

Date Submitted:	4/1/22
Date Filed:	05/11/22

Application Number:	WRF-22-18
Public Hearing:	

Application for Waiver of Minimum Required Road Frontage
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:	R.m.d.-d	Current Land Use Category: MDR
Council District:	5	Planning District: 3
Previous Zoning Applications Filed (provide application numbers): ∅		
Applicable Section of Ordinance Code: 656.133;		
Notice of Violation(s):		
Neighborhood Associations: Spring Park Neighborhood Assoc.; Southeast Huguenot Park Neighborhood Assoc.		
Overlay: None		
LUZ Public Hearing Date:		City Council Public Hearing Date:
Number of Signs to Post:	1	Amount of Fee: 1,644 ⁰⁰
		Zoning Asst. Initials: AJ

PROPERTY INFORMATION	
1. Complete Property Address: 0 Clear CV, Jacksonville, FL 32207	2. Real Estate Number: 136250 0000
3. Land Area (Acres): 4.29	4. Date Lot was Recorded:
5. Property Located Between Streets: South Nicholas Circle and Nain Road	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Road Frontage from 48 35' feet to 0 feet.	
8. In whose name will the Waiver be granted? Pivot REI Homes JV, LLC	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Pivot REI Homes JV, LLC	10. E-mail:
11. Address (including city, state, zip): 1561 Harrington Park Drive, Jacksonville, FL 32225	12. Preferred Telephone:

APPLICANT'S INFORMATION (if different from owner)	
13. Name: Cyndy Trimmer, Esq.	14. E-mail: ctrimmer@drivermcafee.com
15. Address (including city, state, zip): One Independent Drive, Suite 1200, Jacksonville, Florida 32202	16. Preferred Telephone: (904) 807-0185

CRITERIA
<p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage, pursuant to Section 656.407, Ordinance Code."</p> <p>Section 656.133(d)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the City Council shall grant a waiver for reduction of the minimum requirements for road frontage, if the Council makes a positive finding based upon substantial, competent evidence that the application meets all of the following five (5) criteria:</p> <ul style="list-style-type: none"> i. <i>There are practical or economic difficulties in carrying out the strict letter of the regulation;</i> ii. <i>The request is not based exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654 (Code of Subdivision Regulations);</i> iii. <i>The proposed waiver will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the waiver;</i> iv. <i>There is a valid and effective easement for adequate vehicular access connected to a public street which is maintained by the City or approved private street;</i> v. <i>The proposed waiver will not be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law.</i>

17. Given the above definition of a "waiver" 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.

See attached.

ATTACHMENTS	
The following attachments must accompany each copy of the application.	
<input checked="" type="checkbox"/>	Survey
<input checked="" type="checkbox"/>	Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
<input checked="" type="checkbox"/>	Property Ownership Affidavit (Exhibit A)
<input checked="" type="checkbox"/>	Agent Authorization if application is made by any person other than the property owner (Exhibit B)
<input checked="" type="checkbox"/>	Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
<input checked="" type="checkbox"/>	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 .
<input checked="" type="checkbox"/>	Proof of valid and effective easement for access to the property.

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		

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: Cyndy Trimmer

Signature: 

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

Owner(s)

Print name: _____

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

APPLICATION FOR WAIVER OF MINIMUM ROAD FRONTAGE

WAIVER OF MINIMUM ROAD FRONTAGE FOR

PROPERTY LOCATED AT 0 CLEAR CV

SUMMARY DESCRIPTION OF THE PROJECT

Applicant, Pivot REI Homes JV, LLC owns the property located at 0 Clear CV (RE# 136250 0000) (the “Property”) as more particularly described in the legal description filed herewith. The Property is located within the Urban Development Character Area, has a land use designation of Medium Density Residential (“MDR”) and is zoned Residential Medium Density-D (“RMD-D”).

The Property is land locked and maintains access to Carmichael Avenue by easement. In an attempt to obtain road frontage and facilitate vehicular access, Applicant acquired 3676 South Nicholas Circle (RE 141046 0000) (the “South Nicholas Parcel”). However, the South Nicholas Parcel may not provide vehicular access to the Property because it is located within the LDR land use category while the Property is located within the MDR land use category. Accordingly, Applicant is using the South Nicholas Parcel to serve as pedestrian access to the contemplated seventy-two (72) multifamily-unit development slated for the Property. Because the Property relies entirely on the easement for vehicular access, Applicant requests this waiver to reduce the minimum road frontage from thirty-five (35) feet [80% of minimum lot width] to zero (0).

The Property is located near the Spring Park neighborhood and is surrounded by the following uses:

Direction	Use	Zoning	Description
North	MDR	RMD-D	Multifamily
East	PBF	PBF-2	Hardage-Giddens Greenlawn Cemetery
South	MDR	RMD-D	Single-family
West	LDR	RLD-60	Single-family

STANDARDS AND CRITERIA

1. There are practical or economic difficulties in carrying out the strict letter of the regulation;

Yes. There are practical or economic difficulties in carrying out the strict letter of the regulation. The Property is completely land locked with no boundary abutting a public or private road and therefore cannot physically meet the minimum lot frontage requirements of the Zoning Code. Applicant acquired the Property with its current boundaries, such that the need for this waiver was not self-imposed. Applicant attempted to remedy the need for this waiver by acquiring the South Nicholas Parcel, which maintains approximately eighty (80) feet of frontage to South Nicholas Circle, but was advised by the Planning and Development Department that the proposed access was not feasible. Accordingly, Applicant has no alternative but to utilize the easement for access.

2. The request is not based exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654 (Code of Subdivision Regulations);

Yes. The request is not based exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654 (Code of Subdivision Regulations). This request for waiver is based exclusively on the fact that the Property is completely land locked. In an attempt to obtain road frontage, Applicant acquired the South Nicholas Parcel, but later discovered that vehicular access would not be allowed due to the Property's location in the MDR land use category while the South Nicholas Parcel is located in the LDR land use category. That parcel is now used for pedestrian access only as shown on the Site Plan filed herewith, and vehicular access is only possible by the easement access.

3. The proposed waiver will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the waiver;

Yes. The proposed waiver will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the waiver. The Property is zoned RMD-D and has been so designated since 2008. The development will be consistent and compatible with the multifamily development to the north and with the overall Urban Development Character Area.

4. There is a valid and effective easement for adequate vehicular access connected to a public street which is maintained by the City or approved private street;

Yes. There is a valid and effective easement for adequate vehicle access connecting the Property to Carmichael Avenue dated July 31, 1970 and recorded at OR Book 3169 Page 1085 of the Public Records of Duval County, Florida. A copy of the easement is filed herewith.

5. The proposed waiver will not be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law.

Yes. The proposed waiver will not be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law. The waiver will allow a new residential infill project that is consistent and compatible with the single and multifamily uses in the area and in line with the existing MDR and RMD-D entitlements. The new multifamily complex will enhance the area with new investment and provide another residential option in the area.

EXHIBIT A
Property Ownership Affidavit

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

Re: Property Ownership Affidavit for 0 Clear CV, Jacksonville, FL 32207 (RE# 136250 0000)

Ladies and Gentlemen:

I, Nathan Gray, as Manager of Pivot REI Homes JV, LLC, a Florida limited liability company, hereby certify that said entity is the Owner of the property described in **Exhibit 1**, in connection with filing an application for waiver, administrative deviation, land use amendment, rezoning, and/or such other entitlements as may be required for the above referenced property, submitted to the Jacksonville Planning and Development Department.

PIVOT REI HOMES JV, LLC, a Florida limited liability company

Nathan Gray
Signed

Nathan Gray
Printed

Manager
Title

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 20 day of JUNE, 2022 by, Nathan Gray as Manager of Pivot REI Homes, JV, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced driver license as identification.

[Notary



BLAIR C. SHANE
Notary Public
State of Florida
Comm# MH215084
Expires 1/10/2026

Blair C. Shane
(Notary Signature)

EXHIBIT B
Agent Authorization


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

Re: Agent Authorization for 0 Clear CV, Jacksonville, FL 32207 (RE# 136250 0000)

Ladies and Gentlemen:

You are hereby advised that Nathan Gray, as Manager of Pivot REI Homes JV, LLC, a Florida limited liability company, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC, to act as agent to file an application for waiver, administrative deviation, land use amendment, rezoning, and/or such other entitlements as may be required 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 as submitted to the Jacksonville Planning and Development Department.

PIVOT REI HOMES JV, LLC, a Florida
limited liability company


Signed

Nathan Gray
Printed

Manager
Title


STATE OF Florida
COUNTY OF Duval

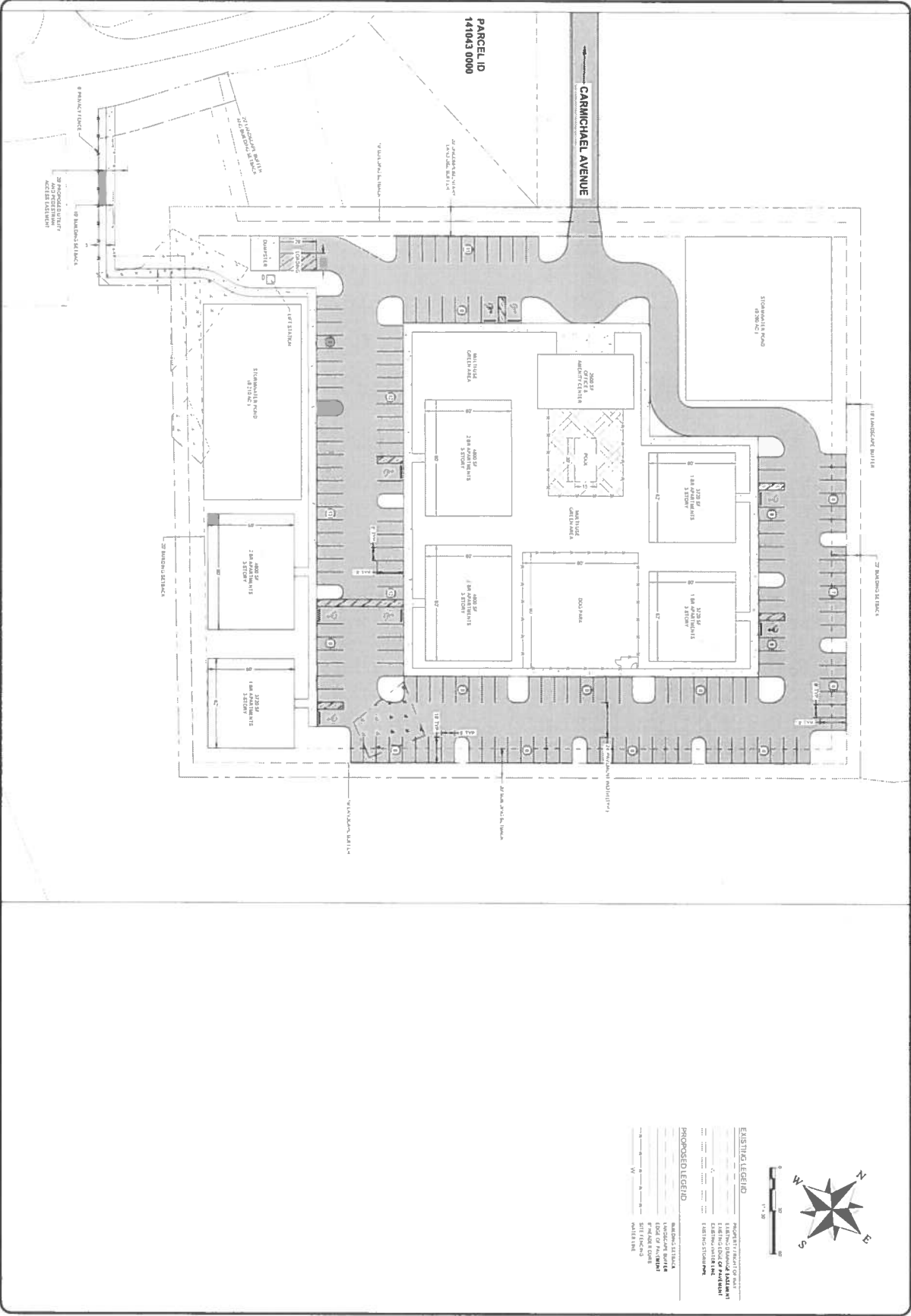
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 20 day of JUNE, 2022 by, Nathan Gray as Manager of Pivot REI Homes, JV, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced driver license as identification.

[Notary Seal]



BLAIR C. SHANE
Notary Public
State of Florida
Comm# HH215084
Expires 1/10/2026


(Notary Signature)



EXISTING LEGEND

PROPOSED LEGEND

MANHOLES

LANDSCAPE BUFFER

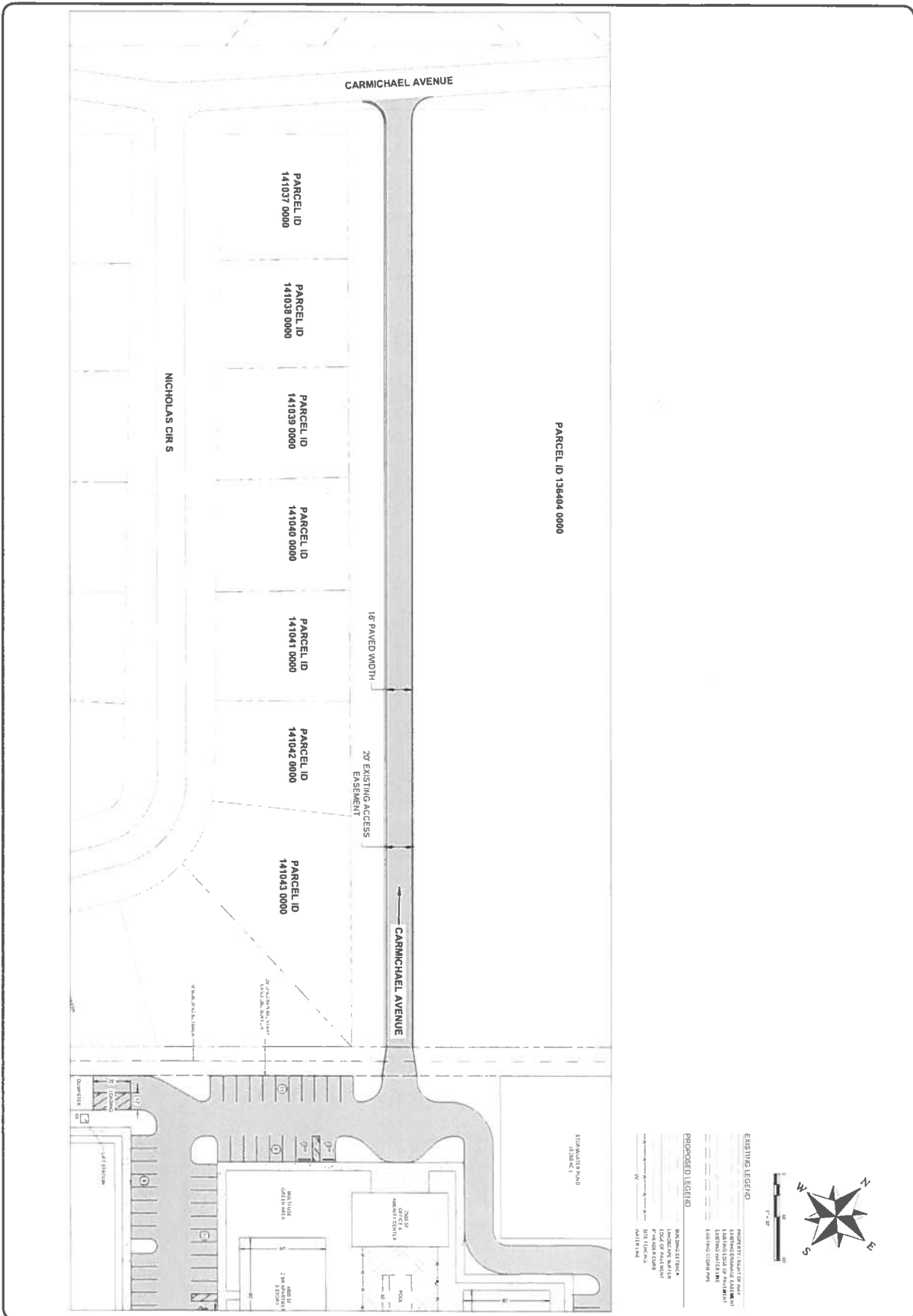
ROAD OF RIGHTWAY


STREET LIGHTS

UTILITIES

ADDITIONAL

1	SITE PLAN EXHIBIT	DESIGNED BY: PET	REVISIONS		MAVERICK ENGINEERING 10 WILLOW WINDS PARKWAY ST. JOHNS, FLORIDA 32259 (904) 655-6887	
	SAWMILL TOWNHOMES	DESIGN BY: PET	#	DATE		DESCRIPTION
	DUVAL COUNTY	CHECKED BY: JWC	1	08/01/2020		0000
	PREPARED FOR:	DATE: 04-26-2022	2	08/01/2020		0000
	PVTG NETWORKS, LLC	PROJECT # 2111	3	08/01/2020		0000



2	SITE PLAN EXHIBIT	DRAWING BY: PET	REVISIONS			MAVERICK ENGINEERING 10 WILLOW WINDS PARKWAY ST. JOHNS, FLORIDA 32259 (904) 655-6687
	SAWMILL TOWNHOMES	DESIGN BY: PET	4	DATE: 06/28/2011		
	DUVAL COUNTY	CHECKED BY: AME	1	DATE: 04/28/2011	DESCRIPTION: PRELIMINARY	
	PREPARED BY: SAWMILL TOWNHOMES LLC	PROJECT #	2	DATE: 04/28/2011	DESCRIPTION: PRELIMINARY	
			3	DATE: 04/28/2011	DESCRIPTION: PRELIMINARY	
			4	DATE: 04/28/2011	DESCRIPTION: PRELIMINARY	

Prepared by:
Vickie Yost, an employee of
All Florida Title Services, Inc.,
4417 Beach Boulevard, Suite 105
Jacksonville, Florida 32207

File Number: 36835
Contract Sales Price: \$299,000.00

Trustee Deed

This Indenture, made , May 27, 2021 A.D. Between Benjie S. Sperling and Florida Land Trust No. 2018-4-11, Benjie Sperling, as Trustee whose post office address is: P.O. Box 817058, Hollywood, Florida 33081 , Grantor and **PIVOT REI Homes JV LLC, a Florida limited liability company** whose post office address is: 1561 Harrington Park Dr., Jacksonville, Florida 32225, Grantee,

THAT, the Grantor, pursuant to the powers and authority granted by the terms and provisions of the aforesaid Trust Agreement, and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, in hand paid by Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the following described land situate, lying and being in the County of Duval, State of Florida to wit:

Lot 10, Nicholas Court, according to plat thereof as recorded in Plat Book 22, page 55, of the current public records of Duval County, Florida, together with a portion of Section 52, Township 2 South, Range 27 East, Duval County, Florida, being more particularly described as follows: Beginning at the most Easterly corner of Lot 8, Nicholas Court, as recorded in Plat Book 22, page 55 of the public records of Duval County, Florida; thence N 50° 30' 00" E for a distance of 205.19 feet; thence S 40° 30' 00" E for a distance of 393.60 feet; thence S 50° 30' 00" W for a distance of 483.50 feet; thence N 40° 30' 0" W for a distance of 393.60 feet (the last 54.12 feet of the last described course being common with the boundary of Lot 10 of said Plat Book 22, page 55); thence N 50° 30' 00" E for a distance of 278.31 feet to the Point of Beginning (the last described course being common with the boundary of Lot 10, Lot 9 and Lot 8 of said Plat Book 22, page 55), being the same property as described in Deed recorded in Deed Book 8, page 520, public records of Duval County, Florida.

The real property described in this instrument is not the constitutional homestead or the primary physical residence of the Grantor.

Parcel ID: 141046-0000 and 136250-0000

SUBJECT TO taxes accruing subsequent to **December 31, 2020.**

SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference shall not operate to reimpose same.

TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

AND Grantor, will defend the same against the lawful claims arising by, through or under Grantor.

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is the duly appointed, qualified and acting Trustee under the aforesaid Trust Agreement and in all things preliminary to and in and about the sale and conveyance of the property herein described, the terms conditions and provisions of the aforesaid Trust Agreement and the laws of the State of Florida have been followed and complied with in all respects and that the undersigned Grantor has the full power and authority to execute this deed for the uses and purposes herein expressed; and that said land is free from all encumbrances.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed and Sealed in Our Presence:

[Signature]

Witness Print Name: LARRY A. [Signature]

[Signature]

Witness Print Name: Katherine A. Butler

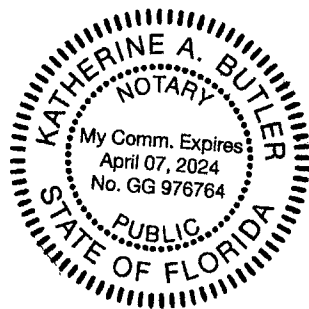
[Signature]
Benjie S. Sperling

Florida Land Trust No. 2018-4-11

[Signature]
Benjie Sperling, as Trustee

State of Florida
County of Broward

The foregoing instrument was acknowledged before me by means of X physical presence or online notarization, this 25 day of May, 2021, by **Benjie S. Sperling and Benjie Sperling, as Trustee of Florida Land Trust No. 2018-4-11.** He is personally known to me or has produced FL Drivers License as identification.



[Signature]
Notary Public

Notary Printed Name: Katherine A. Butler

My Commission Expires: April 07, 2024

2

THIS INSTRUMENT PREPARED BY
JACK E. COWART, Jr.
119 FLORIDA TITLE BUILDING
JACKSONVILLE, FLORIDA 32202
TOWERS, COWART & BOLLING

VOL 3130 PG 100

OFFICIAL RECORDS

EASEMENT

THIS EASEMENT is made this 1st day of July, 1970, between ARBOR LAND COMPANY, INC., Grantor, and PAULINE MURRAY, Single, RICHARD J. MURRAY, SR., and DOLLIE H. MURRAY, his wife, G. FREDERICK CASH and ALMA M. CASH, his wife, Grantee.

3680 Beachside Dr., Jacksonville, Fla.

WITNESSETH that for and in consideration of the sum of ONE DOLLAR (\$1.00) in hand paid to the Grantor by the Grantee, the receipt of which is hereby acknowledged, Grantor hereby gives, grants, dedicates and conveys to the Grantee, their heirs, legal representatives and assigns, forever, an easement for the purposes and on the conditions and restrictions hereinafter set forth, on, along, through, across, or under, the following described property:

SEE EXHIBIT "A" ATTACHED HERETO

This easement is for the purpose of roadway, passageway, water, sewage, and other utility facilities and for drainage. The fee title to said property shall remain in Grantor, its successors and assigns, subject to the provisions of this easement.

This easement is subject to a Deed of Dedication to the City of Jacksonville recorded in Official Records Book 3118, Page 559, dated May 26, 1970, recorded June 25, 1970. This easement is subject to a Grant of Easement to the City of Jacksonville recorded in Official Records Book 3118, Page 562, dated May 26, 1970, recorded June 25, 1970.

IN WITNESS WHEREOF, the Grantor has executed this instrument the date first above written.

Signed, Sealed and Delivered
in our presence:

Assie J. Richardson
Jack E. Cowart, Jr.

ARBOR LAND COMPANY, INC.
(Corporate Seal)

By W. H. Walton, Jr.
W. H. WALTON, JR., President

STATE OF FLORIDA
COUNTY OF DUVAL

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared W. H. WALTON, JR., well known to me to be the President of ARBOR LAND COMPANY, INC., Grantor in the foregoing instrument, and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of July, 1970.

DUVAL COUNTY
9 0 7 3 3 C
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
AUG-3-70
11029
00.30

Assie J. Richardson
Notary Public, State of Florida at
Large. My Commission Expires:
June 23, 1972

DUVAL COUNTY
9 0 3 4 1
FLORIDA
DOCUMENTARY STAMP TAX
AUG-3-70
11716
00.55

RETURN TO:
JACK E. COWART, JR.
ATTORNEY AT LAW
119 Florida Title Building
Jacksonville 2, Florida

640

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OFFICIAL RECORDS

EXHIBIT "A"

PARCEL 1

A part of the Richard Mill Grant, Section 52, Township 2 South, Range 27 East, Duval County, Florida, and being more particularly described as follows: Commencing at the most Northerly corner of Nicholas Court as recorded in Plat Book 22, Page 55, of the current public records of said County; thence North 39 degs. 35 mins. 30 sec. West, 30.0 feet to the point of beginning, said point being in the present right-of-way line of Carmichael Avenue; thence North 50 degs. 11 mins. 20 sec. West and along said right-of-way line, 20.0 feet; thence South 39 degs. 35 mins. 40 sec. East, 643.37 feet to a point in the Northwesterly line of that certain ten foot easement as shown on said plat of Nicholas Court; thence South 50 degs. 23 mins. 20 sec. West, and along said easement line, 20.0 feet to a point in the Northeasterly line of said plat of Nicholas Court; thence North 39 degs. 35 mins. 40 sec. West and along said plat line, 643.3 feet to the point of beginning.

PARCEL 2

A part of the Richard Mill Grant, Section 52, Township 2 South, Range 27 East, Duval County, Florida, and being more particularly described as follows: Commencing at the most Northerly corner of Nicholas Court as recorded in Plat Book 22, Page 55, of the current public records of said County; thence North 39 degs. 35 mins. 30 sec. West, 30.0 feet to the point of beginning, said point being in the present right-of-way line of Carmichael Avenue; thence North 50 degs. 11 mins. 20 sec. West and along said right-of-way line, 20.0 feet; thence South 39 degs. 35 mins. 40 sec. East, 623.37 feet to the point of beginning; thence North 50 degs. 23 mins. 20 sec. East, 200.0 feet; thence South 39 degs. 35 mins. 40 sec. East, 50.0 feet; thence South 50 degs. 23 mins. 20 sec. West, 20.0 feet; thence North 39 degs. 35 mins. 40 sec. West, 30.0 feet to a point in the Northwesterly line of that certain ten foot easement as shown on said plat of Nicholas Court; thence South 50 degs. 23 mins. 20 sec. West and along said easement line, 180.0 feet; thence North 39 degs. 35 mins. West and along the Northeasterly line of said plat, 20.0 feet to the point of beginning.

70- 36872
AUG 3 9 17 AM '70

FILED AND RECORDED IN PUBLIC
RECORDS OF DUVAL COUNTY, FLA.
S. Morgan Slaughter
CLERK OF PUBLIC RECORDS

103928

VOL 3169 P. 1085

OFFICIAL RECORDS
AMENDED EASEMENT

THIS AMENDED EASEMENT is made this 8th day of December, 1970, by
ARBOR LAND COMPANY, INC.



WHEREAS, on the 31st day of July, 1970, an Easement was made between
ARBOR LAND COMPANY, INC., Grantor, and PAULINE MURRAY, Single, RICHARD J.
MURRAY, SR., and DOLLIE H. MURRAY, his wife, G. FREDERICK CASH and ALMA M.
CASH, his wife, Grantee, whose postoffice address is 3640 Seashole Drive,
Jacksonville, Florida; said Easement being recorded August 3, 1970, in
Official Records Book 3130, page 100, current public records of Duval County,
Florida.

WHEREAS, said Easement contained typographical errors in the descrip-
tion of the property attached to said Easement and marked, "Exhibit A".

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) and other good
and valuable consideration, in hand paid to the Grantor by the Grantee, the
receipt of which is hereby acknowledged, the description of said Exhibit A
is amended to read as follows:

SEE EXHIBIT "A" ATTACHED HERETO

IN WITNESS WHEREOF, the Grantor has executed this Instrument the date
first above written.

Signed, Sealed and Delivered
In our Presence:

ARBOR LAND COMPANY, INC.
(Corporate Seal)

Walter F. Rogers, Jr.
Pauline Murray

By: *Laddie Loper*
LADDIE LOPER, Vice President



STATE OF FLORIDA
COUNTY OF DUVAL

STATE OF FLORIDA
COUNTY OF DUVAL

I HEREBY CERTIFY that on this day, before me, an officer duly authorized
in the State and County aforesaid to take acknowledgements, personally appeared
LADDIE LOPER, well known to me to be the Vice Pres. of ARBOR LAND COMPANY,
INC., Grantor in the foregoing Instrument, and that he acknowledged executing
the same in the presence of two subscribing witnesses freely and voluntarily
under authority duly vested in him by said corporation and that the seal affixed
thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid
this 8th day of December, 1970.



Walter F. Rogers, Jr.
Notary Public, State of Florida at
Large. My Commission Expires:

Dec. 29, 1972.
Walter F. Rogers, Jr.
Notary Public, State of Florida at Large
My Commission Expires Dec. 29, 1972

THIS INSTRUMENT PREPARED BY
JACK E. COWART, Jr.
119 FLORIDA TITLE BUILDING
JACKSONVILLE, FLORIDA 32202
TOWERS, COWART & BOLLING

RETURN TO:
JACK E. COWART, JR.
ATTORNEY AT LAW
119 Florida Title Building
Jacksonville 2, Florida

RETURN TO:
FLORIDA TITLE & GUARANTY COMPANY
FLORIDA TITLE BUILDING
JACKSONVILLE, FLORIDA 32202

600

VOL 3169 PG 1086

OFFICIAL RECORDS

EXHIBIT "A"

PARCEL 1

A part of the Richard Mill Grant, Section 52, Township 2 South, Range 27 East, Duval County, Florida, and being more particularly described as follows: Commencing at the most Northerly corner of Nicholas Court as recorded in Plat Book 22, page 55, of the current public records of said County; thence North 39 degs. 35 mins. 40 sec. West, 30.0 feet to the point of beginning, said point being in the present right-of-way line of Carmichael Avenue; thence North 50 degs. 11 mins. 20 sec. East and along said right-of-way line, 20.0 feet; thence South 39 degs. 35 mins. 40 sec. East, 643.37 feet to a point in the Northwesterly line of that certain ten foot easement as shown on said plat of Nicholas Court; thence South 50 degs. 23 mins. 20 sec. West, and along said easement line, 20.0 feet to a point in the Northeasterly line of said plat of Nicholas Court; thence North 39 degs. 35 mins. 40 sec. West and along said plat line, 643.3 feet to the point of beginning.

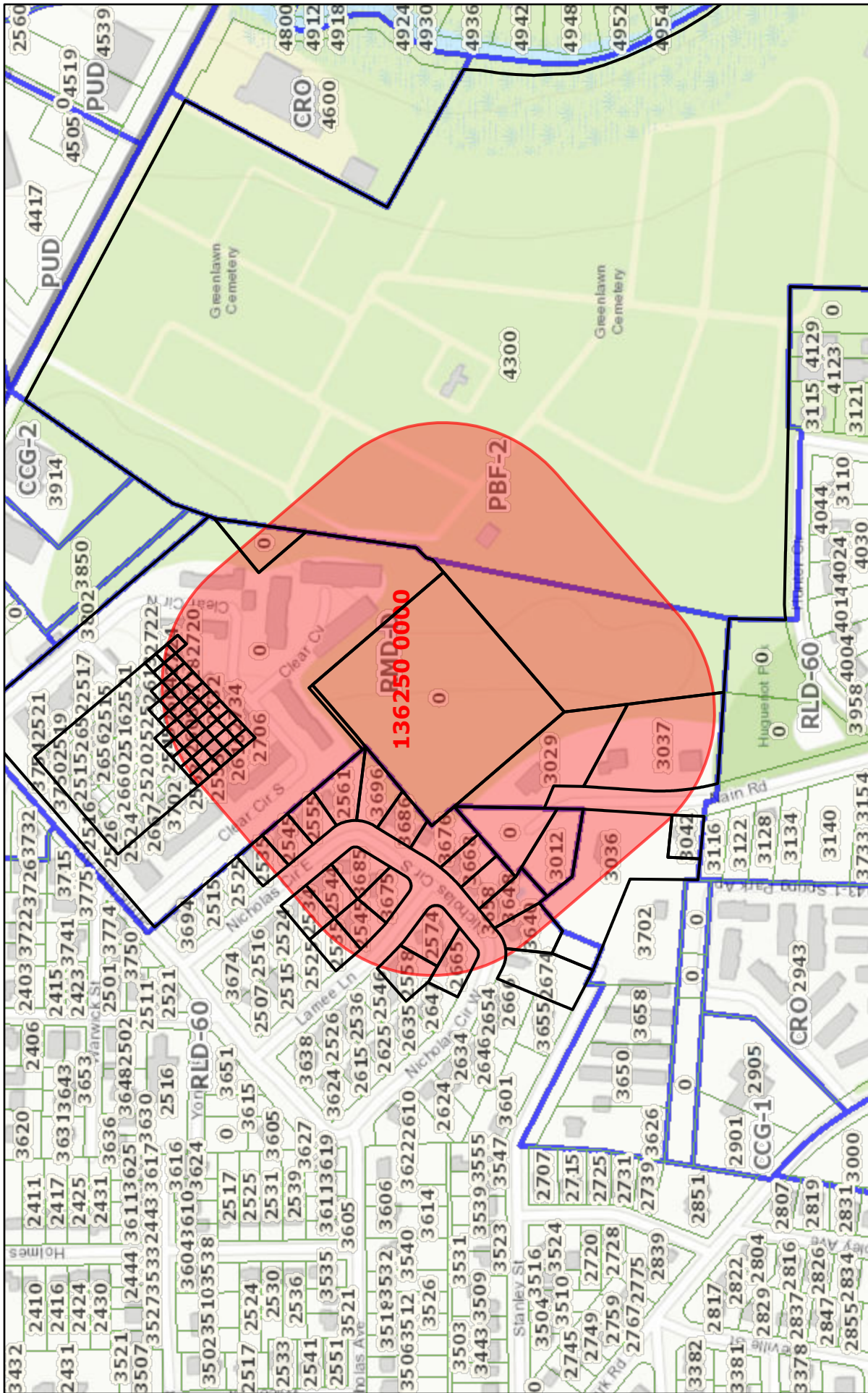
PARCEL 2

A part of the Richard Mill Grant, Section 52, Township 2 South, Range 27 East, Duval County, Florida, and being more particularly described as follows: Commencing at the most Northerly corner of Nicholas Court as recorded in Plat Book 22, page 55, of the current public records of said County; thence North 39 degs. 35 mins. 40 sec. West, 30.0 feet to the point of beginning, said point being in the present right-of-way line of Carmichael Avenue; thence North 50 degs. 11 mins. 20 sec. East and along said right-of-way line, 20.0 feet; thence South 39 degs. 35 mins. 40 sec. East, 623.37 feet to the point of beginning; thence North 50 degs. 23 mins. 20 sec. East, 200.0 feet; thence South 39 degs. 35 mins. 40 sec. East, 50.0 feet; thence South 50 degs. 23 mins. 20 sec. West, 20.0 feet; thence North 39 degs. 35 mins. 40 sec. West, 30.0 feet to a point in the Northwesterly line of that certain ten foot easement as shown on said plat of Nicholas Court; thence South 50 degs. 23 mins. 20 sec. West and along said easement line, 180.0 feet; thence North 39 degs. 35 mins. 40 sec. West, and along the Northeasterly line of said plat, 20.0 feet to the point of beginning.

70- 60337
DEC 14 10 06 AM '70

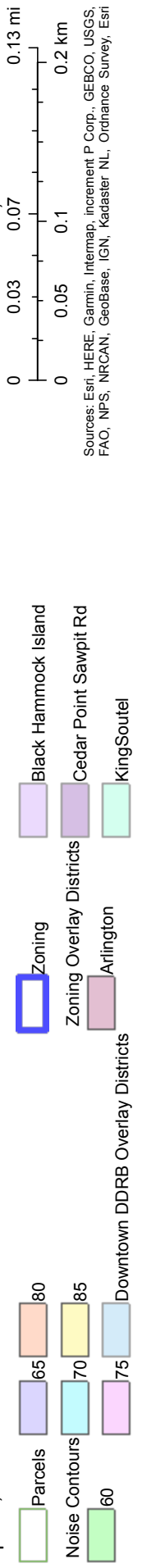
RECORDED
INDEXED
BY
IN OFFICE

Land Development Review



April 4, 2022

1:4,514



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri

RE	LNAME	LNAM1EZ	MAIL_ADDR1	MAIL_ADDR2	MAIL_CITY	MAIL_ZIP
141077 0000	BRADFORD BILLIE JEAN BRINSON		2544 NICHOLAS CIR E		JACKSONVILLE	FL 32207
141075 0000	CHIRIBOGA SUSAN E		3675 NICHOLAS CIR S		JACKSONVILLE	FL 32207-4791
136404 0000	CLEARVIEW TOWNHOUSES INC		2540 CLEAR PL		JACKSONVILLE	FL 32207-4747
136404 0110	CLEARVIEW TOWNHOUSES INC		C/O FUTSUM MAHARI	2708 CLEAR COVE #110-B	JACKSONVILLE	FL 32207-4765
136404 0086	CLEARVIEW TOWNHOUSES INC		C/O KUBIR KUIKEL AGFD	2617 CLEAR CIR S #86D	JACKSONVILLE	FL 32207-4743
136404 0072	CLEARVIEW TOWNHOUSES INC		C/O SELMA BAIRIC	2557 S CLEAR CIR #72B	JACKSONVILLE	FL 32207-4742
136404 0091	CLEARVIEW TOWNHOUSES INC		C/O ABRAHAM POWELL ESTATE	2616 S CLEAR CIR #91B	JACKSONVILLE	FL 32207-4744
136404 0103	CLEARVIEW TOWNHOUSES INC		C/O AH DEE NANG SIK	2709 CLEAR CT	JACKSONVILLE	FL 32207
136404 0113	CLEARVIEW TOWNHOUSES INC		C/O BEHRUA BULJUBASIC AGFD	2702 CLEAR COVE #113B	JACKSONVILLE	FL 32207-4765
136404 0088	CLEARVIEW TOWNHOUSES INC		C/O BISERA ZAHIROVIC AGFD	2621 CLEAR CIR S #88-C	JACKSONVILLE	FL 32207-4743
136404 0108	CLEARVIEW TOWNHOUSES INC		C/O CHANTAL MUKESHIMANA AGFD	2712 CLEAR COVE #108	JACKSONVILLE	FL 32207-4765
136404 0112	CLEARVIEW TOWNHOUSES INC		C/O CYNTHIA DAVIS	2704 CLEAR CV 112B	JACKSONVILLE	FL 32207-4765
136404 0093	CLEARVIEW TOWNHOUSES INC		C/O DEBORAH RANDOLPH	2612 CLEAR CIR S	JACKSONVILLE	FL 32207-4744
136404 0104	CLEARVIEW TOWNHOUSES INC		C/O GORDANA SADIJA AGFD	2711 CLEAR COVE #104B	JACKSONVILLE	FL 32207-4765
136404 0109	CLEARVIEW TOWNHOUSES INC		C/O HASAN & SERKA BRKIC	2710 CLEAR CV #109B	JACKSONVILLE	FL 32207-4765
136404 0116	CLEARVIEW TOWNHOUSES INC		C/O HTOI BAWK TANGBAU	2730 CLEAR CV	JACKSONVILLE	FL 32207-4765
136404 0074	CLEARVIEW TOWNHOUSES INC		C/O INDIRA BAIRIC	2628 CLEAR CT	JACKSONVILLE	FL 32207
136404 0114	CLEARVIEW TOWNHOUSES INC		C/O JA LA MARAN & DUMDAW AH KAI	2734 CLEAR COVE	JACKSONVILLE	FL 32207
136404 0084	CLEARVIEW TOWNHOUSES INC		C/O KAMIL AZIMOVICH NAZIMOV AGFD	2613 CLEAR CIRCLE S #84B	JACKSONVILLE	FL 32207-4743
136404 0096	CLEARVIEW TOWNHOUSES INC		C/O KAW MU HTOO & NAW LAH	2606 CLEAR CIR S	JACKSONVILLE	FL 32207
136404 0101	CLEARVIEW TOWNHOUSES INC		C/O KEYSER MEMETI	2705 CLEAR CV	JACKSONVILLE	FL 32207
136404 0102	CLEARVIEW TOWNHOUSES INC		C/O KONGRES & HAIRIE MEMIA	2707 CLEAR CV	JACKSONVILLE	FL 32207
136404 0075	CLEARVIEW TOWNHOUSES INC		C/O LISA HARVEY	2626 CLEAR COURT #75C	JACKSONVILLE	FL 32207-4746
136404 0111	CLEARVIEW TOWNHOUSES INC		C/O MHRETAB REDIE WELDEHAIMANOT	2706 CLEAR CV #111-B	JACKSONVILLE	FL 32207-4765
136404 0107	CLEARVIEW TOWNHOUSES INC		C/O MITHAT & SUHRA CASKOVIC	2714 CLEAR COVE #107B	JACKSONVILLE	FL 32207-4765
136404 0098	CLEARVIEW TOWNHOUSES INC		C/O NAZMI & VANESA KURTESI	2602 CLEAR CIR S	JACKSONVILLE	FL 32207
136404 0117	CLEARVIEW TOWNHOUSES INC		C/O PATRICIA M ZACKERY	2728 CLEAR COVE 117B	JACKSONVILLE	FL 32207-4765
136404 0120	CLEARVIEW TOWNHOUSES INC		C/O RAHMANOVIC SEHERZADA AGFD	2722 CLEAR COVE #120B	JACKSONVILLE	FL 32207-4765
136404 0119	CLEARVIEW TOWNHOUSES INC		C/O RUKA KUIKEL & DAHAL DAKTAR	2724 CLEAR COVE #119B	JACKSONVILLE	FL 32207
136404 0118	CLEARVIEW TOWNHOUSES INC		C/O SAW AUNG & SAN MOE	2726 CLEAR CV #118B	JACKSONVILLE	FL 32207-4765
136404 0115	CLEARVIEW TOWNHOUSES INC		C/O SENG MYITT LAGANG	2732 CLEAR CV #115B	JACKSONVILLE	FL 32207
136404 0085	CLEARVIEW TOWNHOUSES INC		C/O SHARON D WILSON	2615 CLEAR CIR S UNIT 85C	JACKSONVILLE	FL 32207-4743
136404 0121	CLEARVIEW TOWNHOUSES INC		C/O SIMO & ANICA MIHALJIC	2720 CLEAR COVE #121B	JACKSONVILLE	FL 32207-4765
136404 0090	CLEARVIEW TOWNHOUSES INC		C/O TATYANA ISRAFILOVA	2625 CLEAR CIRCLE S	JACKSONVILLE	FL 32207-4743
136404 0089	CLEARVIEW TOWNHOUSES INC		C/O TUDROS KIFLE	2623 CLEAR CIR S #89B	JACKSONVILLE	FL 32207
136404 0092	CLEARVIEW TOWNHOUSES INC		C/O THU LAI MU & MOO WAH PAW	2614 CLEAR CIRCLE S #92C	JACKSONVILLE	FL 32207-4744
136404 0106	CLEARVIEW TOWNHOUSES INC		C/O VANESSA MEUSE AGFD	2716 CLEAR COVE 106B	JACKSONVILLE	FL 32207-4765
136404 0087	CLEARVIEW TOWNHOUSES INC		C/O WILLIAM & VIKKI WARREN	2619 CLEAR CIRCLE S	JACKSONVILLE	FL 32207-4743
136404 0071	CLEARVIEW TOWNHOUSES INC		C/O WONDER MOO	6315 BENNETT RD	JACKSONVILLE	FL 32216
136404 0073	CLEARVIEW TOWNHOUSES INC		C/O YAW HAN	2630 CLEAR CT #73B	JACKSONVILLE	FL 32207
136404 0095	CLEARVIEW TOWNHOUSES INC		C/O ZAIM & HATA ZAHIROVIC	2608 S CLEAR CIR #95C	JACKSONVILLE	FL 32216
136404 0105	CLEARVIEW TOWNHOUSES INC		C/O LUM HT AW MUKWA AGFD	2713 CLEAR CV #105B	JACKSONVILLE	FL 32207-4765
136404 0094	CLEARVIEW TOWNHOUSES INC		C/OTEFAHWIAT MANGUISTO & ZELEALEM HABTE	2610 S CLEAR CIR #94C	JACKSONVILLE	FL 32207
136404 0097	CLEARVIEW TOWNHOUSES, INC		C/O BIHONEGN TAREKE & ASNAKU GEZAW BARTA	2604 CLEAR CIR S	JACKSONVILLE	FL 32207
141051 0000	CUSICK THOMAS S		3099 LEON RD STE 5		JACKSONVILLE	FL 32246
141050 0000	DECKARD BARBARA		522 10TH AVE S		JACKSONVILLE BEACH	FL 32250
141045 0000	DIONNE DAVID A		3686 NICHOLAS CIR S		JACKSONVILLE	FL 32207-4753

135901 0000	FLORIDA GARDEN HOMES INC	2223 COLLEGE ST 4	JACKSONVILLE	FL 32204
141078 0000	FRINK PROPERTY MANAGEMENT GROUP	120 SCARLETT OAK WAY	FAYETTEVILLE	GA 30214
141074 0000	GRAYSHAN LAWRENCE F ET AL	C/O NICHOLAS R GRAYSHAN	JACKSONVILLE	FL 32259
141076 0000	HALL GERALD	3685 NICHOLAS CIR S	JACKSONVILLE	FL 32207
141043 0000	HARRISON SAMMY V	11366 CANVAS BACK CT BX 7	JACKSONVILLE	FL 32225-3522
141049 0005	HASLAUER LYNN E	60 DOLPHIN BLVD E	PONTE VEDRA BEACH	FL 32082
141041 0000	KINNEY DANIEL ESTATE	2545 NICHOLAS CIR E	JACKSONVILLE	FL 32207
135902 0000	MCGUIGAN REBECCA A	3042 NAIN RD	JACKSONVILLE	FL 32207-4736
141047 0000	OQUINN SALLY ANN	3668 NICHOLAS CIR S	JACKSONVILLE	FL 32207-4753
135903 0000	PINK FLAMINGO JACKSONVILLE RENTAL PROPERTY LLC	8585 SW HWY 200 UNIT 16	OCALA	FL 34481
136250 0000	PIVOT REI HOMES JV LLC	1561 HARRINGTON PARK DR	JACKSONVILLE	FL 32225
141048 0000	POZO MICHEL	3658 NICHOLAS CIR S	JACKSONVILLE	FL 32207-4753
141065 0000	RESIDENTIAL HOME BUYER JACKSONVILLE LLC	P O BOX 4090	SCOTTSDALE	AZ 85261
141042 0000	ROBERTS TINA LYNN	2555 E NICHOLAS CIR	JACKSONVILLE	FL 32207
135900 0010	RUSSELL ELOISE LIFE ESTATE	3037 NAIN RD	JACKSONVILLE	FL 32207-4735
141064 0000	RUSSELL PATRICIA A	2574 LAMEE LN	JACKSONVILLE	FL 32207-4749
141063 0000	SALEEBAS II LLC	3651-1 ST JOHNS AV	JACKSONVILLE	FL 32205
136665 0020	SCI FUNERAL SERVICES OF FLORIDA LLC	PO BOX 130548 PROP TAX DPT 8TH FL	HOUSTON	TX 77219-0548
135899 0000	SCOTT DARLENE S	3029 NAIN RD	JACKSONVILLE	FL 32207-4735
141040 0000	TRAN NGOC VAN	2535 NICHOLAS CIR E	JACKSONVILLE	FL 32207-4750
141073 0000	VAN BROCKLIN CRAIG DARRELL JR	2535 LAMEE LN	JACKSONVILLE	FL 32207
	SPRINGPARK NEIGHBORHOOD ASSOCIATION			
	HUGUENOT PARK NEIGHBORHOOD ASSOCIATION		JACKSONVILLE	FL 32207
	SOUTHEAST		JACKSONVILLE	FL 32217



Availability Letter

Michael Sittner

3/8/2022

Driver, McAfee, Hawthorne & Diebenow

Driver, McAfee, Hawthorne & Diebenow, PLLC

Jacksonville, Florida 32207

Project Name: Nicholas Circle Multifamily

Availability #: 2022-0974

Attn: Michael Sittner

Thank you for your inquiry regarding the availability of Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

https://www.jea.com/water_and_wastewater_development

Sincerely,

Susan West
westsr@jea.com
(904) 665-7980

Availability Number: 2022-0974

Request Received On: 3/3/2022

Availability Response: 3/8/2022

Prepared by: Susan West

Expiration Date: 03/07/2024

Project Information

Name: Nicholas Circle Multifamily

Address: 0 CLEAR CV, JACKSONVILLE, FL 32207

County: Duval County

Type: Sewer, Water

Requested Flow: 18000

Parcel Number: 136250 0000

Location: Southeast of Nicholas Circle South

Description: Development of 72 multifamily units.

Potable Water Connection

Water Treatment Grid: South Grid

Connection Point #1: Existing 8 inch water main along Carmichael Ave at Clear Cir S

Connection Point #2:

Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required. The requested parcel is landlocked. For JEA to provide service, property must

Water Special Conditions: abut right of way. To discuss options for JEA provided water service to this property, request development meeting through the JEA Sages program by entering your availability number and accessing Step 2 within the project portal.

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Existing 8 inch gravity main at the intersection of Nicholas Cir S and Nicholas Cir W

Connection Point #2:

The requested parcel is landlocked. For JEA to provide service, property must abut right of way. Connection to the JEA-owned sewer system for your project will require the design and

Sewer Special Conditions: construction of an onsite pump station, and a JEA dedicated force main (min. 4" dia.). Ownership and maintenance entity of pump station to be determined either at the preapplication meeting or during plan review.

**Reclaimed Water
Connection**

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

Point of connection location(s) to be field verified by developer during project design. If needed, General Conditions: a development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.

Request As-Built drawings and/or GIS maps by going to Step 1 in Sages. Request a Hydrant Flow Test by going to Step 1 in Sages. Request a Development Meeting with the water/wastewater team by going to Step 2 in Sages. If you need representative from the electric or real estate team please indicate that on your application. Don't forget to upload your utility layout with your application. Submit your plans for water/waste water review by Step 2 in Sages.