

RESOLUTION 2006 - 150

A RESOLUTION ADDRESSING CONCURRENCY FOR PROPERTIES SET FORTH IN EXHIBIT "A", COMMONLY REFERRED TO AS THE "TRADEPLEX".

WHEREAS, the Board of County Commissioners adopted Ordinance 89-7, as amended by Ordinance 90-3 and Ordinance 95-04; and

WHEREAS, the above referenced Ordinances addressed properties known as the "Fernandina Tradeplex"; and

WHEREAS, Ordinance 89-7 specifically created a PUD/DRI consisting of 70.31 acres and indicated that the surrounding 300 acres would be included in the 70.31 acre PUD/DRI under certain conditions; and

WHEREAS, Ordinance 89-7 also provided a master plan for the 70.31 acres and 300 acres, said master plan is on file at the Growth Management Department; and

WHEREAS, the Board of County Commissioners, on behalf of the port Authority, sought and obtained a grant to construct a road and construct infrastructure for the Tradeplex property, and the total grants and monies expended was approximately \$3.6 million; and

WHEREAS, the grant anticipated the uses for the total acreage as set forth in the initial master plan; and

WHEREAS, Ordinance 89-7 limited the number of curb-cuts for the 300 acres; and

WHEREAS, County staff has granted concurrency certificates to property within the original 300 acres, based upon an assumption that the 300 acres were included in the original PUD Ordinance (See Exhibit "B") and or exempt or considered as "background traffic".

The Board of County Commissioners of Nassau County, Florida, finds:

1. The smaller copy of the master plan, attached as Exhibit "A", attached hereto and made part hereof, depicts the 70.31 acres that were included in the DRI and the 300 acres that were established by Ordinance 89-7.

2. Exhibit "A" also indicates parcels, within the original 300 acres, that have been granted concurrency.

3. The amendment set forth in Ordinance 95-4 specifically addressed the 70.31 acres that were included in the DRI, and amended the initial master plan to only reflect the original 70.31 acres. The amendment did not address the original restriction as to the 300 acres as set forth in Ordinance 89-7.

4. County staff granted concurrency to specific parcels based upon a determination that the 300 acres was included in the original master plan and/or included as

"background traffic". Said determination was made even after the last amendment (95-04) to the master plan.

5. The Comprehensive Land Use Plan designation for the property within the 300 acres is Industrial. One parcel is shown as "Magnolia Cove" and is excluded, based upon the Land Use Map change to "High Density Residential".

6. The specific uses for the properties within the 300 acres are set forth in the original master plan, which is on file in the Growth Management Department

7. There are approximately 91 acres remaining within the original 300 acres that do not have a certificate of concurrency.

NOW, THEREFORE, BE IT RESOLVED THIS 2<sup>nd</sup> day of October, 2006, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. Based upon the facts as set forth in this Resolution and considering the confusion that has occurred as regards concurrency for property within the 300 acres and the original intent of the PUD, concurrency applications are hereby authorized for the properties that are within the original 300 acres and shall be granted subject to:

a. The use and square footage does not exceed the use and square footage set forth on the original master

plan. The type of activity on the property shall also be in compliance with the Comprehensive Land Use Map and consistent with the Comprehensive Plan.


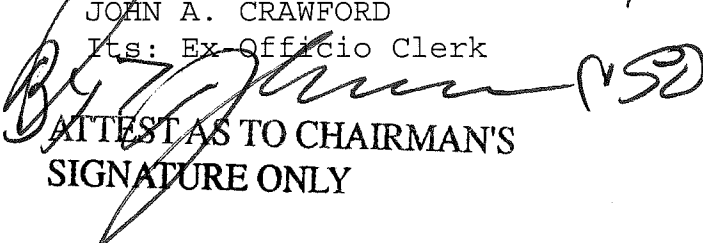
2. The owner of the parcels that have not been granted concurrency shall apply for concurrency and provide the required information, and the certificate(s) issued shall be subject to the regular restrictions set forth in concurrency certificates.

3. Any property that has previously been granted a certificate of concurrency that has expired shall be exempt from the Resolution and subject to current Ordinances as to concurrency.

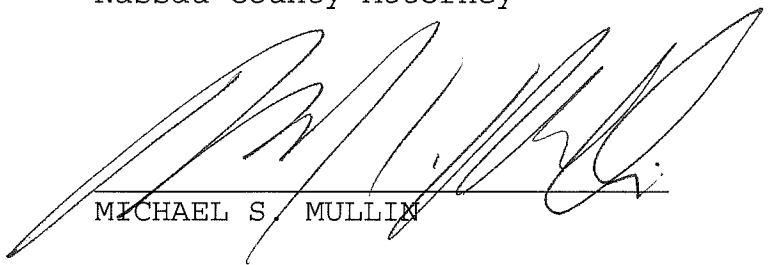
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
THOMAS D. BRANAN, JR.  
Its: Chairman

ATTEST: as to Chairman's signature:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex Officio Clerk  
 (NSD)  
ATTEST AS TO CHAIRMAN'S  
SIGNATURE ONLY

Approved as to form by the  
Nassau County Attorney

A large, stylized handwritten signature in black ink, appearing to read 'Michael S. Mullin', is written over a horizontal line.

MICHAEL S. MULLIN

z/amyers/res/tradeplex

# Tradeplex Concurrency Study

70.31 Acre as shown in Original PUD Concurrency granted due to DRI status

Site of proposed "Scott Trucking"

"Sunrise Realty" Property Concurrency Certificate Issued

"On-Point Visuals" formerly- (New England Flag and Banner) Concurrency Certificate Issued

"Surrounding 300 Acres" Boundary As shown in Exhibit "D" Based on Ordinance 89-7 (Later Amended by 90-3, changing development designation to a DRI)

"First Coast Paint and Body" Concurrency granted due to DRI status

"Magnolia Cove" Rezoned to High Density Concurrency Deferred December 2005

Parcel incorrectly labeled Agricultural, is Industrial

Owned by Harry Trevett (Represented by Terry Moore)

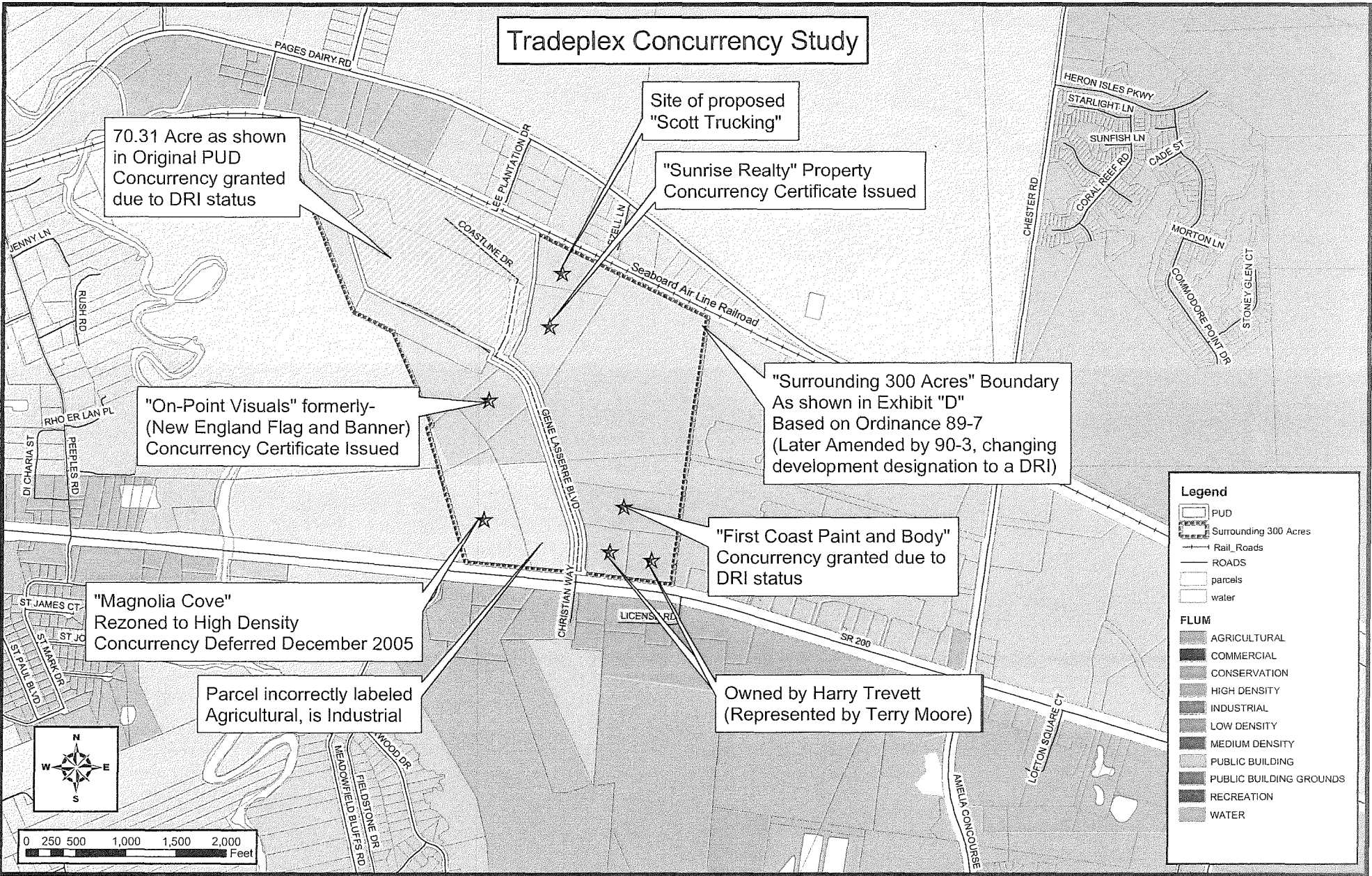


EXHIBIT B

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ORDINANCE NO. 89 - 7

AN ORDINANCE AMENDING ORDINANCE NO. 83-19; THIS ORDINANCE RE-ZONES AND RE-CLASSIFIES THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO THAT OF PLANNED UNIT DEVELOPMENT (PUD), TO BE CALLED THE FERNANDINA INTERNATIONAL TRADEPLEX PUD; PROVIDING AN EFFECTIVE DATE

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners did adopt Ordinance 83-19, an Ordinance enacting and establishing a comprehensive zoning code for the unincorporated portion of Nassau County, Florida; and

WHEREAS, the "Owners" of that certain property described in the attached Exhibits "A" and "B" intend to develop the described property in accordance with a master plan; and

WHEREAS, the "Owners" of that certain property described in the attached Exhibits "A" and "B" have applied for a re-zoning and re-classification of that property from Open Rural (OR) to that of a PLANNED UNIT DEVELOPMENT (PUD); and

WHEREAS, the Planning Board of Nassau County has considered said application and held public hearings on the same after due notice, and made its findings and recommendations thereon; and

WHEREAS, the County Commission of Nassau County has considered the findings and recommendations of the Planning Board and held its own public hearings on the application after due notice and also considered the Comprehensive Land Use Plan, and finds that the property described in the attached Exhibits "A" and "B" is suitable in location and character for the uses proposed in said application according to the criterion as set forth in Article 24 of Ordinance 83-19 of the County of Nassau;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County that the application for the Planned Unit Development (PUD) is hereby approved and the land shall be re-zoned as a Planned Unit Development (PUD) in

accordance with and subject to the provisions of Article 24 of Ordinance 83-19 of the County of Nassau and further subject to the additional conditions and requirements:

Section I The Planned Unit Development concept shall be as indicated on the land use plan prepared by Harbor Engineering Company, attached as Exhibit "C".

Section II The preliminary development plan, attached hereto as Exhibit "E", is hereby approved, subject to the Stipulation set forth in Exhibit "D".

Section III This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's office.

ADOPTED this 21st day of February, 1989, by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA

By: James E. Testone  
JAMES E. TESTONE  
Its: Chairman

Attest: T. J. Greeson  
T. J. GREESON  
Its: Ex-Officio Clerk



PARCEL A:

A PART OF THE JOHN LOWE, MILL GRANT, SECTION 51, TOWNSHIP 3 NORTH, AND A PART OF THE JOHN LOWE, MILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, ALL IN RANGE 27 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF STATE ROAD 200/A-1-A (A VARIING RIGHT OF WAY AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP SECTION 74080-2503) AND STATE ROAD 200-A/CHESTER ROAD (A 100-FOOT WIDE RIGHT OF WAY AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP SECTION 74600-2150); THENCE NORTH 07°51'50" EAST, ALONG THE CENTERLINE OF SAID STATE ROAD 200-A, A DISTANCE OF 32.43 FEET TO THE CENTERLINE OF SURVEY AS SHOWN ON SAID STATE ROAD 200; THENCE WESTERLY ALONG SAID CENTERLINE OF SURVEY THE FOLLOWING THREE COURSES; COURSE 1: THENCE NORTH 72°46'59" WEST A DISTANCE OF 2,481.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 5,730.17 FEET; COURSE 2: THENCE WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 1,198.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 78°45'59" WEST AND A CHORD DISTANCE OF 1,194.62 FEET;

COURSE 3: THENCE NORTH 84°44'59" WEST A DISTANCE OF 299.61 FEET; THENCE NORTH 05°15'01" EAST A DISTANCE OF 70.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 200 AND THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 50.00 FEET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 39°44'59" WEST AND A CHORD DISTANCE OF 70.71 FEET; THENCE NORTH 05°15'01" EAST A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 773.55 FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 316.25 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 06°27'43" WEST AND A CHORD DISTANCE OF 314.05 FEET; THENCE NORTH 18°10'26" WEST A DISTANCE OF 1,391.39 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 573.95 FEET; THENCE WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 456.62 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 40°57'56" WEST AND A CHORD DISTANCE OF 444.67 FEET;

THENCE NORTH 63°45'25" WEST A DISTANCE OF 1,186.98 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 150- FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 173.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 30°35'23" WEST AND A CHORD DISTANCE OF 164.13 FEET; THENCE NORTH 02°34'39" EAST A DISTANCE OF 901.97 FEET; THENCE NORTH 87°25'21" WEST A DISTANCE OF 100.00 FEET; THENCE SOUTH 02°34'39" WEST A DISTANCE OF 901.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 250- FEET; THENCE SOUTHEASTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 289.44 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 30°35'23" EAST AND A CHORD DISTANCE OF 273.54 FEET;

THENCE SOUTH 63°45'25" EAST A DISTANCE OF 1,186.98 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 473.95 FEET; THENCE SOUTHEASTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 377.06 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 40°57'56" EAST AND A CHORD DISTANCE OF 367.20 FEET; THENCE SOUTH 18°10'26" EAST A DISTANCE OF 1,391.39 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 673.55 FEET; THENCE SOUTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 275.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 06°27'43" EAST AND A CHORD DISTANCE OF 273.45 FEET; THENCE SOUTH 05°15'01" WEST A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 50- FEET; THENCE SOUTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 50°15'01" WEST AND A CHORD DISTANCE OF 70.71 FEET, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 200;

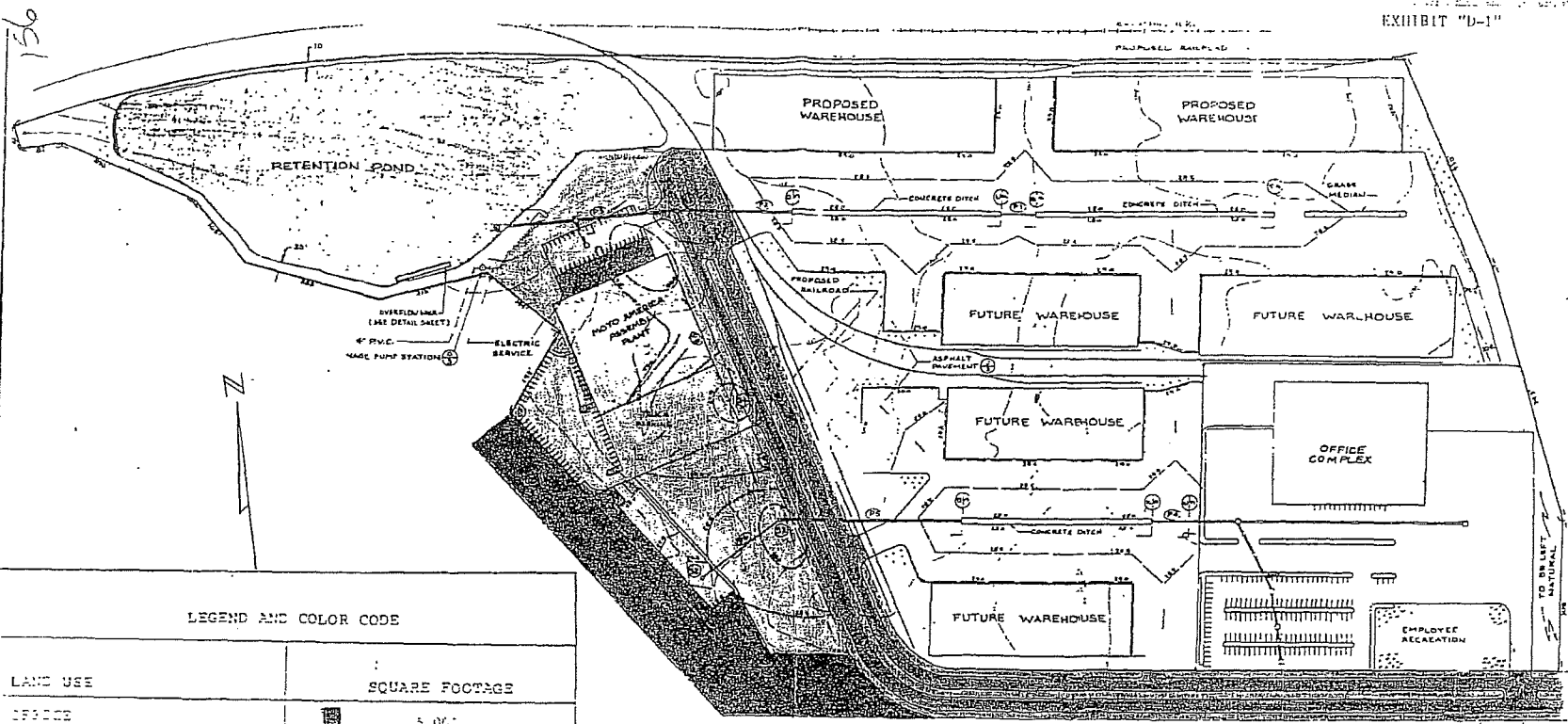
THENCE SOUTH 84°44'59" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.65 ACRES, MORE OR LESS.

PARCEL B:

A PART OF THE JOHN LOWE, MILL GRANT, SECTION 51, TOWNSHIP 3 NORTH, AND A PART OF THE JOHN D. VAUGHAN GRANT, SECTION 52, TOWNSHIP 3 NORTH, ALL IN RANGE 27 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF STATE ROAD 200/A-1-A (A VARIING RIGHT OF WAY AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP SECTION 74080-2503) AND STATE ROAD 200-A/CHESTER ROAD (A 100-FOOT WIDE RIGHT OF WAY AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP SECTION 74600-2150); THENCE NORTH 07°51'50" EAST, ALONG THE CENTERLINE OF SAID STATE ROAD 200-A, A DISTANCE OF 32.43 FEET TO THE CENTERLINE OF SURVEY AS SHOWN ON SAID STATE ROAD 200; THENCE WESTERLY ALONG SAID CENTERLINE OF SURVEY THE FOLLOWING THREE COURSES; COURSE 1: THENCE NORTH 72°46'59" WEST A DISTANCE OF 2,481.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 5,730.17 FEET; COURSE 2: THENCE WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 1,196.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 78°45'59" WEST AND A CHORD DISTANCE OF 1,194.62 FEET; COURSE 3: THENCE NORTH 84°44'59" WEST A DISTANCE OF 299.61 FEET; THENCE NORTH 05°15'01" EAST A DISTANCE OF 70.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 200; THENCE NORTH 84°44'59" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 50-FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 50°15'01" EAST AND A CHORD DISTANCE OF 70.71 FEET; THENCE NORTH 05°15'01" EAST A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 673.55 FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 275.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 08°27'43" WEST AND A CHORD DISTANCE OF 273.45 FEET; THENCE NORTH 18°10'26" WEST A DISTANCE OF 1,391.39 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 473.95 FEET; THENCE NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 377.06 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 40°57'56" WEST AND A CHORD DISTANCE OF 367.20 FEET; THENCE NORTH 63°45'25" WEST A DISTANCE OF 1,186.98 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 250-FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 289.44 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 30°35'23" WEST AND A CHORD DISTANCE OF 273.54 FEET; THENCE NORTH 02°34'39" EAST A DISTANCE OF 140.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 02°34'39" EAST A DISTANCE OF 961.42 FEET; THENCE SOUTH 75°15'44" WEST A DISTANCE OF 381.60 FEET; THENCE SOUTH 23°13'57" EAST A DISTANCE OF 193.77 FEET; THENCE SOUTH 55°53'17" WEST A DISTANCE OF 191.94 FEET; THENCE SOUTH 16°55'44" EAST A DISTANCE OF 592.75 FEET; THENCE SOUTH 87°25'21" EAST A DISTANCE OF 235.93 FEET TO THE POINT OF BEGINNING, CONTAINING 7.0 ACRES, MORE OR LESS.



LEGEND AND COLOR CODE

LAND USE	SQUARE FOOTAGE
OFFICE	5,000
WAREHOUSE/ASSEMBLY PLANTS	65,000
RETENTION POND	
PAVEMENT/PARKING	95,000
ROADWAY	
LANDSCAPE GRADE	
	245,914
NATURAL/UNDEVELOPED	90,000

PROPOSED LAND USE MAP  
SCALE: 1" = 200'

Fernandina International Tradeplex  
 NASSAU COUNTY, FLORIDA  
 OCEAN HIGHWAY AND PORT AUTHORITY  
 ENGINEER: HARBOR ENGINEERING COMPANY  
 DEVELOPER: PRENMAR INC.  
 AUGUST 1988

EXHIBIT "C"

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EXHIBIT "D"

STIPULATION

I. PERMITTED USES

1. 61.21 acres shall be used for industrial use, and 9.10 acres for an access road. The industrial acreage shall be limited to light manufacturing, warehousing, and office space.

(a) The industrial use shall be limited to 60,000 sq. ft. and approximately 15,000 sq. ft. of office space.

II. SURROUNDING ACREAGE

1. The surrounding 300 acres, if purchased by the Ocean Highway and Port Authority or utilized by the Ocean Highway and Port Authority or Prenmar, Inc., or any of Prenmar's or the Port Authority's designated agents or the Tradeplex entity, shall be included in the PUD/DRI.

III. ACCESS ROAD

1. Arrangements shall be made for adequate right of way width, as determined by the County Engineer, for the four-laning of the access road from SR 200/A1A to the Applicant's development, when necessitated by traffic volume projections based upon traffic studies for the Applicant's development and proposed developments in the surrounding three hundred (300) acres.

IV. CURB CUTS

1. The Applicant's development and proposed developments in the surrounding three hundred (300) acres will be limited to one (1) curb lot and one (1) median cut on SR 200/A1A at the location the proposed access road intersects SR 200/A1A, as identified in the Interim Corridor Plan for SR 200/A1A between SR 107, Nassauville Road, and Lofton Creek as adopted by the Board of County Commissioners.

V. EXHIBITS

1. All Exhibits attached to the PDA, executed by the County

on December 6, 1988, and the rezoning application shall be made a part of this Ordinance.

VI. ORDINANCE 83-19

1. The provisions of Ordinance 83-19, Section 26, shall be adhered to.

VII. PRELIMINARY DEVELOPMENT PLAN

1. The uses as set forth herein shall serve as a preliminary development plan subject to further review by the Planning Council and the Board of County Commissioners.

VIII. CONSULTATIONS WITH COUNTY OFFICIALS

1. The Applicant shall regularly and routinely consult with the County Engineer, Planning and Zoning Director, Public Safety Director, and the Sheriff regarding the final development plan and include, when possible, suggestions of the aforementioned officials in all final development plant. All written recommendations of the aforementioned officials shall be provided to the Planning Council and the Board of County Commissioners.

IX. IMPACT

1. The development may impact existing infrastructure, and there is not sufficient infrastructure in place to provide adequate fire protection. The Applicant shall be subject to Impact Fees.

X. D.R.I.

This project is a Development of Regional Impact (DRI) as defined by Section 380.06, Florida Statutes. This project shall be subject to appropriate DRI reviews and procedures. Notwithstanding the adoption of this PUD Ordinance, Nassau County may consider all regional and local issues as a result of the DRI review, pursuant to Chapter 380 of the Florida Statutes. The County may amend this Ordinance to address any local or regional issue as a result of the DRI review.

XI. SPECIAL REQUIREMENTS

1. All conveyances and leases of any properties within the PUD shall contain a reference to the PUD.

2. The PUD shall be subject to permitting requirements of the various State agencies.

3. The owner of the surrounding three hundred (300) acres shall be notified of the PUD Ordinance.

4. The Developer shall provide to the County a drawing of the A1A corridor between the Amelia River and the Yulee area. The drawing shall show the existing A1A right-of-way road pavement alignment with existing median crossings, intersections of all existing streets and driveways, and abutting land parcels with their ownership, acreage, existing land use, and zoning.

5. The Developer shall provide to the County a digitized map in Autocad format of the map regarding the above of the A1A corridor between the Amelia River and the Yulee area.

6. The Developer shall provide to the County a traffic analysis of A1A from the Amelia River to the Yulee area and the proposed F.I.T. facility.

7. The Developer will at its own expense provide Nassau County with a site plan and architectural/engineering plans and a two-bay fire station to be constructed on a site near the project.

8. The Developer shall pay its proportional share of the Impact Fee Analysis and Transportation Study under the supervision of the County Engineer.

Exhibit "E"

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PRELIMINARY DEVELOPMENT AGREEMENT  
FOR FERNANDINA INTERNATIONAL TRADEPLEX

This Agreement is entered into between The Ocean Highway and Port Authority ("Owner"), Prenmar, Incorporated, a Florida Corporation ("Developer"), the State of Florida, Department of Community Affairs ("Department"), Northeast Florida Regional Planning Council, and the Board of County Commissioners of Nassau County, Florida subject to all other governmental approvals and solely at the risk of the Owner and Developer.

WHEREAS, the Department is the state-land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes, which includes provisions relating to developments of regional impact (DRI); and

WHEREAS, the Department is authorized to enter into preliminary development agreements pursuant to Subsections 380.032(3) and 380.06(8), Florida Statutes, (1985) and rule 9J-2.0185, Florida Administrative Code; and

WHEREAS, the Owner and Developer represent and state that:

A. The owner is Nassau County Ocean Highway and Port Authority, which owns in fee simple absolute 61.21 acres and which is grantee of an easement consisting of 9.10 acres for ingress and egress located in Nassau County, Florida, more particularly described in Exhibit's "A" and "B" respectively to this Agreement. No other person or legal entity has any interest in said land,

including but not limited to, rights arising out of a contract for sale for any portion of said land.

B. The Developer is Prenmar, Incorporated, a Florida corporation, authorized to do business in Florida which proposes to develop a project known as the Fernandina International Tradeplex hereinafter referred to as "the project," a fully integrated Port related Industrial Complex.

The project site is being designed with the flexibility to provide facilities for processing, assembly, storing and distributing; and, as a part of the integrated Port related facility, achieves the economy of shared support facilities such as: rail siding and switch engines, road construction and maintenance, parking area, fresh water and sewage system, electrical supply, equipment service and repair station, office space, lighting and fencing security.

Total Development plans call for 723,000 square feet (16.59 acres) of buildings for industrial and warehouse use. The additional 3.69 acres of property scheduled as open air storage is not included in the above square footage. Office space consisting of 45,000 square feet (1.03 acres) will also be constructed. Parking, roadways, drives and recreational areas have not been included in these square footages.

C. The Developer proposes to develop a portion of the Project prior to issuance of a final development order; and

D. The Developer has no interest or ownership in any development or land outside of the subject project perimeter.



E. The preliminary development authorized by this Agreement is limited to lands which are suitable for development;

F. The Preliminary Development authorized by this agreement may result in some impact on the public infrastructure now in place when such development utilizes such public infrastructure; and

G. The preliminary development authorized by this Agreement will not result in material adverse impacts to existing resources or existing or planned facilities. The archaeological study and a topographical survey, are attached to provide evidence that land for this project is suitable for development. During construction of the pond, an archaeologist will be on site to observe the northwest sector for possible sites. (See letter and archaeological study from Charles Potter)

An analysis of the gopher tortoise and endangered or threatened species population has been completed for Prenmar, Inc. by Environmental Services, Inc. This analysis is included as part of this PDA and is referred to as Exhibit "F". The property contains and assumed population of gopher as defined in a report of a field study performed by Environmental Services. The property to be developed as part of the PDA will include a portion of the gopher habitat area. The total land to be developed as a result of the PDA is 21.66 acres including land for buildings, roadways, parking lots and retention ponds. The St Johns River Water Management District has approved a stormwater retention pond that will require 6.1 acres of land. The Water Management District also

requires that the pond be constructed to completion as part of the permit. The pond will be constructed in a portion of the property that was also found to contain some gopher tortoise population.

The total land to be developed as part of the completed project is slightly greater than 70 acres. Our development will be 21.66 acres in total. Further development can not and will not occur on this property until the A.D.A. is approved. The undeveloped property provides more than 48 acres of totally undisturbed land. This portion of the property will remain undeveloped, until terms of mitigation for the gopher tortoise habitat can be reached with the Fish and Game Commission. The developer plans to minimize any land development that will have adverse effect on the gopher tortoise population.

Sun Ray Utilities is currently constructing water and sewer facilities and installing piping on the south side of A-1-A which will be extended to the project at the appropriate time. The site is bordered on the north by the CSX Railway System and the Developer will provide road access to state highway A-1-A with no anticipated adverse impact on A-1-A traffic. A copy of a traffic impact analysis is attached.

4. The Developer shall provide to the County a drawing of the A1A corridor between the Amelia River and the Yulee area. The drawing shall show the existing A1A right-of-way road pavement alignment with existing median crossings, intersections of all existing streets and driveways, and abutting land parcels with their ownership, acreage, existing land use, and zoning.

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5. The Developer shall provide to the County a digitized map in Autocad format of the map regarding the above of the A1A corridor between the Amelia River and the Yulee area.

6. The Developer shall provide to the County a traffic analysis of A1A from the Amelia River to the Yulee area and the proposed F.I.T. facility.

7. The Developer will at it's own expense provide Nassau County with a site plan and architectural/engineering plans for a two bay fire station to be constructed on a site near the project.

The Developer shall be subject to any and all Impact Fees that may be adopted which are applicable to that area.

8. The Developer shall pay its proportional share of the Impact Fee Analysis and Transportation Study under the supervision of the County Engineer.

The preliminary development is absolutely essential to the ultimate viability of the total proposed development due to the fact that site and infrastructure work must begin immediately in order to meet the schedule of sewer and water installation now moving forward along the A-1-A right-of-way. No infrastructure work on the site will begin until this agreement is approved. In addition prospective tenants are anxious to get the project underway. Two such tenants have informed Prenmar Incorporated and the Ocean Highway and Port Authority that time is of the essence. Port activity is creating an urgent need for back up storage and other support facilities to be put in place as soon as possible.

NOW THEREFORE, for and in consideration of the mutual

covenants contained herein, it is hereby understood and agreed:

1. The Developer and Owner assert and warrant that all the representations and statements concerning the Project made to the Department and contained in this Agreement are true, accurate, and complete. Based upon said representation and statements, the Department concludes that this Agreement is in the best interest of the State, is beneficial to the Department in its role as the state agency with the responsibility for the administration and enforcement of Chapter 380, Florida Statutes, and reasonably applies and effectuates the provisions and purposes of Chapter 380, Florida Statutes.

2. The Project is a development of regional impact (DRI) as defined by Section 380.06, Florida Statutes. Within 45 days from the date of execution of this agreement, the Developer shall meet with the Northeast Florida Regional Planning Council for the preapplication conference required by Sub Section 380.06(7), Florida Statutes, (1987). Within three months from the date of execution of this Agreement, the Developer shall file an application for development approval (ADA) for the entire Project, which shall include the land described in Exhibit "A" and "B". The ADA shall assess all the impacts associated with the entire development of the Project, including the preliminary development authorized by this Agreement.

3. Time is of the essence. Failure to file the ADA, or to otherwise diligently proceed in good faith to obtain a final development order shall constitute a breach, the Developer and

Owner shall immediately cease all development of the Project, including the preliminary development authorized by this Agreement.

4. The Developer may undertake the following preliminary development after the date of execution of this Agreement and prior to issuance of a final development order:

The Preliminary Development site location is shown on the attached Exhibit "C". Exhibit "D-1" indicates where preliminary development may occur. Exhibit "D-2" provides a legal description of the area authorized for Preliminary Development by this agreement. The Preliminary Development authorized by this agreement is limited to the following:

A. The total area of the industrial building will be approximately 65,000 square feet or (1.49) acres more or less. Approximately 150 parking spaces will be provided for employees and plant visitors. No open air storage is proposed for this site at this time. Truck pavement, car park pavement and all drive areas plus the entrance road is approximately 315,000 square feet or (7.23) acres more or less

B. The office square footage proposed is approximately 5,000 square feet or (0.11) acres. All parking spaces and other pavement areas to service the office has been included above in part 4-A.

C. The retention pond for the entire development will be installed as part of the PDA. The retention pond will be approximately 6.1 acres. Storm sewers will collect the storm water runoff and deliver the water to the pond for percolation and treatment. Water and sewer service mains to serve the entire

development will be placed in the road right of way. All connections to the building will connect to the water and sewer mains. The roadway as mentioned above will also be included as part of the initial construction.

D. All other lands are to remain undeveloped and no other development, as defined by Section 380.04, Florida Statutes, shall occur until such time as a final development order is approved for the Project in its entirety. In the event of a breach of this paragraph, the Developer and Owner shall immediately cease all development of the Project, including the preliminary development authorized by this final development order.

5. The preliminary development authorized by this Agreement is not more than 25% of any applicable numerical guideline and standard. The Developer has demonstrated that the preliminary development is in the best interest of the state and local government, and is essential to the ultimate viability of the Project. The total proposed development is an industrial complex to serve the Nassau County area. The complex will consist of nine warehouse buildings arranged in a convenient manner to receive truck or rail car deliveries. The complex will also support a commercial office building for the development.

6. The current land use for the PDA area is designated Open Rural (OR). Nassau County has received a PUD proposal which will effectively change the land use to industrial and commercial lands. The PUD has been tabled from action until the PDA is approved. A copy of the PUD is included with this agreement.

7. This small and isolated wetland strip will fall under COE and SJRWJ jurisdiction, however permits for a crossing will be required from COE, DER and SJRWJ according to Environmental Services, Inc's assessment. A copy of their report is attached and referred to as Exhibit "E". This strip identified in the PUD is to be crossed by the entrance road. The width of the strip is less than 100 feet and the width of the right of way is also 100 feet, therefore the total area affected is 10,000 square feet more or less. The issue of Wetlands Jurisdiction was approved through all regulating agencies. Attached in Exhibit "E" are copies of those permits that were obtained. The property was specifically selected to exclude wetlands from the purchase of the land. The issue of wetlands will be discussed as required in further detail in the A.D.A.

8. One structure is proposed for the PDA. The building will be an assembly building for automobiles. The building is to be 70,000 square feet total with 65,000 square feet dedicated to the assembly area and 5,000 square feet will be dedicated to offices. All structures will meet the latest county requirement for construction. The structures proposed for the PDA as classified by the Standard Industrial Classification System (SIC) as developed by the U. S. Office of Management and Budget is 3711-Motor Vehicles and Passenger Car Bodies.

9. There are no plans for storing or handling hazardous waste at the site. The development will be used for shipping, storing and clean industrial processing.

10. The Developer and the owner shall not claim vested rights, or assert equitable estoppel, arising from this Agreement or any expenditures or actions taken in reliance on this Agreement to continue with the total proposed development beyond the preliminary development. This Agreement shall not entitle the Developer or the Owner to a final DRI development order approving the total proposed development nor to any particular conditions in the final development order.

11. In the event of a breach of this Agreement or failure to comply with any condition of this Agreement, or if this Agreement is based upon materially inaccurate information, the Department may terminate this Agreement or file suit to enforce this Agreement as provided in Sections 380.06 and 380.11, Florida Statutes, including a suit to enjoin all development. The prevailing party in any administrative, judicial or appellate proceeding arising from this Agreement shall be entitled to an award of reasonable attorney's fees, court costs and the cost of investigation.

12. Nothing in this Agreement shall constitute a waiver by any party of the right to appeal any development order pursuant to Section 380.07, Florida Statutes.

13. The restrictions and conditions of the final development order issued pursuant to Chapter 380, Florida Statutes, shall supersede the restrictions and conditions upon development of this Agreement.

14. This Agreement affects the rights and obligations of the parties under Chapter 380, Florida Statutes. It is not intended



to determine or influence the authority or decisions of any other state or local government or agency in the issuance of any other permits or approvals which might be required by state law or local ordinance for any development authorized by this Agreement. This Agreement shall not prohibit the regional planning agency from reviewing or commenting on any regional issue that the regional planning agency determines should be included in the regional planning agency's report on the ADA.

15. The terms and conditions of this Agreement shall insure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto. The Developer and Owner shall ensure and provide that any successor in interest in and to any lands or parcels affected by this Agreement is bound by the terms of this Agreement. The Developer shall record a Notice of this Agreement which complies with Subparagraph 380.06(8)(a)10., Florida Statutes, in the Official Records of Nassau County, Florida, and shall provide the Department with a copy of the recorded Notice including Book and Page Number within two (2) weeks of the date of execution of this Agreement.

16. The date of execution of this Agreement shall be the date that the last party signs and acknowledges this Agreement.

Signed, sealed and delivered  
in the presence of:

Brenda A. Stivers

Ocean Highway and Port  
Authority, Nassau County

By: E. E. Lasserre  
E. E. Lasserre, Chairman

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Brenda Harris  
As to Ocean Highway and Port  
Authority, Nassau County

Attest:

By: Nick D. Deonas  
Nick D. Deonas, Secretary/  
Treasurer

"Owner"

STATE OF FLORIDA )  
COUNTY OF NASSAU )

The foregoing instrument was acknowledged before me this 27th  
day of Nov, 1988, by E. E. LASSERRE and Nick Deonas, who are  
the Chairman and Secretary, respectively, of Ocean Highway and Port  
Authority Nassau County on behalf of said Authority.

Brenda Harris  
Notary Public, State of  
Florida at Large

My Commission Expires:

Notary Public, State of Florida  
My Commission Expires (11/11/1989)  
Bonded thru 11/11/1989

Prenmar, Incorporated

By: Carl G. Prendergast  
Carl G. Prendergast,  
President.

Attest:

By: Frances P. Prendergast  
Frances P. Prendergast,

Brenda D. Harris

Brenda Harris  
As to Prenmar, Incorporated

Secretary

(S E A L)

"Developer"

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STATE OF FLORIDA )  
COUNTY OF NASSAU )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of Nov, 1988, by CARL G. PRENDERGAST and FRANCES P. PRENDERGAST, who are the President and Secretary, respectively, of Prenmar, Incorporated a Florida Corporation, on behalf of said Corporation.

Linda Gray  
Notary Public, State of  
Florida at Large

My Commission Expires:

Notary Public, State of Florida  
My Commission Expires 12/31/88  
Bonded To the Public

STATE OF FLORIDA, DEPARTMENT  
OF COMMUNITY AFFAIRS

\_\_\_\_\_

By: \_\_\_\_\_

As to State of Florida,  
Department of Community Affairs

(S E A L)

"Department"

Approved as to form and  
legal sufficiency:

\_\_\_\_\_  
Attorney, Department of  
Community Affairs

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STATE OF FLORIDA )  
COUNTY OF LEON )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by \_\_\_\_\_ who is the \_\_\_\_\_ of the STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS, on behalf of said Department.

\_\_\_\_\_  
Notary Public, State of Florida at Large

My Commission Expires:

NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
As to Northeast Florida Regional Planning Council

Attest:

By: \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF DUVAL )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by \_\_\_\_\_ who are the \_\_\_\_\_ and \_\_\_\_\_, respectively, of NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL, a Florida Corporation, on behalf said Council.

\_\_\_\_\_  
Notary Public, State of Florida at Large

My Commission Expires:

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BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY

\_\_\_\_\_  
Chairman

By: James E. Testone  
James E. Testone

Attest:

\_\_\_\_\_  
As to Board of County  
Commissioners of Nassau County

By: T. J. Greeson, by J. Carson D.C.  
T. J. Greeson, Clerk

STATE OF FLORIDA )  
COUNTY OF NASSAU )

The foregoing instrument was acknowledged before me this 6th  
day of December, 1988, by JAMES E. TESTONE and T.J. GREESON,  
who are the Chairman and Clerk, respectively, of the BOARD OF COUNTY  
COMMISSIONERS OF NASSAU COUNTY, on behalf of said Board.

Margie J. Armstrong  
Notary Public, State of  
Florida at Large

My Commission Expires:

MARGIE J. ARMSTRONG, NOTARY PUBLIC  
THE STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES 11-02-91

RECEIVED

MAY 14 1990

AN ORDINANCE AMENDING ORDINANCE 89-7, WHICH RE-ZONED AND RE-CLASSIFIED THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO THAT OF PLANNED UNIT DEVELOPMENT (PUD), CALLED THE FERNANDINA INTERNATIONAL TRADEPLEX PUD; PROVIDING APPROVAL OF THE DEVELOPMENT OF REGIONAL IMPACT APPLICATION AND PROVIDING FOR SUBSTANTIAL DEVIATION; PROVIDING AN EFFECTIVE DATE

BUREAU OF STATE PLANNING DRI SECTION

WHEREAS, the Board of County Commissioners did adopt Ordinance 89-7, an Ordinance establishing a Planned Unit Development (PUD), called the Fernandina International Tradeplex PUD in Nassau County, Florida; and

WHEREAS, the "Owners" of that certain property described in the attached Exhibits "A" and "B" intend to develop the described property in accordance with a master plan; and

WHEREAS, the "Owners" of that certain property described herein have filed for development approval for a Development of Regional Impact (DRI); and

WHEREAS, the "Owners" of said property have applied to the Planning Board of Nassau County for an amendment to the PUD, which is a substantial deviation; and

WHEREAS, the Planning Board of Nassau County has considered said application and held public hearings on the same after due notice, and made its findings and recommendations thereon; and

WHEREAS, the Board of County Commissioners of Nassau County has considered the findings and recommendations of the Planning Board and held its own public hearings on the DRI and the substantial deviation amendment after due notice and also considered the Comprehensive Land Use Plan, and finds that the property described in the attached Exhibits "A" and "B" is suitable in location and character for the uses proposed in said

ACTION BY THE BOARD OF COUNTY COMMISSIONERS  
Approved & Clerk by J. Bradley, Jr.  
K

MICROFILMED

application and amendment.

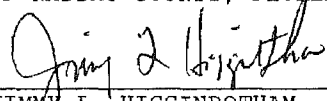
NOW, THEREFORE, BE IT ORDAINED this 28th day of November, 1989, by the Board of County Commissioners of Nassau County that the amendment of the Planned Unit Development (PUD) and the application for development approval are hereby approved in accordance with and subject to the provisions of Article 24 of Ordinance 83-19 of the County of Nassau and further subject to:

Section I The recommendations and requirements of the Northeast Florida Regional Planning Council as contained in their assessment report (including attachments) dated September 7, 1989..

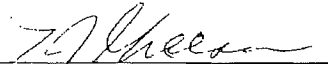
Section II The conditions set forth in Ordinance 89-7, subject to the amendments set forth herein, shall remain in full force and effect, as well as those set forth in Exhibit "C".

Section III This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's office.

BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
JIMMY L. HIGGINBOTHAM  
Its: Chairman

Attest:

  
\_\_\_\_\_  
T.J. GREESON  
Its: Ex-Officio Clerk

## PARCEL A:

A PART OF THE JOHN LOWE, HILL GRANT, SECTION 51, TOWNSHIP 3 NORTH, AND A PART OF THE JOHN LOWE, HILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, ALL IN RANGE 27 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF STATE ROAD 200/A-1-A (A VARYING RIGHT OF WAY AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP SECTION 74080-2503) AND STATE ROAD 200-A/CHESTER ROAD (A 100-FOOT WIDE RIGHT OF WAY AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP SECTION 74800-2150); THENCE NORTH  $07^{\circ}51'50''$  EAST, ALONG THE CENTERLINE OF SAID STATE ROAD 200-A, A DISTANCE OF 32.43 FEET TO THE CENTERLINE OF SURVEY AS SHOWN ON SAID STATE ROAD 200; THENCE WESTERLY ALONG SAID CENTERLINE OF SURVEY THE FOLLOWING THREE COURSES: COURSE 1: THENCE NORTH  $72^{\circ}48'59''$  WEST A DISTANCE OF 2,481.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 3,730.17 FEET; COURSE 2: THENCE WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 1,198.78 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH  $78^{\circ}45'59''$  WEST AND A CHORD DISTANCE OF 1,184.82 FEET; COURSE 3: THENCE NORTH  $84^{\circ}44'58''$  WEST A DISTANCE OF 288.81 FEET; THENCE NORTH  $05^{\circ}15'01''$  EAST A DISTANCE OF 70.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 200 AND THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 50.00 FEET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH  $39^{\circ}44'59''$  WEST AND A CHORD DISTANCE OF 70.71 FEET; THENCE NORTH  $05^{\circ}15'01''$  EAST A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 773.55 FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 318.25 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH  $08^{\circ}27'43''$  WEST AND A CHORD DISTANCE OF 314.05 FEET; THENCE NORTH  $18^{\circ}10'28''$  WEST A DISTANCE OF 1,381.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 573.85 FEET; THENCE WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 458.82 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH  $40^{\circ}57'58''$  WEST AND A CHORD DISTANCE OF 444.87 FEET; THENCE NORTH  $83^{\circ}45'25''$  WEST A DISTANCE OF 1,188.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 150-FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 173.88 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH  $30^{\circ}35'23''$  WEST AND A CHORD DISTANCE OF 184.13 FEET; THENCE NORTH  $02^{\circ}34'39''$  EAST A DISTANCE OF 801.97 FEET; THENCE NORTH  $87^{\circ}25'21''$  WEST A DISTANCE OF 100.00 FEET; THENCE SOUTH  $02^{\circ}34'39''$  WEST A DISTANCE OF 801.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 250-FEET; THENCE SOUTHEASTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 288.44 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH  $30^{\circ}35'23''$  EAST AND A CHORD DISTANCE OF 273.54 FEET; THENCE SOUTH  $83^{\circ}45'25''$  EAST A DISTANCE OF 1,188.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 473.85 FEET; THENCE SOUTHEASTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 377.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH  $40^{\circ}57'58''$  EAST AND A CHORD DISTANCE OF 387.20 FEET; THENCE SOUTH  $18^{\circ}10'28''$  EAST A DISTANCE OF 1,381.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 873.55 FEET; THENCE SOUTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 278.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH  $08^{\circ}27'43''$  EAST AND A CHORD DISTANCE OF 273.45 FEET; THENCE SOUTH  $05^{\circ}15'01''$  WEST A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 50-FEET; THENCE SOUTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH  $50^{\circ}15'01''$  WEST AND A CHORD DISTANCE OF 70.71 FEET, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 200; THENCE SOUTH  $84^{\circ}44'58''$  EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.89 ACRES, MORE OR LESS.



## PARCEL B:

A PART OF THE JOHN LOWE, MILL GRANT, SECTION 51, TOWNSHIP 3 NORTH, AND A PART OF THE JOHN D. VAUGHAN GRANT, SECTION 52, TOWNSHIP 3 NORTH, ALL IN RANGE 27 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF STATE ROAD 200/A-1-A (A VARYING RIGHT OF WAY AS SHOWN ON F.O.D.T. RIGHT OF WAY MAP SECTION 74080-2503) AND STATE ROAD 200-A/CHESTER ROAD (A 100-FOOT WIDE RIGHT OF WAY AS SHOWN ON F.O.D.T. RIGHT OF WAY MAP SECTION 74600-2150); THENCE NORTH 07°51'50" EAST, ALONG THE CENTERLINE OF SAID STATE ROAD 200-A, A DISTANCE OF 32.43 FEET TO THE CENTERLINE OF SURVEY AS SHOWN ON SAID STATE ROAD 200; THENCE WESTERLY ALONG SAID CENTERLINE OF SURVEY THE FOLLOWING THREE COURSES: COURSE 1: THENCE NORTH 72°48'59" WEST A DISTANCE OF 2,481.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 3,730.17 FEET; COURSE 2: THENCE WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 1,198.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 78°45'59" WEST AND A CHORD DISTANCE OF 1,194.82 FEET; COURSE 3: THENCE NORTH 84°44'59" WEST A DISTANCE OF 299.81 FEET; THENCE NORTH 05°15'01" EAST A DISTANCE OF 70.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 200; THENCE NORTH 84°44'59" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 50-FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 30°15'01" EAST AND A CHORD DISTANCE OF 70.71 FEET; THENCE NORTH 05°15'01" EAST A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 673.55 FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 275.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 06°27'43" WEST AND A CHORD DISTANCE OF 273.45 FEET; THENCE NORTH 18°10'26" WEST A DISTANCE OF 1,381.39 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 473.95 FEET; THENCE NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 377.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 40°57'56" WEST AND A CHORD DISTANCE OF 387.20 FEET; THENCE NORTH 83°45'25" WEST A DISTANCE OF 1,186.98 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 250-FEET; THENCE NORTHERLY ALONG AND AROUND THE ARC OF SAID CURVE A DISTANCE OF 289.44 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 30°35'23" WEST AND A CHORD DISTANCE OF 273.54 FEET; THENCE NORTH 02°34'39" EAST A DISTANCE OF 140.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 22°34'39" EAST A DISTANCE OF 981.42 FEET; THENCE SOUTH 75°15'44" WEST A DISTANCE OF 381.60 FEET; THENCE SOUTH 23°13'57" EAST A DISTANCE OF 193.77 FEET; THENCE SOUTH 88°53'17" WEST A DISTANCE OF 181.94 FEET; THENCE SOUTH 18°55'44" EAST A DISTANCE OF 982.75 FEET; THENCE SOUTH 87°25'21" EAST A DISTANCE OF 235.83 FEET TO THE POINT OF BEGINNING, CONTAINING 7.0 ACRES, MORE OR LESS.

EXHIBIT "C"

CONDITIONS

1. The Fernandina International Tradeplex Application for Development Approval (ADA) submitted January 6, 1989, and the commitments therein, as well as the Fernandina International Tradeplex Sufficiency Response Document submitted June 1, 1989, plus additional information submitted to the NEFRPC and Nassau County by the applicant/developer during the review period of January 6, 1989, to September 7, 1989, shall become part of this Development Order.

2. Any subsequent owner/developer or assignee shall be subject to the provisions contained in this Development Order.

3. The development shall be subject to further review in the event significant physical development has not commenced within three (3) years. <sup>11/27/90 12:00</sup> The three (3) year time period shall be tolled during any period of time that the applicant is prevented from commencing significant physical development due to state or federal licensure or judicial delays beyond the control of the applicant. (significant physical development includes land preparation, streets, and infrastructure, as defined in Section 380.06, Florida Statutes.)

4. The Planning and Zoning Director shall be responsible for monitoring the development for compliance with the Development Order.

5. An annual monitoring report shall be prepared by the applicant or subsequent developer(s) in accordance with Section 380.06, Florida Statutes, and submitted to the Northeast Florida Regional Planning Council, Department of Community Affairs, and Nassau County Planning Department no later than November 1 of each year until build-out, commencing November 1, 1990. The annual report shall include:

(a) A description of any change made in the plan of development, phasing, or in the representations contained in the Application for Development Approval (ADA) since the DRI received approval, and any actions (substantial deviation or non-substantial deviation determinations) taken by the local government to address these changes.

(b) A summary comparison of development activity proposed and actually conducted during the preceding calendar year, and projected for the ensuing calendar year, to include: site improvements, gross floor area constructed by land use type, location, and phase with appropriate maps.

(c) An identification by location, size, and buyer of any undeveloped tracts of land in the development that have been sold to a separate entity or developer and the amount of development rights available to the purchaser, with map(s) which show the parcel(s) or sub-parcel(s) involved.

(d) A cumulative summary of all development that has taken place within the project including gross floor areas constructed by land use type and location. A cumulative summary of location, size (acreage), development rights purchase (land use type and square footage), and buyer of all parcels purchased within the project boundaries.

(e) A description of any lands purchased or optioned within one (1) mile of the original DRI site by any individual having fee simple or lesser interest in the site as listed in the ADA, subsequent to issuance of the development order. Identify such land, its size, and intended use on a site plan and map.

(f) A listing of any substantial local, state, and federal permits which have been obtained, applied for, or denied, during this reporting period. Specify the agency, type or permit, parcel, location(s), and activity for each.

(g) Describe any moratorium on development imposed by a regulatory agency. Specify the type of moratorium, duration, cause, and remedy.

(h) Provide a synopsis of the operating parameters of the potable water, wastewater management, and solid waste facilities serving the development area for the preceding year.

(i) An assessment of the applicant's, any successor's, and local government's compliance with all conditions and commitments contained in the development order and the commitments contained in the Application for Development Approval.

(j) Any change to the previously reported stormwater plans, design criteria, or planting and maintenance programs shall be reported each year in the monitoring reports.

(k) All incremental DRI Applications for Development Approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year.

(l) Any change in local government jurisdiction for any portion of the development since the development order was issued.

(m) Copies of monitoring reports completed during the previous year on the created wetlands and stormwater/wetlands systems as required by permitting agencies.

(n) Traffic reports shall be submitted to the Florida Department of Transportation (FDOT) District Urban Office in Jacksonville, as well as to the Nassau County Planning Department, Northeast Florida Regional Planning Council, and Department of Community Affairs. The first traffic report shall be due concurrent with the first annual report and then annually thereafter until project buildout, unless a traffic signal becomes warranted at the intersection of A1A and the project entrance, at which time traffic reports will no longer be required. The following information shall be included:

(1) A description of current development by land use, type, location, and amount of square footage, along with the proposed construction schedule for the ensuing twelve (12) month period, and appropriate maps.

(2) Traffic counts, turning movements, and levels of service actual for the past twelve (12) months and projected for the ensuing twelve (12) months, including traffic estimates for the following roads and intersections. Distinguish between project related traffic and total traffic volumes.

- intersection of project entrance and SR A1A

Note: Actual FDOT or Nassau County traffic counts shall be used where possible. If actual FDOT or Nassau County Counts are not available for a particular road, the applicant shall retain, at its expense, a traffic engineering firm to collect the necessary counts. FDOT seasonal adjustment factors shall be used when adjusting traffic counts.

(3) A description of new and/or improved roadways, traffic control devices or other transportation facility improvements to be constructed or provided by the applicant or governmental entity to accommodate the total existing and anticipated traffic demands.

7. Provide a statement certifying that the Northeast Florida Regional Planning Council, Department of Community Affairs, Nassau County Planning Department, and all affected agencies have been sent copies of the annual report in conformance with Subsections 380.06 (15) and (18, Florida Statutes.

8. This project shall be subject to Impact Fees.

9. If the Developer should receive credit as to Impact Fees, pursuant to the credit mechanism, it shall only be credits for infrastructure items if those items are also subject to Impact Fees. Said credit should not be given for internal

on-site facilities or any off-site facilities to the extent such facilities are necessary to provide safe and adequate service to the facility.

ORDINANCE 95-4

AN ORDINANCE AMENDING ORDINANCE 89-7, AND AS AMENDED IN ORDINANCE 90-3 WHICH REZONED AND RECLASSIFIED THE PROPERTY HEREINAFTER DESCRIBED IN NASSAU COUNTY, FLORIDA TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD), CALLED THE FERNANDINA INTERNATIONAL TRADEPLEX PUD; PROVIDING FOR THE AMENDMENT TO THE MASTER PLAN AND DEVELOPMENT ORDER PROVIDING FOR THE CORRECTED LEGAL DESCRIPTION AND PROVIDING FOR AMENDMENT TO COMMENCEMENT DATES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Owners of that certain property described in Exhibit "B" wish to amend the referenced Master Plan herein; and

WHEREAS, the Owners wish to correct the legal description as previously provided in Ordinance 90-3; and

WHEREAS, the Owners wish to amend the commencement dates therein; and

WHEREAS, the Planning Board of Nassau County has considered these amendments and held public hearings on the same after due notice and made its findings and recommendations thereon; and

WHEREAS, the Board of County Commissioners of Nassau County has considered the findings and recommendations of the Planning Board and held its own public hearings on the matters, and

WHEREAS, the commencement date has expired and needs to be extended.

NOW, THEREFORE, BE IT ORDAINED this 12th day of December, 1994, by the Board of County Commissioners of Nassau County that the following amendments are hereby accepted and incorporated herein:

SECTION I. The Master Plan as initially provided in Ordinances 89-7 and 90-3 is hereby amended and attached as Exhibit "A" attached hereto and made a part hereof.

SECTION II. The legal description provided in Ordinances 89-7 and 90-3 is hereby corrected as described on Exhibit "B" attached hereto and made a part hereof.

SECTION III. The commencement dates as outlined in the Master Plan and prior ordinances are hereby amended as follows:

Phase I. Start construction December, 1994.

Phase I. Complete construction July, 1995.

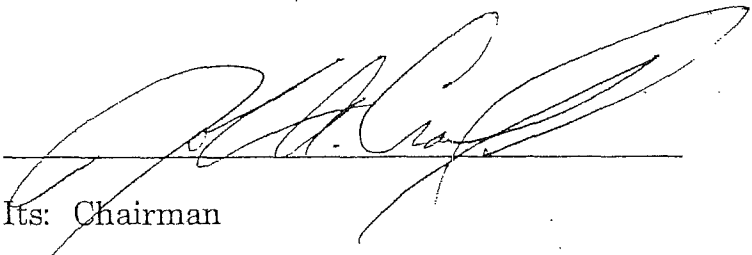
Phase II. Start construction September, 1995.

Phase II. Complete construction June 2002.

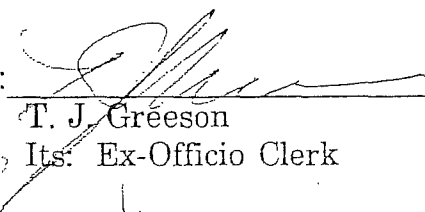
SECTION IV. The commencement date in Section V, paragraph 3 of the Development Order is extended to January, 1995.

SECTION V. This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.

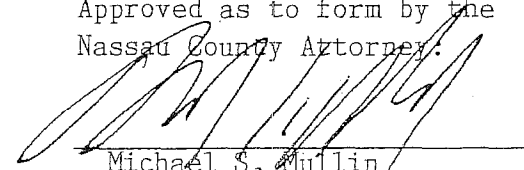
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
Its: Chairman

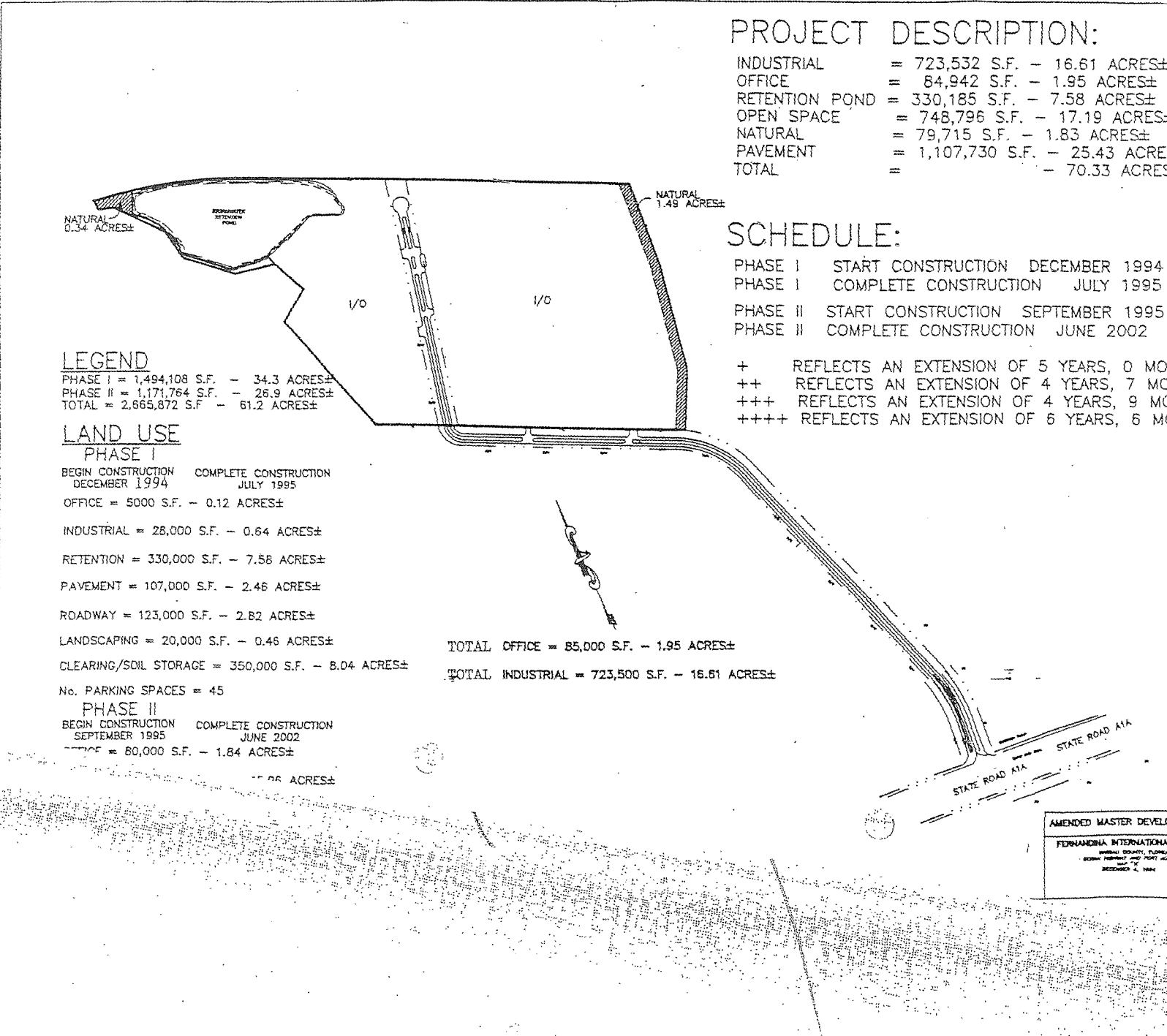
Attest:

  
T. J. Greeson  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney.

  
Michael S. Mullin





**PROJECT DESCRIPTION:**

INDUSTRIAL	=	723,532 S.F.	-	16.61 ACRES±
OFFICE	=	84,942 S.F.	-	1.95 ACRES±
RETENTION POND	=	330,185 S.F.	-	7.58 ACRES±
OPEN SPACE	=	748,796 S.F.	-	17.19 ACRES±
NATURAL	=	79,715 S.F.	-	1.83 ACRES±
PAVEMENT	=	1,107,730 S.F.	-	25.43 ACRES±
TOTAL	=		-	70.33 ACRES±

**SCHEDULE:**

PHASE I	START CONSTRUCTION	DECEMBER 1994	+
PHASE I	COMPLETE CONSTRUCTION	JULY 1995	++
PHASE II	START CONSTRUCTION	SEPTEMBER 1995	+++
PHASE II	COMPLETE CONSTRUCTION	JUNE 2002	++++

- + REFLECTS AN EXTENSION OF 5 YEARS, 0 MONTHS
- ++ REFLECTS AN EXTENSION OF 4 YEARS, 7 MONTHS
- +++ REFLECTS AN EXTENSION OF 4 YEARS, 9 MONTHS
- ++++ REFLECTS AN EXTENSION OF 6 YEARS, 6 MONTHS

**LEGEND**

PHASE I = 1,494,108 S.F. - 34.3 ACRES±  
 PHASE II = 1,171,764 S.F. - 26.9 ACRES±  
 TOTAL = 2,665,872 S.F. - 61.2 ACRES±

**LAND USE**

**PHASE I**  
 BEGIN CONSTRUCTION DECEMBER 1994 COMPLETE CONSTRUCTION JULY 1995  
 OFFICE = 5000 S.F. - 0.12 ACRES±  
 INDUSTRIAL = 28,000 S.F. - 0.64 ACRES±  
 RETENTION = 330,000 S.F. - 7.58 ACRES±  
 PAVEMENT = 107,000 S.F. - 2.46 ACRES±  
 ROADWAY = 123,000 S.F. - 2.82 ACRES±  
 LANDSCAPING = 20,000 S.F. - 0.46 ACRES±  
 CLEARING/SOIL STORAGE = 350,000 S.F. - 8.04 ACRES±  
 No. PARKING SPACES = 45

**PHASE II**  
 BEGIN CONSTRUCTION SEPTEMBER 1995 COMPLETE CONSTRUCTION JUNE 2002  
 OFFICE = 80,000 S.F. - 1.84 ACRES±  
 INDUSTRIAL = 723,500 S.F. - 16.61 ACRES±

TOTAL OFFICE = 85,000 S.F. - 1.95 ACRES±  
 TOTAL INDUSTRIAL = 723,500 S.F. - 16.61 ACRES±

FILE NO.	DATE	BY	CHK	APP

HARBOR ENGINEERING COMPANY  
 ENGINEERS - PLANNERS - SURVEYORS  
 1616 HUFFINGHAM ROAD  
 JACKSONVILLE, FLORIDA 32216  
 PHONE: (904) 724-8622



FERNANDINA INTERNATIONAL  
 TRADEPLEX

AMENDED MASTER DEVELOPMENT PLAN  
 FERNANDINA INTERNATIONAL TRADEPLEX  
 WASHINGTON COUNTY, FLORIDA  
 BOUNDARY SURVEY AND PLAT SUBMITTED  
 TO THE BOARD OF COUNTY COMMISSIONERS  
 DECEMBER 4, 1996

PROJECT NO.	
FILE NO.	
DATE	10-31-
SCALE	1" = 100'
DATE	
BY	
CHK	

EXHIBIT "A"

## LEGAL DESCRIPTION OF PARCEL A:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE, MILL GRANT, SECTION 51, AND A PORTION OF THE JOHN D. VAUGHAN GRANT, SECTION 52, ALL BEING IN TOWNSHIP 3 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 CENTERLINE OF RIGHT-OF-WAY OF STATE ROAD 200/A-1-A (A VARYING RIGHT-OF-WAY ACCORDING TO DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION 74060-2503) INTERSECTS THE CENTERLINE OF STATE ROAD NO. 200-A/CHESTER ROAD (A 100-FOOT RIGHT-OF-WAY ACCORDING TO DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS SECTION 74600-2150 (7460-175)) AND RUN NORTH 7°-31'-50" EAST ALONG LAST MENTIONED CENTERLINE, A DISTANCE OF 32.43 FEET TO A POINT WHERE LAST MENTIONED CENTERLINE INTERSECTS THE CENTERLINE OF SURVEY OF THE AFOREMENTIONED STATE ROAD 200/A-1-A; RUN THENCE NORTH 72°-46'-59" WEST ALONG SAID CENTERLINE OF SURVEY, A DISTANCE OF 2481.53 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID CENTERLINE OF SURVEY, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 5730.17 FEET; A CHORD DISTANCE OF 1194.49 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 78°-45'-59" WEST; RUN THENCE NORTH 84°-44'-59" WEST CONTINUING ALONG SAID CENTERLINE OF SURVEY, A DISTANCE OF 299.61 FEET TO A POINT; RUN THENCE NORTH 5°-15'-01" EAST, A DISTANCE OF 70.0 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200/A-1-A; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE; SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 50.0 FEET, A CHORD DISTANCE OF 70.71 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 39°-44'-59" WEST; RUN THENCE NORTH 5°-15'-01" EAST, A DISTANCE OF 152.24 FEET TO A POINT OF CURVATURE OF A SECOND CURVE; RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 773.55 FEET, A CHORD DISTANCE OF 314.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 6°-27'-43" WEST; RUN THENCE NORTH 18°-10'-26" WEST, A DISTANCE OF 1391.39 FEET TO A POINT OF CURVATURE OF A THIRD CURVE; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 573.95 FEET, A CHORD DISTANCE OF 444.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE FOR THE POINT OF BEGINNING, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 40°-57'-57" WEST.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN NORTH 63°-45'-25" WEST, A DISTANCE OF 1609.96 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 14°-55'-10" WEST, A DISTANCE OF 707.66 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 55°-53'-17" EAST, A DISTANCE OF 191.94 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 23°-13'-57" WEST, A DISTANCE OF 193.77 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 78°-17'-50" WEST, A DISTANCE OF 215.20 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 48°-37'-48" WEST, A DISTANCE OF 288.00 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 11°-12'-04" WEST, A DISTANCE OF 165.34 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 39°-53'-11" WEST, A DISTANCE OF 294.96 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 72°-23'-39" WEST, A DISTANCE OF 81.87 FEET TO A 1-INCH IRON PIPE (SET); RUN THENCE NORTH 30°-45'-27" WEST, A DISTANCE OF 51.15 FEET TO A 1-INCH IRON PIPE SET ON A CURVED PORTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD (A 120 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE IN AN EASTERLY 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 2804.94, A CHORD DISTANCE OF 863.53 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 72°-36'-41" EAST; RUN THENCE SOUTH 63°-45'-25" EAST ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE LAST MENTIONED SEABOARD COASTLINE RAILROAD, A DISTANCE OF 1939.31 FEET TO A POINT; RUN THENCE SOUTH 04°-05'-08" WEST, A DISTANCE OF 49.94 FEET TO A POINT; RUN THENCE SOUTH 10°-14'-41" WEST, A DISTANCE OF 543.01 FEET TO A POINT; RUN THENCE SOUTH 27°-07'-36" WEST, A DISTANCE OF 108.17 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 61.21 ACRES, MORE OR LESS.

## AL DESCRIPTION OF PARCEL B :

AT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE, MILL GRANT, SECTION 31, TOWNSHIP 3 NORTH, A PORTION OF THE JOHN D. H. GRANT, SECTION 32, TOWNSHIP 3 NORTH AND A PORTION OF THE JOHN LOWE, MILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, ALL BEING IN RANGE 27 EAST, COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A RAILROAD SPIKE FOUND WHERE THE LINE OF RIGHT-OF-WAY OF STATE ROAD 200/A-1-A (A VARYING RIGHT-OF-WAY ACCORDING TO DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION 2503) INTERSECTS THE CENTERLINE OF STATE ROAD NO. 200-A/CHESTER ROAD (A 100-FOOT RIGHT-OF-WAY ACCORDING TO DEPARTMENT OF TRANSPORTATION RIGHT-MAPS SECTION 74600-2150 (7460-175)) AND RUN NORTH 7°-51'-50" EAST ALONG LAST MENTIONED CENTERLINE, A DISTANCE OF 32.43 FEET TO A POINT WHERE MENTIONED CENTERLINE INTERSECTS THE CENTERLINE OF SURVEY OF THE AFOREMENTIONED STATE ROAD NO. 200/A-1-A; RUN THENCE NORTH 72°-46'-59" WEST ALONG CENTERLINE OF SURVEY, A DISTANCE OF 2481.53 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID LINE OF SURVEY, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 5730.17 FEET, A CHORD DISTANCE OF 1194.49 FEET TO THE POINT OF END OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 78°-45'-59" WEST; RUN THENCE NORTH 84°-44'-59" WEST CONTINUING ALONG SAID LINE OF SURVEY, A DISTANCE OF 299.61 FEET TO A POINT; RUN THENCE NORTH 5°-15'-01" EAST, A DISTANCE OF 70.0 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200/A-1-A FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN NORTH 84°-44'-59" WEST ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 200.0 FEET TO A POINT; RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 50.0 FEET, A CHORD DISTANCE OF 70.71 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 50°-15'-01" EAST; RUN THENCE NORTH 5°-15'-01" EAST, A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A SECOND CURVE; RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 673.55 FEET, A CHORD DISTANCE OF 273.45 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 6°-27'-43" WEST; RUN THENCE NORTH 18°-10'-26" WEST, A DISTANCE OF 1391.39 FEET TO THE POINT OF CURVATURE OF A THIRD CURVE; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 473.95 FEET, A CHORD DISTANCE OF 367.20 FEET, TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 40°-57'-57" WEST; RUN THENCE NORTH 63°-45'-25" WEST, A DISTANCE OF 1598.44 FEET TO A POINT; RUN THENCE NORTH 16°-55'-10" WEST, A DISTANCE OF 137.09 FEET TO A POINT; RUN THENCE SOUTH 63°-45'-25" EAST, A DISTANCE OF 1692.22 FEET TO A POINT OF CURVATURE OF A FOURTH CURVE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 573.95 FEET, A CHORD DISTANCE OF 444.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 40°-57'-57" EAST; RUN THENCE SOUTH 8°-10'-26" EAST, A DISTANCE OF 1391.39 FEET TO A POINT OF CURVATURE OF A FIFTH CURVE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 773.55 FEET, A CHORD DISTANCE OF 314.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 6°-27'-43" EAST; RUN THENCE SOUTH 5°-15'-01" WEST, A DISTANCE OF 152.24 FEET TO THE POINT OF CURVATURE OF A SIXTH CURVE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 50.0 FEET, A CHORD DISTANCE OF 70.71 FEET TO THE POINT OF BEGINNING, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 39°-44'-59" EAST.

THE TRACT THUS DESCRIBED CONTAINS 9.10 ACRES, MORE OR LESS.