

RESOLUTION NO. 2010 - 213

**A RESOLUTION CONSTITUTING THE THIRD AMENDMENT TO THE DEVELOPMENT ORDER FOR THE FERNANDINA INTERNATIONAL TRADEPLEX DEVELOPMENT OF REGIONAL IMPACT (DRI); SPECIFICALLY AMENDING THE DEVELOPMENT ORDER TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO THE NOTIFICATION OF A PROPOSED CHANGE (NOPC) FILED BY MORRIS AND LEE INC/DBA SCIENCE FIRST, AND DATED OCTOBER 6, 2010; AMENDING MAP H TO ADD 75,000 SF OF WAREHOUSE AND OFFICE TO THE SCIENCE FIRST PARCEL; FINDING THAT THIS CHANGE DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION FROM THE ORIGINALLY APPROVED DRI DEVELOPMENT ORDER, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on November 28, 1989 Nassau County adopted Ordinance No. 90-3 constituting the development order for the Fernandina International Tradeplex Development of Regional Impact (DRI); and

**WHEREAS**, on December 12, 1994 Nassau County adopted Ordinance No. 95-4 constituting the first amendment to the Fernandina International Tradeplex DRI; and

**WHEREAS**, on June 22, 2009 Nassau County passed Resolution 2009-137 constituting the second amendment to the Fernandina International Tradeplex DRI by adding a 8.5 acre parcel described as the Science First Parcel; and

**WHEREAS**, on October 6, 2010 Morris and Lee Inc/DBA Science First, through Ron V. Flick, agent, filed a Notification of a Proposed Change to the previously approved development order and further requested a public hearing date more than 60 days following submittal; and

**WHEREAS**, on November 9, 2010 the Northeast Florida Regional Council (NEFRC) submitted its report and recommendation on the amendment finding that the proposed changes do not constitute a substantial deviation as defined in Sec. 380.06(19), F.S.; and

**WHEREAS**, the Board of County Commissioners has reviewed the said amendment, conducted a duly advertised public hearing on December 13, 2010 at which all parties were afforded the opportunity to present evidence and testimony on this matter, and any member of the public requesting to do so was given an opportunity to present written or oral communication consistent with the adopted rules of procedure; and

**WHEREAS**, public notice of said hearing was provided in accordance with Chap. 380.06, F.S. and Chap. 125, F.S.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:**

**SECTION 1. FINDINGS**

The Board of County Commissioners finds that the change set forth in the NOPC dated October 6, 2010 do not constitute a substantial deviation, as such term is defined in Section 380.06(19), Florida Statutes is generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan.

**SECTION 2. DRI AMENDED**

The Master Plan "Exhibit A" of Ordinance 95-4 is hereby amended to include an additional 70,000 square feet of warehouse and 5,000 square feet of general office (ITE codes 150 and 710 respectively) to the Science First parcel for a total of 130,000 square feet for that parcel. The total number of trips allocated to the Science First parcel, including this amendment, is 705 ADT and 71 PMPH trips. The Science First parcel being legally described as:

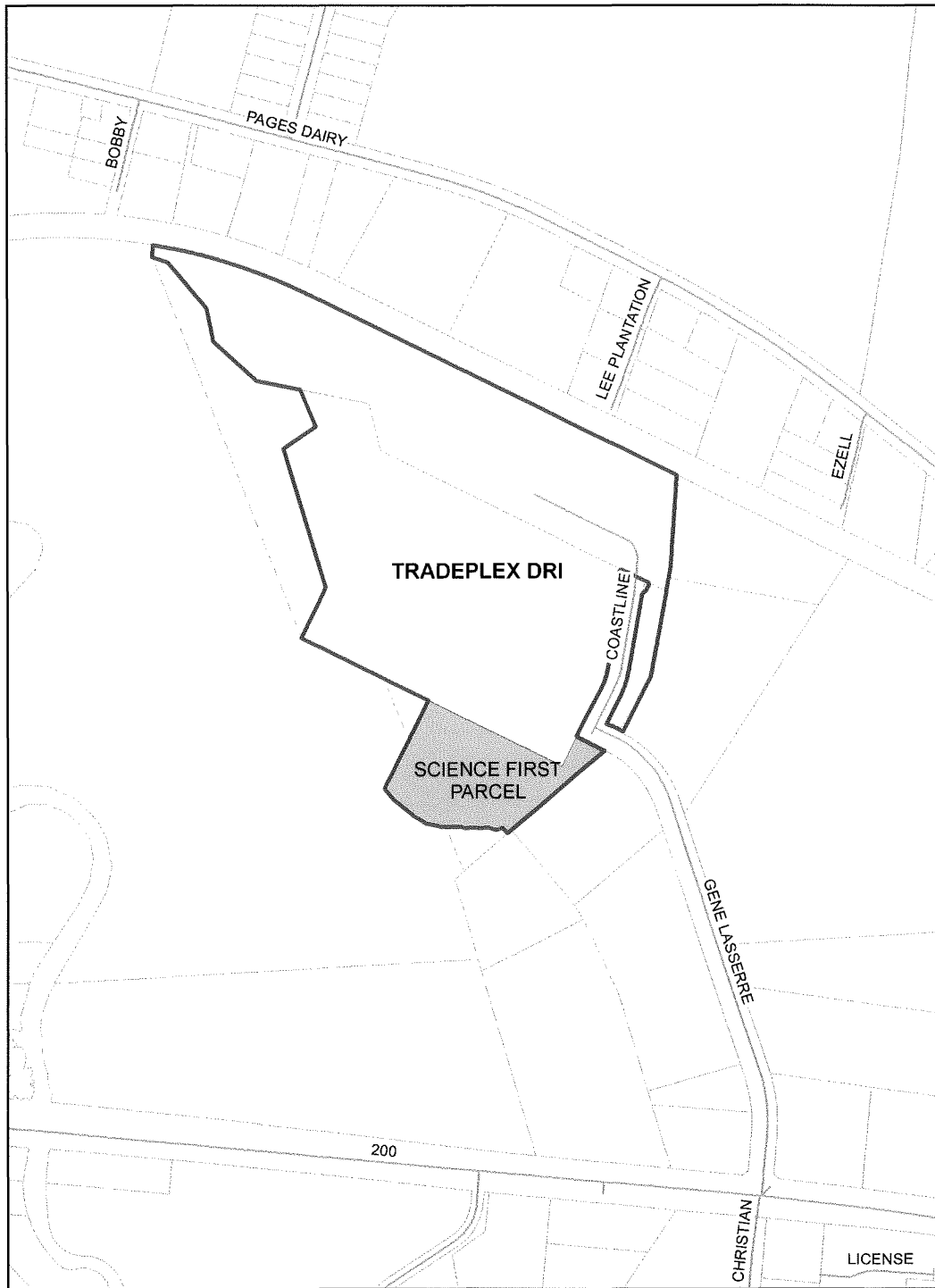
ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 51, TOWNSHIP 3 NORTH AND A PORTION OF THE JOHN D. VAUGHN GRANT, SECTION 52, TOWNSHIP 3 NORTH, ALL LYING IN RANGE 27 EAST, NASSAU COUNTY, FLORIDA: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF GENE LASSERRE BOULEVARD (A 125-FOOT RIGHT-OF-WAY ACCORDING TO DEED RECORDED IN DEED BOOK 730, PAGE 375, OFFICIAL RECORDS OF SAID COUNTY) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD No. 200/A-1-A (A VARIED WIDTH RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION No. 74060-2503), SAID POINT BEING AT RIGHT-OF-WAY STATION 301+46.73 AS SHOWN ON SAID DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION No. 74060-2503; THENCE NORTH 05°-15'-01" EAST ALONG SAID CENTERLINE OF GENE LASSERRE BOULEVARD, A DISTANCE OF 202.24 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID CENTERLINE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 711.05 FEET, A CHORD DISTANCE OF 288.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 06°-27'-43" WEST; RUN THENCE NORTH 18°-10'-26" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 1391.39 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID CENTERLINE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 511.45 FEET, A CHORD DISTANCE OF 396.26 FEET TO A POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 40°-57'-55" WEST; RUN THENCE NORTH 63°-45'-25" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 174.70 FEET TO A POINT LYING ON A SOUTHEASTERLY LINE OF LANDS NOW OR FORMERLY OF ABP FL (YULEE) LLC (ACCORDING TO DEED RECORDED IN DEED BOOK 1231, PAGE 541, OFFICIAL RECORDS OF SAID

COUNTY); RUN THENCE SOUTH 27°-07'-36" WEST, ALONG LAST MENTIONED SOUTHEASTERLY LINE, A DISTANCE OF 62.50 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 63°-45'-25" EAST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED GENE LASSERRE BOULEVARD, A DISTANCE OF 157.62 FEET TO A POINT LYING ON THE NORTHWESTERLY LINE OF LANDS NOW OR FORMERLY OF YULEE TRADE PLEX DEVELOPMENT, LLC (ACCORDING TO DEED RECORDED IN DEED BOOK 1579, PAGE 453, OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 48°-52'-27" WEST, ALONG LAST MENTIONED NORTHWESTERLY LINE, A DISTANCE OF 605.71 FEET TO A POINT; RUN THENCE THE FOLLOWING FIFTEEN (15) COURSES: 1.) NORTH 47°-26'-31" WEST, A DISTANCE OF 42.46 FEET TO A POINT; 2.) SOUTH 73°-16'-44" WEST, A DISTANCE OF 36.28 FEET TO A POINT; 3.) NORTH 70°-19'-21" WEST, A DISTANCE OF 43.85 FEET TO A POINT; 4.) SOUTH 76°-39'-18" WEST, A DISTANCE OF 28.05 FEET TO A POINT; 5.) NORTH 89°-43'-08" WEST, A DISTANCE OF 61.90 FEET TO A POINT; 6.) NORTH 82°-28'-47" WEST, A DISTANCE OF 52.11 FEET TO A POINT; 7.) SOUTH 89°-21'-03" WEST, A DISTANCE OF 45.93 FEET TO A POINT; 8.) NORTH 85°-35'-30" WEST, A DISTANCE OF 58.00 FEET TO A POINT; 9.) NORTH 76°-53'-45" WEST, A DISTANCE OF 55.97 FEET TO A POINT; 10.) NORTH 56°-29'-35" WEST, A DISTANCE OF 65.70 FEET TO A POINT; 11.) NORTH 52°-40'-28" WEST, A DISTANCE OF 68.50 FEET TO A POINT; 12.) NORTH 49°-23'-27" WEST, A DISTANCE OF 68.19 FEET TO A POINT; 13.) NORTH 40°-13'-40" WEST, A DISTANCE OF 60.91 FEET TO A POINT; 14.) NORTH 12°-14'-18" EAST, A DISTANCE OF 5.79 FEET TO A POINT; 15.) NORTH 26°-13'-46" EAST, A DISTANCE OF 476.96 FEET TO A POINT LYING ON THE SOUTHWESTERLY LINE OF AFOREMENTIONED LANDS OF ABP FL (YULEE) LLC; RUN THENCE SOUTH 63°-45'-25" EAST, ALONG LAST MENTIONED SOUTHWESTERLY LINE, A DISTANCE OF 715.76 FEET TO A POINT; RUN THENCE NORTH 27°-07'-36" EAST, ALONG AFOREMENTIONED SOUTHEASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 148.39 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 8.50 ACRES (370,194 SQUARE FEET), MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS WHICH MAY LIE WITHIN.

Graphic depiction of the subject property:



**SECTION 2. EXISTING DEVELOPMENT ORDER**

All terms and conditions of the existing Fernandina International Tradeplex DRI development order and first amendment remain in full force and effect except as specifically amended by this Resolution.

**SECTION 3. RECORDATION AND RENDITION**

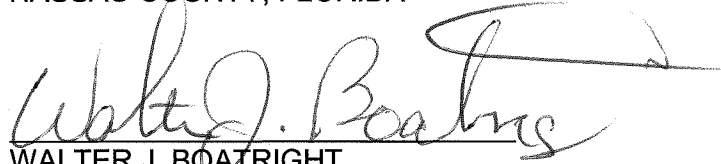
A copy of this Resolution shall be recorded in the Public Records of Nassau County. Nassau County will render a recorded copy of this Third Amendment to the Development Order to the Florida Department of Community Affairs, Bureau of Local Planning, the Northeast Florida Regional Council, and the Developer.

**SECTION 4. EFFECTIVE DATE:**

This Resolution shall become effective upon adoption.

**PASSED AND ADOPTED THIS 13TH DAY OF DECEMBER, 2010.**

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
WALTER J. BOATRIGHT  
Its: Chairman

ATTEST as to Chairman's Signature:

  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

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

  
DAVID A. HALLMAN