

ORDINANCE 2018 - 10

**AN ORDINANCE OF NASSAU COUNTY, FLORIDA
AMENDING THE FUTURE LAND USE MAP OF THE
COMPREHENSIVE PLAN; PROVIDING FOR THE
RECLASSIFICATION OF APPROXIMATELY 6.34 ACRES
OF REAL PROPERTY LOCATED ON THE EAST SIDE OF
US HIGHWAY 17 BETWEEN LEISURE WAY AND OWENS
FARM ROAD, FROM INDUSTRIAL (IND) AND
AGRICULTURE (AGR) TO COMMERCIAL (COM);
PROVIDING FOR FINDINGS; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Get & Save, LLC are the owners of five parcels comprising 6.34 acre identified as Tax Parcel #s 35-4N-26-0000-0001-0040, 35-4N-26-0000-0001-0100, 35-4N-26-0000-0001-0050, 35-4N-26-0000-0001-0080 & portion of 02-3N-26-0000-0001-0050 by virtue of Deed recorded at O.R.1729, page 228; O.R. 1981, page 1586; O.R. 2093, page 1894; O.R. 1777 page 783; and O.R. 1537, page 1959, respectively, of the Public Records of Nassau County, Florida; and

WHEREAS, Get & Save, LLC have filed Application CPA18-001 to change the Future Land Use Map classification of the land described herein; and

WHEREAS, Get & Save, LLC have not been granted a change of Future Land Use Map designation on the subject property within the previous 12 months; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on February 6, 2018 and voted to recommend approval of CPA18-001 to the Commission; and

WHEREAS, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the 2030 Comprehensive Plan and the orderly development of Nassau County; and

WHEREAS, the Board of County Commissioners held a public hearing on March 12, 2018; and

WHEREAS, public notice of all hearings has been provided in accordance with Chapters 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, AS FOLLOWS:

SECTION 1. FINDINGS.

The FLUM amendment complies with the Goals, Objectives and Policies of the 2030 Comprehensive Plan, in particular Policies FL.01.02(C), FL.08.05, Objective FL.12 and Policy ED.05.01.

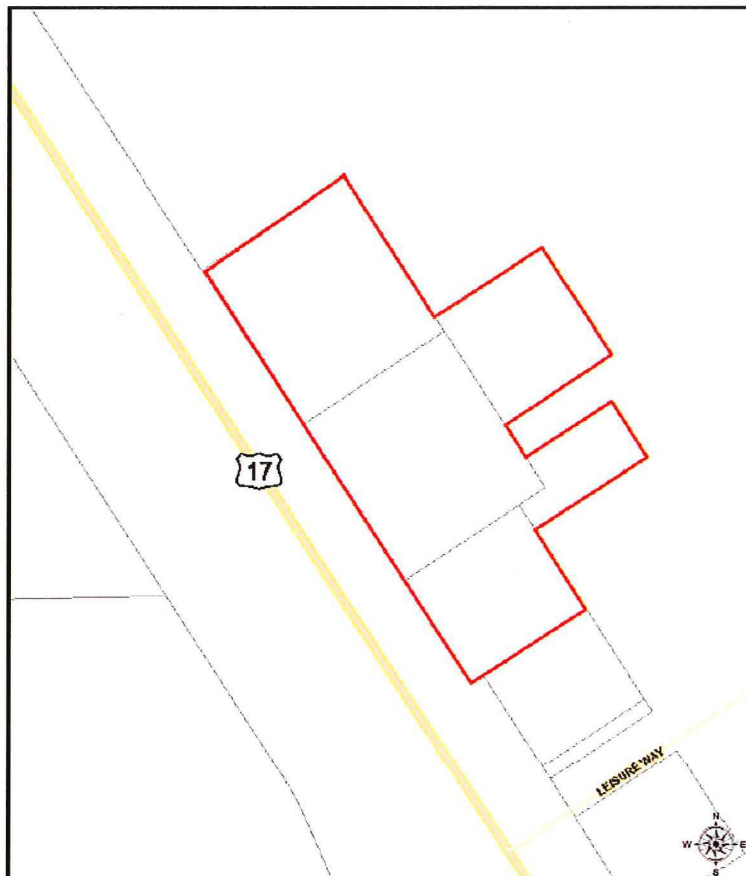
SECTION 2. PROPERTY RECLASSIFIED.

The real property described in Section 3 is reclassified from Industrial (IND) and Agriculture (AGR) to Commercial (COM) on the Future Land Use Map of Nassau County. The Planning and Economic Opportunity Department is hereby authorized to amend the Future Land Use Map to reflect this reclassification upon the effective date of this Ordinance.

SECTION 3. OWNER AND DESCRIPTION.

The land reclassified by this Ordinance is owned by Get & Save, LLC and is identified by the following tax identification numbers, graphic illustration, and legal descriptions:

Parcel #s 35-4N-26-0000-0001-0040, 35-4N-26-0000-0001-0100, 35-4N-26-0000-0001-0050, 35-4N-26-0000-0001-0080 & portion of 02-3N-26-0000-0001-0050



LEGAL DESCRIPTION

#35-4N-26-0000-0001-0040 & portion of #02-3N-26-0000-0001-0050

A PARCEL OF LAND SITUATE IN SECTION 35, TOWNSHIP 4 NORTH, RANGE 26 EAST AND SECTION 2, TOWNSHIP 3 NORTH, RANGE 26 EAST, NASSAU COUNTY, FLORIDA, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1729, PAGE 228 AND OFFICIAL RECORDS BOOK 1537, PAGE 1959, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 26 EAST, NASSAU COUNTY, FLORIDA; THENCE NORTH 89°19'34" EAST, ALONG THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 3,096.01 FEET TO A POINT ON THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1537, PAGE 1959, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE NORTH 32°54'22" WEST, ALONG LAST SAID EASTERLY LINE, A DISTANCE OF 161.77 FEET TO INTERSECT THE SOUTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1729, PAGE 228, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE ALONG THE PERIMETER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1729, PAGE 228, THE FOLLOWING THREE COURSES: 1) NORTH 57°07'01" EAST A DISTANCE OF 51.07 FEET; 2) NORTH 32°54'05" WEST A DISTANCE OF 302.67 FEET; 3) SOUTH 57°06'03" WEST A DISTANCE OF 275.00 FEET TO INTERSECT THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 17; THENCE SOUTH 32°53'40" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 502.59 FEET TO A JOG IN SAID EASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 57°07'01" EAST A DISTANCE OF 224.00 FEET; THENCE NORTH 32°54'22" WEST A DISTANCE OF 38.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.94 ACRES MORE OR LESS.

LEGAL DESCRIPTION

#35-4N-26-0000-0001-0050

A portion of Section 35, Township 3 North, Range 26 East, Nassau County, Florida, Said portion being more particularly described as follows:

For a point of commencement at the point where the centerline of Interstate Route No. 95 intersects the centerline of U.S. Highway No. 17; thence North $32^{\circ} 53' 56''$ West along the centerline of U.S. Highway No. 17, a distance of 2500 feet to a point; thence North $57^{\circ} 06' 04''$ East, a distance of 324 feet to a point; thence North $32^{\circ} 53' 56''$ West, a distance of 300 feet to the point of beginning. Thence continue North $32^{\circ} 53' 56''$ West, a distance of 208.71 feet to a point; thence North $57^{\circ} 06' 04''$ East, a distance of 208.71 feet to a point; thence South $32^{\circ} 53' 56''$ East, a distance of 208.71 feet to a point; thence South $57^{\circ} 06' 04''$ West, a distance of 208.71 feet to the point of beginning.

#35-4N-26-0000-0001-0080

All that tract or parcel of land being a portion of Section 35, Township 4 North, Range 26 East, Nassau County, Florida, and being more particularly described as follows:

Commencing at the Southwest corner of Section 35, Township 4 North, Range 26 East; run North 89 degrees 19 minutes 34 seconds East along the South line of Section 35 a distance of 3,096.01 feet to a point; run thence North 32 degrees 54 minutes 22 seconds West, a distance of 161.77 feet to a point; thence South 57 degrees 07 minutes 01 seconds West, a distance of 223.93 feet to a point on the Northeasterly right of way line of U.S. Highway 17 and the POINT OF BEGINNING.

From the point of beginning, run North 32 degrees 54 minutes 05 seconds West, along the right of way of U.S. Highway 17, a distance of 602.59 feet to a point; run thence North 57 degrees 06 minutes 03 seconds East, a distance of 275.00 feet to a point; thence South 32 degrees 54 minutes 05 seconds East, a distance of 602.67 feet to a point; thence South 57 degrees 07 minutes 01 seconds West, a distance of 275.00 feet to the POINT OF BEGINNING.

LESS and EXCEPT Parcels 4-C and Parcel 4-D.

LEGAL DESCRIPTION

#35-4N-26-0000-0001-0100

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, BEING A PORTION OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 26 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 89°19'34" WEST, ALONG THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 171.24 FEET TO THE WESTERLY RIGHT-OF-WAY OF INTERSTATE 95 (HAVING A VARIABLE RIGHT-OF-WAY WIDTH); THENCE SOUTH 24°42'03" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 468.18 FEET; THENCE SOUTH 28°44'24" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 232.65 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1088, PAGE 1577 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY LINE AND THE WESTERLY LINES OF SAID LANDS RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES; COURSE NO. (1) NORTH 61°15'36" WEST 49.85 FEET; COURSE NO. (2) SOUTH 28°44'24" WEST 219.05 FEET; COURSE NO. (3) SOUTH 59°06'01" WEST 105.42 FEET; COURSE NO. (4) SOUTH 89°27'38" WEST 87.10 FEET; COURSE NO. (5) SOUTH 00°32'22" EAST 64.75 FEET TO THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 789 PAGE 578 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89°26'00" WEST ALONG SAID NORTHERLY LINE 181.81 FEET; THENCE ALONG THE PERIMETER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1408, PAGES 375-377 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, THE FOLLOWING EIGHT (8) COURSES AND DISTANCES; COURSE NO. (1) NORTH 32°52'57" WEST, A DISTANCE OF 888.52 FEET; COURSE NO. (2) SOUTH 57°06'36" WEST A DISTANCE OF 521.46 FEET; COURSE NO. (3) NORTH 32°53'07" WEST, A DISTANCE OF 200.00 FEET; COURSE NO. (4) SOUTH 57°06'08" WEST A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 17 (HAVING A 137.50 FOOT RIGHT-OF-WAY); COURSE NO. (5) NORTH 32°53'59" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 76.00 FEET; COURSE NO. (6) NORTH 57°06'08" EAST, A DISTANCE OF 200.00 FEET; COURSE NO. (7) NORTH 32°53'01" WEST, A DISTANCE OF 200.00 FEET; COURSE NO. (8) NORTH 32°59'00" WEST, A DISTANCE OF 149.50 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE PERIMETER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1408, PAGES 375-377, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, THE FOLLOWING THREE (3) COURSES AND DISTANCES; COURSE NO. (1) NORTH 57°-08'-15" EAST 220.00 FEET; COURSE NO. (2) NORTH 32°-59'-00" WEST 110.00 FEET; COURSE NO. (3) SOUTH 57°-08'-15" WEST 168.52 FEET, TO INTERSECT THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 725, PAGES 1751-1752, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE ALONG THE PERIMETER OF LAST SAID LANDS THE FOLLOWING TWO (2) COURSES AND DISTANCES; COURSE NO. (1) SOUTH 32°-54'-05" EAST 59.37 FEET; COURSE NO. (2) SOUTH 57°-06'-03" WEST 51.39 FEET; THENCE SOUTH 32°-59'-00" EAST, A DISTANCE OF 50.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.4854 ACRES MORE OR LESS.

SECTION 4. EFFECTIVE DATE.

The Board of County Commissioners shall cause this Ordinance to be filed with the Department of Economic Opportunity and the Secretary of State. This Ordinance shall become effective on the thirty-first (31st) day after adoption by the Board of County Commissioners.

PASSED AND ADOPTED THIS 12th DAY OF March, 2018.

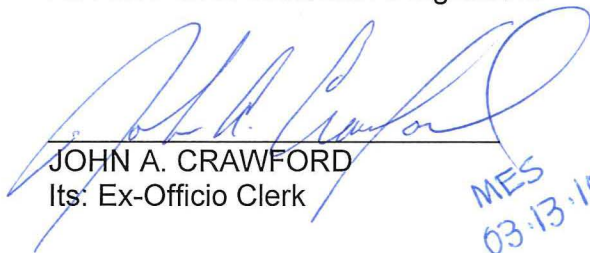
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA

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PAT EDWARDS,
Its: Chairman

ATTEST as to Chairman's Signature:

A handwritten signature in blue ink, appearing to read "John A. Crawford", written over a horizontal line.

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
03-13-18

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

A handwritten signature in blue ink, appearing to read "Michael S. Mullin", written over a horizontal line.

MICHAEL S. MULLIN,
County Attorney