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**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA**

**RESOLUTION NUMBER 23-**

**[REGARDING A MAJOR DEVELOPMENT FINAL SITE PLAN APPROVAL  
FOR FPL FAWN SOLAR ENERGY FACILITY  
WITH A CERTIFICATE OF PUBLIC FACILITIES RESERVATION]**

**WHEREAS**, this Board has made the following determinations of fact:

1. Florida Power and Light Company submitted an application for a final site plan approval for the FPL Fawn Solar Energy Facility project (F110-004), located on lands legally described in Exhibit A, attached hereto.
2. The Local Planning Agency considered the application at a public hearing on November 2, 2023. The LPA's recommendations were forwarded to the Board of County Commissioners for consideration.
3. This Board has considered such recommendations.
4. Upon proper notice of hearing this Board held a public hearing on the application on November 7, 2023.
5. At the public hearing, all interested parties were given an opportunity to be heard.
6. The final site plan for the FPL Fawn Solar Energy Facility project is consistent with the Comprehensive Plan and the Land Development Regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF  
MARTIN COUNTY, FLORIDA, THAT:**

- A. The request by FPL for final site plan approval is hereby denied because XXXXX.
- B. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

**DULY PASSED AND ADOPTED THIS 7TH DAY OF NOVEMBER, 2023.**

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY: \_\_\_\_\_  
CAROLYN TIMMANN, CLERK OF  
THE CIRCUIT COURT AND  
COMPTROLLER

BY: \_\_\_\_\_  
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

BY: \_\_\_\_\_  
ELYSSE A. ELDER  
DEPUTY COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

FOR A POINT OF COMMENCEMENT START AT THE INTERSECTION OF THE WEST LINE OF SECTION 31, TOWNSHIP 39 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND THE NORTH RIGHT OF WAY LINE OF OKEECHOBEE WATERWAY; THENCE N00°10'22"E ALONG SAID WEST LINE OF SECTION 31, A DISTANCE OF 475.28 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD #726 (CITRUS BOULEVARD), SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE N00°10'22"E, ALONG THE WEST LINE OF SECTION 31, A DISTANCE OF 1524.76 FEET TO THE NORTHWEST CORNER OF SECTION 31 (CERTIFIED CORNER RECORD #086825); THENCE N00°19'13"E, ALONG THE WEST LINE OF SECTION 30, A DISTANCE OF 2655.67 FEET TO THE WEST ONE QUARTER CORNER OF SECTION 30 (CERTIFIED CORNER RECORD #086824); THENCE N00°18'49"E, ALONG THE WEST LINE OF SECTION 30, A DISTANCE OF 2655.84 FEET TO THE NORTHWEST CORNER OF SECTION 30 (CERTIFIED CORNER RECORD #086822); THENCE N00°04'04"E, ALONG THE WEST LINE OF SECTION 19, A DISTANCE OF 2616.66 FEET TO A POINT 44.40 FEET SOUTH OF THE WEST ONE QUARTER CORNER OF SECTION 19 (CERTIFIED CORNER RECORD #086821); THENCE SOUTH 89°41'20" EAST, A DISTANCE OF 3257.74 FEET; THENCE S00°12'37"W, A DISTANCE OF 8057.64 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 726 (CITRUS BOULEVARD); THENCE S64°21'27"W, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 2573.26 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 2814.79 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 986.55 FEET, THROUGH A CENTRAL ANGLE OF 20°04'54", HAVING A CHORD BEARING OF S74°23'54"W, AND CHORD DISTANCE OF 981.51 FEET, TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING EASEMENTS:

(A) PERPETUAL RIGHT, POWER, AND PRIVILEGE TO CONSTRUCT, MAINTAIN, AND OPERATE A DRAINAGE AND IRRIGATION CANAL, SPOIL BANKS, ACCESS ROADS, CULVERTS, SPILLWAYS, AND PUMPING STATIONS WITH ALL APPURTENANT WORKS, UPON A STRIP OF LAND 150 FEET IN WIDTH,, LYING 75 FEET EITHER SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTH UNITED STATES RIGHT-OF-WAY LINE OF THE ST. LUCIE CANAL WITH THE WEST LINE OF SECTION 31, TOWNSHIP 39 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA, RUN THENCE NORTH 68°18'13" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 3517.63 FEET TO A POINT; RUN THENCE NORTH 0°21'59" EAST A DISTANCE OF 905.22 FEET TO THE POINT OF BEGINNING, RUN THENCE NORTH 90° EAST FROM THE POINT OF BEGINNING A DISTANCE OF 576.75 FEET INTO AN EXISTING CHANNEL WHICH RUNS NORTHWEST AND SOUTHEAST, AND WHICH CONNECTS WITH THE WATERS OF THE ST. LUCIE CANAL;

(B) PERPETUAL RIGHT, POWER, AND PRIVILEGE TO DISCHARGE WATERS INTO OR REMOVE IRRIGATION WATERS FROM, BY GRAVITY OR BY PUMPING, A STRIP OF LAND 150 FEET IN WIDTH, LYING 75 FEET ON EITHER SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS: BEGIN AT THE EASTERLY END OF THE CENTERLINE DESCRIBED IN EASEMENT "A" ABOVE, RUN THENCE SOUTH 18°01'54" EAST A DISTANCE OF 700 FEET,

MORE OR LESS, TO A POINT IN THE CHANNEL OF THE ST. LUCIE CANAL;

OVERALL PARCEL CONTAINS 660.15 +/- ACRES, MORE OR LESS

Parcel ID Numbers

31-39-40-000-000-000-20-5

30-39-40-000-000-000-20-7

19-39-40-000-000-00020-0 part of