

RESOLUTION 2002 - 197

A RESOLUTION EXTENDING THE TIME PERIOD FOR ONE (1) YEAR UNTIL NOVEMBER 18, 2003, FOR SUBMITTAL OF THE FINAL DEVELOPMENT PLAN FOR TIMBER CREEK PLANTATION (f/k/a PLUMMERS CREEK), TO THE PLANNING AND ZONING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, FOR APPROVAL.

WHEREAS, the parties did enter into that Nassau Partners-Rayland Development Agreement ("Agreement") dated January 25, 1999, and recorded at Official Records Book 868, page 855 of the public records of Nassau County, Florida, to set forth conditions under which certain property described in the Agreement can be developed; and

WHEREAS, the developer filed and received approval on January 25, 1999, pursuant to Ordinance No. 99-05, for a PUD re-zoning of the subject property; and

WHEREAS, the PUD was subject to the approval of a Comprehensive Plan Amendment, which was appealed by the Florida Department of Community Affairs ("DCA"), which matter was settled by a Stipulated Settlement Agreement executed by the County on December 20, 1999, and executed by DCA in early January, 2000, with the appeal period expiring in early March, 2000; and

WHEREAS, there was thereafter a lapse in the period of time in which the developer had the ability to proceed with the development due to the Florida Department of

Transportation ("FDOT") acquisition of right-of-way along A1A/SR 200, and hence access to the development; and

WHEREAS, in June, 2001, United Water was in the process of being acquired by the Jacksonville Electric Authority ("JEA"), and, therefore, the developer could not meet with representatives of the utility company for determination of the location of the utility lines until the acquisition by JEA was completed; and

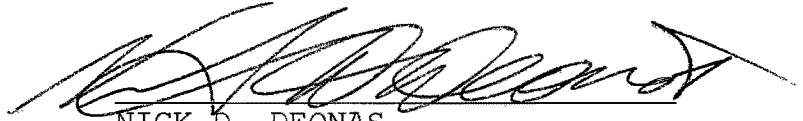
WHEREAS, according to Section 25.05(A)(1), Procedures, of Ordinance NO. 97-19, as amended, known as the Nassau County Zoning Ordinance, the Board of County Commissioners, upon request from the developer and for good cause shown, may extend the one (1) year time period for submitting the final development plan with such extension not exceeding one (1) year.

NOW, THEREFORE, BE IT RESOLVED this 25th day of November, 2002, by the Board of County Commissioners of Nassau County, Florida, as follows:

The Board of County Commissioners hereby extends the time period for one (1) year from November 18, 2002, for the developer to submit the final development plan for Timber Creek Plantation (f/k/a Plummers Creek) to the Planning and Zoning Board and the Board of County Commissioners for approval.

If, at the conclusion of said time period, the developer fails to submit a final development plan, the approved preliminary plan shall be revoked, and the site shall revert to its previous zoning classification.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



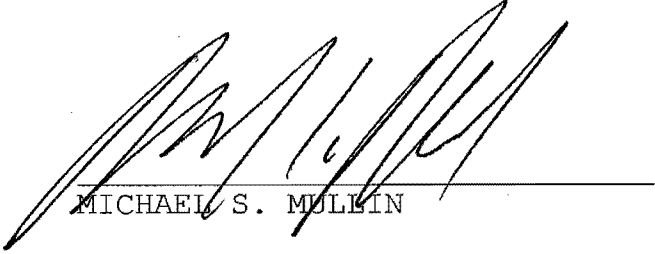
NICK D. DEONAS
Its: Chairman

ATTEST:



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

Approved as to form by the
Nassau County Attorney



MICHAEL S. MOLIN

h/anne/res/timber-creek