

**ST. JOHNS COUNTY**  
**RESOLUTION NUMBER 2007-127**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE NOCATEE DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON FEBRUARY 23, 2001, UNDER RESOLUTION 2001-30; AND PREVIOUSLY MODIFIED BY RESOLUTION 2006-95, APPROVED MARCH 21, 2006; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Thomas Ingram, Esquire, the authorized representative of SONOC Company, LLC has submitted a Notice of Proposed Change (NOPC) to the Nocatee Development of Regional Impact (DRI) by letter dated February 1, 2007, requesting modification of portions of the Development Order (the "Notice of Change"); and

WHEREAS, the Developer submits that the changes proposed in the NOPC do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes and the Developer has provided evidence that such changes do not constitute a substantial deviation under any provision of Section 380.06(19) of the Florida Statutes; and

WHEREAS, the Board of County Commissioners has reviewed the NOPC and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held May 1<sup>st</sup>, 2007, after required notice; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA:**

1. The following facts and conclusions of law are established by clear and convincing evidence to support this Resolution:
  - A. The requested changes do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the number of development rights or increase in impacts from those approved in the original Nocatee DRI Development Order, Resolution 2001-30 as amended prior to this change.
  - B. The changes requested in the NOPC are consistent with the Land Development Code of St. Johns County, as amended.
  - C. The change requested in the NOPC is consistent with and furthers the objectives of the St. Johns County Comprehensive Plan 2015.
  
2. The Nocatee DRI Development Order, Resolution 2001-30 is hereby modified by approval of the following specific changes:

**Addition of text to Special Condition 17 as shown on Exhibit 1 attached hereto.**

3. Except as modified by this Resolution, the existing Nocatee DRI Development Order shall remain in full force and effect.
4. A certified copy of this Resolution, complete with all exhibits, shall be rendered by St. Johns County within ten (10) days of its adoption by certified mail, return receipt requested to the Developer, the Florida Department of Community Affairs, and the Northeast Florida Regional Council.
5. This Resolution shall take effect upon its adoption.

**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 1<sup>ST</sup> DAY OF May, 2007.**

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich  
Ben Rich, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Cheryl Strickland  
Deputy Clerk

RENDITION DATE May 3, 2007

February 8, 2001  
Revised Boundary

Work Order No. 598-354

Legal Description

NOCATEE

DUVAL COUNTY, FLORIDA

TRACT "A"

All of Sections 36, 46, and 53 and portions of Sections 25, 34, 35, 47, 48, 49, and 55; Township 4 South, Range 28 East, Duval County, Florida, being more particularly described as follows:

For Point of Beginning, commence at the point of intersection of the Southerly boundary of Section 34, Township 4 South, Range 28 East, with the Northeasterly right of way line of U.S. Highway 1, State Road No. 5, and run North  $41^{\circ}50'26''$  West along said right of way line, a distance of 925.00 feet to a point; run thence North  $76^{\circ}59'37''$  East, a distance of 4,715.0 feet to a point; run thence North  $00^{\circ}37'22''$  West, a distance of 3625.0 feet to a point; run thence North  $89^{\circ}34'10''$  East, a distance of 1,965.0 feet; run thence North  $34^{\circ}06'08''$  East, a distance of 3,495.66 feet to a point on the Northerly boundary of Section 49; run thence North  $75^{\circ}13'42''$  East along the Northerly boundary of Section 49 and 53, the same being Southerly boundary of Section 45 and along the Southerly boundary of Section 52, Township and Range aforementioned, and it's Northeasterly projection, a distance of 6,620.70 feet to a point on the East line of Section 25, said Township and Range, run thence South  $00^{\circ}54'07''$  East along last said Section line and along the East line of Section 36, a distance of 9,798.05 feet to its point of intersection with the Northwesterly right of way line of Palm Valley Road, County Road No. 210; run thence South  $55^{\circ}21'50''$  West along said right of way line, a distance of 146.60 feet to a point on the South line of said Section 36; run thence South  $89^{\circ}37'49''$  West along the South line of Sections 34, 35 and 36, a distance of 14,298.23 feet to the Point of Beginning.

August 6, 1999

Work Order No. S98-354

Legal Description

NOCATEE

ST. JOHNS COUNTY, FLORIDA

TRACT "B"

Portions of Section 19, 20, 28, 29, 30, 31, 32, 49, 50, 51, 55, 65, 66, and 67 Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

For Point of Beginning, commence at the Northwest corner of Section 30, said Township and Range and run North  $88^{\circ}39'56''$  East along the North line of said Section, a distance of 1650.0 feet; run thence North  $62^{\circ}02'54''$  East, a distance of 7,000.0 feet; run thence South  $66^{\circ}36'10''$  East, a distance of 3133.65 feet; run thence South  $17^{\circ}06'55''$  East, a distance of 5068.75 feet to the Northeasterly corner of that certain parcel of land described in Official Records Volume 97, Page 151, Public Records of said County; run thence South  $76^{\circ}09'47''$  West, along the Northerly boundary of said parcel, a distance of 477.26 feet to the Northeasterly corner of that certain tract of land described in Official Records Book 673, Page 636 and 637, public records of said county; run thence South  $88^{\circ}13'50''$  West along the Northerly boundary of said tract a distance of 622.02 feet to the Northwest corner thereof; run thence South  $07^{\circ}59'59''$  East along the Westerly line of said tract and along the Westerly line of that parcel described in Official Records Book 368, page 550, a distance of 532.17 feet to a point on the line dividing Sections 28 and 55, Township and Range aforementioned; run thence South  $86^{\circ}48'25''$  West along said Section line, a distance of 1,728.48 feet to the Northeast corner of that parcel identified as Parcel Six and described in documentation recorded in Official Records Volume 1084, Page 676, said public records, run thence South  $11^{\circ}08'51''$  East along the Easterly line of said Parcel Six, a distance of 600.76 feet to the Northwesterly right of way line of Palm Valley Road, County Road No. 210; run thence South  $55^{\circ}21'50''$  West along said right of way line, a distance of 11,438.24 feet to it's point of intersection with the Westerly line of Section 31, Township and Range aforementioned; run thence North  $00^{\circ}54'07''$  West along said Westerly section line and along the Westerly line of Section 30, a distance of 10,614.31 feet to the Point of Beginning; less and except from the above described lands, the Northeast  $1/4$  of the Southeast  $1/4$  of Section 30, said Township and Range.

Legal Description

TRACT "C"

All of Sections 58 and 64 and portions of Sections 29, 31, 32, 55, 57, 59, 60, 61 and 63, Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

For Point of Beginning, commence at the Southwest corner of Section 32, Township 4 South, Range 29 East, and run South  $89^{\circ} 27' 34''$  West, along the Southerly line of said Township, a distance of 5,245.88 feet to its point of intersection with the Southeasterly right of way line of Palm Valley Road, County Road No. 210; run thence Northeasterly, along said right of way line, as follows: first course, North  $55^{\circ} 21' 50''$  East, a distance of 11,609.31 feet to a point of curvature; second course, along the arc of a curve concave Southeasterly with a radius of 943.73 feet, an arc distance of 392.05 feet to the point of tangency of said curve, said arc being subtended by a chord bearing North  $67^{\circ} 15' 54''$  East and distance of 389.23 feet; third course, North  $79^{\circ} 09' 57''$  East, a distance of 1439.56 feet to the extreme Westerly corner of that certain tract described in deed recorded in Official Records 664, Page 1159, Public Records of said County; run thence South  $18^{\circ} 09' 43''$  East, departing said right of way line, a distance of 2633.45 feet; run thence South  $82^{\circ} 53' 46''$  East, a distance of 711.15 feet; run thence South  $08^{\circ} 41' 05''$  East, a distance of 4351.59 feet to a point on aforesaid Southerly line of Township 4 South, Range 29 East; run thence South  $89^{\circ} 27' 34''$  West, along said Township line, a distance of 8263.12 feet to the Point of Beginning.

LESS AND EXCEPT: Those lands described in instrument recorded in Official Records Book 1097, Page 1072 and Official Records Book 1443, Page 1680, Public Records of said County.

May 6, 1999

Work Order No. S98-354

Legal Description

TRACT "D"

Portions of Sections 57 and unsurveyed Section 34, Township 4 South, Range 29 East, St. Johns County, Florida being more particularly described as follows:

For Point of Reference, commence at the Southwest corner of Section 32, Township 4 South, Range 29 East, and run North  $89^{\circ} 27' 34''$  East, along the Southerly line of said Township, a distance of 14,134.03 feet to its point of intersection with the Westerly right of way line of Florida East Coast Canal (Intracoastal Waterway) as recorded in Map Book 4, Pages 68 through 78, Public Records of St. Johns County, Florida and the Point of Beginning.

From the Point of Beginning thus described, run North  $25^{\circ} 46' 44''$  West along said Westerly right of way line, a distance of 2,500.00 feet; run thence South  $49^{\circ} 50' 45''$  West, departing said line, a distance of 3,546.61 feet to a point on aforesaid Southerly Township line; run thence North  $89^{\circ} 27' 34''$  East, along said Township line, a distance of 3,798.13 feet to the Point of Beginning.

LESS AND EXCEPT any portion of the above described lands lying below the mean high water line of the Tolomato River.



November 11, 1999

Work Order No. S98-354

Legal Description

TRACT "E"

Parcel 2

A part of Section 2, Township 5 South, Range 28 East, St. Johns County, Florida, being all of those lands described as Parcel 2 in Deeds recorded in Official Records Book 979, Page 1807 and Official Records Book 979, Page 1810, Public Records of said County.



Legal Description

TRACT "F"

A tract of land comprised of the East 1/2 of Section 12 and the Northeast 1/4 of Section 13, Township 5 South, Range 28 East, St. Johns County, Florida, less and except that portion lying within the boundary of Subdivision of Hilden recorded in Map Book 3, Page 59, of the Public Records of said County.

Less and except the following described parcel:

A part of Section 13, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For the Point of Beginning, commence at the intersection of the Southerly right of way line of North East Second Street, a 40 foot right of way as shown on plat of Subdivision of Hilden, recorded in Map Book 3, Page 59 of the public records of said county, with the Northeasterly right of way line of Fifth Avenue, a 40 foot right of way as shown on said plat of Subdivision of Hilden; thence South 52° 48' 30" West, along the Southerly right of way line, 588 feet to the Easterly line of those lands as described and recorded in Official Records Book 1230, Page 1153, of said public records; thence South 00° 43' 58" East, along said Easterly line, 222 feet to the Northerly line of those lands described and recorded in Official Records Book 703, Page 781, of said public records; thence North 88° 24' 40" East, along the Northerly lines of the lands described and recorded in said Official Records Book 703, Page 781, Official Records Book 704, Page 1135, Official Records Book 807, Page 1537, and Official Records Book 1185, Page 526, all being recorded in said public records, 944 feet to an intersection with the Southeasterly prolongation of said Northeasterly right of way line of Fifth Avenue; thence North 40° 54' 24" West, along said Southerly prolongation, 730 feet to the Point of Beginning.

September 10, 1999

Work Order No. S98-354

**TRACT "G"**

That portion of Section 37, Township 5 South, Range 28 East, St. Johns County, Florida described in deed recorded at Official Records Book 675, Page 350, public records of said county.

**TRACT "H"**  
**Parcel 1**

A tract of land comprised of all or portions of surveyed and unsurveyed Sections 3, 10 and 15; all of Sections 4, 5, 7, 8, 9, 16, 17, 18, 20, 21, 39, 62, 63, 64, 65, 66, and portions of Sections 6, 19 and 61, Township 5 South, Range 29 East, St. Johns County, Florida, said tract being more particularly described as follows:

For Point of Beginning, commence at the Northeast corner of Section 6, Township 5 South, Range 29 East, and run South  $89^{\circ} 27' 34''$  West, along the Northerly line of said Section, a distance of 5245.88 feet to its point of intersection with the Southeasterly right of way of Palm Valley Road, County Road No. 210; run thence South  $55^{\circ} 21' 50''$  West, along said right of way line, a distance of 68.75 feet to a point on the Westerly boundary of said Section; run thence South  $00^{\circ} 56' 57''$  West, along said Section line, a distance of 5407.34 feet to the Southwest corner of said Section; run thence South  $02^{\circ} 32' 48''$  East, along the Westerly boundary of Section 7, said Township and Range, a distance of 5331.05 feet to the Southwest corner thereof; run thence South  $01^{\circ} 38' 27''$  East, along the Westerly line of Section 18, said Township and Range, a distance of 4909.80 feet to the Northwesterly corner of Section 40; run thence along the boundary of said Section 40 as follows: first course, South  $55^{\circ} 40' 59''$  East, a distance of 1887.09 feet; second course, South  $79^{\circ} 34' 02''$  East, a distance of 639.79 feet; third course, South  $07^{\circ} 57' 59''$  East, a distance of 1679.42 feet; fourth course, North  $59^{\circ} 54' 33''$  West, a distance of 2797.08 feet to the Southwesterly corner of said Section; run thence South  $01^{\circ} 29' 54''$  East, along the Westerly line of Section 19, aforesaid Township and Range, a distance of 395.62 feet to the Northeast right of way line U.S. Highway 1, State Road No. 5; run thence South  $37^{\circ} 55' 34''$  East, along said right of way line, a distance of 3131.90 feet to its point of intersection with the Northerly line of Section 41, said Township and Range and the Northerly boundary of Woodland Heights according to the plat recorded in Map Book 3, Page 78, Public Records of St. Johns County, Florida; run thence South  $74^{\circ} 56' 37''$  East, along said Section line and subdivision line, a distance of ~~1096.67~~ 1096.67 feet; run thence North  $13^{\circ} 29' 52''$  West, along said subdivision line, a distance of 183.21 feet; run thence North  $02^{\circ} 39' 45''$  East, along said subdivision line, a distance of 265.41 feet; run thence South  $89^{\circ} 01' 13''$  East, along said subdivision line and its Easterly projection, a distance of 574.74 feet to the Easterly right of way line of Old Dixie Highway lying on the Westerly line of Official Records Book 1353, Page 1476, Public Records of said County; run thence South  $15^{\circ} 19' 35''$  East, along said line, a distance of 1354.50 feet to a point on the Southerly boundary of aforementioned Section 19; run thence North  $88^{\circ} 50' 30''$  East, along said Southerly boundary, a distance of 1401.68 feet to the Southeast corner of said Section; run thence North  $89^{\circ} 10' 44''$  East along the Southerly line of Sections 20 and 21, and its Easterly projection, a distance of 8762.95 feet, more or less to the center of the run of an unnamed creek (Sweetwater Creek); run thence Northeasterly along the center of said run following the meanderings of same, to its point of intersection with the line dividing unsurveyed Sections 15 and 22, said point of intersection bearing North  $28^{\circ} 40' 40''$  East and distance 5998.15 feet from last said point; run thence North  $89^{\circ} 17' 02''$  East, along said Section line, a distance of 2378.54 feet to a point on the Westerly right of way line of the Intracoastal Waterway, per Deed Book 193, Page 387, Public Records of said County; run thence in a Northerly direction along the West edge of the waters of the Tolomato River to a point on the North boundary of said Township 5 South, Range 29 East, said waters edge being traversed as follows: first course, North  $07^{\circ} 25' 34''$  West; along said Westerly right of way

September 10, 1999

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**TRACT "H"**  
**Parcel 1**

line of the Intracoastal Waterway, a distance of 1870.17 feet; second course, North 36° 44' 53" East continuing along said right of way line, a distance of 202.90 feet; third course, North 14° 22' 06" East, a distance of 8564.35 feet to a point on said Westerly right of way line of the Intracoastal Waterway; fourth course, North 07° 59' 12" West along said right of way line, a distance of 740.00 feet; fifth course, North 21° 43' 09" West along said right of way line, a distance of 3362.70 feet; sixth course, North 25° 49' 03" West, along said right of way line, a distance of 1899.59 feet to the point of termination of said traverse on the Northerly boundary of said Township; run thence South 89° 27' 34" West, along said Township line, a distance of 14134.03 feet to the Point of Beginning.

LESS AND EXCEPT all of that portion of Government Lot 10, Section 19, Township 5 South, Range 29 East, St. Johns County, Florida, lying East of the Easterly right of way line of Old Dixie Highway as described in deed recorded in Official Records Book 1353, Page 1476, public records of said County.

LESS AND EXCEPT any portion of the above described lands lying below the mean high water line of the Toiyomato River.

September 10, 1999

Work Order No. 98-354

TRACT "H"  
Parcel 2

All of that portion of Government Lot 10, Section 19, Township 5 South Range 29 East, St. Johns County, Florida, lying East of the Easterly right of way line of Old Dixie Highway as described in deed recorded in Official Records Book 1353, Page 1476, public records of said County.

February 8, 2001

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TRACTS "A", "B", "C", "D", "E" (Parcel 1 and Parcel 2), "F", "G", "H" (Parcel 1 and Parcel 2) described above are less and except the following described Nocatee Preserve Parcel:

A parcel of land lying in a portion of unsurveyed Section 34 and a portion of Section 57, the William Travers Grant all lying within Township 4 South, Range 29 East, St. Johns County, Florida, together with all of fractional Sections 3 and 10, and all of Section 66, the William Travers or Smith Grant, together with a portion of fractional Sections 4, 9, 15, and 16, unsurveyed Sections 3, 10 and 15, a portion of Section 39, the Hannah Smith Grant, a portion of Section 62, the William Travers Grant, a portion of Section 65, the William Travers Grant, all lying within Township 5 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Reference, commence at the corner common to Sections 19, 20, 29 and 30 of said Township 5 South, Range 29 East; thence North  $89^{\circ}09'44''$  East, along the dividing line of said Sections 20 and 29, a distance of 200.00 feet to a point; thence North  $00^{\circ}53'59''$  West, departing said dividing line, a distance of 21,013.50 feet; thence North  $89^{\circ}28'18''$  East, 7845.55 feet to the Point of Beginning.

From the Point of Beginning, continue thence North  $89^{\circ}28'18''$  East, 2002.82 feet to a point; thence North  $49^{\circ}45'40''$  East, 2486.26 feet more or less to a point lying on the Westerly Mean High Water Line of the Tolomato River; thence Northeasterly along the meanderings of said Westerly Mean High Water Line, 1,536 feet, more or less to a point which bears North  $49^{\circ}45'40''$  East and lies 891.44 feet distant from last said point; thence continue North  $49^{\circ}45'40''$  East, 558.42 feet more or less to a point lying on the Westerly line of the Florida East Coast Canal (Intracoastal Waterway) as depicted on plat thereof, recorded in Map Book 4, Pages 68 through 78 of the Public Records of said County; thence South  $25^{\circ}27'19''$  East, along said Westerly line, 658.77 feet more or less to an intersection with said Westerly Mean High Water Line of the Tolomato River; thence, departing said Westerly canal line, Southwesterly, Southerly and Northeasterly, along meanderings of said Westerly Mean High Water Line, 4890 feet, more or less to an intersection with said Westerly line of said canal which bears South  $25^{\circ}27'19''$  East and lies 882.67 feet distant from last said point; thence South  $25^{\circ}27'19''$  East, along said Westerly canal line, 475.74 feet more or less to an intersection with said Westerly Mean High Water Line of the Tolomato River; thence Southerly along the meanderings of said Westerly Mean High Water Line, 33,500 feet more or less, to its convergence with the Northerly Mean High Water Line of the Northerly prong of Smith Creek which bears South  $12^{\circ}08'19''$  West and lies 6736.68 feet distant from last said point; thence Northwesterly, along the meanderings of said Northerly Mean High Water Line of Smith Creek, 6340 feet more or less to its convergence with the Southerly Mean High Water Line of said Northerly prong of Smith Creek which bears North  $50^{\circ}08'35''$  West and lies 2947.90 feet distant from last said point; thence Southeasterly, along the meanderings of said Southerly Mean High Water Line, 4590 feet more or less to its convergence with the Northerly Mean High Water Line of the Southerly prong of said Smith Creek which bears South  $44^{\circ}01'31''$  East and lies 2750.85 feet distant from last said point; thence Southwesterly, along said Northerly Mean High Water Line, 3210 feet more or less to its convergence with the Southerly Mean High Water Line of said Southerly prong of Smith Creek which bears South  $59^{\circ}59'47''$  West and lies 1535.26 feet distant from last said point; thence Northeasterly, along the meanderings of said Southerly Mean High Water Line, 4,950 feet more or less to its convergence with said Westerly Mean High Water Line of said Tolomato River which bears North  $78^{\circ}09'08''$  East and lies 2092.17 feet distant from last said point; thence Southerly along the meanderings of said Westerly mean high water line, 50,020 feet, more or less, to its intersection with the Northeasterly line of that portion of the Intracoastal Waterway described and recorded in Deed Book 193, Page 387 (Parcel RWN 231-B) of the Public Records of St. Johns County, Florida which bears South  $11^{\circ}08'21''$  East and lies 7496.56 feet distant from last said point; thence North  $53^{\circ}26'01''$  West, along said Northeasterly line, 128.75 feet, more or less, to an intersection with said Westerly mean high water line; thence Northerly, Northwesterly and Southwesterly departing said Northwesterly line of Parcel RWN 231-B, and along said Westerly Mean High Water Line of the Tolomato River, 190 feet, more or less, to an intersection with the Northwesterly line of said parcel which bears South  $56^{\circ}09'33''$  West and lies 132.37 feet distant from last said point; thence South  $36^{\circ}33'59''$  West, along said Northwesterly line of Parcel RWN 231-B, 78.19 feet, more or less, to the

Northwesterly corner thereof; thence South 07° 36' 28" East, along the West line of said parcel, 72.81 feet, more or less, to an intersection with said Westerly Mean High Water Line of the Tolomato River; thence Northwesterly, Southwesterly, Southerly and Easterly along the meanderings of said Westerly mean high water line, 2025 feet, more or less, to an intersection with said West line of Parcel RWN 231-B which bears South 07° 36' 28" East and lies 228.65 feet distant from last said point; thence continue South 07° 36' 28" East, departing said Westerly Mean High Water Line of the Tolomato River, along said West line of Parcel RWN 231-B, a distance of 1558.54 feet, more or less, to the Southwest corner of said parcel, said point also lying on the Easterly prolongation of the line dividing said Section 15 and Section 22 of said Township 5 South, Range 29 East; thence South 88° 59' 50" West, along said Easterly prolongation and along said line dividing Sections 15 and 22, a distance of 2392.50 feet more or less to its intersection with the Northerly Mean High Water Line of Deep Creek; thence Northwesterly, along the meanderings of said Northerly Mean High Water Line, 969 feet, more or less to a point which bears North 40° 12' 46" West and lies 661.31 feet distant from last said point; thence North 03° 47' 40" East, departing said Northerly Mean High Water Line of Deep Creek, 163.23 feet more or less; thence sequentially, along the following ninety-five (95) line courses to the Point of Beginning:

LINE TABLE		
LINE	BEARING	LENGTH
L1	N07°12'26"E	176.12
L2	N41°27'20"W	353.93
L3	N09°17'15"E	138.89
L4	N44°47'01"W	262.77
L5	N20°04'36"E	91.20
L6	N46°35'36"W	65.27
L7	N73°58'12"W	460.71
L8	S88°23'32"W	186.99
L9	N12°41'19"E	583.25
L10	N38°40'26"W	425.76
L11	N13°13'44"E	168.80
L12	N08°17'36"W	207.63
L13	S04°21'30"W	42.63
L14	N39°38'46"W	88.90
L15	N09°32'28"W	504.23
L16	N17°50'38"W	277.95
L17	N01°52'17"E	208.02
L18	N10°56'17"E	65.52
L19	N86°40'52"W	86.35
L20	N01°33'03"E	72.16
L21	N05°07'43"W	227.92
L22	N61°54'04"W	128.63
L23	N06°38'37"W	531.32
L24	N14°56'55"E	221.67
L25	N34°26'51"W	268.06
L26	N01°39'42"E	176.28
L27	N52°28'54"W	267.72
L28	N00°24'46"E	417.49
L29	N22°27'02"E	88.49
L30	N13°55'58"W	980.21
L31	N09°37'32"W	50.36
L32	N05°01'33"E	64.80
L33	N05°23'42"W	141.39
L34	N05°19'40"W	675.85
L35	N05°16'15"W	120.59
L36	N53°01'04"E	94.74
L37	N27°35'22"W	128.62
L38	N02°43'26"W	113.80
L39	N18°54'00"W	192.26
L40	S74°43'35"W	245.26
L41	N29°58'13"W	170.14
L42	S57°29'13"W	226.08
L44	S62°26'12"W	98.07
L45	S45°53'19"W	71.58
L46	N77°33'54"W	309.23
L47	N07°42'42"W	255.98
L48	N07°36'57"W	155.90
L49	N41°36'31"E	142.09
L50	N55°17'37"W	356.27

LINE TABLE		
LINE	BEARING	LENGTH
L51	N34°20'54"W	72.29
L52	N28°31'37"E	163.26
L53	S89°25'49"E	385.09
L54	N68°14'47"E	318.46
L55	N82°45'56"E	90.65
L56	N28°23'33"E	135.91
L58	N69°15'05"W	215.89
L59	N47°58'00"W	108.98
L60	N14°38'02"W	161.52
L61	N37°32'55"E	207.83
L62	N67°04'16"W	88.99
L63	N32°21'17"W	371.08
L64	S82°46'13"W	115.25
L65	S62°37'42"W	157.42
L66	N42°38'50"W	159.04
L67	S79°45'15"W	259.82
L68	N68°14'59"W	288.16
L69	N66°30'26"W	763.54
L70	N27°49'18"E	318.64
L71	S61°18'54"E	474.32
L72	N15°25'44"E	558.14
L73	N74°34'16"E	264.64
L74	S69°31'33"E	447.34
L75	N52°37'35"E	373.48
L76	N71°25'20"E	235.13
L77	N28°13'07"E	183.33
L78	N52°37'35"E	81.68
L79	N04°04'59"W	351.09
L80	N37°44'34"W	82.83
L81	N37°33'05"W	326.82
L82	N29°30'52"W	88.59
L83	N89°04'46"W	286.36
L84	S65°52'56"W	356.10
L86	N01°27'15"W	704.94
L87	N31°11'22"E	69.55
L88	N67°19'49"E	265.21
L89	N04°54'52"W	233.03
L90	N04°42'49"W	155.02
L91	N20°39'16"E	228.79
L92	N23°40'22"W	643.89
L93	N09°46'35"W	88.85
L94	N41°22'00"E	129.60
L95	N26°51'41"W	139.08
L96	N18°40'47"W	87.35
L97	N06°45'41"W	278.90
L98	N45°06'38"E	227.49

Less and except any portions thereof lying within the lands described and recorded in Deed Book 193, Page 387 (Parcel RWN 231-B), and the lands depicted in Map Book 4, Pages 68 through 78 of the Public Records of said county.

# EXHIBIT 1

17. Wetlands. Up to 474 acres of wetland impacts may occur within the Nocatee DRI, including impacts of transportation improvements to be constructed by the Developer east of U.S. 1, provided that the necessary permits are obtained from the District and the U.S. Army Corps of Engineers. As mitigation for these proposed wetlands impacts, approximately 8,000 acres of uplands and wetlands will be preserved in the Greenway, the Preserve and within preserved jurisdictional wetlands in the villages and Town Center Village, constituting a regionally significant plan of mitigation. Wetlands restoration, enhancement, and creation activities, as well as restoration of portions of the pine plantation areas, will also be included as part of the mitigation plan under the District ERP Permit and Corps Permit. Restored pine plantation areas shall be subject to a conservation easement. The Developer shall provide the County up to 68 acres within the Greenway to be designated as mitigation for County improvements to the intersection of County Road 210 and Mickler Road, provided that the District and Corps shall determine such mitigation to be consistent with the ERP Permit and Corps Permit for Nocatee and such area shall remain part of the Greenway system and wetlands mitigation plan for Nocatee subject to the Greenway Mitigation Plan. The Nocatee Preserve includes approximately 1,630 acres lying above the mean high water line of the Tolomato River. The Nocatee Greenway consists of 4,981 acres of which 960 acres are uplands. These commitments provide reasonable assurance that the project complies with the County's objectives to protect wetlands and upland buffers and their associated ecological functions and values, including protection of water quality, protections against turbidity and provision of adequate upland habitat for upland-dependent wildlife. Accordingly, the provisions for buffers as contained within the Nocatee DRI and to be implemented as part of this Development Order are protected by the principles of equitable estoppel and vested rights and these provisions shall control the buffer requirements to be implemented as part of this Development Order and PUD notwithstanding alternative provisions for upland buffers adopted in the future as part of the amendments to the County Land Development Regulations to expand buffers currently under consideration by the County. Upland buffers from adjacent preserved isolated wetlands within Nocatee DRI shall be a minimum of 15 feet measured from the District wetland jurisdictional line and consist of an average of 25 feet. All turf areas associated with golf courses and contiguous (non-isolated) wetlands shall have a minimum upland buffer of 25 feet measured from the District wetland jurisdictional line. Further, there shall be a minimum 100-foot upland buffer from Deep, Durbin, Smith and Sweetwater Creeks measured from the wetland jurisdictional line where the wetlands are adjacent to the mean high water lines of these creeks as graphically depicted on Exhibit 8. No development will be allowed within this 100-foot buffer area except for utility crossings and one wildlife overpass at Durbin Creek. For all other preserved wetlands, there shall be a minimum 25-foot upland buffer measured from the District wetland jurisdictional line. Buffer vegetation may be trimmed where necessary to control or eliminate exotic vegetation to enhance or maintain quality habitat for wildlife in accordance with the Greenway Management Plan and to reduce the risk of wildfires. Notwithstanding anything above to the contrary, no upland buffer is required between jurisdictional wetlands and the following: (i) road crossings; (ii) public infrastructure and utility crossings or rights-of-way that are related to transmission or conveyance of a service; (iii) a wetland impact as permitted by state and/or federal regulating agencies; (iv) berms associated with stormwater ponds placed adjacent to jurisdictional wetlands, provided that the portion of such berms that faces a wetland shall be planted exclusively with plants native to the original ecological community; and (v) necessity similar to the circumstances in (i)-(iv) above, where the requirement for an upland buffer would eliminate all reasonable uses of the property.



# The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE** who on oath says that he is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being a **NOTICE OF HEARING** in the matter of **NOPC 07-01 NOCATEE** was published in said newspaper in the issues of **MARCH 21, 2007.**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **21<sup>ST</sup>** day of **MARCH, 2007.**

by *Sarah Selfridge* who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

*Patricia A. Bergquist*  
(Signature of Notary Public)



Patricia A. Bergquist  
My Commission DD275991  
Expires December 18, 2007

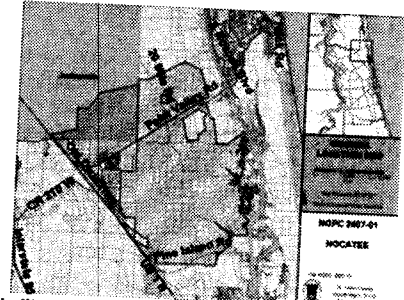
(Seal)

PATRICIA A. BERGQUIST

## NOTICE OF A PROPOSED CHANGE (NOPC) TO THE NOCATEE DEVELOPMENT OF REGIONAL IMPACT (DRI)

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, April 5, 2007 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency and on Tuesday, May 1, 2007 at 9:00 a.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider a Notice of Proposed Change (NOPC) to the Special Condition 17 of the Nocatee DRI Development Order, Resolution 2001-30. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is located North and south of County Road 210, east of U.S. highway 1, and west of the Intracoastal Waterway within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center Building, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**

**BEN RICH, CHAIRMAN**

**PLANNING AND ZONING AGENCY  
ST. JOHNS COUNTY, FLORIDA**  
**HENRY GREEN, CHAIRMAN**

**FILE NUMBER: NOPC 2007-01 Nocatee  
L733-7 Mar 21, 2007**

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