



# Rezoning Application

## Owner Information

Name Last Utter, LLP If the property is under more than one ownership please use multiple property ownership sheets.

Address 2160 Autumn Cove Circle

City Fleming Island State Florida Zip Code 32003

Phone Number +1 (904) 651-2707 Email agoria99@gmail.com

## Parcel & Rezoning Information

Parcel Identification Number 33-04-25-008124-000-01 & 33-04-25-008124-000-00

Address 2930 CR 220, Middleburg, FL 32068

Number of Acres Being Rezoned 14.08 Current Zoning PS-1 Current Land Use Urban Core

Proposed Zoning RB Single Family Residential I am Seeking A  Permitted Use  Conditional Use

Property Will Be Used As Single family subdivision

## Required Attachments

Please Check The Following Included Attachments

- Deed  Survey  Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
- Agents Authorization Attachment A-1  Owners Affidavit Attachment A-2  Legal Description Attachment A-3

## Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information. I hereby acknowledge that the zoning requested is my choice and have reviewed and agreed to all conditions listed in this application and the requirements in Article(s) I, III, and XII of the Clay County Code.

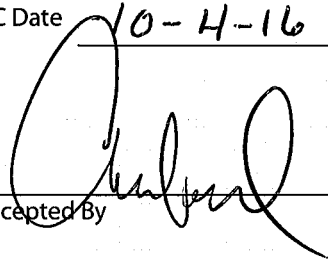
Owners Signature  
Armony Gorja  
 Print Name

Date: 9.1.2016

Official Use

Date Received 9-6-16 Application Number 2016000013 OT Number \_\_\_\_\_

PC Date 10-4-16 BCC Date 10-25-16 2nd BCC Date if Applicable \_\_\_\_\_

Accepted By 

5 acres \$750.00 plus \$20.00 per sign. Greater than 5 acres, \$750.00, plus \$20.00 per acre over 5, plus \$20.00 per sign.

For PUD, PCD, PID the fee is \$2200.00 plus \$7.00 per acre plus \$20.00 for each required sign.

# of Signs 1 Fee \$951.60

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 21 days in advance of the date of the first required public hearing . The sign(s) may be removed only after final action of the Board of County Commissioners and must be removed within 10 days of such action. The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 7 DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are paid by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Zoning Division, prior to the public hearing.

Hearings are held in the County Commission Chambers on the Fourth Floor of the Clay County Administration Building, 477 Houston Street, Green Cove Springs, Florida. You or your authorized agent **must be present**. If there are members of the public who wish to testify regarding your petition, they are normally allowed three minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your rezoning hearing, you will need a record of the proceedings at your expense, and for such purpose **you should ensure that a verbatim record of the proceedings is made**, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida Times Union will be publishing your rezoning legal notices. You must pre-pay your legal advertisement fees. An affidavit must be paid before receiving proof of publication. Should a petition be withdrawn, legal advertising already published will not be refunded.

The rest of this space is intentionally left blank

DEED # 1  
0.94 AC PARCEL

Prepared by:  
Allen R. Lieser, Esq.  
7014 A.C. Skinner Parkway, Suite 290  
Jacksonville, FL 32256

Record and return to:  
M. Scott Noble, Esq.  
1530 Business Center Drive, Suite 4  
Orange Park, FL 32203-9027

RE Parcel ID# 33-04-25-008124-000-00  
Grantee's Tax ID#:

**WARRANTY DEED**

FIRST COAST ENERGY, L.L.P., a Colorado limited liability partnership, and 220 VENTURES, LLP, a Florida limited liability partnership (hereinafter jointly referred to as "Grantors"), in their respective capacities as separate entities and as joint venturers under that certain Joint Venture Agreement dated February 14, 2005 (as amended), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid, together with other good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantors, hereby grant, sell and convey unto LAST UTTER, LLP, a Florida limited liability partnership (hereinafter "Grantee"), whose tax mailing address is 9148 Philips Highway, Jacksonville, FL 32256, the following described lands located in Clay County, State of Florida:

SEE EXHIBIT A ATTACHED HERETO

together with all easements, rights, privileges, and appurtenances thereto, and all of Grantors' right, title, and interest (if any) in all public ways adjoining the premises (collectively, the "Property").

This conveyance is made and accepted subject to (a) real estate taxes and assessments, both general and special, for the year 2006 and all subsequent years; (b) existing zoning, covenants, restrictions, reservations and easements of record; (c) the deed restrictions and the Easement for ingress, egress, drainage, utilities, and sign placement set forth in that certain Corporate Warranty Deed dated April 12, 2005, between Traceland, Inc., as Grantor, and 220 Ventures, LLP, recorded on Book 2513, Page 2054, of the Official Records of Clay County, Florida; and, (d) the Facilities Agreement and Declaration of Easements of even date herewith by and between Last Utter, LLP, 220 Ventures, LLP, and First Coast Energy, L.L.P.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances pertaining thereto, unto Grantee and Grantee's successors and assigns in fee simple forever.

AND THE GRANTOR does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

EXECUTED on the date set forth in the acknowledgments below, to be effective as of the 15th day of November, 2006.

SIGNED IN THE PRESENCE OF:

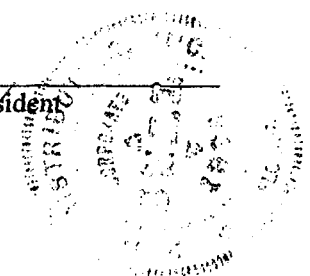
FIRST COAST ENERGY, L.L.P., by its Partner, Retro Distributing, Inc.

Jeff Garrett  
Printed Name: Jeff Garrett

BY: Aubrey L. Edge  
Aubrey L. Edge, President

Allen R. Lieser  
Printed Name: Allen R. Lieser

(Corporate Seal)



220 VENTURES, L.L.P.

Jeff Garrett  
Printed Name: Jeff Garrett

BY: Anthony J. Gorla  
Anthony J. Gorla, Partner

Allen R. Lieser  
Printed Name: Allen R. Lieser

Jeff Garrett  
Printed Name: Jeff Garrett

BY: James C. Stowell  
James C. Stowell, Partner

Allen R. Lieser  
Printed Name: Allen R. Lieser

[ACKNOWLEDGMENTS ON SUCCEEDING PAGE]

ACKNOWLEDGMENTS

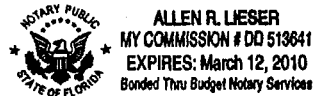
STATE OF FLORIDA  
COUNTY OF DUVAL

THE FOREGOING INSTRUMENT was acknowledged before me this 15<sup>th</sup> day of November, 2006, by Aubrey L. Edge, as President of Petro Distributing, Inc., Partner of First Coast Energy, L.L.P., on behalf of the Corporation and the Partnership. He is personally known to me.

*Allen R. Lieser*

Print Name: Allen R. Lieser  
NOTARY PUBLIC  
My commission expires:

(NOTARIAL STAMP OR SEAL)



STATE OF FLORIDA  
COUNTY OF DUVAL

THE FOREGOING INSTRUMENT was acknowledged before me this 15<sup>th</sup> day of November, 2006, by Anthony J. Gorja, a Partner of 220 Ventures LLP, on behalf of the Partnership. He is personally known to me or produced the following as identification PERSONALLY KNOWN.

*Allen R. Lieser*

Print Name: Allen R. Lieser  
NOTARY PUBLIC  
My commission expires:

(NOTARIAL STAMP OR SEAL)



STATE OF FLORIDA  
COUNTY OF DUVAL

THE FOREGOING INSTRUMENT was acknowledged before me this 15<sup>th</sup> day of November, 2006, by James C. Stowell, a Partner of 220 Ventures LLP, on behalf of the Partnership. He is personally known to me or produced the following as identification PERSONALLY KNOWN.

*Allen R. Lieser*

Print Name: Allen R. Lieser  
NOTARY PUBLIC  
My commission expires:

(NOTARIAL STAMP OR SEAL)

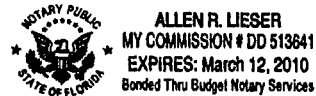


EXHIBIT A TO WARRANTY DEED

A parcel of land situated in the Northeast 1/4 of Section 33, Township 4 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the southeast corner of said Northeast 1/4 of Section 33; thence on the south line thereof, North 89 degrees 31 minutes 20 seconds West, 760.00 feet to the west line of Boxwood, according to plat thereof recorded in Plat Book 42, page 68 through 70 of the public records of said county; thence on the west line thereof, North 00 degrees 18 minutes 00 seconds East, 120.00 feet to the point of beginning; thence North 89 degrees 33 minutes 30 seconds West, 140.55 feet; thence northwesterly along the arc of a curve concave north- easterly and having a radius of 125.0 feet, an arc distance of 98.17 feet, said arc being subtended by a chord bearing and distance of North 67 degrees 03 minutes 30 seconds West, 95.67 feet; thence North 44 degrees 33 minutes 30 seconds West, 51.50 feet; thence northwesterly along the arc of a curve concave southwesterly and having a radius of 75.0 feet, an arc distance of 58.90 feet, said arc being subtended by a chord bearing and distance of North 67 degrees 03 minutes 30 seconds West, 57.40 feet; thence North 89 degrees 33 minutes 30 seconds West, 35.15 feet; thence South 00 degrees 26 minutes 30 seconds West, 115.00 feet; thence North 89 degrees 33 minutes 30 seconds West, 37.00; thence North 00 degrees 00 minutes 00 seconds East, 150.00 feet; thence South 90 degrees 00 minutes 00 seconds East, 391.38 feet to said west line of Boxwood; thence on said west line, South 00 degrees 18 minutes 00 seconds West, 133.01 feet to the point of beginning; being 0.94 acres, more or less, in area.

5 MIN. RETURN

X

DEED # 2  
13.14 AC. PARCEL

### Corporate Warranty Deed

This Indenture, made this 12th day of April, 2005 A.D., between Traceland, Inc., whose address is: 3020 Creekside Trail, Green Cove Springs, Florida 32043, a corporation existing under the laws of the State of Florida, Grantor, and Last Utter, LLP, a Florida Limited Liability Partnership, whose address is: 9148 Phillips Highway, Jacksonville, Fl. 32256, Grantee,

Witnesseth, that the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described land, situate, lying and being in the County of Clay, State of Florida, to wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with an easement for ingress, egress, drainage, utilities and sign placement over the westerly 60 feet of the property described on Exhibit "B", provided Grantee will be responsible for one-half of the cost of construction and maintenance of any entry road on said easement property.

Subject to existing zoning, covenants, restrictions, reservations and easements of record, including without limitation the property taxes after December 31, 2004, and the following deed restrictions:

- (a) No portion of the real property herein described shall be used for any landfill, borrow pit or disposal facility for any hazardous or environmentally sensitive materials.
- (b) No Mobile Homes or modular homes shall be placed on any portion of the real property herein described.

Parcel Identification Number: 33-04-25-008124-000-00

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Traceland, Inc.

Signed and Sealed in Our Presence:

RICHARD W. COBB  
Witness Print Name: RICHARD W. COBB

By: Anne D. Poole  
Anne D. Poole  
Its Vice President

M. S. Noble  
Witness Print Name: M. S. Noble

State of FLORIDA  
County of Clay

The foregoing instrument was acknowledged before me this April 12, 2005, by Anne D. Poole, the President of Traceland, Inc., A corporation existing under the laws of the State of Florida, on behalf of the corporation.

She is personally known to me or has produced a driver's license as identification.



*Michael Scott Noble* (Seal)  
Notary Public

Notary Printed Name

My Commission Expires:

Prepared by:  
Robert J. Head, Jr.  
Head, Moss, Fulton & Noble, P.A.,  
1530 Business Center Drive, Suite 4  
Orange Park, Florida 32003



## EXHIBIT "A"

A part of the Northeast  $\frac{1}{4}$  of Section 33, Township 4 South, Range 25 East, Clay County, Florida, being more particularly described as follows:

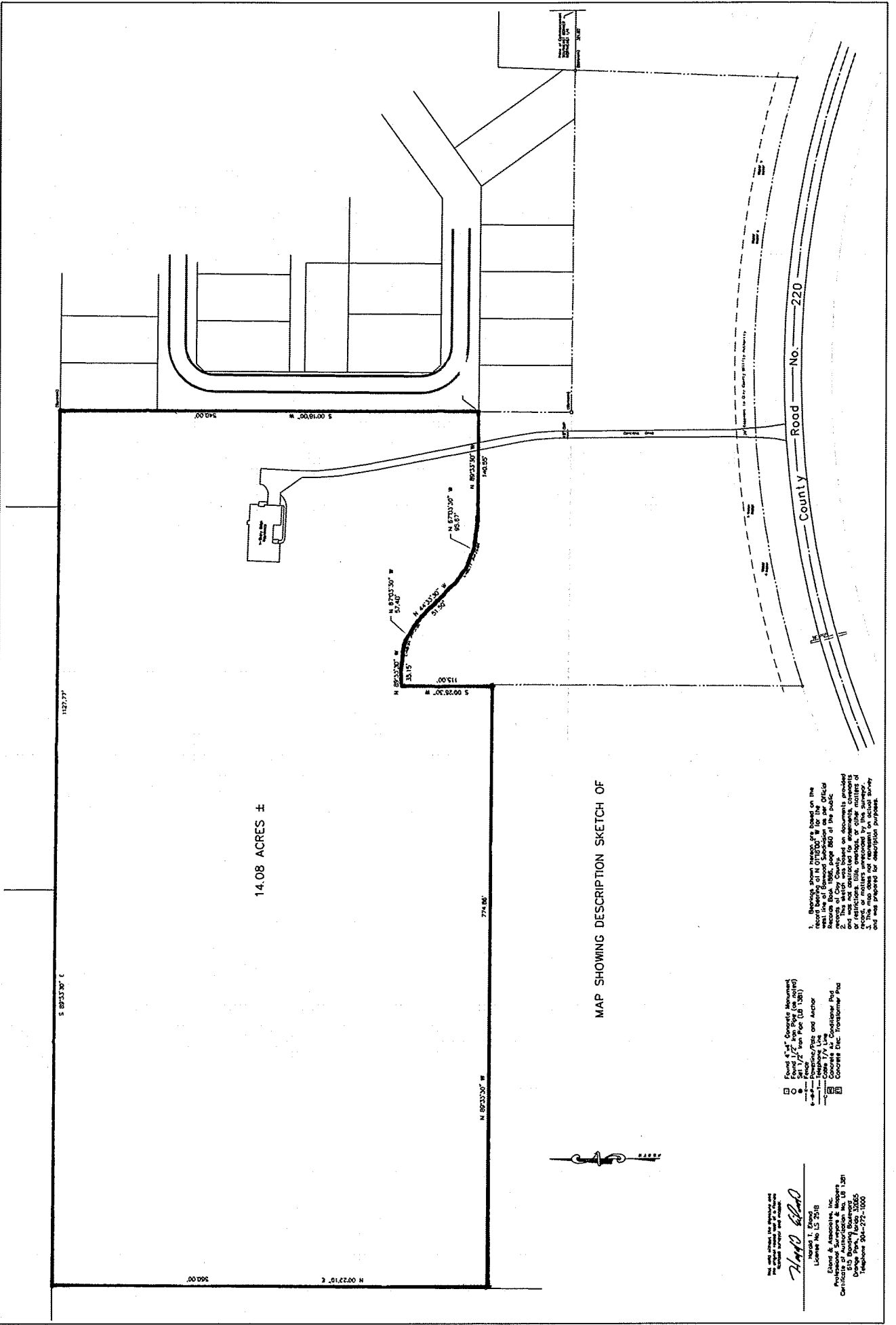
Commence at the southeast corner of the Northeast  $\frac{1}{4}$  of Section 33; thence North 89 degrees 31 minutes 20 seconds West, along the south line of said Northeast  $\frac{1}{4}$ , 321.00 feet to the northwest corner of the lands conveyed in Official Records Book 1046, page 298 of the public records of said county; thence South 02 degrees 04 minutes 25 seconds West, along the west line of said lands, 287.06 feet to the northerly right-of-way line of State Road 220, said point lying in a curve concave southerly and having a radius of 1323.24 feet; thence along and around said curve and right-of-way line, an arc distance of 793.12 feet, said arc subtended by a chord bearing and distance of South 89 degrees 19 minutes 33 seconds West, 781.30 feet to a point on the easterly line of the lands conveyed in Official Records Book 855, page 69 of said public records; thence along the easterly and northerly boundaries of said lands the following courses and distances: North 00 degrees 22 minutes 10 seconds East, 402.43 feet to an angle point in said boundary; North 89 degrees 33 minutes 30 seconds West, 40.00 feet to the Point of Beginning; continue North 89 degrees 33 minutes 30 seconds West, 737.86 feet; thence North 00 degrees 22 minutes 10 seconds East, 560.00 feet to the southerly line of the lands conveyed in Official Records Book 836, page 638 of said public records; thence South 89 degrees 33 minutes 30 seconds East, along said southerly line, 1127.77 feet to the westerly line of the lands described in Official Records Book 543, page 49 of said public records; thence South 00 degrees 18 minutes 00 seconds West, along said westerly line, 406.99 feet; thence South 90 degrees 00 minutes 00 seconds West, 391.38 feet; thence South 00 degrees 00 minutes 00 seconds West, 150.00 feet to the Point of Beginning.

Together with an Easement for ingress, egress, drainage, utilities and sign placement over the westerly 60 feet of the property described on Exhibit "B" attached hereto.

## EXHIBIT "B"

A part of the Northeast  $\frac{1}{4}$  and a part of the Southeast  $\frac{1}{4}$  of Section 33, Township 4 South, Range 25 East, Clay County, Florida, being more particularly described as follows: Commence at the southeast corner of the Northeast  $\frac{1}{4}$  of Section 33; thence North 89 degrees 31 minutes 20 seconds West, along the south line of said Northeast  $\frac{1}{4}$ , 321.00 feet to the northwest corner of the lands conveyed in Official Records Book 1046, page 298 of the public records of said county, and the Point of Beginning; thence South 02 degrees 04 minutes 25 seconds West, along the west line of said lands, 287.06 feet to the northerly right-of-way line of State Road 220, said point lying in a curve concave southerly and having a radius of 1323.24 feet; thence along and around said curve and right-of-way line, an arc distance of 793.12 feet, said arc subtended by a chord bearing and distance of South 89 degrees 19 minutes 33 seconds West, 781.30 feet to a point on the easterly line of the lands conveyed in Official Records Book 855, page 69 of said public records; thence along the easterly and northerly boundaries of said lands the following courses and distances: North 00 degrees 22 minutes 10 seconds East, 402.43 feet to an angle point in said boundary; North 89 degrees 33 minutes 30 seconds West, 40.00 feet; thence North 00 degrees 00 minutes 00 seconds East, 150.00 feet, thence North 90 degrees 00 minutes 00 seconds East, 391.38 feet to the westerly line of the lands described in Official Records Book 543, page 49 of said public records; thence South 00 degrees 18 minutes 00 seconds West, along said westerly line, 253.01 feet to the southerly line of the Northeast  $\frac{1}{4}$  of said Section 33; thence South 89 degrees 31 minutes 20 seconds East, along said southerly line, 439.00 feet to the Point of Beginning.

# SURVEY



14.08 ACRES ±

MAP SHOWING DESCRIPTION SKETCH OF

- Found 4" of Concrete Measurement
- 5/8" x 1/2" Iron Peg (18 1/2")
- 1/2" x 1/2" Iron Peg (18 1/2")
- 1/2" x 1/2" Iron Peg (18 1/2")
- Concrete or Cast-in-place Peg
- Concrete or Cast-in-place Peg
- Concrete or Cast-in-place Peg

1. Bearings shown hereon are based on the true meridian and are not subject to the usual line of magnetic declination as per OREGON RECORD BOOK 1988, page 260 of the public domain.

2. This sketch was based on documents provided by the owner and is not intended to be a final or restrictive title, easements, or other matters of title or matters presented by this survey, and was prepared for descriptive purposes only.

*Handwritten Signature*  
 Harold L. Bond  
 License No. 13 2918  
 Bond & Associates, Inc.  
 Certificate of Authorization No. 18 1381  
 Oregon State Board of Surveyors  
 Oregon State Board of Surveyors  
 Telephone 904-277-1000



N 00°27'10" E 360.00'

S 89°33'30" E 1127.77'

N 89°33'30" E 774.86'

N 89°33'30" E 140.55'

N 89°33'30" W 33.15'  
 N 89°33'30" W 57.48'  
 N 89°33'30" W 84.97'  
 N 89°33'30" W 115.00'  
 N 89°33'30" W 140.55'

S 00°18'00" W 340.00'

County Road No. 220

# Clay County Rezoning Property Ownership Affidavit

Attachment A-2



Date: 9.6.2016

## Clay County Board of County Commissioners

Division of Planning & Zoning

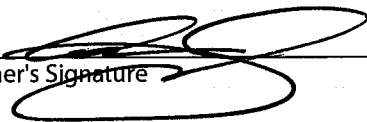
Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

To Whom It May Concern:

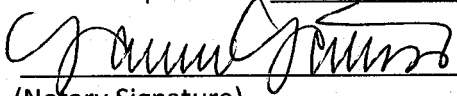
Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. I give full consent to process the application for rezoning.

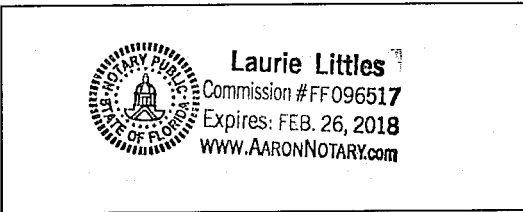
  
Owner's Signature

Print Name: Anthony J. Gloria

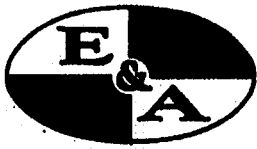
STATE OF FLORIDA  
COUNTY OF Clay

The foregoing affidavit was sworn and subscribed before me this 6 day of SEPTEMBER  
(month), 2016 (year) by ANTHONY GORIA, who is personally known to  
me or has produced KNOWN as identification.

  
(Notary Signature)



Notary Seal



A-3  
OVERALL LEGAL

Harold T. Eiland  
President

Eric V. Eiland  
V. President

## Eiland & Associates, Inc.

615 Blanding Blvd. Orange Park, Florida 32073  
Phone (904) 272-1000 Fax 272-5443

September 21, 2006

### Legal description for Anthony Gorla

A parcel of land situated in the Northeast 1/4 of Section 33, Township 4 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the southeast corner of said Southeast 1/4 of Section 33; thence on the south line thereof, North 89 degrees 31 minutes 20 seconds West, 760.00 feet to the west line of Boxwood, according to plat thereof recorded in Plat Book 42, page 68 through 70 of the public records of said county; thence on the west line thereof, North 00 degrees 18 minutes 00 seconds East, 120.00 feet to the point of beginning; thence North 89 degrees 33 minutes 30 seconds West, 140.55 feet; thence northwesterly along the arc of a curve concave north-easterly and having a radius of 125.0 feet, an arc distance of 98.17 feet, said arc being subtended by a chord bearing and distance of North 67 degrees 03 minutes 30 seconds West, 95.67 feet; thence North 44 degrees 33 minutes 30 seconds West, 51.50 feet; thence northwesterly along the arc of a curve concave southwesterly and having a radius of 75.0 feet, an arc distance of 58.90 feet, said arc being subtended by a chord bearing and distance of North 67 degrees 03 minutes 30 seconds West, 57.40 feet; thence North 89 degrees 33 minutes 30 seconds West, 35.15 feet; thence South 00 degrees 26 minutes 30 seconds West, 115.00 feet; thence North 89 degrees 33 minutes 30 seconds West, 774.86 feet; thence North 00 degrees 22 minutes 10 seconds East, 560.00 feet to the south line of those lands described in Official Records Book 836, page 638 of said public records; thence on said south line and on an easterly extension thereof, South 89 degrees 33 minutes 30 seconds East, 1127.77 feet to said west line of Boxwood; thence on said west line, South 00 degrees 18 minutes 00 seconds West, 540.00 feet to the point of beginning; being 14.08 acres, more or less, in area.