

RESOLUTION 88 - 47

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, APPROVING THE APPLICATION OF AMELIA ISLAND COMPANY FOR CREDIT AGAINST IMPACT FEES.

WHEREAS, on October 14, 1987, Amelia Island Company (AIC), pursuant to Ordinance 87-17, submitted an application for credits against any impact fees imposed by Nassau County; and

WHEREAS, the Board of County Commissioners of Nassau County (Board) is authorized and required by Ordinance 87-17 to determine the amount of credit established upon submission of this request; and

WHEREAS, the Board has received and reviewed the application of AIC and recommendations of the County Attorney and County Engineer; and

WHEREAS, the Board at its meeting of April 12, 1988 commenced a discussion of the application of AIC and said discussion was continued until April 19, 1988; and

WHEREAS, the Board has fully considered the application.

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

1. The Board hereby grants Amelia Island Company (AIC) a credit of \$456,655.00 against all impact fees imposed by Nassau County for the following contributions:

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|---|------------------|
| (1) Sheriff's Patrol Vehicles/ Equipment | \$ 32,994.00 |
| (2) Fire Station #2 Improvements | 44,939.00 |
| (3) Combination Fire Pumper and Ladder Truck | 188,370.00 |
| (4) Island-wide Transportation Study | 13,467.00 |
| (5) Burney Road Park Beach Access and Park Improvements/Payments | 150,000.00 |
| (6) Share of PLM East Improvements; Payments for Recreation | <u>26,885.00</u> |
| TOTAL CREDITS | \$456,655.00 |

The purpose of these contributions is described in full in AIC's application for credit agreement dated October 14, 1987.

2. The credit established by this Resolution is granted to AIC for credit against development within AIC property known as the Amelia Island Plantation and PLM West (Long Point). PLM West is part of the Amelia Island South Development of Regional Impact (DRI). Legal descriptions of those properties contained in Resolution 85-31 (Amelia Island Plantation) and Ordinance 85-2 (PLM WEST) Are hereby incorporated by reference.

3. The credits established herein may be used by AIC against any and all impact fees for any purpose that have been or may be imposed by Nassau County, regardless of the purpose of the contributions for which credit is sought.

4. The amount of credit established herein is granted solely to AIC for the Amelia Island Plantation and PLM West (Long Point) properties, and does not address impact fee credit for two other separate developments within the Amelia Island South DRI known as PLM East and the Dunes Club at Amelia Island.

5. AIC is authorized to transfer portions of the credit established herein to other applicants for building permits from Nassau County for multi-family and non-residential development within Amelia Island Plantation and PLM West (long Point). AIC will cooperate with County staff in developing impact fee credit procedures and forms.

6. Units built during the pendency of the DRI Resolutions pursuant to the AIP PUD and PDA may be addressed by the County, subject to the procedural requirements of said PUD and PDA.

7. All other provisions of Ordinance 85-2, remain in full force and effect.

8. Within thirty (30) days of the date of this Resolution, AIC and the County shall enter into a Credit Agreement pursuant to Ordinance 87-17 to implement this Resolution.

9. Subject to the provisions of Paragraph 5, the credit established herein shall run with the land and be binding upon and inure to the benefit of AIC and its assignees or successors in interest.

10. In the event that any portion or section of this resolution is determined to be invalid by a court of competent jurisdiction, the remaining portions of this resolution shall remain in full force and effect.

11. This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED this 19th day of April, 1988.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

By: Charles A. Proffitt
Chairman

ATTEST:

By: [Signature]
Ex-Officio Clerk