

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY TOTALING 2,788± ACRES, GENERALLY LOCATED BETWEEN WEST MOODY BOULEVARD/STATE HIGHWAY 11, STATE HIGHWAY 100 WEST, COUNTY ROAD 302, AND COUNTY ROAD 65, IN THE CITY OF BUNNELL LIMITS FROM FLAGLER COUNTY “AC, AGRICULTURAL DISTRICT,” CITY OF BUNNELL “R-1, SINGLE FAMILY RESIDENTIAL DISTRICT,” AND “AG&S, AGRICULTURAL & SILVICULTURE DISTRICT” TO CITY OF BUNNELL “PUD, PLANNED UNIT DEVELOPMENT DISTRICT”; APPROVING THE RESERVE AT HAW CREEK PLANNED UNIT PUD AGREEMENT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF MAPS BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Bunnell to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, §166.041, *Florida Statutes*, provides for procedures for the adoption of ordinances by municipalities; and

WHEREAS, §163.3194(1)(b), *Florida Statutes*, requires all land development regulations enacted or amended to be consistent with the City’s adopted comprehensive plan; and

WHEREAS, JM Properties X, LLC (“Owner”), a Florida Limited Liability Company, is the owner of certain real property which land totals 2,788± acres in size (“Subject Property”) and are assigned Tax Parcel Identification Numbers as listed in this Ordinance by the Flagler County Property Appraiser’s Office; and

WHEREAS, Northeast Florida Developers, LLC (“Applicant”) has applied, as authorized by the Owner, to the City of Bunnell (“City”) pursuant to the controlling provisions of state law and the *City of Bunnell Land Development Code* (“LDC”), to have the Subject Property located generally between West Moody Boulevard/State Highway 11, State Highway 100 West, County Road 302, and County Road 65, more particularly described in Exhibit “A”, to be rezoned to the City of Bunnell “PUD, Planned Unit Development District” from the existing Flagler County “AC, Agricultural” and City of Bunnell “AG&S, Agricultural & Silviculture” and “R-1, Single Family Residential” zoning districts; and

WHEREAS, the City has amended the Future Land Use Map (“FLUM”) for the Subject Property from “Conservation-1” and “Single Family-Low Density” to “Single Family-Low Density,” “Single Family-Medium Density,” “Multifamily,” “Commercial-Medium,” “Industrial,” “Public,” and “Rural Estates” through a large-scale comprehensive plan amendment pursuant to §163.3184(4), *Florida Statutes*, as applied for by the Applicant; and

WHEREAS, the subject properties are currently vacant and primarily used for silvicultural purposes; and

WHEREAS, the applicant plans to develop the Subject Property into a Planned Unit Development known as the Reserve at Haw Creek (“PUD”) that will primarily consist of a mix of residential uses and approximately 44± acres of commercial uses that will serve both the development community and the City of Bunnell at large; and

WHEREAS, the Applicant requests approval for this PUD on the Subject Property per the conditions and criteria set forth in the Planned Unit Development Agreement, attached hereto and incorporated herein as Exhibit “C” (“PUD Agreement”); and

WHEREAS, the Applicant and Owner voluntarily agrees with the conditions, terms, and restrictions hereinafter recited and as included in the PUD Agreement; and

WHEREAS, the City Commission of the City of Bunnell, Florida (“City Commission”) finds that this PUD Agreement has been properly conditioned with terms and restrictions to be consistent with the City’s 2035 Comprehensive Plan and LDC and that the conditions, terms, restrictions, and requirements set forth herein are necessary to ensure compliance with the Comprehensive Plan and LDC and the protection of the public health, safety and general welfare of the citizens of the City and unincorporated Flagler County; and

WHEREAS, additional conditions of approval may also be included within the minutes of relevant meetings of the Planning, Zoning and Appeals Board and City Commission, and any representations or promises made by the Applicant and/or Owners during the zoning review and approval process for the PUD (whether oral or in writing) shall also be additional conditions of approval if deemed appropriate by the City; and

WHEREAS, the PUD Agreement is non-statutory and not subject to or enacted pursuant to the provisions of §163.3220 – 163.3243, *Florida Statutes*; and

WHEREAS, the City’s Community Development Department has conducted a thorough review and analysis of the demands upon public facilities and general planning and land development issues should the subject rezoning application and PUD Agreement be approved and has otherwise reviewed and evaluated the application to determine whether it comports with sound and generally accepted land use planning practices and

principles as well as whether the application is consistent with the goals, objectives and policies set forth in the City's *2035 Comprehensive Plan*; and

WHEREAS, the City of Bunnell's Planning, Zoning and Appeals Board, acting as the City's local planning agency, held a public meeting on January 7, 2025 to consider amending the Official Zoning Map of the City of Bunnell, along with approving the PUD Agreement, and recommended approval of the proposed PUD and rezoning for the Subject Property as requested by the Applicant and Owners with the following conditions:

1. Reduce the residential density to 5,500 dwelling units;
2. Include the new stormwater regulations contained within HB 7053 into the PUD;
3. Provide language relating to cup for cup compensating storage within the floodplain;
4. Include historic tree protection measures;
5. Increase the buffers abutting the residential lots/uses to 50ft landscaped and 35ft undisturbed natural vegetation;
6. Prohibit installing individual residential well and septic systems within the development;
7. Include the most recently submitted traffic impact analysis to the City Commission;
8. Consider reducing the maximum sign size and height for entrance signage;
9. Consider the light pollution from the signage and include language on mitigating the effects of the lighting of the signs to the surrounding area;
10. Consider hosting another City Commission workshop for the PUD;
11. Reconsider the ingress and egress access points on the state roadways; and

WHEREAS, professional City planning staff, the City's Planning, Zoning and Appeals Board, and the City Commission have determined that the proposed PUD Agreement and rezoning of the Subject Property as set forth in this Ordinance is consistent with the City's *2035 Comprehensive Plan*, the LDC, and controlling provisions of state law; and

WHEREAS, the Applicant's application for a Planned Unit Development is approved subject to the PUD Agreement's terms, conditions, restrictions, and requirements;

WHEREAS, the City Commission of the City of Bunnell, Florida has taken, as implemented by City staff, all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State and local law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Legislative Findings and Intent.

(a) The forgoing recitals (whereas clauses), along with the City staff report and City Commission agenda memorandum relating to the application of the proposed rezoning

of the Subject Property, are hereby adopted and incorporated into this Ordinance as the legislative and administrative findings of the City Commission.

(b) The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

Section 2. Rezoning of Real Property/Implementing Actions.

(a) Upon enactment of this Ordinance, the following described property, as legally described in Exhibit “A” and depicted in Exhibit “B” attached to this Ordinance, and totaling 2.788± acres in size, shall be rezoned to the City of Bunnell “PUD, Planned Unit Development District” zoning classification from the existing Flagler County “AC, Agricultural District” and City of Bunnell “AG&S, Agricultural & Silviculture District” and “R-1, Single Family Residential District” zoning classifications.

(b) The City Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the City of Bunnell as may be appropriate to accomplish the action taken in this Ordinance.

Section 3. Planned Unit PUD Agreement.

(a) The Reserve at Haw Creek Planned Unit PUD Agreement (“PUD Agreement”) and its exhibits attached hereto as Exhibit “C”, with all appropriate signatures and joinders, is hereby adopted and approved by the City Commission of the City of Bunnell and shall constitute the regulations for the specific PUD District. The PUD Agreement shall be recorded in the Official Records of Flagler County, Florida, by the City Clerk.

(b) Conditions of development relating to the subject property may be incorporated into the subsequent pertinent development orders and such development orders may be subject to public hearing requirements in accordance with the provisions of controlling law.

Section 4. Parcel Information.

The parcels which are the subject of this Ordinance are as follows:

TAX PARCEL IDENTIFICATION NUMBER: 13-12-29-1250-00010-0000

TAX PARCEL IDENTIFICATION NUMBER: 13-12-29-1250-00100-0360

TAX PARCEL IDENTIFICATION NUMBER: 13-12-29-1250-00100-0380

TAX PARCEL IDENTIFICATION NUMBER: 13-12-29-1250-00100-0010

TAX PARCEL IDENTIFICATION NUMBER: 13-12-29-5550-00010-0010

TAX PARCEL IDENTIFICATION NUMBER: 13-12-29-5550-00080-0000
TAX PARCEL IDENTIFICATION NUMBER: 13-12-29-5550-00150-0000
TAX PARCEL IDENTIFICATION NUMBER: 18-12-30-5550-00030-0010
TAX PARCEL IDENTIFICATION NUMBER: 18-12-30-5550-00010-0000
TAX PARCEL IDENTIFICATION NUMBER: 18-12-30-5550-00050-0110
TAX PARCEL IDENTIFICATION NUMBER: 18-12-30-5550-00120-0010
TAX PARCEL IDENTIFICATION NUMBER: 08-12-30-5550-00130-0000
TAX PARCEL IDENTIFICATION NUMBER: 17-12-30-0650-000D0-0000
TAX PARCEL IDENTIFICATION NUMBER: 20-12-30-0650-000B0-0010
TAX PARCEL IDENTIFICATION NUMBER: 20-12-30-0650-000A0-0030
TAX PARCEL IDENTIFICATION NUMBER: 16-12-30-0650-000B0-0010
TAX PARCEL IDENTIFICATION NUMBER: 16-12-30-0750-00010-0010
TAX PARCEL IDENTIFICATION NUMBER: 16-12-30-0750-00020-0000
TAX PARCEL IDENTIFICATION NUMBER: 16-12-30-0650-000A0-0010
TAX PARCEL IDENTIFICATION NUMBER: 16-12-30-0650-000B0-0000
TAX PARCEL IDENTIFICATION NUMBER: 21-12-30-0000-01010-0010
TAX PARCEL IDENTIFICATION NUMBER: 15-12-30-0850-000B0-0040
TAX PARCEL IDENTIFICATION NUMBER: 15-12-30-0650-000C0-0042
TAX PARCEL IDENTIFICATION NUMBER: 22-12-30-0650-000B0-0011
TAX PARCEL IDENTIFICATION NUMBER: 15-12-30-0650-000C0-0070

Section 5. Incorporation of Maps.

The map attached to this Ordinance as Exhibit “B” is hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

Section 6. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

Section 7. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this ordinance not otherwise to be invalid, unlawful, or unconstitutional.

Section 8. Non-codification.

This Ordinance shall be not be codified in the *City Code of the City of Bunnell* or the *Land Development Code of the City of Bunnell*; provided, however, that the rezoning actions taken herein shall be depicted on the zoning maps of the City of Bunnell by the City Manager, or designee.

Section 9. Effective Date.

This Ordinance shall take effect upon the effective date of Ordinance 2024-09

First Reading: approved on this _____ day of _____, 2025.

Second Reading/Final Reading: adopted on this _____ day of _____ 2025.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Seal:

Kristen Bates, CMC, City Clerk

Exhibit "A"

Reserve at Haw Creek Planned Unit Development
Parcel Boundary Legal Description

A PARCEL OF LAND LYING IN SECTION 8 OF TOWNSHIP 12 SOUTH, RANGE 30 EAST, OF ST JOHNS DEVELOPMENT COMPANYS SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 7, AND ALSO LYING IN SECTION 15, OF TOWNSHIP 12 SOUTH, RANGE 30 EAST, OF BUNNELL DEVELOPMENT COMPANYS LAND AS RECORDED IN MAP BOOK 1, PAGE 1, AND ALSO SECTION 16, TOWNSHIP 12 SOUTH, RANGE 30 EAST A PORTION OF WHICH LIES IN SAID BUNNELL DEVELOPMENT COMPANYS LAND, SECTION 17, OF TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANY LAND, SECTION 18, OF TOWNSHIP 12 SOUTH, RANGE 30 EAST, OF SAID ST JOHNS DEVELOPMENT COMPANYS SUBDIVISION, SECTIONS 20, 21, AND 22, OF TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND, AND ALSO LYING IN SECTION 13, TOWNSHIP 12 SOUTH, RANGE 29 EAST, PORTIONS OF WHICH LIE IN ST JOHNS DEVELOPMENT COMPANYS SUBDIVISION AND CRESCENT SHORES SUBDIVISION AS RECORDED IN MAP BOOK 2, PAGE 17, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT A NAIL AND DISK LABELED "WILCOX LS2238", MARKING THE NORTHWEST CORNER OF SAID SECTION 15, TOWNSHIP 12 SOUTH, RANGE 30 EAST AND BEAR S01°43'06"E ALONG THE WESTERLY LINE OF SECTION 15 A DISTANCE OF 25.00' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD(A 50' PUBLIC RIGHT-OF-WAY), AND TO THE NORTHWEST CORNER OF THE LANDS REFERENCED IN FLAGLER COUNTY PARCEL ID: (15-12-30-0850-000B0-0040) BEING THE POINT OF BEGINNING OF THIS DESCRIPTION.

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD ALSO BEING THE NORTHERLY LINE OF SAID LANDS REFERENCED IN PARCEL ID: (15-12-30-0850-000B0-0040), N89°53'29"E A DISTANCE OF 132.21'; THENCE DEPARTING SAID RIGHT-OF-WAY S01°39'01"E A DISTANCE OF 434.34'; THENCE N89°52'35"W A DISTANCE OF 17.83'; THENCE S01°38'50"E A DISTANCE OF 200.36'; THENCE N89°42'16"E A DISTANCE OF 574.18'; THENCE S01°34'38"E A DISTANCE OF 285.74'; THENCE N89°42'16"E A DISTANCE OF 306.03'; THENCE A DISTANCE OF S01°30'16"E 42.66'; THENCE N89°36'43"E A DISTANCE OF 330.97'; THENCE A DISTANCE OF S01°25'57"E A DISTANCE OF 1639.22' TO THE NORTHERLY LINE OF THE LANDS REFERENCED IN FLAGLER COUNTY PARCEL

ID: (15-12-30-0650-000C0-0042); THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL ID: (15-12-30-0650-000C0-0042) N89°08'44"E A DISTANCE OF 164.44'; THENCE A DISTANCE OF S01°21'46"E A DISTANCE OF 1302.31'; THENCE N88°24'21"E A DISTANCE OF 44.66' TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 11(SR11); THENCE ALONG THE SAID WESTERLY LINE OF SR11 S39°21'05"W A DISTANCE OF 1742.76' TO AN INTERSECTION WITH THE NORTH LINE OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 30 EAST; THENCE CONTINUE S39°21'05"W ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SR11 A DISTANCE OF 647.22' TO THE EASTERLY LINE OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 30 EAST ; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY S39°21'05"W A DISTANCE OF 3753.88' TO A POINT OF CURVATURE, CONCAVE SOUTHEASTERLY; THENCE ALONG THE CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 011°11'10", A RADIUS OF 5807.06', A LENGTH OF 1133.46', A CHORD BEARING OF S33°45'35"W AND A CHORD DISTANCE OF 1131.66' TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SR11 S28°10'05"W A DISTANCE OF 951.54' TO THE SOUTHERLY LINE OF SAID SECTION 21, AND THE SOUTHERLY LINE OF LANDS REFERENCED IN FLAGLER COUNTY PARCEL ID: (21-12-30-0000-01010-0010); THENCE ALONG THE SOUTHERLY LINE OF SECTION 21, S88°42'07"W A DISTANCE OF 1983.84' TO THE SOUTHWEST CORNER OF SECTION 21; THENCE ALONG THE WESTERLY LINE OF SECTION 21 N01°44'23"E A DISTANCE OF 3242.53' TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 30 EAST; THENCE S89°13'30"W A DISTANCE OF 1994.32' TO THE LANDS OCCUPIED BY JOYCE WALLACE, OR 2173, PG 1759; THENCE N00°27'07"W A DISTANCE OF 672.43'; THENCE N88°53'32"E A DISTANCE OF 460.30'; THENCE N00°59'31"E A DISTANCE OF 661.67'; THENCE S88°54'19"W A DISTANCE OF 1266.54' TO THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SECTION 20; THENCE CONTINUE S88°54'19"W A DISTANCE OF 1315.79'; THENCE S01°06'12"E A DISTANCE OF 1322.07'; THENCE S89°13'30"W A DISTANCE OF 657.42' TO THE SOUTHEAST CORNER OF TRACT 8, BLOCK B, OF SECTION 20, BUNNELL DEVELOPMENT COMPANYS SUBDIVISION, MAP BOOK 1, PAGE 1 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N01°16'04"W ALONG THE EASTERLY LINE OF SAID TRACT 8, A DISTANCE OF 638.83'; THENCE N89°01'18"W ALONG THE NORTHERLY LINE OF TRACT 8, A DISTANCE OF 660.43' TO THE CENTERLINE OF WEST BLACK POINT ROAD, A 50' MAINTAINED PUBLIC RIGHT-OF-WAY; THENCE N01°12'21"W ALONG THE CENTERLINE OF WEST BLACK POINT ROAD, A DISTANCE OF 1977.10' TO THE SOUTHEAST CORNER OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANY SUBDIVISION; THENCE ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18,

N01°40'52"E A DISTANCE OF 19.90'; THENCE DEPARTING THE CENTERLINE OF WEST BLACK POINT ROAD AND THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 18, N84°12'43"W A DISTANCE OF 1569.58'; THENCE S22°06'08"W A DISTANCE OF 223.70' TO THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 18; THENCE S88°59'14"W ALONG SAID SOUTHERLY LINE A DISTANCE OF 986.38' TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18; THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 18 S88°59'14"W A DISTANCE OF 2631.80' TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 12 SOUTH, RANGE 29 EAST, ST JOHNS DEVELOPMENT COMPANY SUBDIVISION; THENCE S89°46'37"W ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13 A DISTANCE OF 2615.38' TO THE EASTERLY LINE OF COUNTY ROAD 65(FORMERLY DEAN ROAD PER SAID CRESCENT SHORES SUBDIVISION PLAT), AN 80' MAINTAINED PUBLIC RIGHT-OF-WAY; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 65, N00°48'58"W A DISTANCE OF 2634.39' TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID CRESCENT SHORES SUBDIVISION, ALSO BEING THE SOUTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 13; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE N00°50'16"W A DISTANCE OF 655.12' TO AN INTERSECTION WITH THE NORTHERLY LINE OF CRESCENT SHORES SUBDIVISION; THENCE DEPARTING THE RIGHT-OF-WAY LINE N89°22'31"E A DISTANCE OF 620.87'; THENCE N02°04'51"W A DISTANCE OF 656.30'; THENCE N89°17'01"E A DISTANCE OF 1162.49'; THENCE N01°21'44"W A DISTANCE OF 1301.32' TO THE SOUTHERLY LINE OF COUNTY ROAD 302(CR302), A 95' PUBLIC RIGHT-OF-WAY; THENCE ALONG THE SAID SOUTHERLY LINE OF CR302, N89°32'29"E A DISTANCE OF 647.15' TO A POINT AT AN INTERSECTION WITH THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, SAID POINT LYING AT A DISTANCE OF 20.23' AND AT A BEARING OF S05°56'43"E OF A 6x6 CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 18; THENCE N89°37'36"E ALONG THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 18 A DISTANCE OF 226.40' TO AN INTERSECTION WITH THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 18 PER FLAGLER COUNTY PROPERTY APPRAISERS OFFICE; THENCE DEPARTING THE SOUTHERLY RIGHT-OF-WAY LINE OF CR302, S00°45'47"E A DISTANCE OF 1329.37'; THENCE N88°12'58"E A DISTANCE OF 656.83' TO THE SOUTHWEST CORNER OF THE LANDS OCCUPIED BY CHARLIE BEMBRY, REFERENCED BY FLAGLER COUNTY PARCEL ID: (18-12-30-5550-00040-0010); THENCE CONTINUE N88°12'58"E, ALONG THE SOUTHERLY LINE OF BEMBRY'S, A DISTANCE OF 349.68'; THENCE N00°45'26"W ALONG THE EASTERLY LINE OF BEMBRY'S A DISTANCE OF 12.66'

TO THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18; THENCE N89°19'01"E A DISTANCE OF 966.42' TO THE SOUTHEAST CORNER OF LANDS REFERENCED IN FLAGLER COUNTY PARCEL ID: (18-12-30-5550-00030-0020); THENCE N00°54'32"E ALONG THE EASTERLY LINE OF SAID LANDS A DISTANCE OF 1286.40' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CR302; THENCE N89°37'36"E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 372.38'; THENCE N21°21'23"E A DISTANCE OF 33.00'; THENCE N89°37'36"E A DISTANCE OF 158.57' TO A NON-RADIAL INTERSECTION WITH A CURVE, CONCAVE NORTHEASTERLY, IN THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 100(SR100, A 100' RIGHT-OF-WAY AT PRESENT); THENCE ALONG THE CURVE TO THE LEFT BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 100 SAID CURVE HAVING A DELTA OF 008°35'47", A RADIUS OF 5779.65', A LENGTH OF 867.16', A CHORD BEARING OF S81°21'35"E, AND A CHORD DISTANCE OF 866.35' TO A POINT OF TANGENCY IN THE SAID RIGHT-OF-WAY LINE; THENCE CONTINUE ALONG THE RIGHT-OF-WAY OF SR100 S85°39'29"E A DISTANCE OF 1284.36' TO LANDS OF THE POLONIA SOCIETY AS REFERENCED BY FLAGLER COUNTY PARCEL ID: (07-12-30-5550-00160-0030) AND TO THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANY SUBDIVISION AS NOW IN USE; THENCE DEPARTING THE RIGHT-OF-WAY OF SR100 S00°09'41"W ALONG SAID WESTERLY LINE OF SECTION 8 A DISTANCE OF 479.76' TO THE SOUTHERLY LINE OF THE POLONIA SOCIETY LANDS; THENCE S89°45'41"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 720.47' TO A CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID LANDS; THENCE N00°41'17"W ALONG THE EASTERLY LINE OF SAID LANDS OF THE POLONIA SOCIETY A DISTANCE OF 428.70' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SR100; THENCE S85°39'29"E ALONG THE RIGHT-OF-WAY LINE OF SR100 A DISTANCE OF 1326.32' TO AN INTERSECTION WITH THE WESTERLY LINE OF BLOCK 14, TRACT 1, SECTION 8, ST JOHNS DEVELOPMENT COMPANYS SUBDIVISION, ALSO BEING THE NORTHWEST CORNER OF LANDS AS REFERENCED BY FLAGLER COUNTY PARCEL ID: (08-12-30-5550-00140-0000); THENCE S00°42'49"E ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 300.13' TO THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS COMPANYS SUBDIVISION; THENCE ALONG SAID NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 17, N88°35'17"E A DISTANCE OF 1320.49' TO A 4x4 CONCRETE MONUMENT MARKING THE NORTH 1/4 CORNER OF SECTION 17; THENCE N89°27'03"E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17 A DISTANCE OF 662.91' TO THE WESTERLY LINE OF THE LANDS DESCRIBED IN OR 496, PAGE(S) 1649 AS

REFERENCED BY FLAGLER COUNTY PARCEL ID: (08-12-30-5550-00150-0035); THENCE S01°00'11"E ALONG SAID WESTERLY LINE A DISTANCE OF 44.86' TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE ALONG THE SOUTHERLY LINE OF SAID LANDS S85°39'50"E A DISTANCE OF 254.42' TO THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN OR 496, PAGE(S) 1651, AS REFERENCED BY FLAGLER COUNTY PARCEL ID: (08-12-30-5550-00150-0032); THENCE CONTINUE S85°39'50"E ALONG THE SOUTHERLY LINE OF SAID LANDS A DISTANCE OF 270.82' TO THE EASTERLY LINE OF SAID LANDS; THENCE N00°55'58"E ALONG SAID EASTERLY LINE, A DISTANCE OF 135.47' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SR100; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE S85°39'29"E A DISTANCE OF 138.69'; THENCE DEPARTING THE RIGHT-OF-WAY LINE S00°51'24"E A DISTANCE OF 34.05' TO SAID NORTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 17; THENCE ALONG SAID NORTHERLY LINE N89°27'03"E A DISTANCE OF 397.59' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SR100; THENCE ALONG THE RIGHT-OF-WAY LINE OF SR100 S85°39'23"E A DISTANCE OF 86.59' TO A POINT OF CURVATURE, CONCAVE NORTHEASTERLY; THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 004°54'50", A RADIUS OF 11,509.19'; A LENGTH OF 987.07', A CHORD BEARING OF S88°06'54"E, AND A CHORD DISTANCE OF 986.77'; THENCE N89°25'41"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SR100 A DISTANCE OF 1778.54' TO THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF TRACT 2, BLOCK B, BUNNELL DEVELOPMENT COMPANYS SUBDIVISION WITH THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF SR100; THENCE CONTINUE ALONG THE SOUTHERLY RIGH-OF-WAY LINE OF SR100 N89°25'41"E A DISTANCE OF 66.42' TO THE NORTHWEST CORNER OF LANDS OCCUPIED BY TAYLOR DESCRIBED IN OR 2650, PAGE 1753 AS REFERENCED BY FLAGLER COUNTY PARCEL ID: (16-12-30-0650-000B0-0020); THENCE ALONG THE WESTERLY LINE OF SAID LANDS, S01°45'35"E A DISTANCE OF 609.33'; THENCE N89°24'00"E A DISTANCE OF 658.42' TO THE EASTERLY LINE OF SAID LANDS OCCUPIED BY TAYLOR DESCRIBED IN OR 2650, PAGE 1753; THENCE N01°43'51"W A DISTANCE OF 610.14' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SR100; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE N89°25'41"E A DISTANCE OF 19.40' TO THE WESTERLY LINE OF LOT 8, BLOCK 1, BUNNELL GARDENS; THENCE DEPARTING THE RIGHT-OF-WAY LINE S01°58'41"E A DISTANCE OF 79.38'; THENCE N88°57'01"E A DISTANCE OF 102.38'; THENCE N01°58'01"W A DISTANCE OF 78.53' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SR100; THENCE ALONG SAID RIGHT-OF-WAY LINE N89°25'41"E A DISTANCE OF 649.03' TO A POINT OF CURVATURE, CONCAVE NORTHWESTERLY; THENCE ALONG THE CURVE TO THE LEFT HAVING A DELTA OF 012°21'59", A RADIUS OF 1482.68', A LENGTH OF 320.02', A CHORD BEARING OF N83°15'40"E AND A

CHORD DISTANCE OF 319.40' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD, A 50' PUBLIC RIGHT-OF-WAY; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD N88°56'33"E A DISTANCE OF 1526.50' TO THE POINT OF BEGINNING.

LESS THE FOLLOWING PARCELS AS REFERENCED BY FLAGLER COUNTY:

17-12-30-0650-000D0-0010 ~ 5.2401 ACRES MORE OR LESS

17-12-30-0650-000D0-0011 ~ 5.2711 ACRES MORE OR LESS

20-12-30-0650-000A0-0010 ~ 16.1628 ACRES MORE OR LESS

17-12-30-0650-000B0-0000 ~ 5.706 ACRES MORE OR LESS (ALBERT)

18-12-30-5550-00120-0031 ~ 4.9726 ACRES MORE OR LESS (BUBBA)

18-12-30-5550-00120-0030 ~ 4.9772 ACRES MORE OR LESS (RHONDA)

13-12-29-1250-00100-0400 ~ 0.1256 ACRES MORE OR LESS (SCOTTS)

ALSO, LESS AND EXCEPT THE FOLLOWING:

LESS OVER 27 ACRES FOR ROADS AND RIGHTS-OF-WAYS INCLUDING DEEN ROAD, STATE ROAD 11, COUNTY ROAD 80, COUNTY ROAD 65, COUNTY ROAD 302, STATE ROAD 100(STATE ROAD 20), COUNTY ROAD 5 WEST(WEST BLACK POINT ROAD), BLACK POINT ROAD, EAST BLACK POINT ROAD AND VARIOUS OTHER ACCESS EASEMENTS AS RECORDED IN PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

SUBJECT TO EASEMENTS AND ROAD RIGHTS-OF-WAYS AS RECORDED IN BUNNELL DEVELOPMENT COMPANYS SUBDIVISION, MAP BOOK 1, PAGE 1 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND ALSO AS RECORDED IN ST. JOHNS DEVELOPMENT COMPANYS SUBDIVISION, MAP BOOK 1, PAGE 7, AND ALSO AS RECORDED IN BUNNELL GARDENS, MAP BOOK 2, PAGE 6, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND ALSO AS RECORDED IN CRESCENT SHORES, MAP BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, A 300' WIDE POWER LINE EASEMENT ENCUMBERING 71.3435 ACRES, AND VARIOUS OTHER ENCUMBERING INSTRUMENTS FOUND IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

Exhibit "B"
Amended City of Bunnell Zoning Map

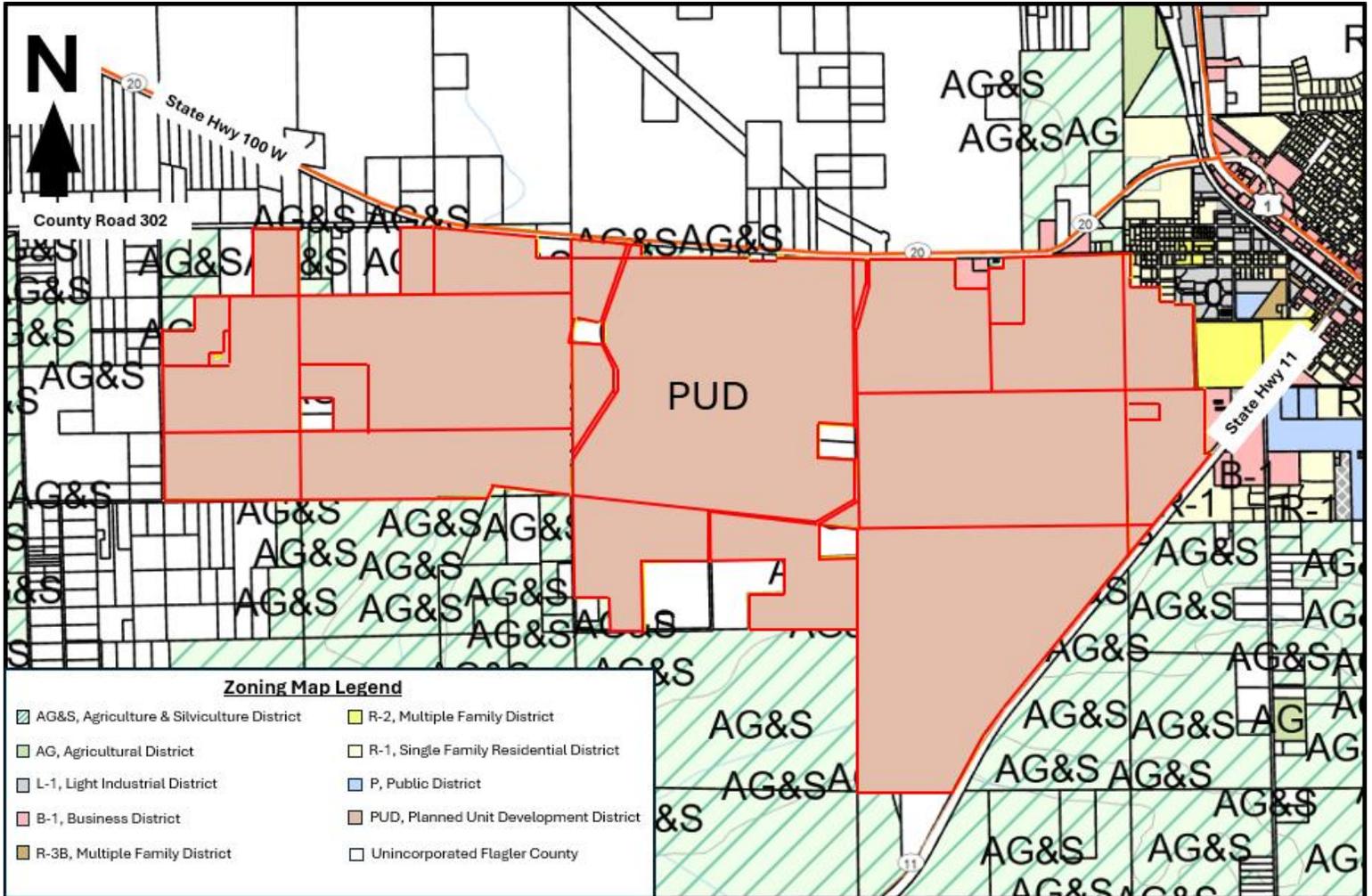


Exhibit “C”
Reserve at Haw Creek
Planned Unit Development Agreement