

ORDINANCE NO. 2004- 22
AMENDMENT TO 91-04
NASSAU COUNTY, FLORIDA

WHEREAS, on the 28th day of January, 1991, the Board of County Commissioners of Nassau County, Florida, did adopt Ordinance No. 91-04, an Ordinance Enacting and Establishing the Comprehensive Land Use Map and the Future Land Use Map for the unincorporated portion of Nassau County, Florida; and

WHEREAS, DB Florida Company, LLC, owner, seeks to re-classify land designated on the Future Land Use Map from Medium Density Residential to High Density Residential; and

WHEREAS, the Board of County Commissioners held a transmittal hearing on May 10, 2004; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County Commissioners transmitted copies of the proposed Comprehensive Plan Amendment to the Department of Community Affairs as the State Land Planning agency for written comment, and transmitted one (1) copy to each of the local government or governmental agencies in the State of Florida having filed with the Board of County Commissioners a request for a copy of the amended version of the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Nassau County further considered all oral and written comments received during a public hearing; and

WHEREAS, the Board of County Commissioners finds that the amendment on the Future Land Use Map and reclassification is consistent with the overall Comprehensive Land Use Map and

**** Comp plan amendment transmitted to Dept. of Community Affairs and found to be not in compliance with county's comp plan. Applicant withdrew Application. See also 2005-65 & 2006-15**

orderly development of Nassau County, Florida, and the specific area.

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, this 10th day of May, 2004:

1. **SECTION 1. PROPERTY RECLASSIFIED.** The real property described in Section 2 is reclassified from Medium Density Residential to High Density Residential on the Future Land Use Map of Nassau County.

2. **SECTION 2. OWNER AND DESCRIPTION.** The land reclassified by this Ordinance is owned by DB Florida Company, LLC, and is described as follows:

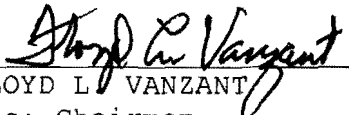
See Exhibit "A" attached hereto and made a part hereof by specific reference.

3. **SECTION 3.** This amendment is made pursuant to Florida Statutes 163.3184. The Board held public hearings with due public notice having been provided on the amended version of the Future Land Use Map amendment, reclassifying land designated as Medium Density Residential to High Density Residential.

4. **SECTION 4. EFFECTIVE DATE.** This Ordinance shall be filed with the Department of Community Affairs after adoption by the Board of County Commissioners. This Ordinance shall become effective upon notification by the Department of Community Affairs that the amendment is found to be in compliance, and upon


receipt of the official notification by the Department of Community Affairs, this Ordinance shall become effective upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



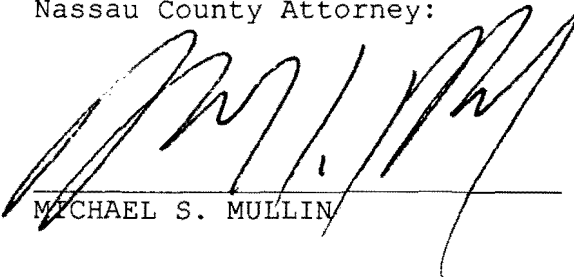
FLOYD L. VANZANT
Its: Chairman

ATTEST:



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

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN

EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 37, AND THE JOHN D. VAUGHN GRANT, SECTION 38, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A RAILROAD SPIKE FOUND WHERE THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200-A (A 100-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74600-2150 (7460-175) INTERSECTS THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200/A-1-A (A VARYING RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74060-2503) AND RUN SOUTH $00^{\circ}-23'-55''$ EAST, A DISTANCE OF 96.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200/A-1-A; RUN THENCE THE FOLLOWING FIVE (5) COURSES ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, (1) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 371.73 FEET TO A POINT; (2) NORTH $75^{\circ}-38'-44''$ WEST, A DISTANCE OF 200.27 FEET TO A POINT; (3) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 400.11 FEET TO A POINT; (4) NORTH $69^{\circ}-55'-14''$ WEST, A DISTANCE OF 200.30 FEET TO A POINT; (5) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 1344.89 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 TO THE SOUTH AND HAVING A RADIUS OF 5606.17 FEET, A CHORD DISTANCE OF 1168.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH $78^{\circ}-45'-59''$ WEST; RUN THENCE NORTH $84^{\circ}-44'-59''$ WEST CONTINUING ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 449.61 FEET TO A POINT ON THE EASTERLY LINE OF LANDS OF THE YULEE UNITED METHODIST CHURCH (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 587, PAGE 330); RUN THENCE SOUTH $05^{\circ}-15'-01''$ WEST ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 473.00 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH $85^{\circ}-21'-12''$ EAST, A DISTANCE OF 80.00 FEET TO A POINT ON THE EASTERLY LINE OF A 60-FOOT WIDE EASEMENT (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 655, PAGE 1298); RUN THENCE SOUTH $05^{\circ}-15'-01''$ WEST ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 88.47 FEET TO A POINT; RUN THENCE SOUTH $84^{\circ}-44'-59''$ EAST, A DISTANCE OF 317.53 FEET TO A POINT ON THE WESTERLY LINE OF THE OLD NASSAU COUNTY LANDFILL (NOW CLOSED); RUN THENCE SOUTH $03^{\circ}-28'-57''$ WEST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF 1359.46 FEET TO A POINT; RUN THENCE THE NEXT FOUR COURSES ALONG THE APPROXIMATE CENTERLINE OF A ± 20 FOOT WIDE DITCH, (1) NORTH $80^{\circ}-00'-00''$ WEST, A DISTANCE OF 50.00 FEET TO A POINT; (2) SOUTH $47^{\circ}-00'-00''$ WEST, A DISTANCE OF 46.59 FEET TO A POINT; (3) SOUTH $74^{\circ}-00'-00''$ WEST, A DISTANCE OF 209.18 FEET TO A POINT; (4) NORTH $87^{\circ}-00'-00''$ WEST, A DISTANCE OF 128.24 FEET TO A POINT; RUN THENCE NORTH $19^{\circ}-00'-00''$ WEST, A DISTANCE OF 1636.54 FEET TO A POINT AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED YULEE UNITED METHODIST CHURCH; RUN THENCE NORTH $89^{\circ}-21'-00''$ EAST, ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 640.04 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 24.72 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

EXHIBIT "A" Continued

TOGETHER WITH A NON-EXCLUSIVE EASEMENT DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A 100-FOOT WIDE BASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A RAILROAD SPIKE FOUND WHERE THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200-A (A 100-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74600-2150 (7460-175) INTERSECTS THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200/A-1-A (A VARYING RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74060-2592) AND RUN SOUTH $00^{\circ}-23'-55''$ EAST, A DISTANCE OF 96.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200/A-1-A; RUN THENCE THE FOLLOWING FIVE (5) COURSES ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, (1) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 371.73 FEET TO A POINT; (2) NORTH $75^{\circ}-38'-44''$ WEST, A DISTANCE OF 200.27 FEET TO A POINT; (3) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 400.11 FEET TO A POINT; (4) NORTH $69^{\circ}-55'-14''$ WEST, A DISTANCE OF 200.30 FEET TO A POINT; (5) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 1344.89 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 TO THE SOUTH AND HAVING A RADIUS OF 5606.17 FEET, A CHORD DISTANCE OF 1168.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH $78^{\circ}-45'-59''$ WEST; RUN THENCE NORTH $84^{\circ}-44'-59''$ WEST CONTINUING ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 449.61 FEET TO A POINT ON THE EASTERLY LINE OF LANDS OF THE YULEE UNITED METHODIST CHURCH (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 587, PAGE 330), SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF CHRISTIANS WAY (A 100-FOOT RIGHT-OF-WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 655, PAGE 1308); RUN THENCE SOUTH $05^{\circ}-15'-01''$ WEST ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 255.09 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST END OF SAID CHRISTIANS WAY.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH $05^{\circ}-15'-01''$ WEST ALONG THE AFOREMENTIONED EASTERLY LINE OF YULEE UNITED METHODIST CHURCH, A DISTANCE OF 217.91 FEET TO THE SOUTHEAST CORNER OF LAST MENTIONED LANDS; RUN THENCE SOUTH $85^{\circ}-21'-12''$ EAST, A DISTANCE OF 100.00 FEET TO A POINT; RUN THENCE NORTH $05^{\circ}-15'-01''$ EAST, A DISTANCE OF 217.92 FEET TO THE SOUTHEAST END OF THE AFOREMENTIONED CHRISTIANS WAY; RUN THENCE NORTH $85^{\circ}-21'-12''$ WEST ALONG THE SOUTHERLY END OF SAID CHRISTIANS WAY, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 0.50 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.