

ORDINANCE 2019- 04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, FLORIDA, ADOPTING THE FIRST AMENDMENT TO THE DEVELOPMENT ORDER FOR THE WATERSOUND NORTH DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 12, 2019 at a duly noticed public hearing, the Walton County Board of County Commissioners heard and considered the proposed development application from the St. Joe Company, for changes to the Watersound North Development of Regional Impact (the “Watersound DRI”); and

WHEREAS, the Watersound DRI is a mixed use development on approximately 2,425 acres located on US Highway 98 in Southeast Walton County; and

WHEREAS, the 2018 Florida Legislature repealed most of Section 380.06 and all rules related to DRIs of which had the effect of abolishing state and regional review for any amendments to existing DRIs and any change shall be reviewed by the local government based on the standards and procedures in its adopted local comprehensive plan and land development regulations; and

WHEREAS, because this amendment is being adopted under totally different statutory provisions than the original 2005 Watersound DRI thereby rendering certain references to the former DRI statutory provisions in the original DRI DO are null and void; and

WHEREAS, on February 12, 2019 the Walton County Board of County Commissioners conducted an advertised public hearing for the purpose of receiving public comment.

NOW THEREFORE BE IT ADOPTED BY THE WALTON COUNTY BOARD OF COUNTY COMMISSIONERS:

SECTION 1. FINDINGS OF FACT.

Based on the documentation and testimony received at the public hearing, the County Commission hereby finds as fact as follows:

1. On June 7, 2005 the Board of County Commissioners (Board) approved the development order for the Watersound DRI after the required review.
2. On October 10, 2018, the Applicant submitted a request for an amendment to the Watersound DRI development order to propose additional changes and to update the Watersound DRI DO to incorporate amendments that were adopted into local Walton

County Development Orders #05-001-00182 and #17-00100124. This amendment includes the following:

- a) Amend the Exhibit B to relocate/modify the overall approved residential density, golf course (holes) and commercial square footage;
- b) Amend the DRI Master Plan to redefine the location of residential areas, parks/recreation, conservation open spaces, natural areas and mixed-uses. The total amounts of recreation and open space remains the same as currently approved; and
- c) Update the Watersound DRI development order to extend the current phase, buildout, termination and expiration dates by 10 years, 6 months and 26 days. The St. Joe Company has filed numerous statutory extensions that have been recognized by Walton County but never reflected in the development order itself.

SECTION 2. CONCLUSIONS OF LAW.

Based on the Findings of Fact adopted above, Walton County hereby adopts the following Conclusions of Law.

1. Walton County is the governing body having jurisdiction over the review and approval of amendments to the development order, pursuant to Chapter 380, F.S., and is authorized and empowered to issue this First amendment to the Amended Development Order (ADO).
2. The proposed land use conversions and master plan changes are consistent with current applicable local comprehensive plan and land development regulations.
3. The provisions of this ADO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.
4. The impacts of this development, as conditioned by this ADO, are adequately addressed pursuant to the requirements of the Walton County Comprehensive Plan and land development regulations, and the changes as approved by the County do not create additional adverse local impacts.
5. To the extent that the Application for Development Approval (ADA) or Development Application, or any other document is inconsistent with the terms and conditions of this ADO, this ADO shall prevail.

SECTION 3. GENERAL CONDITIONS.

Walton County, having made the aforementioned Findings of Fact and Conclusions of Law, hereby approves the following proposed changes contained in this ADO, subject to the following modifications and conditions of development set forth in this ADO:

1. Amend the development program as shown in Exhibit B which includes the changes approved in Walton County Development Orders #05-001-00182 and #17-00100124 as well as the changes proposed in the latest amendment;
2. Amend the DRI Master Plan to reflect the acreage changes as shown in Exhibit C;
3. Amend the buildout, termination and phase dates as follows:
 - i. Amend Phase 1 expiration date from December 31, 2009 to July 26, 2020;
 - ii. Amend Phase 2 expiration date from December 31, 2015 to July 26, 2026;
 - iii. Amend DRI buildout date from December 31, 2015 to July 26, 2026; and
 - iv. Amend DRI termination and expiration dates from December 31, 2016 to July 26, 2027.
4. Delete the January 1, 2009 commencement date for the affordable housing study and instead commence the study prior to the development of Phase 2.

BE IT FURTHER RESOLVED BY THE WALTON COUNTY COMMISSION THAT THE FOLLOWING SHALL APPLY:

1. Final Order. That this ADO shall constitute the final order of Walton County in response to the request for the DRI development order amendment filed by the Developer.
2. Definitions. That the definitions found in Chapter 380, F.S. shall apply to this ADO.
3. Assignability: Persons Bound. That this ADO shall be binding upon the Developer and its heirs, assignees, or successors in interest including community development districts created pursuant to Chapter 190, Fla. Stat.
4. Severability. That in the event any portion or section of this ADO is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ADO, which shall remain in full force and effect.

5. Recordation of Notice of Adoption. That within 30 days after the effective date, the Developer shall cause a Notice of Adoption of this amendment to be recorded among the Public Records of Walton County in accordance with section 380.06 (4), Fla. Statutes.
6. Restriction on Downzoning, Density Reduction or Intensity Reduction. That Walton County agrees that the approved Watersound DRI shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of this ADO, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the ADO have occurred, or that the ADO was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the County to be essential to the public health, safety or welfare.
7. That approval of this ADO shall not exempt any portion or unit of the Watersound DRI development from any future impact fees imposed by Walton County. Developer credit for applicable improvements paid for by it pursuant to the requirements of this ADO shall be given as provided for by section 380.06(5), Fla. Stat.
8. Effective Date. That upon the adoption of this ADO, it shall become effective.

ADOPTED, in Regular Session this 12th day of February, 2019, by

The Walton County Board of County Commissioners.

ATTEST:

BOARD OF COUNTY
COMMISSIONERS OF WALTON
COUNTY, FLORIDA

Alex Alford
Alex Alford
Clerk of Court
and County Comptroller



Tom Anderson
Tom Anderson, Chairman
Board of County Commissioners



EXHIBIT A

Legal Description



C.C.L. CONSULTANTS, INC.

ENGINEERS · SURVEYORS · PLANNERS

LANDSCAPE ARCHITECTS · ENVIRONMENTAL CONSULTANTS

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(407) 660-2120

880 JUPITER PARK DRIVE, UNIT 15
JUPITER PARK OF COMMERCE
JUPITER, FLORIDA, 33458
(561) 747-9669

LEGAL DESCRIPTION: CDD/DRI

Portions of Sections 13, 14, 23, 24, 25 and 26, Township 3 South, Range 18 West, Tallahassee Meridian, and being more particularly described as follows:

BEGINNING at the intersection of the South line of the North one-half (N 1/2) of said Section 26 with the newly established Northeasterly right-of-way line of State Road No. 30 (U.S. Highway No. 98); Thence North 36°41'15" West along said right-of-way line, for 3832.70 feet; Thence North 50°32'35" East, for 2593.41 feet; Thence South 48°55'49" East, for 557.55 feet; Thence South 69°21'33" East, for 1068.88 feet; Thence North 44°06'21" East, for 1861.59 feet; Thence North 37°17'41" West, for 1683.94 feet; Thence North 15°26'02" East, for 701.33 feet; Thence North 06°03'06" East, for 1079.30 feet; Thence North 19°29'18" East, for 807.99 feet; Thence North 55°23'57" East, for 427.66 feet, the following three (3) courses being along the Easement Line of Gulf Intracoastal Waterway; Thence South 40°47'37" East, for 1771.73 feet; Thence South 69°25'25" East, for 4234.79 feet; Thence South 02°15'09" West, along the East line of said Section 24, for 3919.14 feet; Thence South 01°52'38" West, along the East line of the Northeast one-quarter (NE 1/4) of said Section 25, for 2680.97 feet to the Northwest corner of the Southwest one-quarter (SW 1/4) of Section 30, Township 3 South, Range 17 West; Thence South 02°16'29" West, along the West line of the Southwest one-quarter (SW 1/4) of said Section 30, for 2594.09 feet to a 1.03 foot elevation contour at Lake Powell; Thence meander Westerly, Northerly, Southerly and Westerly, along said 1.03 foot elevation contour, for 6,727 feet, more or less, to the East line of the Southwest one-quarter (SW 1/4) of said Section 25; Thence North 01°36'29" East, along said East line of the Southwest one-quarter (SW 1/4) of said Section 25, for

(Continued on Sheet 2 of 5)

(SKETCH AND LEGAL ONLY – NOT A SURVEY)

NOTES:

- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED BY CCL CONSULTANTS, INC. FOR EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
- BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTH ONE-HALF (N 1/2) OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 18 WEST, SAID SOUTH LINE HAVING A BEARING OF NORTH 88°27'07" WEST.
- CCL CONSULTANTS, INC.'S CERTIFICATE OF AUTHORIZATION No. 610, IS ISSUED BY THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.
- DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS: (i) BOUNDARY SURVEY PREPARED BY BOTTOMY, RUTHERFORD CONSULTING GROUP, INC. (BRCG), DATED 03/07/2003 UNDER JOB NO. 8149, FILE NO. E-1397; 1.03 FOOT ELEVATION CONTOUR LOCATION PROVIDED TO THIS OFFICE BY BRCG IN CADD FORMAT; (ii) LEGAL DESCRIPTION PREPARED BY S C R SURVEYING & MAPPING, INC., DATED JUNE 24, 2003 UNDER JOB NO. 8149, FILE NO. B-4993-SH1 & SH2. (iii) REVISIONS TO BOUNDARY HAVE BEEN MADE AS INSTRUCTED BY CLIENT. RECORDING INFORMATION FOR ROAD RIGHTS-OF-WAY AND GULF POWER COMPANY RIGHT OF WAY NOT PROVIDED.

SHEET 1 OF 5 K:\4250\SURVEY\LEGALS\4250_DRI_BDRY_LEGAL.DWG

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SKETCH NO.

REVISIONS

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(Continued from Sheet 1 of 5)

1679.27 feet to the Northeast corner of said Southwest one-quarter (SW 1/4), said corner lies North 87°49'24" West, a distance of 2655.42 feet from the Northwest corner of the Southwest one-quarter (SW 1/4) of said Section 30, Township 3 South, Range 17 West; Thence North 87°50'13" West, along the North line of the Southwest one-quarter (SW 1/4) of said Section 25, for 2676.14 feet; Thence North 88°27'07" West, along the South line of the North one-half (N 1/2) of said Section 26, for 2027.72 feet to the POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

Portions of Sections 25 and 26, Township 3 South, Range 18 West, TOGETHER WITH: A portion of the 100' Gulf Power Company right-of-way lying in Sections 23, 25 and 26, Township 3 South, Range 18 West, TOGETHER WITH: a Gulf Power Company Substation Site lying in Section 26, Township 3 South, Range 18 West, TOGETHER WITH: a 60' Road right-of-way and an additional 15' Road right-of-way dedication lying in Sections 25 and 26, Township 3 South, Range 18 West, the foregoing being more particularly described as follows:

BEGINNING at the intersection of the South line of the North one-half (N 1/2) of said Section 26 with the newly established Northeasterly right-of-way line of State Road 30 (U.S. Highway No. 98); Thence North 36°41'15" West, along said right-of-way line, for 76.39 feet; Thence South 88°27'07" East, along the North line of a 60' road right-of-way, for 952.89 feet; Thence North 01°32'53" East, for 130.00 feet; Thence North 36°41'58" West, for 267.40 feet; Thence North 53°18'02" East, for 300.00 feet, the following two (2) courses being along the Westerly boundary line of a 100' Gulf Power Company right-of-way; Thence North 36°41'58" West, for 2877.21 feet; Thence North 36°35'26" West, for 1153.94 feet; Thence North 50°32'35" East, for 100.13 feet, the following two (2) courses being along the Easterly boundary line of said 100' Gulf Power Company right-of-way; Thence South 36°35'26" East, for 1158.86 feet; Thence South 36°41'58" East, for 3461.99 feet; Thence South 87°46'58" East, along the North boundary line of a 15' Additional Road Right-of-Way, for 5944.10 feet; Thence South 01°52'38" West, along the East line of the Northeast one-quarter (NE 1/4) of said Section 25, for 175.00 feet; Thence North 87°46'58" West, along the South boundary line

(Continued on Sheet 3 of 5)

(NOT A SURVEY-SKETCH AND LEGAL ONLY)

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(Continued from Sheet 2 of 5)

of said 100' Gulf Power Company Company right-of-way, for 2655.44 feet; Thence South 01°36'29" West, along the Northerly extension of the East line of the Southwest one-quarter (SW 1/4) of said Section 25, for 3.62 feet; Thence North 87°50'13" West, along the North line of the Southwest one-quarter (SW 1/4) of said Section 25, for 2676.14 feet; Thence North 88°27'07" West, along the South line of the North one-half (N 1/2) of said Section 26, for 2027.72 feet to the POINT OF BEGINNING.

Said lands lying and situate in Walton County, Florida.

Subject to existing easements, rights-of-way, covenants, reservations and restrictions of record, if any.

Said lands contain 1402.044 acres, more or less.

(NOT A SURVEY-SKETCH AND LEGAL ONLY)

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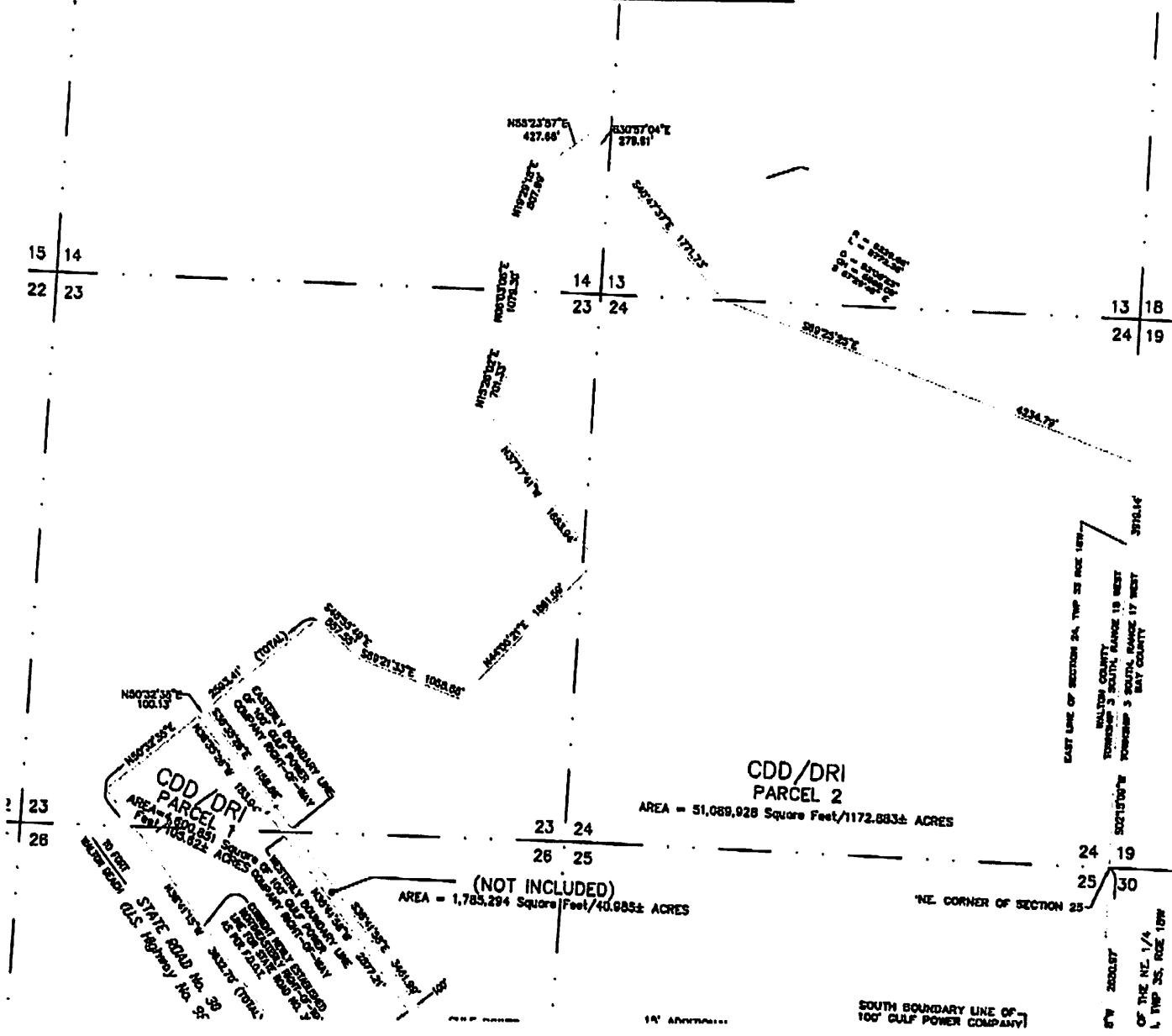
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MATCH SHEET 5 OF 5

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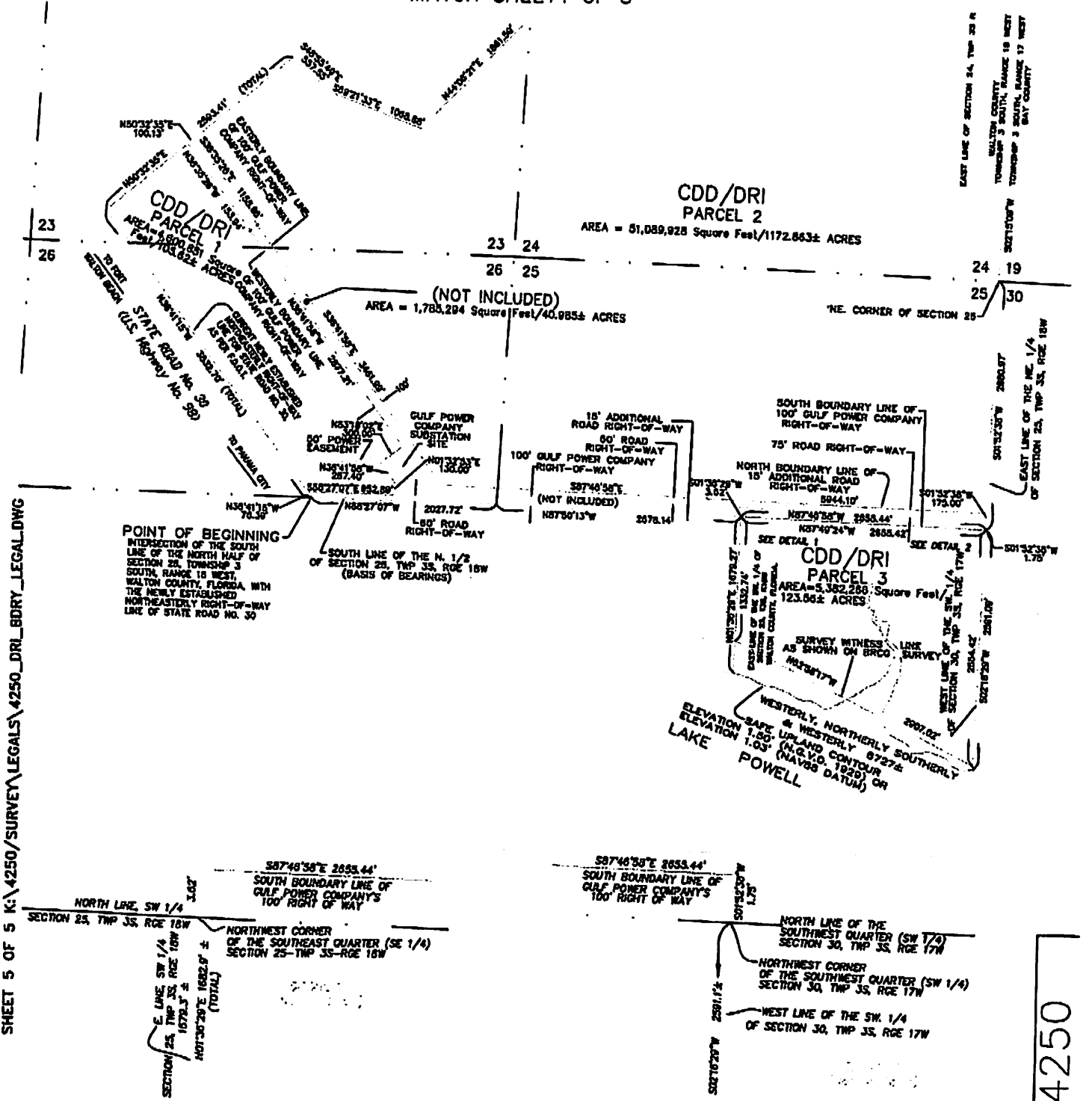
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MATCH SHEET 4 OF 5



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Camp Creek Golf Club

(AS WRITTEN)

ALL THAT PORTION OF SECTIONS 15, 22, 23 AND THE NORTH ONE-HALF OF SECTION 26 LYING WEST OF STATE ROAD 30, (U.S. HIGHWAY 98) AND THE NORTH ONE-HALF OF SECTION 27, ALL IN TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

(AS FURNISHED)

COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA AND THENCE RUN SOUTH $89^{\circ}47'52''$ WEST ALONG THE NORTHERLY BOUNDARY LINE OF SAID SOUTHEAST QUARTER OF SECTION 27 FOR A DISTANCE OF 948.24 FEET FOR THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE, LEAVING SAID NORTHERLY BOUNDARY LINE OF SOUTHEAST QUARTER, RUN SOUTH $01^{\circ}13'54''$ WEST FOR A DISTANCE OF 1012.21 FEET TO A POINT OF NON-TANGENCY ON A CURVE IN THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 30-A BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 2927.41 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $05^{\circ}31'31''$ FOR AN ARC DISTANCE OF 782.30 FEET, SAID ARC HAVING A CHORD DISTANCE OF 282.19 FEET AND BEARING NORTH $89^{\circ}10'58''$ WEST TO THE POINT OF TANGENCY IN SAID CURVE; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE, RUN SOUTH $88^{\circ}03'17''$ WEST FOR A DISTANCE OF 17.75 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO 30-A, RUN NORTH $01^{\circ}13'54''$ EAST FOR A DISTANCE OF 1007.72 FEET TO THE AFORESAID NORTHERLY BOUNDARY LINE OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE RUN NORTH $89^{\circ}47'52''$ EAST ALONG SAID NORTHERLY BOUNDARY LINE FOR A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN AND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA, AND HAVING AN AREA OF 302,133.54 SQUARE FEET OR 6.94 ACRES, MORE OR LESS.

EXHIBIT B

Revised Development Program

EXHIBIT "B"

REVISED DEVELOPMENT PROGRAM

LAND USE	ACRES ¹	PHASE 1 2004 – July 26, 2020	PHASE 2 2010 – July 26, 2026	TOTALS
RESIDENTIAL Watersound North Camp Creek Golf Club	407 189	1,291 DU 262 DU	0 DU	1,291 DU <u>262 DU</u> 1,553 DU
RETAIL	138 ²	197,500 GSF	132,500 GSF	330,000 GSF
OFFICE	138 ²	15,600 GSF	77,380 GSF	92,980 GSF
GOLF Watersound North Camp Creek Golf Club	141 <u>255</u> 396	14 Holes 18 Holes ³	N/A	32 Holes
COMMON OPEN SPACE AND NATURAL AREAS Preserved Areas Other Open Space Total	962 <u>333</u> 1,295			1,295
TOTALS	2,425			1,553 DU 422,980 GSF 32 Holes

1 – Acreage for each developed land use category is approximate and includes area for structures, streets, parking, stormwater management facilities and open space on each building site.

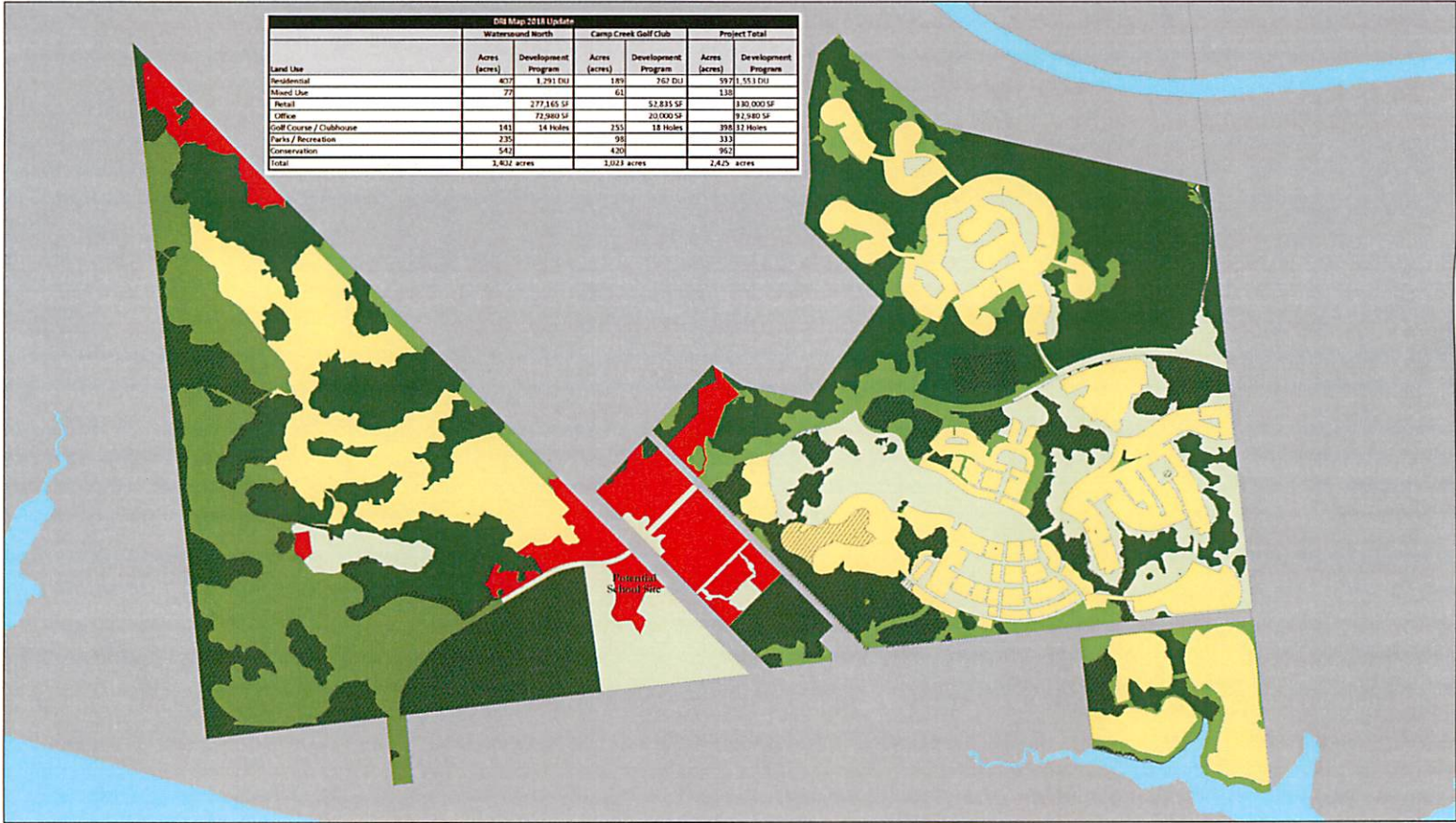
2 – Retail and office will be co-located in mixed use center so acreage for these uses is combined.

3 – Includes the existing 18-hole golf course and ancillary facilities at Camp Creek Golf Club.

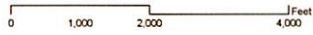
EXHIBIT C

Revised DRI Master Plan

DRI Map 2018 Update						
Land Use	WaterSound North		Camp Creek Golf Club		Project Total	
	Acres (acres)	Development Program	Acres (acres)	Development Program	Acres (acres)	Development Program
Residential	827	1,791 DU	189	767 DU	1,016	2,558 DU
Mixed Use	77		61		138	
Retail		277,165 SF		52,835 SF		330,000 SF
Office		72,980 SF		20,000 SF		92,980 SF
Golf Course / Clubhouse	141	18 Holes	235	18 Holes	376	36 Holes
Parks / Recreation	235		98		333	
Conservation	542		420		962	
Total	3,822 acres		3,023 acres		2,425 acres	



WaterSound DRI Update 2018



- Legend**
- RESIDENTIAL
 - PARKS / RECREATION
 - CONSERVATION
 - MIXED USE
 - OPEN SPACE
 - GOLF COURSE / CLUBHOUSE

Recorded Conservation Easement

7/15/2018
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St Joe Company GIS - CWP - 11/6/2018

13 Friends County, WaterSound DRI Update
MDD - WSA - DRI Update 11/6/2018