

Ordinance Number 2013-01

**AN ORDINANCE OF THE WALTON COUNTY BOARD OF COUNTY COMMISSIONERS; ABANDONING BLACKSTONE DEVELOPMENT OF REGIONAL IMPACT CHAPTER 380 DEVELOPMENT ORDER ADOPTED BY WALTON COUNTY RESOLUTION NO. 2008-02 ON JANUARY 8, 2008; PROVIDING FOR AUTHORITY, REPEAL OF CONFLICTING ORDINANCES; AND SETTING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY:**

**Section 1. Authority; Intent**

The Board of County Commissioners is the governing body with legal jurisdiction over the Blackstone Development of Regional Impact Property, as described in Exhibit A, and is authorized and empowered by Chapter 380, Florida Statutes and Rule 73C-40.0251, Florida Administrative Code to amend the Blackstone Development Order to provide for the Abandonment. This Ordinance is, among other things, the Board's decision to approve the Application for Abandonment of a Development of Regional Impact Development Order for the Blackstone Development of Regional Impact pursuant to Section 380.06 (26), Florida Statutes and Rule 73C-40.0251, Florida Administrative Code. The Application to Abandonment the Blackstone Development of Regional Impact has been filed by Blackstone Development Company, whose address is 988 Airport Road, Destin Florida 32541, to abandon the Blackstone Development of Regional Impact Chapter 380 Development Order adopted by Walton County Resolution No. 2008-02.

**Section 2. Findings of Facts**

Pursuant to Rule 73C-40.0251, Florida Administrative Code, Walton County makes the following findings of facts:

a. The Board of County Commissioners approved the Blackstone Development of Regional Impact Chapter 380 Development Order by Walton County Resolution No. 2008-02 on January 8, 2008 that authorized an 18-hole golf course, 3,300 residential units and 182,500 square feet of office and retail space, on 1, 239.10 acres.

b. Limited development has occurred within the Blackstone Development of Regional Impact Property and consist of the following: a 18-hole golf course on 155.48 acres and associated buildings comprised of a club house (6,080 square feet), cart storage (3,150 square feet), two barns (3,474 square feet) a shed (389 square feet) and a wash down area (450 square feet) .

c. No other development has occurred pursuant to the Blackstone Development of Regional Impact Chapter 380 Development Order or Application for Development Approval.

d. Development proposed after abandonment will reduce the number of residential

dwelling units to 745 from 3,300, and the square footage of commercial space to 80,000 from 182,500 square feet. There are no approved development permits that would allow development in excess of the post-abandonment proposed development plan.

e. The Applicant of the Blackstone Development of Regional Impact have not relied upon any benefits granted to the Development of Regional Impact, pursuant to Chapters 163, or 380, Florida Statutes, which would not otherwise be available after abandonment.

f. The Blackstone Development of Regional Impact is eligible for abandonment pursuant to Section 380.06 (26), Florida Statutes and Rule 73C-40.0251, Florida Administrative Code, since the development will be under the Development Regional Impact thresholds, as defined pursuant to Section 380.0651, Florida Statutes for Walton County.

g. The legal description of the Blackstone Development of Regional Impact is attached hereto as Exhibit A.

**Section 3. Action on Request and Approval**

Therefore, be it ordained by the Board of County Commissioners, in a public meeting duly advertised, constituted and assembled, the Application for Abandonment of a Development of Regional Impact Development Order for the Blackstone Development of Regional Impact pursuant to Section 380.06 (26), Florida Statutes and Rule 73C-40.0251, Florida Administrative Code, is hereby ordained and approved.

**Section 4. Repeal of Conflicts**

Any ordinance in conflict with sections 2 and 3 of this ordinance are hereby repealed to the extent of such conflict.


**Section 5. Effective Date**

This ordinance shall take effect as provided by law. Specifically, the ordinance and the Abandoned Blackstone Development of Regional Impact Chapter 380 Development Order will be effective upon expiration of the appeal period pursuant to Section 380.07, Florida Statutes, or until the completion of any appellate proceedings, whichever time is greater. Within 15 days after the expiration of the appeal period, Walton County shall record a Notice of Abandonment with the Office of the Walton County Clerk of Courts, as provided in Section 380.06 (26), Florida Statutes and Rule 73C-40.0251, Florida Administrative Code.

Duly enacted, upon motion of and by the Walton County Board of County Commissioners, at a regular meeting on January 8, 2013.

BOARD OF COUNTY COMMISSIONERS  
WALTON COUNTY, FLORIDA

Attest:  
  
Alex Alford  
Clerk of Court

By:   
Chair





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EXHIBIT A

PARCEL 1

A PARCEL OF LAND, LYING IN SECTIONS 8, 9, 15, 16, 17, 21, AND 22, TOWNSHIP 3 NORTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE N 00°06'40" W ALONG THE WEST BOUNDARY THEREOF, A DISTANCE OF 475.71 FEET A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF FLORIDA STATE ROAD 10 (U.S. HIGHWAY 90), SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE N 00°06'40" W ALONG SAID WEST BOUNDARY, A DISTANCE OF 400.72 FEET TO THE SOUTHWEST CORNER OF AN OUTPARCEL; THENCE DEPARTING SAID SECTION BOUNDARY, PROCEED ALONG SOUTH, EAST AND NORTH BOUNDARIES THEREOF, THE FOLLOWING THREE (3) CALLS:

1) N 78°58'43" E, A DISTANCE OF 589.89 FEET; 2) THENCE N 05°48'01" W, A DISTANCE OF 303.38 FEET; 3) THENCE S 89°50'03" W, A DISTANCE OF 549.16 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID WEST BOUNDARY OF SECTION 22; THENCE N 00°06'40" W ALONG SAID WEST BOUNDARY, A DISTANCE OF 1083.21 FEET TO THE SOUTHWEST CORNER OF THREE OUTPARCELS; THENCE DEPARTING SAID SECTION BOUNDARY, PROCEED ALONG THE WEST, SOUTH, EAST, AND NORTH BOUNDARIES THEREOF, THE FOLLOWING SIX (6) CALLS:

1) N 89°52'16" E, A DISTANCE OF 438.75 FEET; 2) THENCE S 05°55'58" E, A DISTANCE OF 390.77 FEET; 3) THENCE N 89°47'25" E, A DISTANCE OF 456.72 FEET; 4) THENCE N 05°58'49" W, A DISTANCE OF 390.15 FEET; 5) THENCE N 01°11'38" W, A DISTANCE OF 404.05 FEET; 6) THENCE S 89°55'42" W, A DISTANCE OF 887.58 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID WEST BOUNDARY OF SECTION 22; THENCE N 00°06'40" W ALONG SAID WEST BOUNDARY, A DISTANCE OF 2499.01 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE N 88°37'54" W ALONG THE NORTH BOUNDARY OF THE AFORESAID SECTION 21, A DISTANCE OF 1320.52 FEET;

THENCE DEPARTING SAID NORTH BOUNDARY, PROCEED S 00°05'26" W, A DISTANCE OF 2630.21 FEET; THENCE N 88°19'59" W, A DISTANCE OF 1302.34 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WALTERS ROAD (OFFICIAL RECORDS BOOK 303, PAGE 452); THENCE ALONG SAID RIGHT OF WAY, THE FOLLOWING THREE (3) CALLS:

1) N 00°14'20" E, A DISTANCE OF 1261.49 FEET; 2) THENCE S 88°28'48" E, A DISTANCE OF 25.01 FEET; 3) THENCE N 00°14'20" E, A DISTANCE OF 170.37 FEET TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY OF A PARCEL (OFFICIAL RECORDS BOOK 753, PAGE 97); THENCE S 88°32'25" E ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 390.99 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY, PROCEED N 00°12'46" E, A DISTANCE OF 207.46 FEET TO A POINT ON THE SOUTH BOUNDARY OF A PARCEL (OFFICIAL RECORDS BOOK 270, PAGE 595); THENCE S 88°31'06" E ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 220.58 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY, PROCEED N 00°09'53" E, A DISTANCE OF

328.37 FEET; THENCE N 88°33'22" W, A DISTANCE OF 596.04 FEET TO A POINT ON THE EAST BOUNDARY OF A PARCEL (OFFICIAL RECORDS BOOK 270, PAGE 596); THENCE N 00°14'20" E ALONG SAID EAST BOUNDARY, A DISTANCE OF 655.92 FEET TO A POINT ON THE AFORESAID NORTH BOUNDARY OF SECTION 21; THENCE N 88°37'58" W ALONG SAID NORTH BOUNDARY, A DISTANCE OF 65.02 FEET TO THE NORTH QUARTER CORNER THEREOF; THENCE DEPARTING SAID NORTH BOUNDARY, PROCEED S 00°14'20" W, A DISTANCE OF 1311.67 FEET; THENCE N 88°28'48" W, A DISTANCE OF 2649.22 FEET; THENCE N 00°35'35" E, A DISTANCE OF 1304.46 FEET TO THE NORTHWEST CORNER OF SAID SECTION 21; THENCE N 89°57'10" W ALONG THE SOUTH BOUNDARY OF THE AFORESAID SECTION 17, A DISTANCE OF 1321.23 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY, PROCEED N 00°53'32" E, A DISTANCE OF 5332.59 FEET TO A POINT ON THE NORTH BOUNDARY THEREOF, BEING THE SOUTH BOUNDARY OF THE AFORESAID SECTION 8; THENCE N 89°03'09" W ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 2683.38 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY, PROCEED N 02°09'57" E, A DISTANCE OF 1331.62 FEET; THENCE N 88°48'46" W, A DISTANCE OF 334.15 FEET; THENCE N 02°13'19" E, A DISTANCE OF 1333.01 FEET; THENCE S 88°33'56" E, A DISTANCE OF 332.82 FEET; THENCE N 02°09'57" E, A DISTANCE OF 1331.66 FEET; THENCE S 88°19'00" E, A DISTANCE OF 2652.38 FEET; THENCE S 01°43'02" W, A DISTANCE OF 2640.18 FEET; THENCE S 88°48'36" E, A DISTANCE OF 1336.68 FEET TO A POINT ON THE EAST BOUNDARY OF SAID SECTION 8; THENCE S 89°05'58" E, A DISTANCE OF 1342.29 FEET; THENCE S 01°29'56" W, A DISTANCE OF 1315.44 FEET TO A POINT ON THE NORTH BOUNDARY OF THE AFORESAID SECTION 16; THENCE N 89°03'10" W ALONG THE NORTH BOUNDARY THEREOF, A DISTANCE OF 1342.08 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S 01°07'22" W ALONG THE WEST BOUNDARY THEREOF, A DISTANCE OF 3636.65 FEET TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY OF A GULF POWER COMPANY EASEMENT; THENCE DEPARTING SAID WEST BOUNDARY, PROCEED S 89°04'43" E ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 5309.54 FEET TO A POINT ON THE EAST BOUNDARY OF SAID SECTION 16, BEING THE WEST BOUNDARY OF THE AFORESAID SECTION 15; THENCE S 02°02'43" W ALONG SAID WEST BOUNDARY, A DISTANCE OF 378.74 FEET; THENCE DEPARTING SAID WEST BOUNDARY, PROCEED S 89°19'11" E, A DISTANCE OF 1334.76 FEET; THENCE S 01°44'33" W, A DISTANCE OF 1337.48 FEET; THENCE S 89°19'47" E, A DISTANCE OF 2387.66 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF HINOTE ROAD; THENCE S 43°18'24" E ALONG SAID RIGHT OF WAY, A DISTANCE OF 56.33 FEET; THENCE DEPARTING SAID RIGHT OF WAY, PROCEED S 87°01'54" W, A DISTANCE OF 399.60 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 550.00 FEET; THENCE ALONG SAID CURVE, THROUGH A

CENTRAL ANGLE OF 25°01'39", AN ARC DISTANCE OF 240.25 FEET, (CHORD BEARING = S 60°19'31" W, CHORD = 238.34 FEET), TO A POINT ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 770.00 FEET; THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°39'11", AN ARC DISTANCE OF 465.70 FEET, (CHORD BEARING = S 65°13'40" W, CHORD = 458.64 FEET); THENCE S 00°41'06" W, A DISTANCE OF 809 FEET, MORE OR LESS TO A POINT ON THE SEASONAL HIGH WATER LINE OF THE NORTHEASTERLY SHORE OF A LAKE, SAID POINT HEREAFTER REFERRED TO AS "POINT A"; THENCE RETURNING TO THE POINT OF BEGINNING, PROCEED N 78°59'49" E ALONG THE AFORESAID NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 90, A DISTANCE OF 2673.91 FEET; THENCE DEPARTING SAID RIGHT OF WAY, PROCEED N 01°18'06" E, A DISTANCE OF 1606.38 FEET; THENCE S 88°50'52" E, A DISTANCE OF 1319.65 FEET; THENCE N 01°13'10" E, A DISTANCE OF 733 FEET, MORE OR LESS TO A POINT ON THE CENTERLINE OF A CREEK; THENCE MEANDER NORTHWESTERLY ALONG SAID CENTERLINE OF A CREEK AND THE AFORESAID SEASONAL HIGH WATER LINE OF THE NORTHEASTERLY SHORE, A DISTANCE OF 2672 FEET, MORE OR LESS TO THE AFORESAID "POINT A". SAID PARCEL CONTAINING 1199.2 ACRES, MORE OR LESS.

PARCEL 2

A PARCEL OF LAND, LYING IN SECTION 21, TOWNSHIP 3 NORTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21; THENCE S 00°35'35" W ALONG THE WEST BOUNDARY THEREOF, A DISTANCE OF 2608.94 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST BOUNDARY, PROCEED S 88°19'59" E, A DISTANCE OF 1328.7616 FEET; THENCE S 00°24'44" W, A DISTANCE OF 1308.20 FEET; THENCE N 88°10'39" W, A DISTANCE OF 1332.96 FEET TO A POINT ON SAID WEST BOUNDARY OF SECTION 21; THENCE N 00°35'35" E ALONG SAID WEST BOUNDARY, A DISTANCE OF 1304.49 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 39.90 ACRES, MORE OR LESS.