

ORDINANCE NO. 2009- 12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 8.5 ACRES OF REAL PROPERTY LOCATED APPROXIMATELY ½ MILE NORTH OF THE ENTRANCE OF THE INDUSTRIAL SUBDIVISION KNOWN AS THE NASSAU TRADEPLEX IN SECTION 51, TOWNSHIP 3 NORTH, RANGE 27 EAST FROM OPEN RURAL (OR) TO INDUSTRIAL WAREHOUSE (IW); PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Terra Point, LLC, owner of the real property described in this Ordinance and Compass Group, Inc, agent, filed Application R09-001 for a rezoning and reclassification of the property from Open Rural (OR) to Industrial Warehouse (IW); and

WHEREAS, the property is designated as Industrial by the Future Land Use Map series of the Nassau County Comprehensive Plan; and

WHEREAS, the Planning and Zoning Board, after due notice conducted a public hearing on April 7, 2009 and voted to recommend approval of the rezoning request to the Industrial Warehouse (IW) district to the Commission; and

WHEREAS, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the overall Comprehensive Land Use Plan and orderly development of the County of Nassau, Florida, and the specific area; and

WHEREAS, public notice of this rezoning has been provided in accordance with Chapter 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:

SECTION 1. FINDINGS: That the proposed rezoning to Industrial Warehouse (IW) is generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan Policies 1.02.03 and 1.02.05(d) of the Future Land Use Element and Objective 1.10, Economic Development Element.

SECTION 2. PROPERTY REZONED: The real property described in Section 3 is rezoned and reclassified from Open Rural (OR) to Industrial Warehouse (IW) as defined and classified under the Zoning Ordinance, Nassau County, Florida. The Official Zoning Map shall be amended to reflect this change.

SECTION 3. OWNER AND DESCRIPTION: The land rezoned by this Ordinance is owned by Terra Point LLC, of Fernandina Beach, Florida and is described as follows:

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. *****Continued on next page*****

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.

ORDINANCE NO. 2009- 12
Boundary of Subject Property

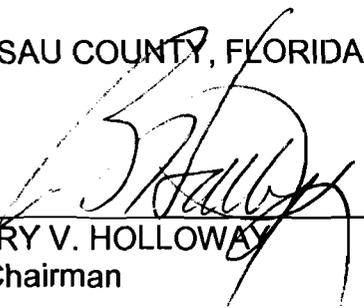


SECTION 3. EFFECTIVE DATE: This Ordinance shall become effective upon its being filed with the Secretary of State.

PASSED AND ADOPTED THIS 27th DAY OF April, 2009.

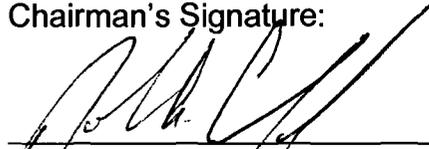
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



BARRY V. HOLLOWAY
Its: Chairman

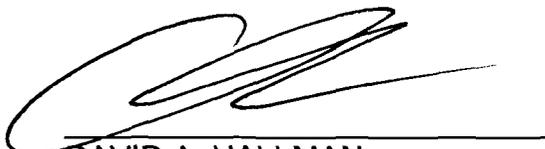
Attestation: Only to Authenticity as to
Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

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4/29/09

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



DAVID A. HALLMAN,
County Attorney