

ORDINANCE 2013 - 19

AN ORDINANCE AMENDING ORDINANCE NO. 2004-09, WHICH REZONED AND RECLASSIFIED PROPERTY TO A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) KNOWN AS "HAMPTON LAKES"; SPECIFICALLY REMOVING A 107 ACRE PORTION OF THE PUD AS SHOWN IN EXHIBIT "A", LEGAL DESCRIPTION, MODIFYING EXHIBIT "B", PRELIMINARY DEVELOPMENT PLAN, AND EXHIBIT "C", PUD CONDITIONS,; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Ordinance 2004-09 on March 27, 2000, creating the Hampton Lakes PUD; and

WHEREAS, AW Venture I and II, LLC has authorized England-Thims & Miller, Inc. to file Application R13-006 to amend the Hampton Lakes PUD Preliminary Development Plan and to amend the PUD conditions; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on August 20, 2013 and voted to recommend approval of R13-006 to the Commission; and

WHEREAS, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the 2030 Comprehensive Plan and the orderly development of Nassau County; and

WHEREAS, the proposed PUD amendment complies with the underlying Future Land Use Map (FLUM) designation of Medium Density Residential (MDR) and

WHEREAS, the Board of County Commissioners held a public hearing on September 23, 2013; and

WHEREAS, public notice of all hearings has been provided in accordance with Chapters 125 Florida Statutes and the Nassau County Land Development Code.

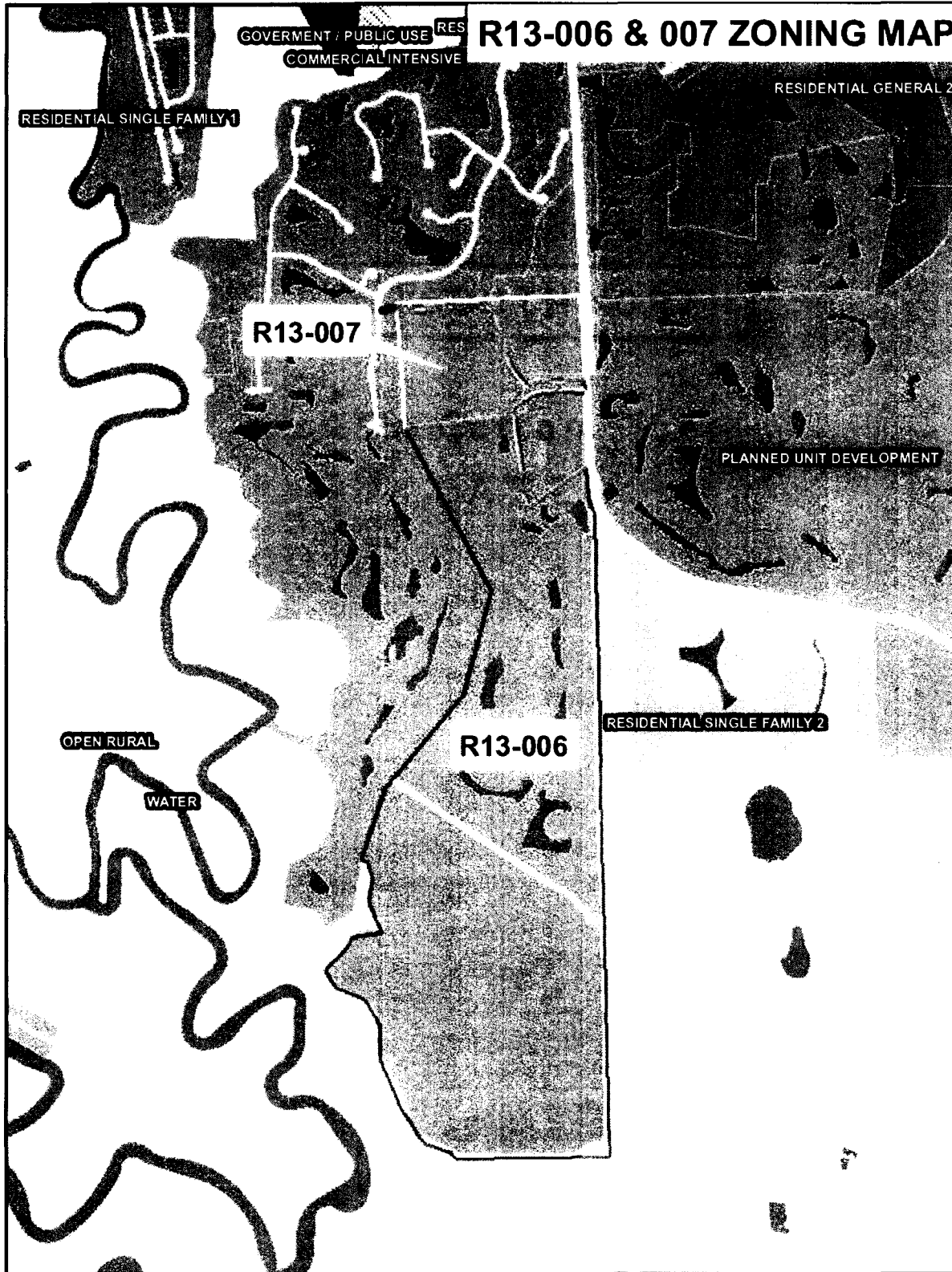
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS: That the proposed amendment to the Hampton Lakes PUD Preliminary Development Plan is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan in particular Policies FL.01.02(B), FL.08.04, and FL.10.06.

SECTION 2. PUD AMENDED: The real property described in Section 3, known as the Hampton Lakes PUD, is amended as follows:

- A) The Legal Description for the Hampton Lakes PUD is amended as shown in Exhibit "A" attached herein.
- B) The Preliminary Development Plan (PDP) for the Hampton Lakes PUD is amended as shown in Exhibit "B" attached herein.
- C) The conditions of the Hampton Lakes PUD, adopted in Ordinance 2004-09 are amended as shown in Exhibit "C" attached herein; all other conditions adopted for this PUD in Ordinance 2004-09 (Exhibit C) shall remain in force.

SECTION 3. OWNER AND DESCRIPTION: The land reclassified by this Ordinance is owned by AW Venture I and II, LLC, and is identified by the following map, the legal description attached as Exhibit "A", and the Preliminary Development Plan (PDP) attached as Exhibit "B".

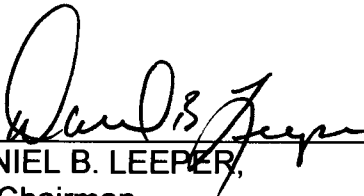


SECTION 4. EFFECTIVE DATE: This Ordinance shall become effective after filing with the Secretary of State.

PASSED AND ADOPTED THIS 23rd DAY OF September, 2013.


BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA

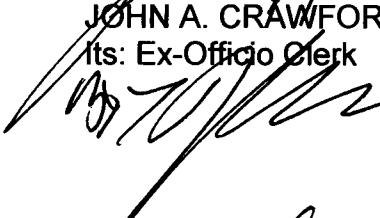


DANIEL B. LEEPER,
Its: Chairman

ATTEST as to Chairman's Signature:



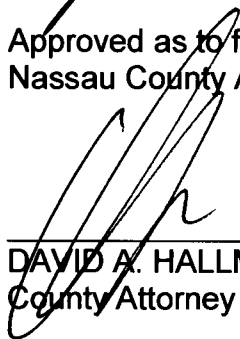
JOHN A. CRAWFORD
Its: Ex-Officio Clerk



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
09-24-13

**Approved as to form and legality by the
Nassau County Attorney:**



DAVID A. HALLMAN,
County Attorney

Exhibit "A" to Ordinance

Legal Description



SURVEYORS
&
LAND PLANNERS

PRIVETT & ASSOCIATES, INC.

1201 SHADOWLAWN DRIVE
ST. MARYS, GEORGIA 31558



Telephone: 912-882-3738
Fax: 912-882-2729
Email: dprivett@privett.net

AUGUST 22, 2012

LEGAL DESCRIPTION OF THE OVERALL HAMPTON LAKES DEVELOPMENT IN NASSAU COUNTY, FLORIDA

FOR: HAMPTON LAKES, L.L.C.

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF SECTIONS 13; 24; THE WILLIAM WALKER GRANT, SECTION 39 AND THE S. FOLLIS GRANT, SECTION 40; TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 24 AND RUN SOUTH 88°-27'-11" WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 24, A DISTANCE OF 2138 FEET, MORE OR LESS, TO A POINT ON THE NORTHEASTERLY EDGE OF MARSH OF LOFTON CREEK; RUN THENCE IN GENERALLY A NORTHWESTERLY DIRECTION ALONG THE MEANDERING OF SAID NORTHEASTERLY EDGE OF MARSH OF LOFTON CREEK, THE SAME BEING THE SOUTHWESTERLY LINE OF LANDS NOW OR FORMERLY OF RAYLAND, LLC (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 579, PAGE 407), A DISTANCE OF 5,475 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 18°-00'-00" EAST, A DISTANCE OF 40 FEET, MORE OR LESS, FROM A 1/2 INCH PIPE FOUND; RUN THENCE NORTH 18°-00'-00" EAST TO AND ALONG THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF NORTH HAMPTON, LLC (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 901, PAGE 1965), A DISTANCE OF ±1004 FEET, MORE OR LESS, TO A POINT; RUN THENCE NORTH 40°-00'-00" EAST ALONG THE SOUTHEASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1650.02 FEET TO A POINT; RUN THENCE NORTH 15°-00'-12" EAST, ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1460.22 FEET TO A POINT; RUN THENCE NORTH 28°-01'-01" WEST ALONG THE NORTHEASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 2471.30 FEET TO A POINT; RUN THENCE NORTH 83°-57'-58" EAST, TO AND ALONG THE NORTHERLY LINE OF AFOREMENTIONED SECTION 13, THE SAME BEING THE SOUTHERLY LINE OF AFOREMENTIONED SECTION 40, A DISTANCE OF 1388.49 FEET TO A POINT LYING ON A NONTANGENT CURVE; RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST, AND HAVING A RADIUS OF 500.00 FEET, A CHORD DISTANCE OF 420.35 FEET TO A POINT OF REVERSE CURVATURE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 24°-37'-30" EAST; RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 25.00 FEET, A CHORD

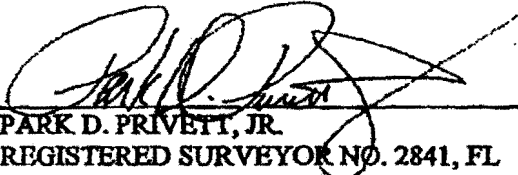
DISTANCE OF 35.42 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 04°-22'-31" EAST; RUN THENCE NORTH 40°-43'-51" WEST, A DISTANCE OF 180.85 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 525.00 FEET, A CHORD DISTANCE OF 187.17 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 30°-27'-45" WEST; RUN THENCE NORTH 20°-11'-40" WEST, A DISTANCE OF 680.61 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 225.00 FEET, A CHORD DISTANCE OF 306.37 FEET TO A POINT OF REVERSE CURVATURE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 63°-06'-09" WEST; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 275.00 FEET, A CHORD DISTANCE OF 65.71 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 80°-51'-02" WEST; RUN THENCE SOUTH 87°-42'-44" WEST, A DISTANCE OF 360.38 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 450.00 FEET, A CHORD DISTANCE OF 87.03 FEET TO A POINT OF REVERSE CURVATURE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 82°-09'-48" WEST; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 550.00 FEET, A CHORD DISTANCE OF 106.37 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 82°-09'-48" WEST; RUN THENCE SOUTH 87°-42'-44" WEST, A DISTANCE OF 183.16 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 225.00 FEET, A CHORD DISTANCE OF 75.64 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 82°-36'-40" WEST; RUN THENCE NORTH 72°-56'-03" WEST, A DISTANCE OF 88.26 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 125.00 FEET, A CHORD DISTANCE OF 42.48 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 82°-43'-04" WEST; RUN THENCE SOUTH 87°-29'-55" WEST, A DISTANCE OF 7.27 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 175.00 FEET, A CHORD DISTANCE OF 59.47 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 77°-42'-54" WEST; RUN THENCE SOUTH 67°-55'-53" WEST, A DISTANCE OF 58.12 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 124.00 FEET, A CHORD DISTANCE OF 43.11 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 77°-56'-29" WEST; RUN THENCE

SOUTH 87°-57'-05" WEST, A DISTANCE OF 25.01 FEET TO A POINT LYING ON THE CURVED EASTERLY RIGHT-OF-WAY LINE OF NORTH HAMPTON CLUB WAY (A VARIED RIGHT-OF-WAY AS SHOWN ON PLAT RECORDED IN PLAT BOOK 6, PAGE 215-230, OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED EASTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 1025.00 FEET, A CHORD DISTANCE OF 46.53 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 00°-58'-53" WEST; RUN THENCE NORTH 02°-16'-55" WEST, ALONG LAST MENTIONED EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 3.48 FEET TO A POINT; RUN THENCE NORTH 87°-57'-05" EAST, A DISTANCE OF 24.16 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 74.00 FEET, A CHORD DISTANCE OF 25.73 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 77°-56'-29" EAST; RUN THENCE NORTH 67°-55'-53" EAST, A DISTANCE OF 58.12 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 225.00 FEET, A CHORD DISTANCE OF 76.47 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 77°-42'-54" EAST; RUN THENCE NORTH 87°-29'-55" EAST, A DISTANCE OF 7.27 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 175.00 FEET, A CHORD DISTANCE OF 59.47 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 82°-43'-04" EAST; RUN THENCE SOUTH 72°-56'-03" EAST, A DISTANCE OF 88.26 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 175.00 FEET, A CHORD DISTANCE OF 58.83 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 82°-36'-40" EAST; RUN THENCE NORTH 87°-42'-44" EAST, A DISTANCE OF 183.16 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 500.00 FEET, A CHORD DISTANCE OF 96.70 FEET TO A POINT OF REVERSE CURVATURE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 82°-09'-48" EAST; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 500.00 FEET, A CHORD DISTANCE OF 96.70 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 82°-09'-48" EAST; RUN THENCE NORTH 87°-42'-44" EAST, A DISTANCE OF 360.38 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 225.00 FEET, A CHORD DISTANCE OF 53.76 FEET TO A POINT OF REVERSE CURVATURE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 80°-51'-02" EAST; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING

CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 275.00 FEET, A CHORD DISTANCE OF 374.45 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 63°-06'-09" EAST; RUN THENCE SOUTH 20°-11'-40" EAST, A DISTANCE OF 680.61 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 475.00 FEET, A CHORD DISTANCE OF 169.34 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 30°-27'-45" EAST; RUN THENCE SOUTH 40°-43'-51" EAST, A DISTANCE OF 190.84 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 25.00 FEET, A CHORD DISTANCE OF 31.74 FEET TO A POINT, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 80°-07'-57" EAST; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 500.00 FEET, A CHORD DISTANCE OF 238.03 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 74°-14'-12" EAST; RUN THENCE NORTH 88°-00'-26" EAST, A DISTANCE OF 511.98 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET, A CHORD DISTANCE OF 35.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF AMELIA CONCOURSE (A 150.00 FOOT RIGHT-OF-WAY ACCORDING TO DEED RECORDED IN OFFICIAL RECORDS BOOK 1200, PAGE 1939, PUBLIC RECORDS OF SAID COUNTY), THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 43°-00'-13" EAST; RUN THENCE SOUTH 02°-00'-00" EAST, ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO A POINT; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET, A CHORD DISTANCE OF 35.36 FEET, TO A POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 46°-59'-47" WEST; RUN THENCE SOUTH 88°-00'-26" WEST, A DISTANCE OF 536.63 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 400.00 FEET, A CHORD DISTANCE OF 596.12 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 39°-50'-09" WEST; RUN THENCE SOUTH 08°-20'-09" EAST, A DISTANCE OF 904.85 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 465.00 FEET, A CHORD DISTANCE OF 210.17 FEET TO A POINT, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 21°-23'-48" EAST; RUN THENCE NORTH 55°-32'-33" EAST, A DISTANCE OF 935.76 FEET TO A POINT LYING ON THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF AMELIA CONCOURSE; RUN THENCE SOUTH 02°-00'-00" EAST, ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 187.17 FEET TO A POINT OF CURVATURE; RUN THENCE IN A

SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED WESTERLY LINE, SAID CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 1104.93 FEET, A CHORD DISTANCE OF 415.86 FEET TO A POINT ON THE EASTERLY LINE OF AFOREMENTIONED SECTION 13, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 12°-50'-48" EAST; RUN THENCE SOUTH 01°-14'-16" EAST ALONG LAST MENTIONED SECTION LINE, A DISTANCE OF 3420.44 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED SECTION 24; RUN THENCE SOUTH 01°-33'-59" EAST ALONG THE EASTERLY LINE OF SAID SECTION 24, A DISTANCE OF 5320.31 FEET TO SOUTHEAST CORNER THEREOF AND THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 566 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.


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



REFERENCE DWG. NO. B-2-1202(J)-12-04

Exhibit "B" to Ordinance
Preliminary Development Plan

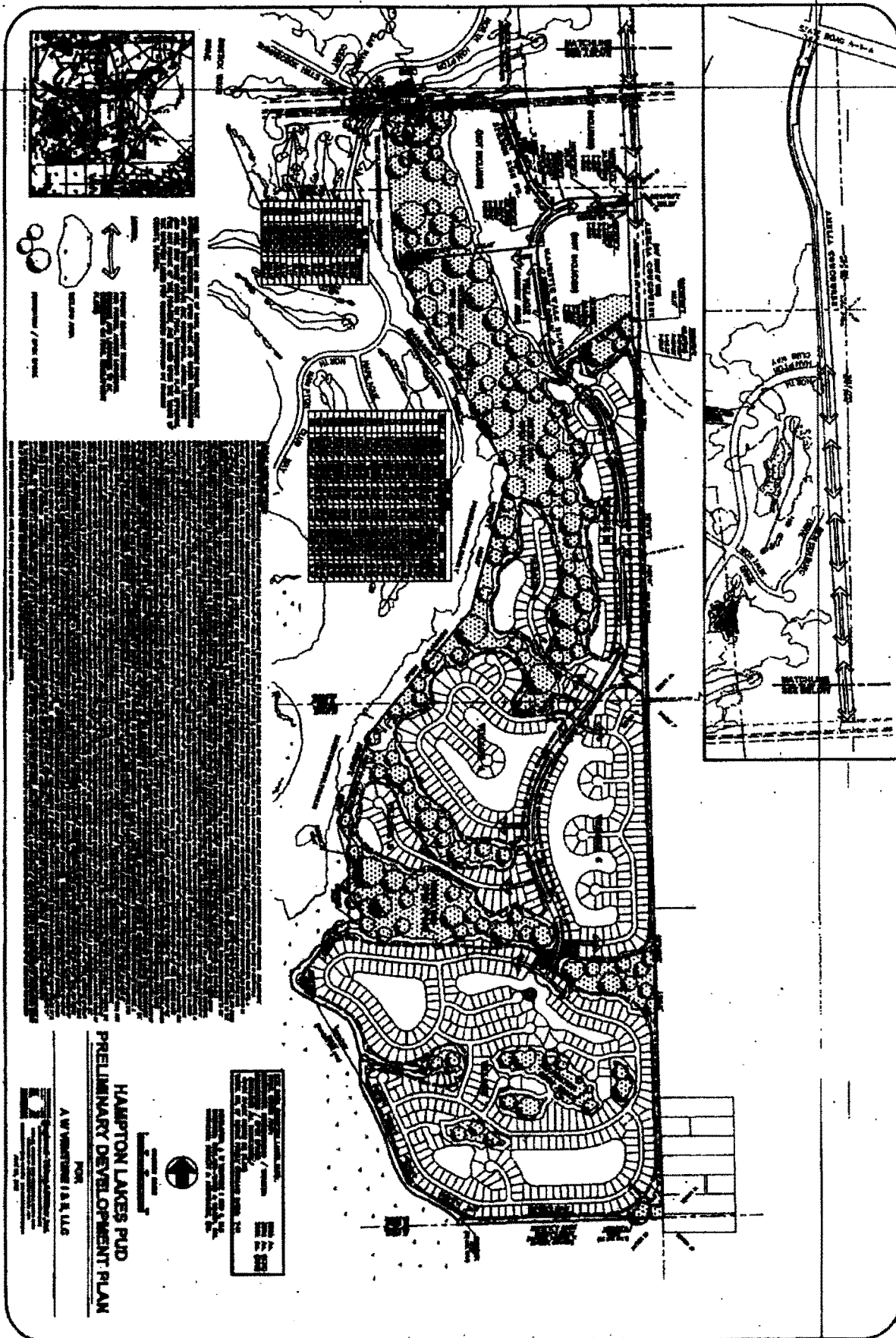


Exhibit "C" to Ordinance

PUD Conditions

EXHIBIT "C"

("HAMPTON LAKES PUD CONDITIONS")

(Revised July 18, 2013 ~~Dated July 25, 2003~~)I. General Conditions:

The purpose of this modification to the Hampton Lakes PUD is to remove the lands designated for neighborhood and community commercial (Villages 1, 2 and part of 3) in the original PUD (2004-09) and rezone those lands as a separate planned development, the Village Walk PUD. The remainder of Village 3, which is the existing amenity center, and the single family development in Villages 4 through 9 remain in the Hampton Lakes PUD and are renumbered as Villages 1 through 7. The number of single family units remains the same.

The Hampton Lakes Lands described in Exhibit A to the accompanying PUD Rezoning Ordinance (the Hampton Lakes Lands") will be developed as a series of in-phases consisting of distinct Villages, as delineated on the preliminary development plan attached as Exhibit B to the accompanying PUD Rezoning Ordinance (the "Hampton Lakes Preliminary Development Plan"). The preliminary location of the Villages is shown on the Hampton Lakes PUD Preliminary Development Plan, attached as Exhibit B to the modified PUD ordinance. The Hampton Lakes Preliminary Development Plan incorporates by reference the terms of these Hampton Lakes PUD Conditions and the Developer's statements made in the related rezoning application, which collectively set forth the Developer's written plan of development for the Hampton Lakes Lands, and which are intended to clearly demonstrate that approval of the Hampton Lakes PUD will benefit the community as a whole and fulfill the applicable policies of the Nassau County Comprehensive Plan, and intent of Article 25, Planned Unit Development, of Ordinance 97-19, as amended through the date hereof, the Nassau County Zoning Code (the "Zoning Code"). ~~The proposed preliminary phasing schedule is attached as Schedule 1 hereto (the "Phasing Schedule"). The Phasing Schedule is depicted on the Hampton Lakes Preliminary Development Plan. The Developer may choose to develop the Hampton Lakes Lands in a different phasing order other than as set forth in the Phasing Schedule and at its option, may elect to commence all or multiple phases at one time, subject to prior notification of any planned changes to the phasing schedule, as outlined herein as Schedule 1, to the County Planning Director and Director of Engineering Services. As part of the final development plan submittals to Nassau County for any phase of the project, the Developer will update, as necessary, the Phasing Schedule based on market conditions at the time of the final development plan approval and engineering plan review for any phase of the PUD. Since the amenity center and master infrastructure have been constructed, a phasing schedule is not provided or required.~~ The Hampton Lakes (Amelia Walk) subdivision has been in development for several years and the requirement to submit a final development plan within one year of original PUD approval has been satisfied. Within one (1) year after approval by the Nassau County Board of County Commissioners of the Hampton Lakes PUD Preliminary Development Plan, the Developer shall submit a final development plan for the Developer's selected initial phase(s) of development for the project to the Nassau County

~~Planning and Zoning Board for review and to the Nassau County Board County Commissioners for approval pursuant to the provisions of Article 25 of the Zoning Code and Ordinance 2000-40, otherwise known as the Development Review Regulations. The Board of County Commissioners, upon request from the Developer and for good cause shown, may extend the one (1) year time period for submitting the final development plan. Such extension shall not exceed one (1) year.~~ The location and size of all lots, roads, project entrances, recreation/open space and other areas shown on the Hampton Lakes PUD Preliminary Development Plan is conceptual such that the final location of any Village and any roads, project entrances, recreation/open space and other areas will be depicted on the final development plans and the final engineering plans for particular phases of the project and subject to the approval of the Board of County Commissioners, so long as the proposed changes will not trigger the deviation criteria described in Article 25, Section 25.07, Items A, B, C or D of the Zoning Code unless otherwise approved by the Planning and Zoning Board as described in Section 25.07. The PUD will consist of up to seven hundred forty nine (749) single family dwelling units and related amenities and accessory uses located in Villages 2 through 7 ~~4, 5, 6, 7, 8 and 9~~, and will consist of neighborhood and community commercial uses in Villages ~~1, 2 and 3~~. Village 13 will also contain recreational amenities serving the project.

II. Specific Conditions:

1. **Recreational Amenities, Open Space and Common Areas:** Recreational amenities, open space and common areas shall be provided for the project. Passive recreational amenities may include, but are not limited to, walking, bicycling and/or nature trails, wetland observation areas, etc. Recreational areas may be developed, operated and maintained within Village 13, any other Village and within any of the areas depicted as Recreation/Open Space on the Hampton Lakes PUD Preliminary Development Plan. The Developer may construct a canoe launch or similar private recreational amenity adjacent to Lofton Creek subject to receiving the required environmental permits and any required County building permit. The location of these recreational areas will be determined at time of final development plan approval for each applicable phase of the PUD, provided the Developer is committing to locate the following recreational amenities in Village 13 (i) swimming pool; (ii) amenity center; (iii) a children's playground and picnic table; and (iv) two tennis courts (the "Village 13 Recreational Facilities"). Additional active recreational activities may be provided for the project by the Developer at its discretion. ~~The commencement of construction of the Village 3 Recreational Facilities shall be evidenced by Developer's issuance of a notice to proceed to the constructing contractor not later than the time of issuance of the certificate of occupancy for the 100th completed home in the first single family phase of the project. The Village 3 Recreational Facilities~~ The Village 1 amenity center has been constructed, and conveyed to the CDD, shall be conveyed to the homeowners association or property owners association formed by the Developer not later than the issuance of the certificate of occupancy of the last single family home to be constructed in the first single family home phase of the project.

Active recreational facilities and accessory structures in the Project shall be constructed within Village 13, within the fifteen percent (15%) of excess open space provided within the project, or within any other Village, consistent with the open space requirements of Article 25. The Developer will determine

the specific amenity improvements to be made within the Hampton Lakes PUD based on market, environmental, permit and design factors, conditions and requirements of the Developer provided the Developer has committed to constructed the Village 13 Recreational Amenity Facilities. The Developer, or the homeowners association, Community Development District (CDD) or property owners association after acquiring title to the common areas, and recreational amenities within the Hampton Lakes PUD, may adopt rules and regulations governing the use of the same by the residents of Hampton Lakes PUD. The Developer will have no obligations to maintain or improve the recreational amenities, open space or common areas after conveyance to the homeowners association, CDD, or property owners association, subject to fulfillment of the recreation and open space requirements herein. In all events, the Developer will provide not less than a cumulative total of six (6) acres of park sites within the Hampton Lakes Lands as part of the recreational amenities for the project. The recreational amenity areas and related maintenance and use restrictions shall be evidenced by recorded deed restrictions or recorded Declaration(s) of Covenants and Restrictions (collectively, the "Covenants and Restrictions"). As shown on the ~~Site Data Table in the Hampton Lakes Preliminary Development Plan~~, the Developer has committed ~~over twenty percent (20%) of the gross acreage of the Hampton Lakes Lands for use a significant portion of the site as recreation and/or open space, and such calculation has been made in accordance with the requirements of the Zoning Code, Article 25, 5-25.04(F).~~ All privately owned recreation/open space shall continue to conform to its intended use as shown in the final development plan and final engineering plans for that applicable phase of the project.

If the Developer elects to administer common open space through a property owners and/or homeowners association or other nonprofit corporation, such organizations shall conform to the following requirements.

- A. The Developer must establish the applicable association or nonprofit corporation prior to the sale of any lots or units by the Developer to any third party within the Hampton Lakes Lands.
- B. Membership in the association or nonprofit corporation shall be mandatory for all property owners within the portion of such Hampton Lakes Lands governed by such entity.
- C. The Developer may elect to form separate and/or multiple property owners and/or homeowners association for the Hampton Lakes Lands which shall be responsible for the maintenance of any private roads and common areas, including the master stormwater system for the project consistent with these PUD Conditions.
- D. The applicable associations and/or nonprofit corporations shall manage all common areas, recreational and open space and recreational facilities that are not dedicated to the public and that are within the lands that are subject to the jurisdiction of such association or nonprofit corporation; shall provide for the maintenance, administration and operation of such portions of the Hampton Lakes Lands and any other lands within the Hampton Lakes Lands not publicly or

privately owned; and shall secure adequate liability insurance governing such areas owned or operated by such association or nonprofit corporation.

All open space and recreational facilities for the applicable phase of the project shall be included in the final development plan for the applicable phase of the Project provided the Village 13 Recreational Facilities will be completed by the Developer and conveyed to the homeowners association or property owners association formed by the Developer not later than the issuance of the certificate of occupancy for the last single family home to be constructed in the first single family home phase of the project. Such common areas, open space and recreational facilities shall be constructed and fully improved according to the development schedule established for each accompanying development phase of the project.

The Hampton Lakes PUD shall be subject to Recreation Impact Fees for Community and Regional Parks pursuant to the applicable requirements of Ordinance 2003-25. If the Developer chooses to construct active Community Park recreation facilities, subject to the criteria established in the Regional Planning Council Report on Recreation Impact Fees, dated December 9, 2002, the Developer may receive impact fee credits for constructed active Community Park recreation facilities in accordance with Ordinance No.87-17, as amended by Ordinance No. 2003-25. The Developer may be entitled to such impact fee credits for the Village 13 Recreational Facilities constructed by the Developer in accordance with Ordinance No. 87-17, as amended by Ordinance No. 2003-25.

2. Stormwater Facilities: The Hampton Lakes Lands will be served by a stormwater system, which shall adhere to the applicable standards of the St. Johns River Water Management District and Nassau County for stormwater systems, and shall be conveyed to the homeowners association and/or property owners association by deed and/or easement for maintenance and operation by the homeowners association and/or property owners association. Pursuant to the requirements of the Development Review Regulations Section 3.4, prior to the commencement of construction of improvements within any applicable phase of the project, the Developer will submit copies of any St. Johns River Water Management Permit and any applicable Nassau County permits for the stormwater facilities to be constructed in such phase of the project to the Development Review Coordinator.

3. Residential Development Standards:

The Hampton Lakes Lands will include not more than seven hundred forty nine (749) single family dwelling units located in Villages 2 through 7, 4, 5, 6, 7, 8 and 9. The following types of single family lots with accompanying site development standards will be allowed in any Village:

- A. NON ZERO LOTS

Minimum Lot Requirements:

- i. Minimum lot width: forty (40) feet
- ii. Minimum lot area: four thousand (4,000) square feet

- iii. Maximum allowable height: thirty five (35) feet

Minimum Setbacks:

- i. Front: Twenty (20) feet
- ii. Side yard: five (5) feet
- iii. Rear yard: ten (10) feet

B. ZERO LOTS

Minimum Lot Requirements:

- i. Minimum lot width: thirty five (35) feet
- ii. Minimum lot area: three thousand five hundred (3,500) square feet
- iii. Maximum allowable height: thirty five (35) feet

Minimum Setbacks:

- i. Front: twenty (20) feet
- ii. Side yard: Adjacent units may be attached on one side, but must maintain a minimum of ten (10) feet separation between exterior walls of adjacent structures.
- iii. Rear yard: ten (10) feet

C. ATTACHED LOTS

Minimum Lot Requirements:

- i. Minimum lot width: twenty (20) feet
- ii. Minimum lot area: two thousand (2,000) square feet
- iii. Maximum allowable height: thirty five (35) feet

- D. All minimum yard requirements shall be measured from the face of the exterior walls to the property line. Lot widths shall be measured as an average on irregular shaped lots. Cantilevered projections from dwelling units shall be permitted to project no more than five (5) feet into the required minimum yard setback.
- E. All screened pool enclosures, whether attached, semi attached or detached from the principal building, shall adhere to a minimum yard setback requirement of ten (10) feet and shall not be located in the front yard.
- F. Home Occupations: Home occupations shall be allowed as a conditional use within any single family residential parcel, in accordance with the provisions of Section 28.14 of the Zoning Code.
- G. Off street Parking & Loading: Residential development within Villages 2 through 74, 5, 6, 7, 8 and 9 shall be subject to the applicable off street parking and loading required for such use, pursuant to the Article 31 of the Zoning Code.

~~4. Neighborhood and Community Commercial Development Standards: The Hampton Lakes Lands located in Villages 1, 2 and 3 may be developed with neighborhood and community commercial uses which may include a shopping center, business and professional offices, restaurants, retail uses, convenience store with or without gas pumps (provided no repairs or other automobile services are provided and provided any convenience store with gas pumps shall be limited to not more than eight (8) fueling positions), banks, self storage facilities or any other permitted use or accessory use or conditional uses allowed in the Commercial Neighborhood zoning district, pursuant to the Zoning Code Article 15, and subject to those permitted conditional uses being approved as a conditional use by the Planning and Zoning Board. Each commercial use shall be allowed one (1) drive thru lane and multiple drive thru windows, provided bank and pharmaceutical uses may have multiple drive thru lanes and one (1) drive thru window. Sale of alcoholic beverages for onsite consumption will be allowed for restaurant use pursuant to and subject to the one thousand (1,000) feet airline distance separation requirement of Section 15.05 of the Zoning Code with respect to any established school or church. For purposes of permitted alcoholic beverage consumption provided herein, "restaurant" shall mean any establishment whose principal business is the sale of food to the consumer in a ready to consume state, and whose principal method of operation includes customers who are served foods or beverages by a restaurant employee at the same table or counter at which the items are consumed, and is licensed and authorized by the health department. The neighborhood and community commercial development within Villages 1, 2 and 3 shall be subject to the following site development standards:~~

~~A. Minimum Lot Requirements:~~

- ~~i. Minimum lot width: one hundred (100) feet~~
- ~~ii. Minimum lot area: ten thousand (10,000) square feet~~

~~B. Minimum Setbacks:~~

- ~~i. Front: fifteen (15) feet~~
- ~~ii. Rear yard: twenty (20) feet~~
- ~~iii. Side yard: fifteen (15) feet. No side yard shall be required where two (2) or more commercial buildings adjoin side by side, however, in the case of a series of adjoining building of lots of single and/or separate ownership abutting and paralleling a public right of way, a passage of not less than thirty (30) feet in width shall be provided a grade levels at intervals not more than four hundred (400) feet where required for public access.~~

~~C. Building Restrictions~~

- ~~i. Maximum building height: Thirty five (35) feet as measured and defined in accordance with the Florida Building Code (2001) Edition.~~

~~ii. Maximum lot coverage: Lot coverage by all buildings and structures shall not be more than fifty percent (50%) of the lot~~

~~D. Landscaping: The minimum landscape area shall not be less than ten percent (10%) of the total lot area and shall be in conformance with the Section 28.17 of the Zoning Code. The landscaping of off street parking and loading areas shall be subject to Section 28.17 of the Nassau County Zoning Code.~~

~~E. Off street Parking and loading: commercial development within Villages 1, 2 and 3 shall be subject to the applicable off street parking and loading required for such use pursuant to the Article 31 of the Zoning Code.~~

~~Landscape Buffers: Villages 1, 2 and 3 shall be separated from any adjacent residential Villages by a natural vegetative or planted landscape buffer that is a minimum of fifty (50) feet in width. The width of any adjacent public roadways separating a residential Village from a commercial Village or connecting to the commercial Village or to the residential Village shall be subtracted from the required buffer. Any existing buffer on any adjacent residential Village or commercial village shall also be subtracted from the required buffer between any commercial Village and residential Village. Any such required buffers must be constructed and maintained by the owners of the development or an incorporated property owners association of homeowners association Buffer may include a solid masonry wall, opaque wood fence or compact shrubbery, which will grow to the required height of at least six (6) feet within twelve (12) months. There shall be no other landscaping buffer requirements applicable to Hampton Lakes Lands except as shown on the Hampton Lakes PUD Preliminary Development Plan or as otherwise specifically provided in these PUD Conditions or unless otherwise required by the provisions of the Nassau County land development regulations applicable to the Hampton Lakes PUD as of the effective date of this PUD. In the event of a conflict between the specific landscape and other buffer required by these PUD Conditions and the Preliminary Development Plan and any of the provisions of the Nassau County land development regulations the provisions of these PUD Conditions and the Hampton Lakes Preliminary Development Plan shall control, provided if a provision of the Nassau County land development regulations is not addressed in these PUD Conditions or in the Hampton Lakes Preliminary Development Plan, the provisions of the Nassau County land development regulations shall prevail.~~

5.4. Signage: The Hampton Lakes Lands may have an entry feature and related project identification signage at all external entrances to the Hampton Lakes Lands. External entrance project identification signs shall not exceed one hundred and fifty (150) square feet on each face. Each village shall also be entitled to project identification signage identifying the Village, ~~and the various owners and tenants within any commercial Village.~~ Each distinct development area and recreational area within a Village shall also be entitled to identification signage. Village and distinct development area or recreational area identification signage shall not exceed fifty (50) square feet on each sign face. All project signs may be designed as ground mounted signs or integrated into or mounted on landscape features such as walls and fences. All lighting of signs may be sign mounted or ground mounted units projecting onto the sign. The signs at each external project entrance, Village and

existing development areas or recreational area may be single faced or double faced and the external entrance signage may include two (2) separate signs, one on each side of the entrance. Temporary marketing and/or promotional signage shall be allowed within the Hampton Lakes Lands adjacent to the current or future Amelia Concourse right of way until all of the residential lots, and completed residences and neighborhood and community commercial lands are sold and during the lease-up period for any neighborhood and community commercial lands within the Hampton Lakes Lands (the "Temporary Marketing Signage"). The Temporary Marketing Signage may consist of up to two (2) marketing signs. Each Temporary Marketing Sign may be single faced or double faced and each sign shall be limited to a maximum cumulative signage area of no more than one hundred (100) square feet. Traffic and street name signage may include aesthetic framing; however, any applicable FDOT/Nassau County standards for sign face, elevations, etc. will be maintained, by the Developer and/or homeowners' association as appropriate to these conditions, for such traffic and street name signage consistent with the provisions of this paragraph. Nassau County will not be required to maintain the decorative portion of any signage accepted by Nassau County for maintenance. There are no other specific reserved signage approvals requested for the Hampton Lakes Lands, provided any residential Village, including the Amenity Center, shall be entitled to any signage allowed for single family residential districts and ~~Villages 1, 2 and 3 shall be entitled to any signage allowed in residential districts and commercial districts~~ pursuant to Article 30 of the Zoning Code. Home occupations, approved as a conditional use as detailed herein, shall be allowed signage in accordance with Section 28.14(A) (3) of the Zoning Code.

~~6-5.~~ **Sidewalks and Street Lights:** Sidewalks and Street Lights: Four (4) foot sidewalks with a five (5) foot wide minimum accessible passing zone every two hundred (200) feet shall be provided on both sides of all local streets and five (5) foot sidewalks on minor collectors. Driveways may act as passing zones if they do not exceed a two percent (2%) cross slope. Streetlights will also be provided along all streets.

~~7-6.~~ **Construction Standards:** Except as specifically provided herein, all development in Hampton Lakes Lands shall be in accordance with Nassau County's subdivision and land development standards, and any applicable State standards, in effect as of the date of the Ordinance creating the Hampton Lakes PUD and any applicable JEA or other utility provider standards with respect to any water, sewer, or electrical utilities for Hampton Lakes Lands served by the JEA or other utility provider. All utilities shall be underground where possible, unless otherwise provided in the Code or Nassau County subdivision regulations or land development regulations. Prior to the issuance of any building permit for a dwelling unit or active recreational facilities, water mains and fire hydrants shall be installed and operational and the sub base of all roads stabilized in the phase of development in which such unit or active recreational facility is located. (Foundation only permits shall be exempt from this provision).

~~8-7.~~ **Wetland Buffers.** All wetlands within the Hampton Lakes Lands as depicted on the Hampton Lakes PUD Preliminary Development Plan shall be protected with undisturbed buffers of native vegetation between any developed area and such wetland with buffers consistent with Section 37.03 of the

Nassau County Land Development Code and the St. Johns River Water Management District. The upland buffers that have an average width of twenty five feet (2550') and a minimum width of fifteen feet (1525') except as may otherwise be required to fulfill current SJRWMD regulations, and provided access ways of no more than twenty feet (20') wide may be provided through the wetland buffer, pursuant to the current requirements of Nassau County Ordinance No. 2000-40, Section 6.5, adopted May 17, 1999, revised February 28, 2000 and revised September 25, 2000. The exact boundaries of wetlands and wetland buffers shown on the Hampton Lakes PUD Preliminary Development Plan will be depicted on the final engineering plans for applicable phases of the Hampton Lakes PUD consistent with the above requirements.

9-8. Resident Boat and RV Storage Area: The Developer reserves the right to provide a boat and RV storage area as a permitted accessory use and structure within the Hampton Lakes Lands specifically designated by the Developer for use by residents of the PUD. This use shall not be considered a commercial use and is separate from any similar commercial use the Developer may develop in the commercial Villages. Any boat and RV storage area shall be buffered in accordance with the provision of Section 28.08 of the Zoning Code to the extent applicable.

10-9. Temporary Uses: Temporary sales offices, including modular units, for the sale of the lots and/or completed residences and/or commercial lands of improvements, will be permitted within Hampton Lakes Lands, provided that the total number of units located upon the Hampton Lakes Lands will not exceed (5) units at any given time, as delineated on the Preliminary Development Plan until all of the residential lots and, completed residences and neighborhood and community commercial lands are sold. The Developer shall indicate with a note on any site plan submitted to the Development Review Committee for approval the location of said units. The Temporary Marketing Signage described in Section II, Paragraph 5 shall also be allowed as provided therein. The Developer, or its designated successor, assign or designee, will be required to maintain a copy of the approved Planned Unit Development Ordinance, including the Preliminary Development Plan and PUD Conditions in any builder sales office located upon the Hampton Lakes Lands which is available for inspection by project residents and landowners, including the posting for public viewing of the preliminary development plan in any builders sales office, and this obligation shall be contained in the Covenants and Restrictions described below that are placed on the residential lands within the project. The Covenants and Restrictions shall also disclose that commercial and office uses are allowed within portions of the project pursuant to the terms of these PUD Conditions and that the residents will be subject to the terms of these PUD Conditions as landowners within the project. The siting of temporary construction trailers shall be allowed on Hampton Lakes Lands during construction. The temporary construction trailers must be removed within thirty (30) days of completion of the improvements, for which the temporary construction trailers are being utilized, provided the right to temporary construction trailers shall continue until build out of the project.

11-10. Alterations: Changes in the location of the road(s), project entrances, stormwater system improvements, and to the boundaries, size and configuration of lots, Villages and Recreation/Open Space areas, as depicted on the Hampton Lakes PUD Preliminary Development Plan to

accommodate environmental, permitting and design factors, conditions and requirements of the Developer is allowed, so long as the proposed changes will not trigger the deviation criteria described in Article 25, Section 25.07, Items A, B, C or D of the Zoning Code unless otherwise approved by the Planning and Zoning Board as described in Section 25.07 and provided the integrity of the original application is maintained, provided the same shall be finalized by the Developer during final development plan and final engineering plan approval for the applicable phase of development and approved by the Nassau county Board of County Commissioners pursuant to Article 25 of the Zoning Code.

12.11. Silviculture: The Hampton Lakes Lands may continue to be used for agriculture/silviculture activity until such time as construction begins for a specific portion of the site, and any portions not then subject to construction may continue to be used as agriculture/silviculture.

12.12. Ownership and Maintenance: The Hampton Lakes Lands and related uses/facilities associated therewith (other than individual lots or commercial parcels), will be owned, maintained and or operated as follows. Any areas associated with the development (i.e., amenities, recreation/open space areas, signage, landscape, stormwater systems etc.) will be managed through a homeowners association(s) and/or a property owners association(s). To ensure that all of the recreation and open space areas described in these PUD conditions and depicted in the approved Hampton Lakes Preliminary Development Plan for any phase of the project will be used as intended, the covenants and Restrictions described above will contain provisions consistent with terms of this Section II, Paragraphs 1 and ~~12.13~~ and any deed from the Developer to third party purchasers in the project will incorporate such Covenants and Restrictions by reference to the Covenants and Restrictions in each deed. Such deed restrictions created by the Covenants and Restrictions shall run with the land in order to protect both present and future property owners within the Hampton Lakes Lands. The roadways and associated non-exclusive relocatable drainage easements shall remain private (but will provide emergency service access in accordance with Nassau County and Development Code requirements applicable to private roads and emergency service access) and the maintenance of the same will be the responsibility of the homeowners association or property owners association described in Section II, Paragraphs 1 and ~~12.13~~. The water/sewer improvements will be the responsibility of the private utility company, which provides service for this area, which is currently the JEA.

14.13. Access: Access to and from the Hampton Lakes Lands will be provided as shown on the Hampton Lakes, PUD Preliminary Development Plan. The location of all external and internal project entrances, accesses and roadways may change based on environmental, permitting and design factors, conditions and requirements of the Developer, provided the same are approved as part of the final development plan for the applicable phase of the project pursuant to Section 25.05 of the Zoning Code. The Developer will finalize the location of all external and internal project entrances, accesses and roadways during the final development plan and final engineering approval for the applicable phase of the project, so long as the proposed changes will not trigger the deviation criteria described in Article 25, Section 25.07, Items A, B, C or D of the Zoning Code unless otherwise

approved by the Planning and Zoning board as described in Section 25.07. ~~There will be no certificates of occupancy issued by Nassau County for completed residential units or for neighborhood and community commercial development in the project until legal access is documented to exist from the project to Amelia Concourse.~~ Each dwelling unit or other permitted use shall be provided access, either directly or indirectly, by a public right of way, private vehicular or pedestrian way or homeowners association or property owners association maintained easement. County owned vehicles shall be permitted access on privately owned roads, easements and common open spaces in order to perform and in contemplation of the County's performance of, basic County services such as fire and police protection, including traffic enforcement, emergency service needs of PUD residents, and site inspection by the Planning, Engineering and Code Enforcement departments to monitor adherence to County regulations and the PUD conditions contained herein.

~~15.14.~~ **MSBU:**

- A. The Developer acknowledges that the Board of County Commissioners of Nassau County has approved assessment areas and authorized the imposition of assessments to fund the construction of the four lane improvements to Amelia Concourse pursuant to Resolution 2003-109 adopted August 11, 2003 and pursuant to Resolution 2003-141 adopted November 10, 2003 (the "MSBU"). The bonds to construct the road have been paid off and the capital assessments are terminated. Developer acknowledges that the MSBU will subject the residential units and commercial development within the Hampton Lakes Lands to MSBU maintenance assessments.
- B. Pursuant to the MSBU, Nassau County entered into that certain Development Agreement dated September 8, 2003, and recorded on December 12, 2003 in OR Book 1195, Page 238, of the public records of Nassau County, Florida (the "Development Agreement") which granted concurrency for the lands benefited by the Development Agreement, including the Hampton Lakes Lands in accordance with the terms of the Development Agreement.

~~16. The approval of the Hampton Lakes PUD by the Nassau County Board of County Commissioners is contingent upon the Developer obtaining from the DCA and submitting to the County a DRI Clearance Letter from the Florida Department of Community Affairs confirming that Hampton Lakes is not a Development of Regional Impact (DRI) that requires review and approval under the provisions of Florida Statutes, Chapter 380. If the DRI Clearance Letter is not obtained by the Developer within one hundred twenty (120) days from the date of the Nassau County Board of County Commissioners approval of the Hampton Lakes PUD rezoning, the Hampton Lakes PUD rezoning shall be rescinded.~~

III. Justification for Planned Unit Development Classification for this Project and Approval for the Preliminary Development Plan:

The proposed project allows for development of the Hampton Lakes Lands for single family residential ~~uses and neighborhood and community commercial uses~~ in a manner that warrants flexibility in the application of land use controls for Nassau County, Florida consistent with the intent of Article 25 of the Zoning Code. The project design is in harmony with the general purpose and intent of the Nassau County Comprehensive Plan and the Zoning Code. The design and layout of the Hampton Lakes Planned Unit Development implemented by these PUD Conditions.

1. Is creative in its approach through the use of natural features of the site and its approach to development of the project;
2. Accomplishes a more desirable environment than would be possible through the strict application of minimum requirements of the Zoning Code.
3. Provides for an efficient use of the Hampton Lakes Lands, resulting in small well-designed networks of utilities and streets and thereby lowers development costs;
4. Enhances the appearance of the area through preservation of natural features, the provision of underground utilities as provided in Section II (7), where possible, and the provision of recreation and open space areas in excess of existing Zoning Code and subdivision requirements;
5. Provides an opportunity for new approaches to ownership through implementation of a variety of lot types and styles that will allow opportunities for home ownership by a broad range of individuals;
6. Provides an environment of stable character compatible with the surrounding areas;
7. Retains property values over the years and makes a substantial improvement of the quality of development of the Hampton Lakes Lands after the date hereof; and
8. The Hampton Lakes PUD Preliminary Development Plan which incorporates by reference the terms of the PUD conditions and the statements made by the Developer in the related zoning exception includes the criteria required for the Nassau County Planning and Zoning Board and the Nassau County Board of County Commissioners to review and approve the Hampton Lakes PUD Preliminary Development Plan.