

RESOLUTION NO. 2001- 185

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA ADOPTED PURSUANT TO FLORIDA STATUTES 163.335 AND 163.360; DETERMINING CERTAIN DEFINED AREA MEETS THE CRITERIA IN FLORIDA STATUTES 163.335; DETERMINING CERTAIN DEFINED AREA TO POSSESS SHORTAGE OF HOUSING AFFORDABLE TO RESIDENTS OF LOW OR MODERATE INCOME, INCLUDING THE ELDERLY OR A COMBINATION THEREOF; AND DESIGNATING SUCH DEFINED AREA AS APPROPRIATE FOR COMMUNITY REDEVELOPMENT.

WHEREAS, Florida Statutes 163.360 provides that community redevelopment shall not be planned or initiated unless the County Commission has, by resolution, determined such area meets the criteria in Florida Statutes 163.335 and 163.360, or an area in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, or a combination thereof; and

WHEREAS, Florida Statutes 163.335 and 163.360 provides that when there is a determination that the foregoing elements exist within a certain area that such area may be designated as appropriate to community redevelopment; and

WHEREAS, in 2001 the Finding of Necessity was taken of a certain area of the County (henceforth described as the "Defined Area") as particularly described in the legal description attached hereto as Exhibit "A" and as further described in the boundary map attached hereto as Exhibit "B"; and

WHEREAS, the study was conducted to ascertain whether there is a necessity for community redevelopment of the Defined Area, which study included the following:

- (a) a review of property records of Nassau County so as to determine property control numbers, ownership, type of building uses, and zoning;
- (b) preparation of maps to provide a visual understanding of land use, ownership patterns, vacant land parcels and conditions of structures;
- (c) conducting windshield survey so as to determine existing physical conditions and to identify slum and blighted conditions as defined in the Florida Statutes, Chapter 163.335 and Chapter 163.360, such survey including a review of 334 parcels within the Defined Area.

**WHEREAS,** Florida Statutes 163.335 requires that certain criteria be considered, including building condition, site deterioration, site deficiencies, excessive diversity of ownership, presence of vacant lots, presence of vacant buildings, incompatible land uses, maintenance code violations, inadequate street layout, and inadequate infrastructure; and

**WHEREAS,** the study undertaken of the Defined Area by a professional consultant conforms to the definitions specified in Florida Statutes 163.340 and the criteria set forth in Florida Statutes 163.335; and

**WHEREAS,** Nassau County determines that there are a substantial number of deteriorated structures and conditions within the Defined Area having a potential for endangerment of life or property by fire or other causes, and where other factors

are present in the Defined Area which substantially impair or arrest the sound growth of the County and the Defined Area and are a menace to the public health, safety, morals or welfare in their present condition including, but not limited to, highly deteriorated conditions of site and structures, a large number of vacant lots and vacant buildings, under utilization of land, land use conflicts, diversity of ownership, poor condition of infrastructure, inadequate utilities, inadequate street layout, code violations, aging buildings; and

**WHEREAS**, Nassau County finds that community redevelopment assistance is necessary within the Defined Area to remove certain conditions, enhance the tax base and improve the living conditions for the residents of the County and the Defined Area; and

**WHEREAS**, the findings and conclusions of the study of the Defined Area are sufficient to support its recommendation that the Defined Area may appropriately be designated for community redevelopment; and

**WHEREAS**, a public hearing took place wherein the County Commission considered as appropriate the further remarks of the County staff and members of the public.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Nassau County, Florida this 17th day of December, 2001, as follows:

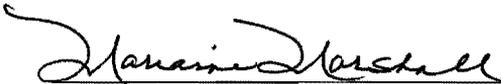
1. The Defined Area is determined to meet the criteria in Florida Statutes 163.335, Florida Statutes 163.360 and

the criteria listed herein, and an area in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly; and

2. The Defined Area is hereby designated as appropriate for community redevelopment pursuant to Part III, Chapter 163, Florida Statutes.
3. Pursuant to Florida Statutes Chapter 163.360, a plan shall be prepared and presented to the Board of County Commissioners. Said plan shall be considered at an advertised public hearing. Advertising shall require a minimum of two (2) weeks in the local newspaper and notice by certified mail to all property owners.
4. A Community Redevelopment Agency shall not be created unless the Board of County Commissioners of Nassau County, Florida, pursuant to Florida Statutes Chapter 163.360, approves the Community Redevelopment Plan and until a hearing or hearings have been conducted regarding the creation of a Community Redevelopment Agency. Further said notification of any consideration of a Community Redevelopment Agency shall require a minimum of three (3) weeks public notice advertised in the local newspaper and certified mailings to each and every property owner as indicated on the Property Appraiser's records. In addition a ballot will be sent to every property owner as indicated on the Property Appraiser's records. No Community Redevelopment Agency shall be created unless a

ballot is prepared and approved by the Board of County Commissioners and approved by the majority of the property owners that vote.

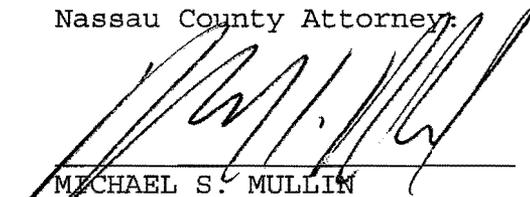
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
MARIANNE MARSHALL  
Its: Chairman

ATTEST:

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

Approved as to form by the  
Nassau County Attorney:

  
MICHAEL S. MULLIN

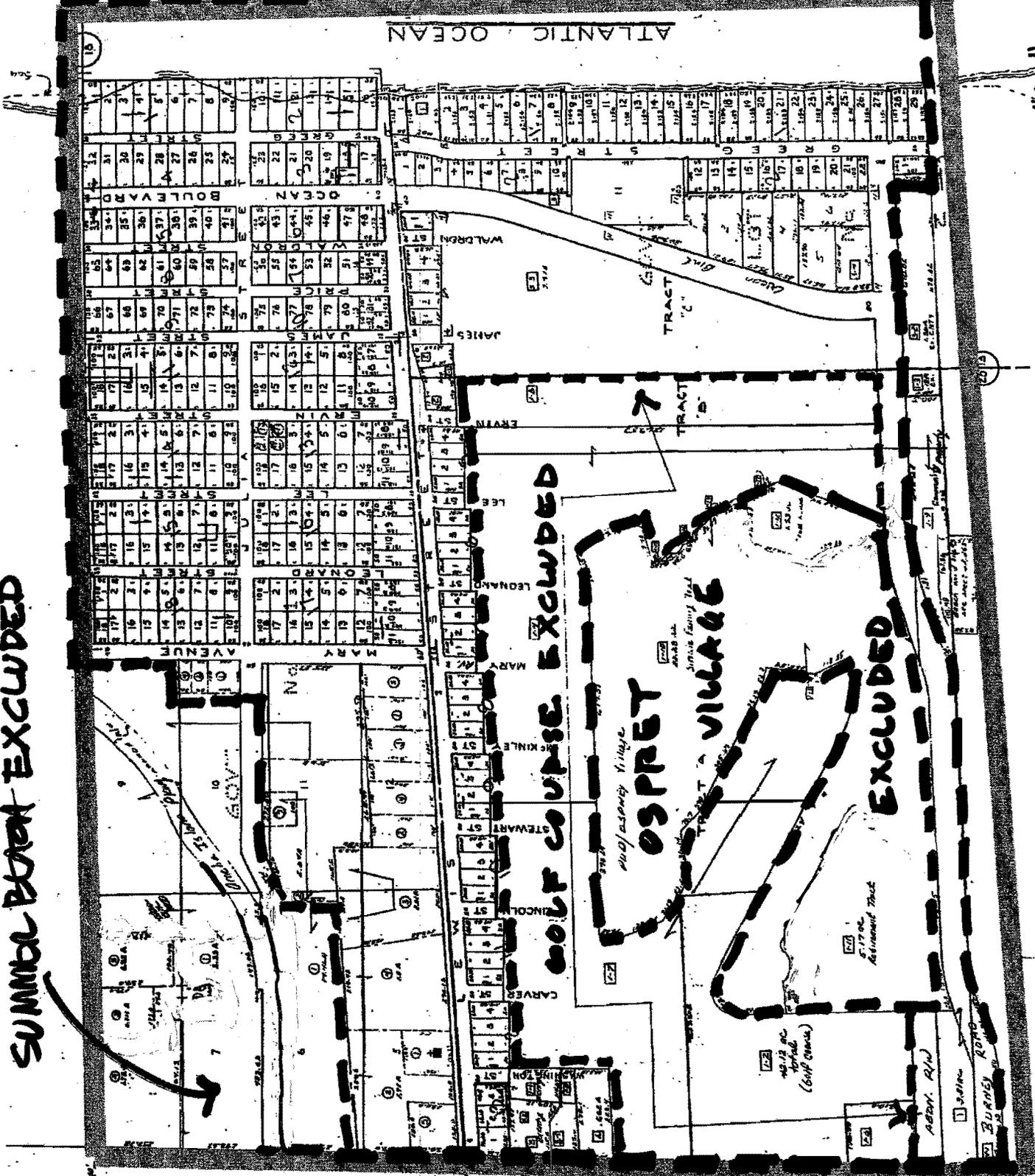
I, J. M. "Chip" Oxley, Jr., Clerk of Nassau County, Florida, do hereby specify that this is a true and accurate copy of Resolution No. 2001-185, which was duly introduced, read, and adopted at the Regular Meeting of the Board of County Commissioners of Nassau County, Florida, held on December 17, 2001.

Witness my hand and official seal of Nassau County, Florida, this 17th day of December, 2001.

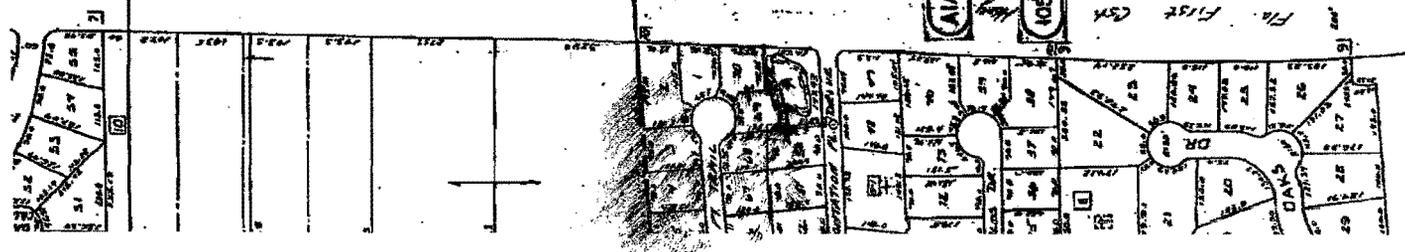
  
J. M. "CHIP" OXLEY, JR.  
Ex-Officio Clerk

h/joyce/wp/craresolution

**SUMMIT BEACH EXCLUDED**



Proposed American Beach CRA Study Area Exhibit "B"





**Coastal Land Surveyors**  
Surveyors & Mappers

***Coastal Land Surveyors***  
**Surveying • Mapping • Construction Layout**

Exhibit A

LEGAL DESCRIPTION NO. American Beach CRA

A PORTION OF SECTIONS 18 AND 20, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT WHERE THE NORTHERLY LINE OF SAID SECTION 18 IS INTERSECTED BY THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 105 ( A-1-A ); THENCE EASTERLY ALONG SAID NORTHERLY SECTION LINE TO ITS INTERSECTION WITH THE APPROXIMATE MEAN HIGH WATER LINE OF THE ATLANTIC OCEAN; THENCE SOUTHERLY ALONG SAID APPROXIMATE MEAN HIGH WATER LINE TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF LOT 29, BLOCK 1, AMERICAN BEACH UNIT ONE, SECTION 3, AS RECORDED IN PLAT BOOK 3, PAGE 19 PUBLIC RECORDS OF SAID NASSAU COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 53 MINUTES WEST ALONG THE SOUTHERLY LINE OF SAID AMERICAN BEACH, UNIT ONE, SECTION 3, TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 3 OF SAID AMERICAN BEACH, UNIT ONE, SECTION 3; THENCE NORTH 00 DEGREES 07 MINUTES 00 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LOT 1, BLOCK 3, A DISTANCE OF 100.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 3, SAID POINT BEING LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BURNEY ROAD; THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO ITS INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 105 ( A-1-A ), AFOREMENTIONED; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE LANDS DESCRIBED IN THE FOLLOWING OFFICIAL RECORDS ( O.R. ) BOOKS AND PAGES RECORDED IN THE PUBLIC RECORDS OF SAID NASSAU COUNTY:  
O.R. BOOK 980, PAGE 1616, O.R. BOOK 889, PAGE 806, O.R. BOOK 400, PAGE 475, O.R. BOOK 417, PAGE 190, O.R. BOOK 946, PAGE 1809, O.R. BOOK 820, PAGE 433, O.R. BOOK 966, PAGE 567, O.R. BOOK 810, PAGE 465, O.R. BOOK 843, PAGES 74 - 89, O.R. BOOK 810, PAGE 447, O.R. BOOK 713, PAGE 131, O.R. BOOK 729, PAGE 1006  
AND O.R. BOOK 843, PAGE 100.