

Resolution, 2008 -330

A RESOLUTION OF THE COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS DESIGNATING 2,876.2 ACRES IN THE RURAL LAND STEWARDSHIP AREA ZONING OVERLAY DISTRICT AS A STEWARDSHIP SENDING AREA WITH A DESIGNATION AS "CDC SSA 16"; PURSUANT TO THE TERMS SET FORTH IN THE ESCROW AGREEMENT FOR CDC SSA 16, STEWARDSHIP SENDING AREA CREDIT AGREEMENT FOR CDC SSA 16; AND STEWARDSHIP SENDING AREA EASEMENT AGREEMENT FOR CDC SSA 16; APPROVING A STEWARDSHIP SENDING AREA CREDIT AGREEMENT FOR CDC SSA 16; APPROVING A STEWARDSHIP SENDING AREA EASEMENT AGREEMENT FOR CDC SSA 16; APPROVING AN ESCROW AGREEMENT FOR CDC SSA 16; AND ESTABLISHING THE NUMBER OF STEWARDSHIP CREDITS GENERATED BY THE DESIGNATION OF SAID STEWARDSHIP SENDING AREA.

WHEREAS, CDC Land Investments Inc., a Florida Corporation owns approximately two thousand eight hundred and seventy six and two tenths (2,876.2) acres located within the boundaries of the Rural Lands Stewardship Area Zoning Overlay District ("RLSA" District") located in Collier County, Florida; and

WHEREAS, Owner has 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 CDC SSA 16, Stewardship Sending Area Credit Agreement for CDC SSA 16 and Stewardship Sending Area Easement Agreement for CDC SSA 16; and

WHEREAS, Owner has submitted a SSA Designation Application ("Application") for the CDC SSA 16 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 CDC SSA 16, Stewardship Sending Area Credit Agreement for CDC SSA 16 and Stewardship Sending Area Easement Agreement for CDC SSA 16 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. CDC SSA 16, as described in attached Exhibit 1, consisting of two thousand eight hundred and seventy six and two tenths (2,876.2) acres is hereby designated as a Stewardship Sending Area ("SSA"), and will be officially designated as "CDC SSA 16" on the Official Zoning Atlas Map pursuant to the Escrow Agreement for CDC SSA 16, Stewardship Sending Area Credit Agreement for CDC SSA 16, and Stewardship Sending Area Easement Agreement for CDC SSA 16.
2. The Stewardship Credit Agreement for CDC SSA 16, attached hereto as Exhibit 2, meets the requirements of Section 4.08.06 of the LDC, and the Board hereby approves the Stewardship Credit Agreement for CDC SSA 16.
3. The Stewardship Easement Agreement for CDC SSA 16, 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 CDC SSA 16.
4. The Escrow Agreement for CDC SSA 16, attached hereto as Exhibit 4, is hereby approved by the Board which, provides for the delay of the recordation of the Stewardship Sending Area Agreement for CDC SSA 16, the Stewardship Sending Area Credit Agreement for CDC SSA 16 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 four thousand four hundred and eighty five and nine tenths (4,485.9) 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 Escrow Agreement

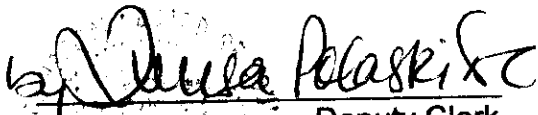
with Section 4.08.04 of the LDC, and the Escrow Agreement for CDC SSA 16, Stewardship Sending Area Credit Agreement for CDC SSA 16, and Stewardship Sending Area Easement Agreement for CDC SSA 16.

6. The Board further approves and authorizes the acceptance of the Stewardship Easement Agreement for the CDC SSA 16 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 CDC SSA 16 Stewardship Credit Agreement.

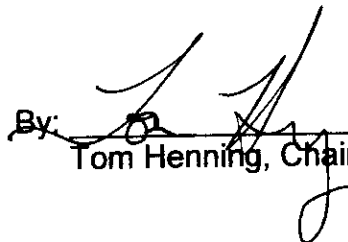
THIS RESOLUTION ADOPTED this 18th day of November, 2008, after a Motion, seconded, and majority vote favoring same.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST: DWIGHT E. BROCK

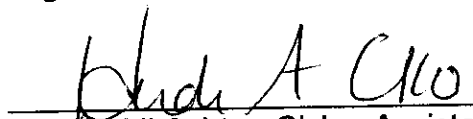


Deputy Clerk
Attest as to Chairman's
signature on 11/18/08

By: 

Tom Henning, Chairman

Approved as to form and
Legal sufficiency:



By Heidi Ashton-Cicko, Assistant County Attorney
Land Use Section, Chief