

Ordinance No. 2018-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING EXHIBIT L OF THE CLAY COUNTY 2025 COMPREHENSIVE PLAN (THE "PLAN"), INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE No. 09-41, AS SUBSEQUENTLY AMENDED, WHICH EXHIBIT L IS KNOWN AS THE BRANAN FIELD MASTER PLAN, AS FOLLOWS: AMENDING THE FUTURE LAND USE MAP OF THE CLAY COUNTY 2025 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION FOR PARCELS 17-04-25-007948-001-00, 17-04-25-007876-000-00, 17-04-25-007951-001-00 AND 17-04-25-007953-003-00 FROM BRANAN FIELD TRADITIONAL NEIGHBORHOOD TO BRANAN FIELD MASTER PLANNED COMMUNITY; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CLERK OF THE BOARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 27, 2009, the Board of County Commissioners of Clay County, Florida (the "Board"), adopted Ordinance No. 09-41 which adopted the Clay County 2025 Comprehensive Plan, which as subsequently amended is now referred to as the Clay County 2025 Comprehensive Plan (the "Plan"); and,

WHEREAS, Section 163.3184, Florida Statutes, outlines the process for the adoption of comprehensive plans or amendments thereto; and,

WHEREAS, the Board desires to amend Exhibit L of the Plan known as the Branan Field Master Plan, as provided in Section 163.3184, Florida Statutes, said amendment to be referenced as a portion of Clay County 2025 Comprehensive Plan Amendment 2017-07.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Clay County Ordinance No. 09-41, as amended, is hereby amended such that the Plan adopted thereunder is amended as provided in Section 2 hereof.

Section 2. The adopted Future Land Use Map of the Plan is hereby amended such that the land use designation of the parcel depicted in Attachment "A-1" and described in Attachment "A-2" is hereby changed from BRANAN FIELD TRADITIONAL NEIGHBORHOOD TO BRANAN FIELD MASTER PLANNED COMMUNITY.

Section 3. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The Clerk of the Board of County Commissioners is authorized and directed within 10 days of the date of adoption of this ordinance to send certified, complete and accurate copies of this ordinance by certified mail, return receipt requested, to the Florida Department of Economic Opportunity, The Caldwell Building, 107 E. Madison Street, Tallahassee, Florida, 32399-4120, the Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216, and any other agency or local government that provided timely comments as specified in Section 163.3184(4), Florida Statutes.

Section 5. In accordance with Section 163.3184, Florida Statutes, if the Plan amendment provided by this ordinance is not timely challenged, then the effective date of said Plan amendment shall be the 31st day after the date the Department of Economic Opportunity notifies the County that the plan amendment package is complete. If the Plan amendment is timely challenged, however, said effective date shall be the date a final order is entered by the Department of Economic Opportunity or the Administration Commission determining the amendment to be in compliance. No development orders, development permits or land uses dependent on any of these Plan amendments may be issued or commence before they have become effective. If a final order of non-compliance is issued, these Plan amendments may nevertheless be made effective by adoption of a resolution affirming their effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, The Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399-4120. The resolution shall not become effective until receipt of written notice from the Department of Economic Opportunity that it has received the resolution.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of _____, 2018.

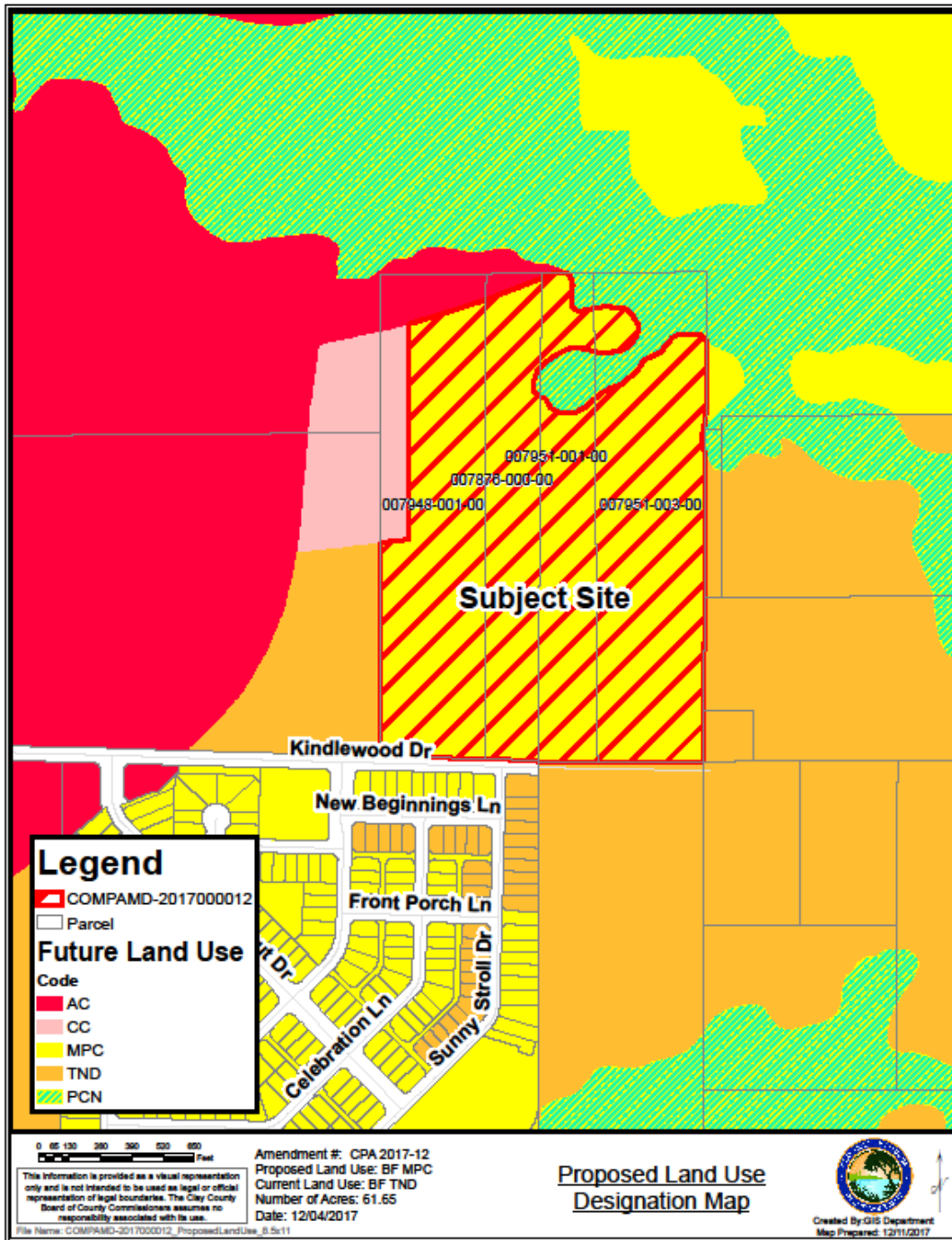
BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

GAVIN ROLLINS,
Its Chairman

ATTEST:

S. C. Kopelousos
County Manager and Clerk of the
Board of County Commissioners

Attachment "A-1"
 Future Land Use Designation



Attachment A-2

LEGAL DESCRIPTION

A PORTION OF SECTION 8 AND SECTION 17, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, IN SAID TOWNSHIP AND RANGE; THENCE SOUTH $00^{\circ}05'30''$ WEST, ALONG THE DIVIDING LINE BETWEEN SAID SECTIONS 17 AND 18, A DISTANCE OF 1342.38 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF KINDLEWOOD DRIVE (HAVING A 60' RIGHT OF WAY); THENCE SOUTH $88^{\circ}27'20''$ EAST, ALONG LAST SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 2672.60 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2316, PAGE 39, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA AND THE **POINT OF BEGINNING**; THENCE NORTH $00^{\circ}05'30''$ EAST, ALONG THE WEST LINE OF LAST SAID LANDS, A DISTANCE OF 1991.58 FEET TO THE NORTHWEST CORNER OF LAST SAID LANDS; THENCE SOUTH $88^{\circ}06'10''$ EAST, ALONG THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2316, PAGE 39, OFFICIAL RECORDS BOOK 2298, PAGE 74 AND OFFICIAL RECORDS BOOK 309, PAGE 289 OF SAID PUBLIC RECORDS, A DISTANCE OF 1342.58 FEET TO THE NORTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 309, PAGE 289; THENCE SOUTH $00^{\circ}07'50''$ EAST, ALONG THE EAST LINE OF LAST SAID LANDS, ALSO BEING THE EAST LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 8, A DISTANCE OF 665.64 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 17; THENCE SOUTH $00^{\circ}27'50''$ WEST, ALONG EAST LINE OF LAST SAID LANDS AND THE EAST LINE OF THE WEST ONE-HALF OF THE EAST ONE-HALF OF SAID SECTION 17, A DISTANCE OF 1347.57 FEET TO THE SOUTHEAST CORNER OF LAST SAID LANDS, SAID POINT ALSO LYING ON THE SOUTHERLY LINE OF A 30' RIGHT OF WAY EASEMENT AS RECORDED IN THE AFOREMENTIONED OFFICIAL RECORDS BOOK 309, PAGE 289; THENCE NORTH $88^{\circ}27'20''$ WEST, ALONG THE SOUTHERLY LINE OF LAST SAID RIGHT OF WAY EASEMENT AND THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 309, PAGE 289, A DISTANCE OF 668.15 FEET TO THE SOUTHWEST CORNER OF LAST SAID LANDS; THENCE NORTH $00^{\circ}05'30''$ EAST, ALONG THE WEST LINE OF LAST SAID LANDS, A DISTANCE OF 30.02 FEET TO A POINT ON THE SAID NORTHERLY RIGHT OF WAY LINE OF KINDLEWOOD DRIVE; THENCE NORTH $88^{\circ}27'20''$ WEST, ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 668.02 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED LANDS CONTAIN 81.65 ACRES, MORE OR LESS.
