

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR SIGN WAIVER ORDINANCE 2020-613 / SW-20-06

NOVEMBER 17, 2020

Location: 12276 San Jose Boulevard (SR 13)
Between Mandarin Meadows Drive and Orange
Picker Road

Real Estate Number: 158183-0015

Waiver Sought: Allow for internal illumination

Current Zoning District: Planned Unit Development (PUD 2007-1190)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: 3-Southeast

Applicant/Agent: Curtis Hart
8051 Tara Lane
Jacksonville, Florida 32216

Owner: T. Braxton Adamson
437 East Monroe Street, Suite 100
Jacksonville, Florida 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Sign Waiver Ordinance 2020-137 (SW-20-02) seeks to allow the internal illumination of the existing sign. Situated on a 2.39 acre lot, the subject property contains a two-story medical office building. The PUD only allows an externally illuminated sign. An electronic message device or an increase in the sign area or height are not part of the request.

NOTICE TO OWNER / AGENT

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1310 of the Ordinance Code defines a sign as "a painting, structure or device which is placed, erected, or constructed or maintained on or in the ground, or on or outside of an enclosed building or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of displaying information, advertisement or

attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter, word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction”.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.1310(a)(i) through (x), Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the Planning Commission shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

- (i) *Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?*

Yes. The effect of the sign waiver will be compatible with the existing contiguous zoning and general character of the area. Directly south of the subject property is a Zoning District, which allows internal illumination. The buildings across San Jose Blvd are zoned PUD and CCG-1, which also allows internal illumination.

- (ii) *Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?*

No. Approval of the sign waiver will not promote the continued existence of non-conforming signs in the area. First, the Department has no knowledge of any other non-conforming signs and second, many other businesses in the area are currently allowed internal illumination.

- (iii) *Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such waiver substantially interfere with or injure the rights of others whose property would be affected by the same?*

No, the effect of the proposed sign waiver is unlikely to diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, in that the request for internal illumination is for the existing sign, and will not be injurious to the rights of others.

- (iv) *Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?*

No, the waiver is unlikely to have a detrimental effect on vehicular traffic or parking conditions. Considering that San Jose Boulevard is classified as a Principal Arterial in a commercial corridor, it is unlikely that the internal illuminated sign will create objectionable light, glare or other effects additional to what already exists in the area.

- (v) *Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?*

No, the proposed waiver is unlikely to be detrimental to the public health, safety, or welfare in that the signage has traditionally existed at this location without causing any adverse effects.

- (vi) *Does the subject property exhibit specific physical limitations or characteristics, which could be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?*

No, the subject property does exhibit specific physical limitations that make the strict letter of the regulation burdensome.

- (vii) *Is the request based exclusively upon a desire to reduce the costs associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one's message?*

No. Staff finds no evidence the request is not based on a desire to reduce the costs associated with compliance.

- (viii) *Is the request the result of violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicants acquiring the property, not being a direct result of the actions of the current owner?*

No, the request is not the result of any cited violation.

- (ix) *Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?*

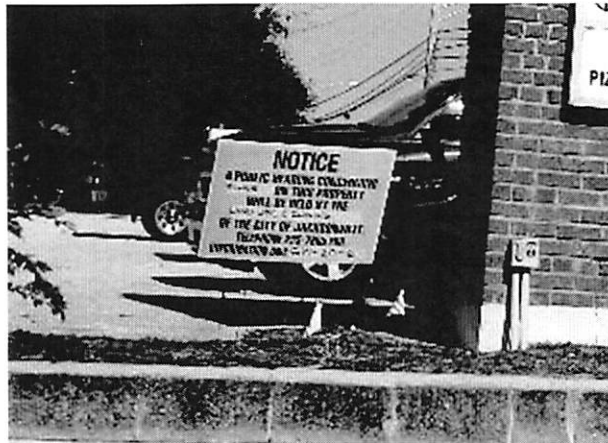
No. Staff has no evidence the proposed request accomplish a result in the public interest nor that it will further the preservation of any natural resources.

- (x) *Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?*

No. Strict compliance with the sign regulations would mean the existing sign is only allowed external illumination.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on November 3, 2020, by the Planning and Development Department, the Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver Ordinance 2020-613 / SW-20-06 be **APPROVED**.



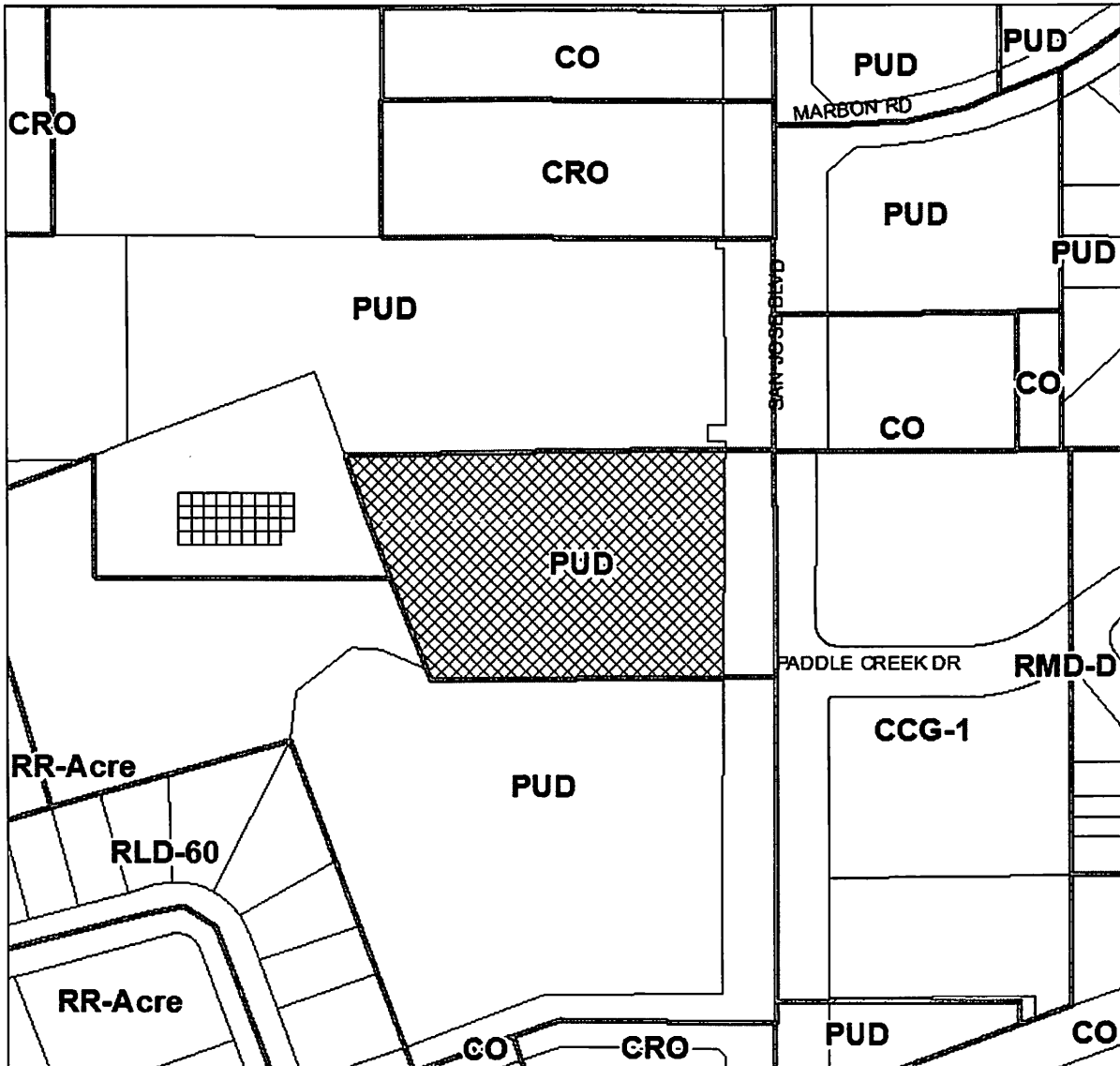
View of subject property.



View of subject property



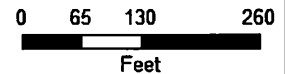
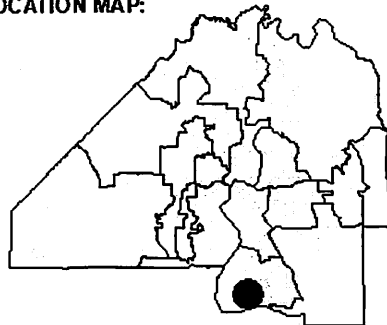
View of subject property.



REQUEST SOUGHT:

ALLOW FOR INTERNAL ILLUMINATION

LOCATION MAP:



COUNCIL DISTRICT:

6

TRACKING NUMBER

SW-20-06



EXHIBIT 2
PAGE 1 OF 1

Date Submitted:	7-28
Date Filed:	9-14

Application Number:	SW-20-06
Public Hearing:	

Application for Sign Waiver
City of Jacksonville, Florida
Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District:	PVD 2007-1190	Current Land Use Category: RPI
Council District:	6	Planning District: 3
Previous Zoning Applications Filed (provide application numbers): NONE		
Applicable Section of Ordinance Code: PART 13 / 656.1310(b)4		
Notice of Violation(s):		
Neighborhood Associations: OLDE MANDARIN NEIGHBORHOOD ASSOC, MANDARIN GARDEN CLUB, HAMMOCK OAKS BEAUTIFICATION Comm		
Overlay: NA		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 2	Amount of Fee: 	Zoning Asst. Initials: 

PROPERTY INFORMATION	
1. Complete Property Address: 12276 San Jose Blvd Bldg 700	2. Real Estate Number: 158183-0015
3. Land Area (Acres): 2.39 acres	4. Date Lot was Recorded:
5. Property Located Between Streets: Mandarin Meadows Dr. & Orange Picker Rd	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>

7. Waiver Sought:

- Increase maximum height of sign from _____ to _____ feet (maximum request 20% or 5 ft. in height, whichever is less). *Note – Per Section 656.1310, no waiver shall be granted which would permit a sign in excess of 40 feet in height in any zoning district.
- Increase maximum size of sign from _____ sq. ft. to _____ sq. ft. (maximum request 25% or 10 sq. ft., whichever is less)
- Increase number of signs from _____ to _____ (not to exceed maximum square feet allowed)
- Allow for illumination or change from external external to internal internal lighting
- Reduce minimum setback from _____ feet to _____ feet (less than 1 ft. may be granted administratively)

8. In whose name will the Waiver be granted?

Jax Offices 700, LLC

9. Is transferability requested? *If approved, the waiver is transferred with the property.*

Yes

No

OWNER'S INFORMATION (please attach separate sheet if more than one owner)

10. Name:

T. Braxton Adamson

11. E-mail:

adamsondukeprop@ymail.com

12. Address (including city, state, zip):

437 EAST MONROE STREET SUITE 100
Jacksonville, FL 32202

13. Preferred Telephone:

904-234-1414

APPLICANT'S INFORMATION (if different from owner)

14. Name:

Curtis Hart / Hart Resources LLC

15. E-mail:

curtishart@hartresources.net

16. Address (including city, state, zip):

8051 Tara Lane
Jacksonville, Florida 32216

17. Preferred Telephone:

904-993-5008

CRITERIA

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1302 of the Ordinance Code defines a sign as *"a painting, structure, projected image or device which is placed, erected, constructed or maintained on or in the ground or water, or on or outside of an enclosed building, boat, ship, vessel or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of display, information, advertisement or attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter, word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction."*

Section 656.133(c)1 through 10, Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the City Council shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

1. *Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?*
2. *Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?*
3. *Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such waiver substantially interfere with or injure the rights of others whose property would be affected by the same?*
4. *Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?*
5. *Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?*
6. *Does the subject property exhibit specific physical limitations or characteristics, which would be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?*
7. *Is the request based exclusively upon a desire to reduce the costs associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one's message?*
8. *Is the request the result of a violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicant's acquiring the property, not being a direct result of the actions of the current owner?*
9. *Does the request accomplish a compelling public interest such as, for example, furthering the preservation of natural resources by saving a tree or trees?*
10. *Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?*

18. Given the above definition of a "sign" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

Please see attached paper.

ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.
- Photographs of sign structure showing nonconforming nature and physical impediments to compliance.
- If waiver is based on economic hardship, applicant must submit the following:
 - Two (2) estimates from licensed contractors stating the cost of bringing the sign structure into compliance; and
 - Any other information the applicant wished to have considered in connection to the waiver request.

FILING FEES

*Applications filed to correct existing zoning violations are subject to a double fee.

<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent
Non-residential Districts: \$1,173.00		

NOTE: City Council may, as a condition of the waiver, specify a time period within which the sign structure shall be required to conform to the requirements of the City’s sign regulations.

AUTHORIZATION

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the City Council. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Owner(s)

Print name: _____

Signature: _____

Applicant or Agent (if different than owner)

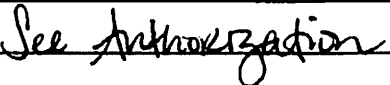
Print name: Curtis L. Hart

Signature: 

**An agent authorization letter is required if the application is made by any person other than the property owner.*

Owner(s)

Print name: T. Braxton Adamson

Signature: 

SUBMITTAL

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

Submit applications to:

Planning and Development Department, Zoning Section

214 North Hogan Street, 2nd Floor

Jacksonville, Florida 32202

(904) 255-8300

Pursuant to the provisions of Section 656.133(c) of the Zoning Code, we propose that the sign waiver for Jax Offices 700 LLC meets, to the extent applicable, the following criteria:

- 1) The sign waiver will be compatible with the existing contiguous signage and zoning and is consistent with the general character of the area. The signs have been in place on the property since 2008. The owner is requesting to exchange 2 signs (Coldwell and Sabra) that are externally lit, to internally (digital) signs. Signs will not change in size and will be compatible with existing and surrounding signs.
- 2) The waiver would not result in the detracting of the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs in the vicinity.
- 3) The sign waiver would not affect the surrounding area negatively or diminish property values. These signs have been in existence for several years and the owner would like to update two of the signs with a digital format that will fit in with the surrounding area.
- 4) The waiver would not have a detrimental effect on vehicular traffic or parking conditions. The signs will stay the same size and therefore will not be excessive in light or size.
- 5) The proposed waiver would not be detrimental to the public health, safety or welfare or result in additional public expense, creation of nuisances, or cause conflict with any other applicable law.
- 6) The buildings on the property are set back from San Jose Blvd and signage is huge component of advertising the current tenants which would otherwise be hidden from sight.
- 7) The requested sign waiver is not requested based on a desire to reduce costs associated with compliance, but it is the minimum necessary to obtain reasonable communication of one's message.
- 8) The requested waiver is not a result of a violation.
- 9) The compelling public interest is accomplished by having appropriate signage on the corner of the property that allows the tenants to advertise their business and allows the public to know where the business is located and which businesses they would wish to patron.
- 10) Strict compliance with the regulation would create a substantial financial burden as it would limit some companies wanting to lease within the complex.

LEGAL DESCRIPTION

A PART OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 19 WITH THE WEST RIGHT OF WAY LINE OF SAN JOSE BOULEVARD (STATE ROAD 13, A 120 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 00°07'54" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 269.42 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 17615, PAGE 161 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE SOUTH 89°20'15" WEST, ALONG THE NORTH LINE OF LAST SAID LANDS, A DISTANCE OF 342.21 FEET TO THE EASTERLY LINE OF LOT 30, BLOCK 1, MANDARIN MEADOWS UNIT No. 2, AS RECORDED IN PLAT BOOK 29, PAGE 67 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 19°54'50" WEST, ALONG LAST SAID LINE, A DISTANCE OF 283.37 FEET TO SAID NORTH LINE OF SECTION 19; THENCE NORTH 89°05'39" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 439.38 FEET TO THE POINT OF BEGINNING.

EXHIBIT A - Property Ownership Affidavit

Date: 06/18/2020

City of Jacksonville Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location:

RE# 158183-0015

To Whom it May Concern:

I T. Braxton Adamsen hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Sign Waiver submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

By _____
Print Name: _____

If Owner is Corporate Entity:*

Print Corporate Name:

Tax Offices 700 LLC

By _____

Print Name: T. Braxton Adamsen

Its: President

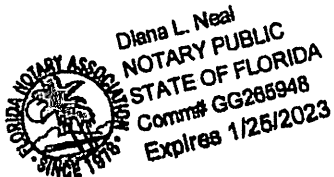
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA

COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18th day of June 2020 by T. Braxton Adamsen, who is personally known to me or who has produced _____ as identification.

[Notary Seal]



Diana L. Neal

Notary Public

Diana L. Neal

Name typed, printed or stamped,
My Commission Expires: 1/25/2023

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L19000292943
FILED 8:00 AM
November 27, 2019
Sec. Of State
msimmons

Article I

The name of the Limited Liability Company is:
JAX OFFICES 700, LLC

Article II

The street address of the principal office of the Limited Liability Company is:
437 EAST MONROE STREET SUITE 100
JACKSONVILLE, FL. US 32202

The mailing address of the Limited Liability Company is:
437 EAST MONROE STREET SUITE 100
JACKSONVILLE, FL. US 32202

Article III

The name and Florida street address of the registered agent is:
NATHAN SHEFFIELD
437 EAST MONROE STREET SUITE 100
JACKSONVILLE, FL. 32202

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: NATHAN SHEFFIELD

Article IV

The name and address of person(s) authorized to manage LLC:

Title: MGR
THOMAS B ADAMSON
437 EAST MONROE STREET SUITE 100
JACKSONVILLE, FL. 32202 US

Title: AP
NATHAN SHEFFIELD
437 EAST MONROE STREET SUITE 100
JACKSONVILLE, FL. 32202 US

Title: AMBR
CHATHAM APARTMENT ASSOCIATES, LLC
437 EAST MONROE STREET SUITE 100
JACKSONVILLE, FL. 32202 US

L19000292943
FILED 8:00 AM
November 27, 2019
Sec. Of State
msimmons

Article V

The effective date for this Limited Liability Company shall be:

12/01/2019

Signature of member or an authorized representative

Electronic Signature: NATHAN SHEFFIELD

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 06/18/2020

City of Jacksonville Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: RE# 158183 - 0015

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Hart Resources LLC to act as agent to file application(s) for Sign Waiver for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Jax Offices 700, LLC

By _____

By [Signature]

Print Name: _____

Print Name: T. Braxton Adamsen

Its: President

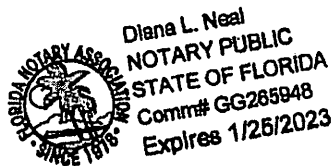
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18th Day of June 2020 by T. Braxton Adamsen who is personally known to me or who has produced _____ as identification.

[Notary Seal]



[Signature]

Notary Public

Diana L. Neal

Name typed, printed or stamped
My Commission Expires: 1/25/2023



Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Florida Limited Liability Company
JAX OFFICES 700, LLC

Filing Information

Document Number L19000292943
FE/EIN Number NONE
Date Filed 11/27/2019
Effective Date 12/01/2019
State FL
Status ACTIVE

Principal Address

437 EAST MONROE STREET SUITE 100
 JACKSONVILLE, FL 32202

Mailing Address

437 EAST MONROE STREET SUITE 100
 JACKSONVILLE, FL 32202

Registered Agent Name & Address

SHEFFIELD, NATHAN
 437 EAST MONROE STREET SUITE 100
 JACKSONVILLE, FL 32202

Authorized Person(s) Detail

Name & Address

Title MGR

ADAMSON, THOMAS B
 437 EAST MONROE STREET SUITE 100
 JACKSONVILLE, FL 32202

Title AP

SHEFFIELD, NATHAN
 437 EAST MONROE STREET SUITE 100
 JACKSONVILLE, FL 32202

Title AMBR

CHATHAM APARTMENT ASSOCIATES, LLC
 437 EAST MONROE STREET SUITE 100
 JACKSONVILLE, FL 32202

Annual Reports

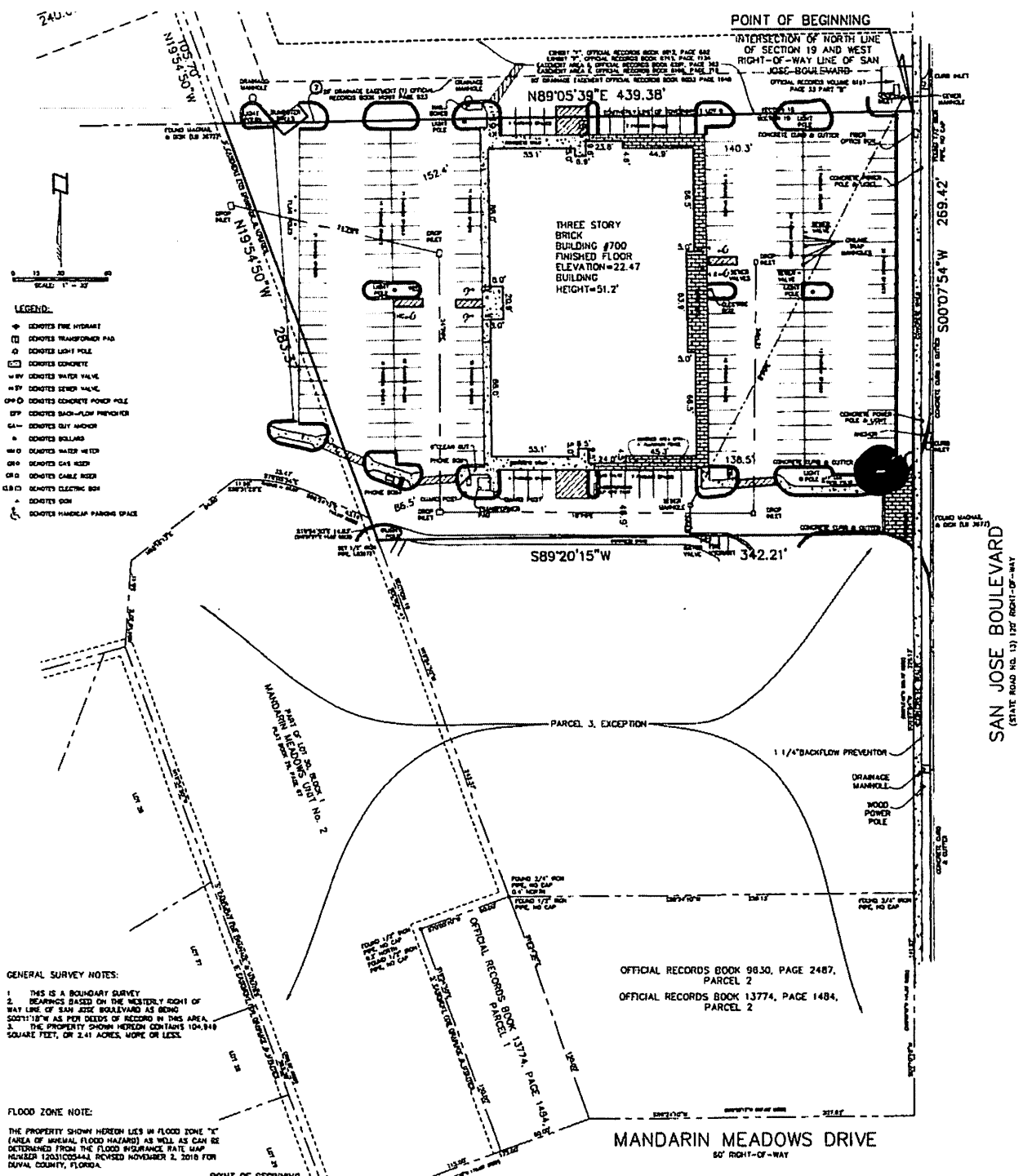
No Annual Reports Filed

Document Images

11/27/2019... Florida Limited Liability

[View image in PDF format](#)





- LEGEND:**
- ◆ SHOWN FIRE HYDRANT
 - SHOWN TRANSFORMER PAD
 - SHOWN LIGHT POLE
 - ▭ SHOWN CONCRETE
 - W SHOWN WATER VALVE
 - WV SHOWN WATER VALVE
 - SHOWN CONCRETE POWER POLE
 - SHOWN SASH-LOW FRENCH
 - SHOWN GUY ANCHOR
 - SHOWN BOLLARD
 - SHOWN WATER METER
 - SHOWN GAS METER
 - SHOWN CABLE HEAD
 - SHOWN ELECTRIC BOX
 - SHOWN SIGN
 - SHOWN HANDICAP PARKING SPACE

GENERAL SURVEY NOTES:

1. THIS IS A BOUNDARY SURVEY BEARING BASED ON THE WESTERLY RIGHT OF WAY LINE OF SAN JOSE BOULEVARD AS BEING S007°15'18"W AS PER DEEDS OF RECORD IN THIS AREA.
2. THE PROPERTY SHOWN HEREON CONTAINS 104,819 SQUARE FEET, OR 2.41 ACRES, MORE OR LESS.

FLOOD ZONE NOTE:

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "C" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 120100040A, REVISED NOVEMBER 2, 2010 FOR DUAL COUNTY, FLORIDA.

MAP SHOWING SURVEY OF RECORD LEGAL DESCRIPTION

PARCEL 3

A PART OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 19 WITH THE WEST RIGHT OF WAY LINE OF SAN JOSE BOULEVARD (STATE ROAD 13), A 120 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTHWEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 438.38 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9830, PAGE 2487 OF THE CURRENT PUBLIC RECORDS OF SAID DUAL COUNTY; THENCE SOUTH 89°21'12" WEST, ALONG THE NORTH LINE OF SAID SAID LANDS, A DISTANCE OF 258.13 FEET TO THE EASTERN LINE OF MANDARIN MEADOWS UNIT No. 2, AS RECORDED IN PLAT BOOK 29, PAGE 87 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 18°54'50" WEST, ALONG SAID SAID LINE, A DISTANCE OF 528.60 FEET TO SAID NORTH LINE OF SECTION 19; THENCE NORTH 89°03'39" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 438.38 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH IS A PART OF THE PROPERTY DESCRIBED IN THE FOLLOWING DESCRIBED LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 17815, PAGE 1281 OF THE CURRENT PUBLIC RECORDS OF DUAL COUNTY, FLORIDA, AS FOLLOWS:
 A PART OF THE W. 1/4 LOT 30, BLOCK 1, MANDARIN MEADOWS UNIT No. 2, AS RECORDED IN PLAT BOOK 29, PAGE 87 OF THE CURRENT PUBLIC RECORDS OF DUAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF LOT 29, BLOCK 1 OF SAID MANDARIN MEADOWS UNIT No. 2; THENCE NORTH 18°54'50" WEST, ALONG THE EASTERN BOUNDARY OF LOTS 29, 28, 27 AND 26 OF SAID MANDARIN MEADOWS UNIT No. 2, A DISTANCE OF 383.38 FEET TO THE NORTHEAST CORNER OF SAID LOT 28; THENCE NORTH 04°10'30" EAST, A DISTANCE OF 55.41 FEET; THENCE NORTH 57°18'13" EAST, A DISTANCE OF 84.02 FEET; THENCE SOUTH 82°17'27" EAST, A DISTANCE OF 11.94 FEET TO THE POINT OF CURVATURE OF A CURVE CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 87.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AN ANGLE OF SOUTH 78°55'54" EAST, 33.97 FEET; THENCE SOUTH 89°41'12" EAST, A DISTANCE OF 43.80 FEET TO THE EASTERN LINE OF LOT 30 OF SAID MANDARIN MEADOWS UNIT No. 2; ALSO BEING THE WESTERLY LINE OF SECTION 19; THENCE SOUTH 19°21'12" EAST, ALONG SAID EASTERN LINE OF LOT 30 AND WESTERLY LINE OF SAID SECTION 19, A DISTANCE OF 14.83 FEET; THENCE NORTH 89°21'12" EAST, A DISTANCE OF 342.21 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAN JOSE BOULEVARD (A 120 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 02°13'45" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 228.78 FEET; THENCE SOUTH 02°18'12" WEST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 141.39 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF MANDARIN MEADOWS DRIVE (A 60 FOOT RIGHT OF WAY); THENCE SOUTH 02°21'12" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF MANDARIN MEADOWS DRIVE, A DISTANCE OF 207.82 FEET; THENCE SOUTH 70°27'34" WEST, CONTINUING ALONG SAID SAID RIGHT OF WAY LINE, A DISTANCE OF 175.03 FEET TO THE POINT OF BEGINNING.

SURVEYORS DESCRIPTION

PARCEL 3

A PART OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 19 WITH THE WEST RIGHT OF WAY LINE OF SAN JOSE BOULEVARD (STATE ROAD 13), A 120 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTH 02°18'12" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 228.42 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 17815, PAGE 1281 OF THE CURRENT PUBLIC RECORDS OF SAID DUAL COUNTY; THENCE SOUTH 02°21'12" WEST, ALONG THE NORTH LINE OF SAID SAID LANDS, A DISTANCE OF 342.21 FEET TO THE EASTERN LINE OF LOT 30, BLOCK 1, MANDARIN MEADOWS UNIT No. 2, AS RECORDED IN PLAT BOOK 29, PAGE 87 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 18°54'50" WEST, ALONG SAID SAID LINE, A DISTANCE OF 258.13 FEET TO SAID NORTH LINE OF SECTION 19; THENCE NORTH 89°21'12" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 438.38 FEET TO THE POINT OF BEGINNING.

SCHEDULE D EXCEPTIONS:

- THE PROPERTY SHOWN AND DESCRIBED HEREON IS THE SAME AS DESCRIBED IN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT, FILE NO. 1913934, WITH AN EFFECTIVE DATE OF OCTOBER 19, 2004 AT 9:00AM.
- 1 - 4 & 5 ARE NOT SURVEY RELATED.
 - 3 - EASEMENTS OF CLAIMS AND CROSSING NOT SHOWN BY PUBLIC RECORDS, NONE KNOWN TO SURVEYOR.
 - 7 - DECLARATION OF ACCESS AND CROSSING AND NEIGHBORHOOD AGREEMENT FOR STORM WATER DRAINAGE AND UTILITIES MAINTENANCE AND USE AGREEMENTS AND AGREEMENTS ALLOCATING HORIZONTAL RECORDS IN OFFICIAL RECORDS BOOK 17815, PAGE 1281 AND IN OFFICIAL RECORDS BOOK 17814, PAGE 1278 AND AGREEMENT OF MANAGEMENT RIGHTS IN OFFICIAL RECORDS BOOK 17814, PAGE 1281 AS ASSIGNED BY DEED TRANSFER AND AGREEMENT OF DEVELOPER RIGHTS, RECORDED IN OFFICIAL RECORDS BOOK 17814, PAGE 1278 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, FLORIDA, ACCESS AND CROSSING AND CROSSING AND CROSSING AGREEMENT FOR STORM WATER DRAINAGE AND UTILITIES MAINTENANCE RECORDED IN OFFICIAL RECORDS BOOK 17815, PAGE 1281 AND IN OFFICIAL RECORDS BOOK 17814, PAGE 1278.
 - 8 - MASTER DECLARATION OF NEIGHBORHOOD AGREEMENTS FOR ACCESS PARKING, UTILITIES, DRAINAGE AND MAINTENANCE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 17815, PAGE 1281 AS ASSIGNED BY DEED TRANSFER AND AGREEMENT OF DEVELOPER RIGHTS, RECORDED IN OFFICIAL RECORDS BOOK 17814, PAGE 1278 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, FLORIDA, ACCESS AND CROSSING AND CROSSING AGREEMENT FOR STORM WATER DRAINAGE AND UTILITIES MAINTENANCE RECORDED IN OFFICIAL RECORDS BOOK 17814, PAGE 1278 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, FLORIDA, BLANKET IN NATURE, NOT FULLFILLABLE.
 - 9 - RECEIVED NOTICE OF ENVIRONMENTAL RESTRICTION IN FAVOR OF THE ST. JOHNES RIVER WATER MANAGEMENT DISTRICT RECORDED IN OFFICIAL RECORDS BOOK 17814, PAGE 1278 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, FLORIDA, REAL ESTATE RECORDS PROVIDED IN PERMIT DO NOT MATCH THE SUBJECT PARCELS, NOT SURVEY RELATED.
 - 10 IS NOT SURVEY RELATED.