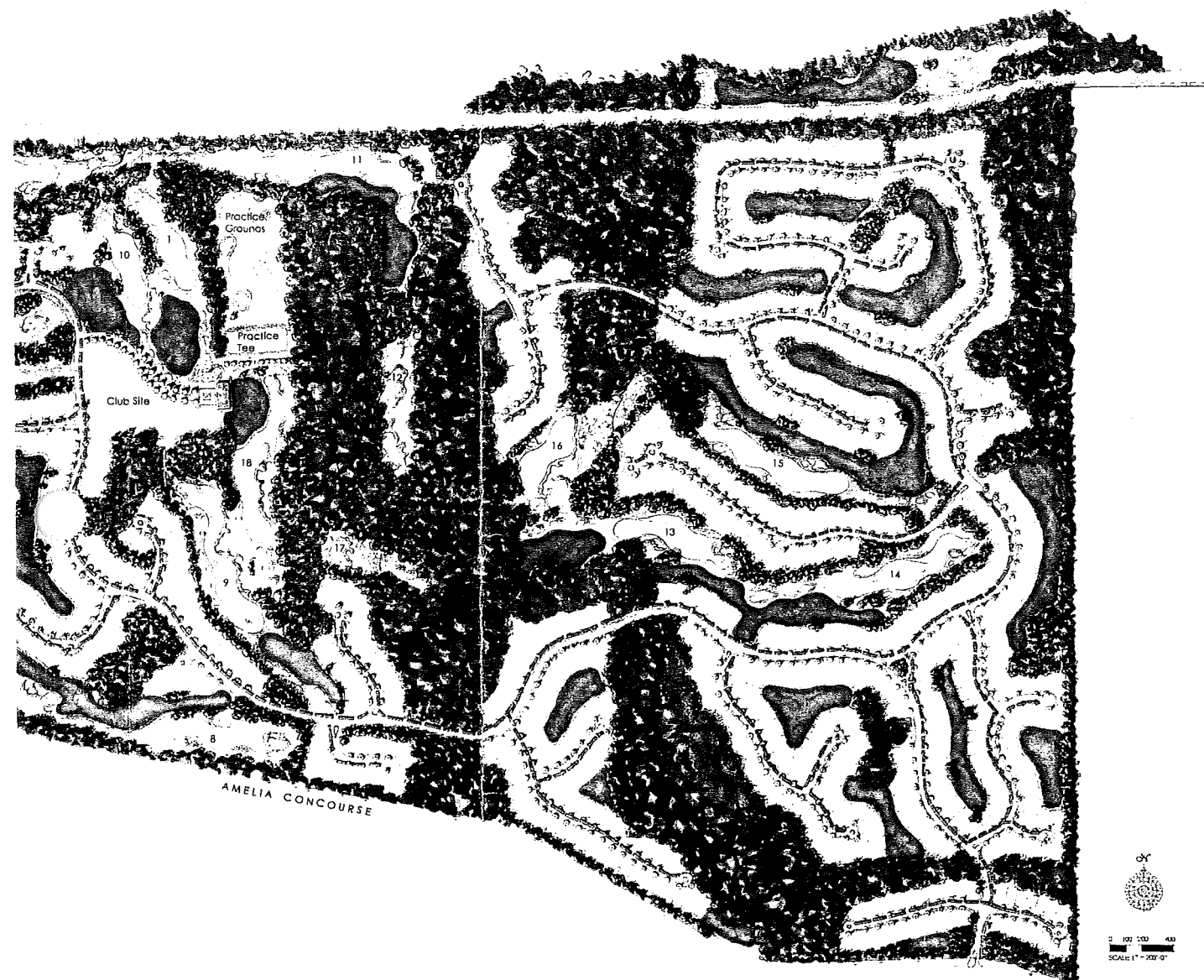
- B2. If the condition 2.a above does not result in the construction of Lofton Square Boulevard the Amelia Concourse extension prior to the issuance of the 350th residential Certificate of Occupancy 1st building permit in Amelia National, the applicant/developer shall have the option of extending construct Lofton Square Boulevard an two-lane extension to Amelia Concourse from the entrance of the North Hampton southwesterly point of the Lofton Pointe PUD to the western entrance of the Amelia National PUD. No building permits shall be issued until this two-lane extension to Amelia Concourse has been completed, subject to the conditions herein. In the event that the segment of Lofton Square Boulevard between 1) SR A1A and the entrance to North Hampton and the entrance to Flora Parke have not been constructed by this time, the developer will construct the respective segments as may be needed. If the condition above does not result in the construction of the Amelia Concourse extension prior to the issuance of the 350th building permit the applicant shall construct a two-lane extension of Amelia Concourse from County Road 107 to the southern entrance of Amelia National, subject to the conditions herein. The applicant shall provide off-site improvements at the intersection of Amelia Concourse and County Road 107 as required by the Engineering Services Department, subject to the conditions herein (revised Condition # 9b from Exhibit "D" of Ordinance 2002-20).

OP. Final Development Plan and Phasing: The final development plan has been submitted to Nassau County with the first phase engineering submittal. This meets the 1-year submittal requirement. The preliminary development plan (Exhibit "B") matches the final development plan. Division of the future phases will be in a logical order to match the developer's agreement, engineering and concurrency constraints, and to deliver lots adequate to meet the future market demands.

Phases of development shown on the preliminary plan are The phasing plan submitted to Development Review Committee for site plan approval is feasible and reflects the compatibility to operate as an independent development (revised Condition # 6 from Exhibit "D" of Ordinance 2002-20).

Q. Notification: The Applicant shall incorporate into the covenants and restrictions notification to property owners, including fractional owners (i.e. time-share) of multi-family residential units, that they are living in a Planned Unit Development (PUD). The approved Preliminary Development Plan of the PUD shall be posted in the sales office and the time-share sales office.

EXHIBIT "F"



PEDESTRIAN TRAILS PLAN

ERVIN LOVETT & MILLER
Planning • Architecture • Landscape Architecture • Urban Design

Amelia National Alternative Sidewalk Proposal for Nassau County Board of County Commissioners

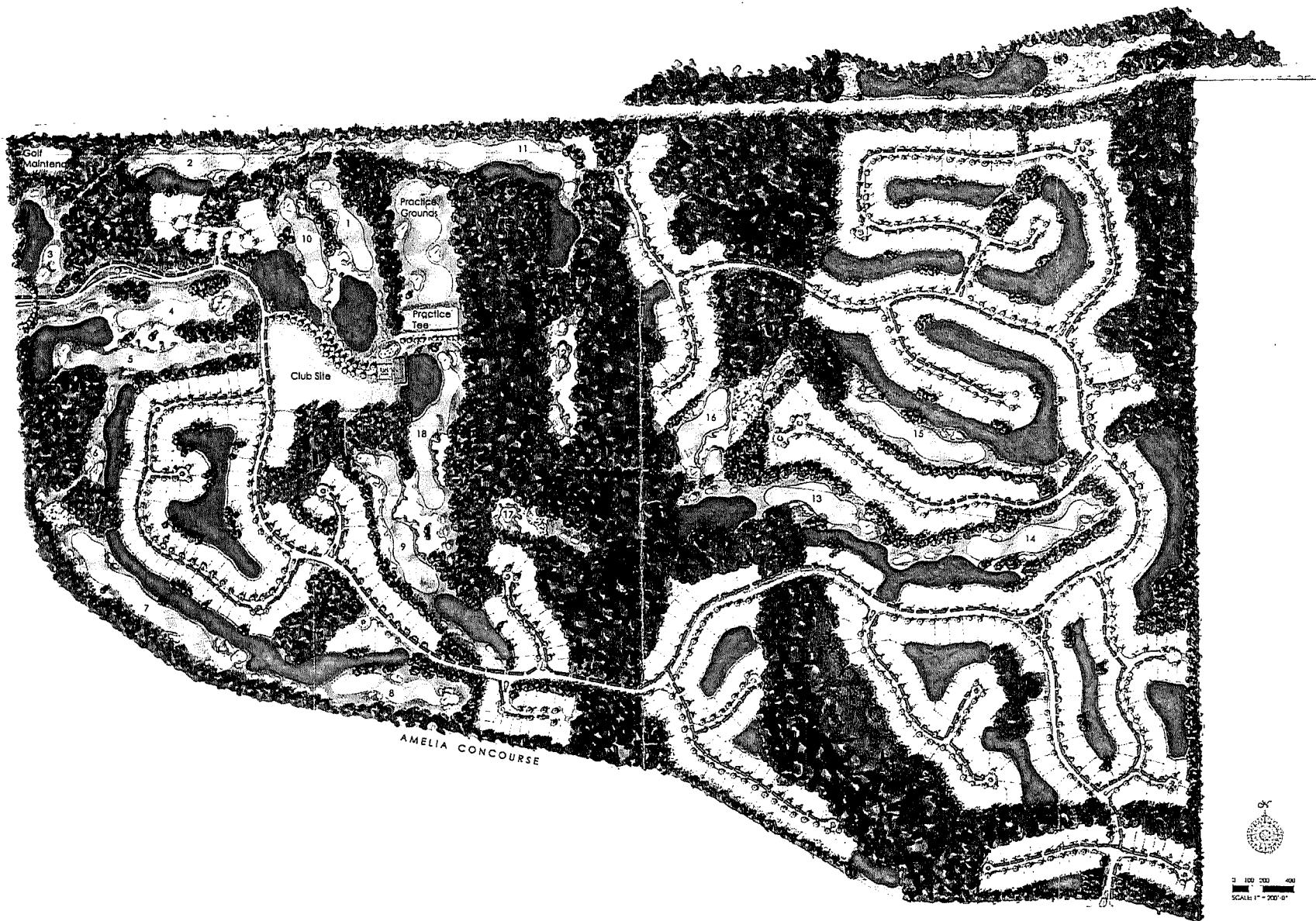
The Amelia National Developers would like to propose an alternative sidewalk plan for pedestrian trails throughout Amelia National. The alternative proposes:

- + A six-foot sidewalk throughout the entire project on ONE side of the roadway including spine-collector roads and adjoining cul-de-sac roads.

Reasons for the proposed alternative:

- + An attached site plan illustrates the utilization of the sidewalks throughout the project including 3800 LF of wetland crossings. In wetland crossings there are NO HOMES fronting the sidewalk therefore the sidewalk is traversing a totally natural area.
- + The proposed six-foot sidewalk on one side of the roadway will help maintain the natural appearance of the community.
- + The roadways and sidewalks in Amelia National are privately owned by the homeowners association and therefore designed to reduce future sidewalk maintenance & reconstruction costs.
- + The proposed single-sided sidewalk is constructed to SURPASS the American Disabilities Standards creating wider corridors for disabled residents.

In summary, the developers of this community want to propose a plan that will provide an increased level of service for pedestrians and concentrate the amount of sidewalk to preserve the natural appearance of the community and therefore your review and consideration of this proposal is greatly appreciated.



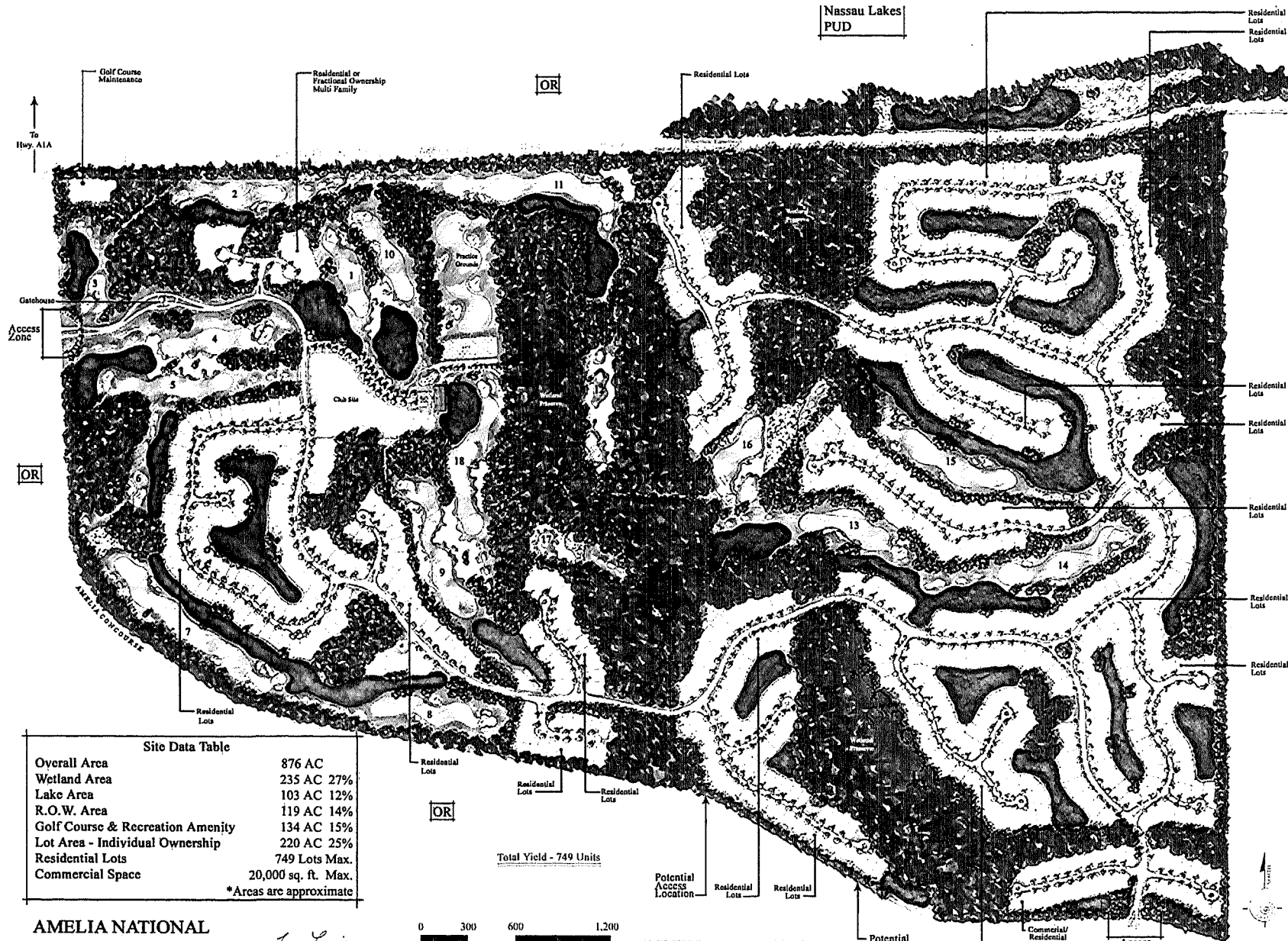
AMELIA NATIONAL
NASSAU COUNTY, FLORIDA

PEDESTRIAN TRAILS PLAN

EXHIBIT "F"

ERVIN LOVETT & MILLER
Planning, Architecture, Landscape Architecture, Urban Design

The location, configuration, and type of development shown, golf courses, roads, lakes, etc. are intended to be used as a guide and subject to further refinement upon submission of final development plans.



Site Data Table

Overall Area	876 AC
Wetland Area	235 AC 27%
Lake Area	103 AC 12%
R.O.W. Area	119 AC 14%
Golf Course & Recreation Amenity	134 AC 15%
Lot Area - Individual Ownership	220 AC 25%
Residential Lots	749 Lots Max.
Commercial Space	20,000 sq. ft. Max.

*Areas are approximate

AMELIA NATIONAL

PUD Preliminary Development Plan
FOR: MONTGOMERY LAND COMPANY

NASSAU COUNTY, FLORIDA

Tom Leger
Staff Engineer, P.E.
Florida Professional Engineer, No. 12345

0 300 600 1,200

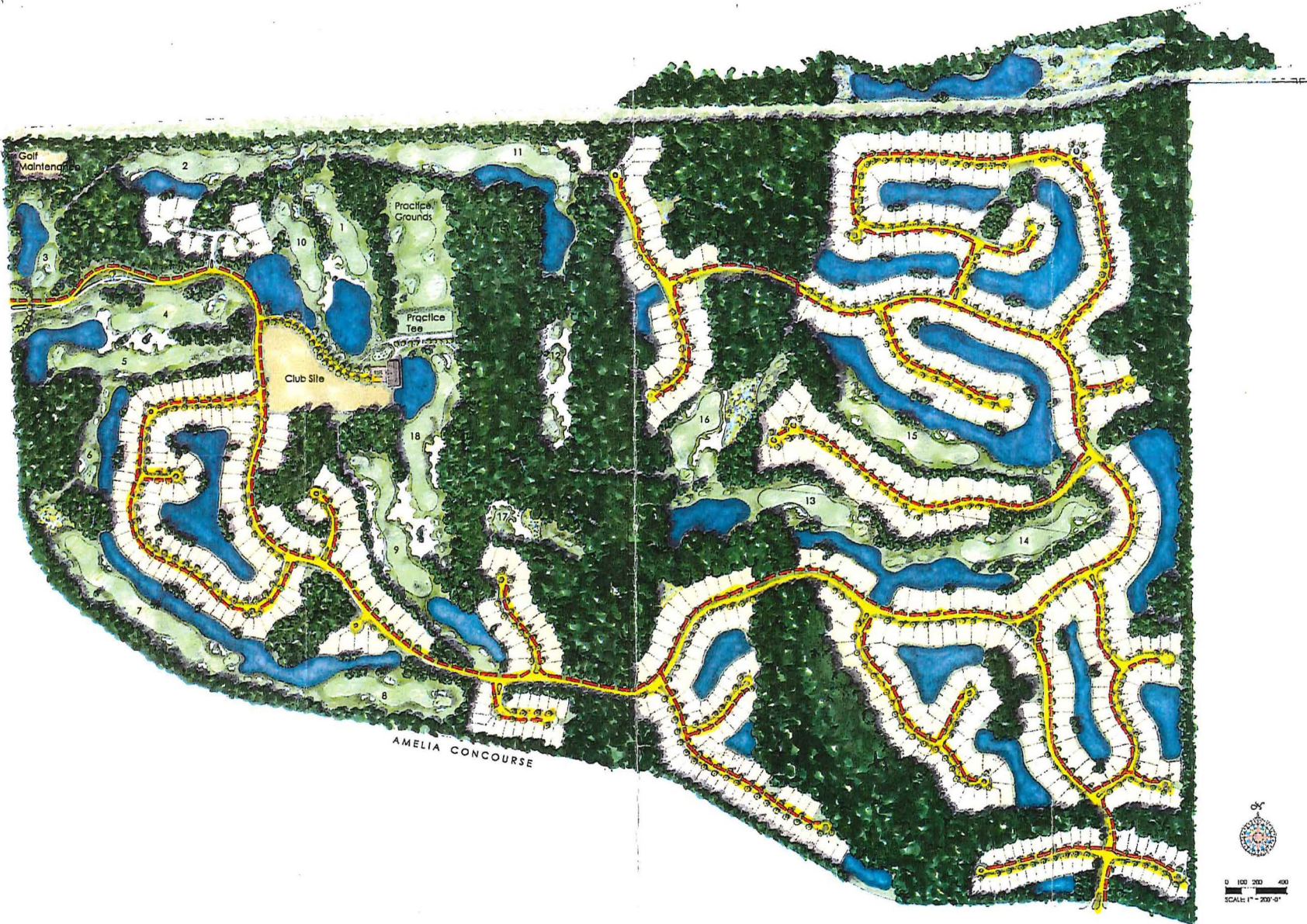
Scale: 1" = 600'

THIS LOCATION CONCENTRATION AND ACRES OF RESIDENTIAL DEVELOPMENT PARCELS, USE OF COWLEY, BAKER, LARSEN, WETLAND IMPACTS, ETC. ARE CONCEPTUAL IN NATURE AND SUBJECT TO FURTHER REFINEMENT UPON SUBMITTING OF FINAL DEVELOPMENT PLANS.

Exhibit B C

ERVIN LOVIETT & MILLER
Florida Professional Engineer, No. 12345

received
5/14/03



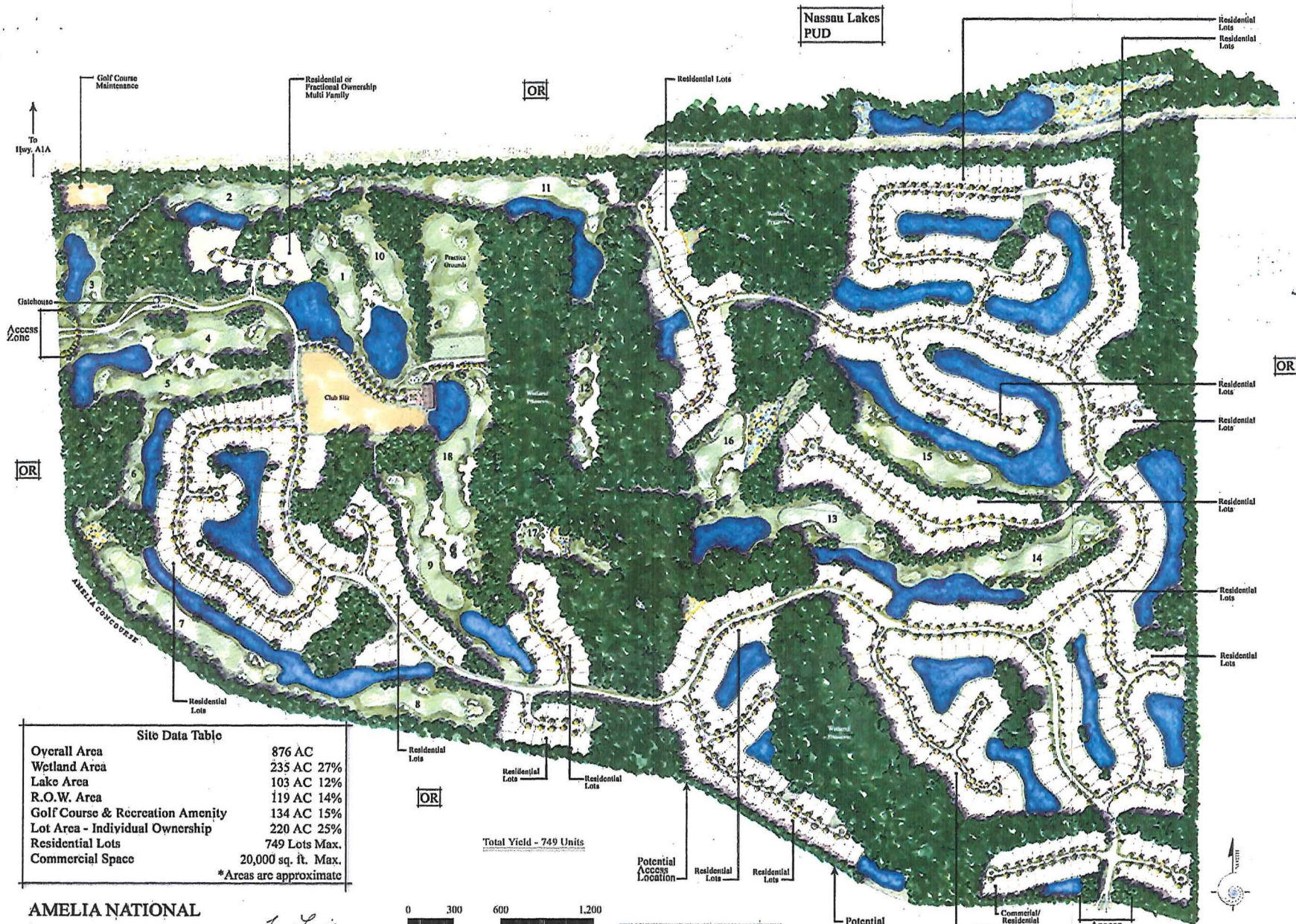
AMELIA NATIONAL
NASSAU COUNTY, FLORIDA

PEDESTRIAN TRAILS PLAN

EXHIBIT "F"

ERVIN LOVETT & MILLER
Planning, Architecture, Landscape Architecture, Urban Design

The location, configuration, acreage and use of development parcels, golf courses, roads, lakes, etc. are intended to serve as a guide to further refinement upon completion of final development plans.



AMELIA NATIONAL

PUD Preliminary Development Plan
FOR: MONTGOMERY LAND COMPANY

NASSAU COUNTY, FLORIDA

Tom Leger
Chief Engineer
Florida Professional Engineer, No. 1241

Exhibit B C

ERVIN LOVETT & MILLER
Planning, Architecture, Landscape, Interiors, Urban Design

received
5/14/03