

## **Council Member Salem Amendment to 2021-796 Times Union Fuqua Development**

Amend Redevelopment Agreement on file:

1. Add language that there will be 10 ground level spaces in the parking garage dedicated to public use;
2. Clarify the City will not encumber the Creek Parcel prior to conveyance to the Developer;
3. Add the appraised value purchase price of \$2.43 per square foot for the submerged portion of the Creek Parcel;
4. Add language that the existing JEA easements do not need to be subordinated to the easements being granted to the City by the Developer;
5. Add language that if approved by DDRB, the developer may reduce the vertical clearance above the Exhibit Y pedestrian access easement to 35';
6. Clarify the Developer must provide commercially reasonable vehicular access for the City to access the City Parcel to construct the McCoy's Creek Improvements
7. Clarify the Developer shall have no liability to the City prior to commencement of the vertical improvements and provide that the Developer must complete or demolish the project in the event of a default with respect to the Phase I Retail and Phase II Improvements;
8. Clarify the Developer shall have no continuing liability in the event of an assignment prior to commencement of construction;
9. Exhibit C – revise insurance and indemnification language per Risk Management requirements;
10. Exhibit K – clarify City obligations regarding creation of rip rap shoreline at the MCoys Creek intersection with the St. Johns River;
11. Exhibit M – clarify that certain easement rights terminate upon Completion of the McCoy's Creek Improvements and clarify description of easement premises;
12. Exhibit X – revise City's consent language to conform to the language in the RDA as amended;
13. Exhibit Y – modify easement description to be consistent with language in the RDA as amended;
14. Update Site Plan where appropriate;
15. Scrivenor corrections.