

RESOLUTION 2008-329

A Resolution of the Collier County Board of County Board of County Commissioners designating 5,259.0 acres in the Rural Land Stewardship Area Zoning Overlay District as a Stewardship Sending Area with a designation as "CLH and CDC SSA 15"; pursuant to the terms set forth in the Escrow Agreement for CLH and CDC SSA 15, Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15, and Stewardship Easement Agreement for CLH and CDC SSA 15; approving a Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15; approving a Stewardship Easement Agreement for CLH and CDC SSA 15; approving an Escrow Agreement for CLH and CDC SSA 15; and establishing the number of Stewardship Credits generated by the designation of said Stewardship Sending Area

WHEREAS, Collier Land Holdings, Ltd., a Florida limited partnership ("CLH") and CDC Land Investments, LLC, a Florida limited liability company ("CDC"), owns approximately five thousand two thousand fifty nine and zero tenths (5,259.0) acres located within the boundaries of the Rural Lands Stewardship Area Zoning Overlay District ("RLSA District") located in Collier County, Florida; and

WHEREAS, Owners have voluntarily requested that said land be designated as a Stewardship Sending Area ("SSA") in accordance with, and pursuant to Section 4.08.06 of the Collier County Land Development Code ("LDC") and subject to the terms of the Escrow Agreement for CLH and CDC SSA 15 Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15 and Stewardship Easement Agreement for CLH and CDC SSA 15; and

WHEREAS, Owner has submitted a SSA Designation Application ("Application") for the CLH and CDC SSA 15 land; and

WHEREAS, Collier County Staff has reviewed the Application, along with support documentation and information required by Section 4.08.06 of the LDC, and determined that the Application is legally sufficient; and

WHEREAS, the Collier County Board of County Commissioners ("Board") has determined the Escrow Agreement for CLH and CDC SSA 15, the Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15, and the Stewardship Easement Agreement for CLH and CDC SSA 15 are in compliance with, and meet the requirements of the LDC and provide a substantial benefit to the general public.

NOW, THEREFORE, be it resolved by the Board that:

1. CLH and CDC SSA 15, as described in attached Exhibit 1, consisting of five thousand two hundred and fifty nine (5,259.0) acres is hereby designated as a Stewardship Sending Area ("SSA"), and will be officially designated as "CLH and CDC SSA 15" on the Official Zoning Atlas Map pursuant to the Escrow Agreement for CLH and CDC SSA 15, Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15, and Stewardship Easement Agreement for CLH and CDC SSA 15.
2. The Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15, attached hereto as Exhibit 2, meets the requirements of Section 4.08.06 of the LDC and the Board hereby approves the 15 Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15.
3. The Stewardship Easement Agreement for CLH and CDC SSA 15, attached hereto as Exhibit 3, meets the requirements of Section 4.08.06 of the LDC and the Board hereby approves the Stewardship Easement Agreement for CLH and CDC SSA 15.
4. The Escrow Agreement for CLH and CDC SSA 15, attached hereto as Exhibit 4, is hereby approved by the Board which provides for the delay of the recordation of the Stewardship Sending Credit Agreement for CLH and CDC SSA 15 and the Stewardship Easement Agreement until such time as the proposed Town of Big Cypress SRA has received the necessary final and non-appealable local, state, and federal permits other than a plat, site development plan or building permit, necessary to construct the Town of Big Cypress consistent with the provisions of Section 4.08.07 of the Collier County Land Development Code.

5. The Board hereby establishes, grants and assigns seven thousand two hundred and sixty one and eight tenths (7,261.8) Stewardship Credits to the Owner, which may be sold, transferred, or otherwise utilized by the Owner in accordance with Section 4.08.04 of the LDC and the terms of the Escrow Agreement for CLH and CDC SSA 15; Stewardship Sending Area Credit Agreement for CLH and CDC SSA 15 and Stewardship Easement Agreement for CLH and CDC SSA 15.

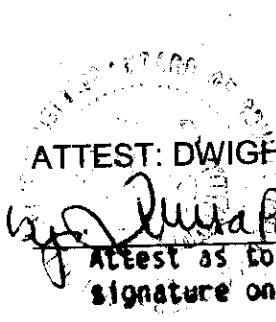
6. The Board further approves and authorizes the acceptance of the Stewardship Easement Agreement for the CLH and CDC SSA 15 lands.

7. By its designation of the lands described in Exhibit 1 as a Stewardship Sending Area, the County shall not hereafter grant or approve any increase in the density or additional uses beyond those uses specifically authorized in the CLH and CDC SSA 15 Stewardship Sending Area Credit Agreement.

THIS RESOLUTION ADOPTED this 18th day of November, 2008, after a Motion, seconded, and majority vote favoring same.


BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST: DWIGHT E. BROCK


Dwight E. Brock
Attest as to the validity of the
signature on this document
Deputy Clerk

By: *Tom Henning*
Commissioner Tom Henning Chairman

Approved as to form and
legal sufficiency:

Heidi Ashton 
By: Heidi Ashton, Assistant County Attorney
Land Use Section Chief