

**ORDINANCE NO. 2004-17**  
**AMENDMENT TO ORDINANCE NO. 83-19**  
**NASSAU COUNTY, FLORIDA**

WHEREAS, on the 23<sup>rd</sup> 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 which Ordinance has been subsequently amended including Ordinance No. 97-19, adopted on the 28<sup>th</sup> day of July, 1997; and

WHEREAS, **HENRY AND SONYA KELLY**, the owners 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 COMMERCIAL, GENERAL (CG) to OPEN RURAL (OR); and

WHEREAS, the Nassau County Planning and 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 Land Use Plan 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 COMMERCIAL, GENERAL

(CG) to OPEN RURAL (OR) 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 **HENRY AND SONYA KELLY**, and is described as follows:

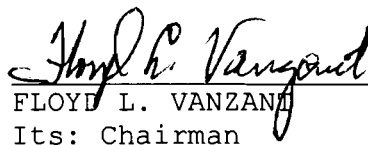
See Exhibit "A" attached hereto and made a part hereof by specific reference.

SECTION 3. EFFECTIVE DATE: This Ordinance shall become effective upon its being signed by the Chairman of the Board of County Commissioners of Nassau County, Florida.

ADOPTED this 26th day of April, 2004.

CERTIFICATION OF AUTHENTICATION  
ENACTED BY THE BOARD

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
FLOYD L. VANZANT  
Its: Chairman

ATTEST:

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

Approved as to form by the  
Nassau County Attorney:

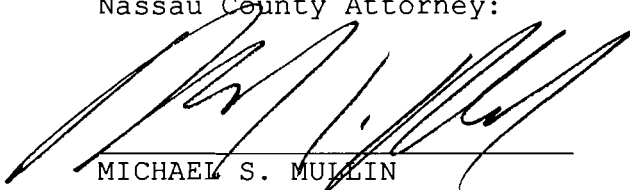
  
\_\_\_\_\_  
MICHAEL S. MULLIN

EXHIBIT A

Rec 10.5  
Doc 11.2

A portion of Section 37, Township 3 North, Range 24 East, Nassau County, Florida, being more particularly described as follows:

For a point of reference commence at a point where the northerly line of said Section 37 is intersected by the westerly right-of-way line of U.S. Highway No. 1 (A 150 foot right of way as now established); thence south 32 degrees 50 minutes 00 seconds east along said westerly right-of-way line, a distance of 2362.73 feet to the point of beginning; thence continue south 32 degrees 50 minutes 00 seconds east along said westerly right-of-way line, a distance of 199.08 feet to a point; said point being on the southerly line of a 33 foot wide easement for ingress and egress posted as "Ivey Place"; thence south 57 degrees 08 minutes 57 seconds west, a distance of 384.85 feet (south 57 degrees 10 minutes 00 seconds west, 384.77 feet per deed) to a point. thence north 32 degrees 22 minutes 53 seconds west (north 33 degrees 00 minutes 00 seconds west per deed), a distance of 32.95 feet to a point; thence north 33 degrees 01 minutes 35 seconds west (north 33 degrees 00 minutes 00 seconds west per deed), a distance of 209.78 feet to a point; thence north 57 degrees 00 minutes 29 seconds east, a distance of 123.45 feet; thence south 30 degrees 11 minutes 51 seconds east, a distance of 40.00 feet to a point; thence north 58 degrees 00 minutes 58 seconds east, a distance of 263.72 feet to the westerly right-of-way line of U.S. Highway No. 1, aforementioned, and the point of beginning.

This conveyance is made subject to the attached Easements. Containing 1.89 acres, more or less, in area.

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EASEMENT "A"  
30' X 60' WELL EASEMENT

A PORTION OF SECTION 37, TOWNSHIP 3 NORTH, RANGE 24 EAST,  
NASSAU COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT A POINT WHERE THE  
NORTHERLY LINE OF SAID SECTION 37 IS INTERSECTED BY THE  
WESTERLY RIGHT-OF-WAY LINE OF U. S. HIGHWAY NO. 1 ( A 150  
FOOT RIGHT-OF-WAY AS NOW ESTABLISHED ); THENCE SOUTH 32  
DEGREES 50 MINUTES 00 SECONDS EAST ALONG SAID WESTERLY RIGHT-  
OF-WAY LINE, A DISTANCE OF 2528.91 FEET TO A POINT; THENCE  
SOUTH 57 DEGREES 09 MINUTES 22 SECONDS WEST, A DISTANCE OF  
91.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH  
57 DEGREES 09 MINUTES 22 SECONDS WEST, A DISTANCE OF 30.00  
FEET TO A POINT; THENCE NORTH 32 DEGREES 50 MINUTES 38  
SECONDS WEST, DISTANCE OF 60.00 FEET TO A POINT; THENCE NORTH  
57 DEGREES 09 MINUTES 22 SECONDS EAST, A DISTANCE OF 30.00  
TO A POINT; THENCE SOUTH 32 DEGREES 50 MINUTES 38 SECONDS  
EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

EASEMENT "B"  
30' EASEMENT FOR INGRESS AND EGRESS

A PORTION OF SECTION 37, TOWNSHIP 3 NORTH, RANGE 24 EAST,  
NASSAU COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT A POINT WHERE THE  
NORTHERLY LINE OF SAID SECTION 37 IS INTERSECTED BY THE  
WESTERLY RIGHT-OF-WAY LINE OF U. S. HIGHWAY NO. 1 ( A 150  
FOOT RIGHT-OF-WAY AS NOW ESTABLISHED ); THENCE SOUTH 32  
DEGREES 50 MINUTES 00 SECONDS EAST ALONG SAID WESTERLY RIGHT-  
OF-WAY LINE, A DISTANCE OF 2528.91 FEET TO A POINT; THENCE  
SOUTH 57 DEGREES 09 MINUTES 22 SECONDS WEST, A DISTANCE OF  
354.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH  
57 DEGREES 09 MINUTES 22 SECONDS WEST, A DISTANCE OF 30.00  
FEET TO A POINT; THENCE NORTH 33 DEGREES 01 MINUTES 35  
SECONDS WEST ( NORTH 33 DEGREES 00 MINUTES 00 SECONDS WEST  
PER DEED ), DISTANCE OF 318.89 FEET TO A POINT; THENCE NORTH  
60 DEGREES 51 MINUTES 35 SECONDS EAST, A DISTANCE OF 30.07 TO  
A POINT; THENCE SOUTH 33 DEGREES 01 MINUTES 35 SECONDS EAST,  
A DISTANCE OF 316.94 FEET TO THE POINT OF BEGINNING.