

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

June 23, 2022

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-345**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 8-0

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

Jordan Elsbury Aye

Joshua Garrison Aye

Jason Porter Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2022-0147

JUNE 9, 2022

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2022-0345.

Location: 0 Zoo Parkway

Real Estate Number: 111060-1000

Current Zoning District: Industrial Water (IW)

Proposed Zoning District: Industrial Heavy (IH)

Current Land Use Category: Water Dependent – Water Related (WD/WR)

Proposed Land Use Category: Heavy Industrial (HI)

Planning District: North, District 6

Applicant: Robert Carver
Florida Crown Architects
3600 Vineland Road, Suite 101
Orlando, FL 32811

Owner: Dan Webb
CEFL, Inc
3600 Vineland Road, Suite 101
Orlando, FL 32811

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0345 seeks to rezone 22.20± acres of a property from Industrial Water (IW) to Industrial Heavy (IH) in order to allow for industrial uses. The Planning and Development Department finds that the subject property is located in the Water Dependent – Water Related (WD/WR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. There is a companion Land Use Amendment, 2022-0344 (L-5670-

21C). The proposed LUA is for Water Dependent – Water Related (WD/WR) to Heavy Industrial (HI).

The applicant states in the justification for the rezoning that the property no longer has access to water and could not be used for water related industrial uses. The proposed change to Industrial Heavy is seen as appropriate based on the lack of water access and the criteria set forth in the rest of the Staff Report.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?

Yes. The 22.20-acre subject site is located at 0 Zoo Parkway (SR 105), a minor arterial roadway, approximately 2 miles east of the Jacksonville Zoo, near the east side of Imeson Industrial Park. The north side of the subject site abuts a CSX railway.

The property is in Council District 2 and is in the North Planning District. The property is also located in the Suburban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

The site has been designated for water related industrial uses for decades. Prior to adoption of the 2010 Comprehensive Plan in 1990, the site was in the Industrial Waterfront (IW) zoning district.

According to the Category Description within the Future Land Use Element (FLUE), Water Dependent – Water Related (WD-WR) land use in all development areas is primarily intended for land uses that require deep water access to the St. Johns River. The primary purpose of the category is to protect, support and permit orderly expansion of the Port of Jacksonville.

Heavy Industrial (HI) land use is generally the most likely to produce adverse physical and environmental impacts on adjacent residential areas such as noise, land, air and water pollution and transportation conflicts.

Currently, the amendment site is undeveloped. The areas to the north, south, and west are undeveloped. There is a petroleum service center and storage tanks east of the subject site. HI and LDR land uses are to the north. HI land use is to the west. WD-WR land use is to the south and east.

The proposed zoning change to IH is consistent with the proposed HI land use category.

2. ***Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Future Land Use Element (FLUE), the proposed HI land use category in the suburban development area is intended to provide for Heavily Intensive Industrial Uses.

Future Land Use Element:

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

The proposed rezoning to IH will allow the applicant to develop the site with industrial uses that would fit into the industrial nature surrounding the site. The proposed IH district will allow the site to be developed with uses that are currently not possible with the IW category which relies on water access. It is the opinion of the Planning and Development Department that those uses within the IH category will not be inconsistent, nor create any additional nuisances when compared to the other uses along Zoo Parkway today.

Objective 3.2

Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

The property is currently vacant and if approved will be allowed to be developed with industrial uses. The site is located within an industrial sanctuary and is located just south of the Imeson Industrial Park. The proposed rezoning will not hinder, but rather would bolster, the existing industrial character surrounding the subject site.

Industrial Sanctuary

The subject property is located in an area identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary." Industrial uses are crucial to the long-term economic

well-being of the City and these areas are presumed to be appropriate for land use map amendments to industrial categories, subject to FLUE Objective 3.2 and supporting policies as well as other applicable objectives and policies. The “Industrial Sanctuary Zone” is defined as a distinct geographical area predominately consisting of industrial uses and zoning districts and strategically located for future expansion and economic development.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Adaptation Action Area

The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2021-732-E expands the AAA boundaries to those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

The northern portion of the property (approximately 3.2 acres) is located within the AAA boundary (Ordinance 2021-732-E). The applicant has been made aware of the AAA boundaries and encouraged to address the new policies through site design, clustering of development and other resiliency efforts.

3. Does the proposed rezoning conflict with any portion of the City's land use regulations?

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from IW to IH in order to for industrial uses.

SURROUNDING LAND USE AND ZONING

The subject property is located on the north side of Zoo Parkway, a minor arterial roadway, approximately .48 of a mile west of the Broward River. This section of Zoo Parkway is made up of large vacant industrial zoned lots, and fully developed intense industrial uses. The proposed rezoning is consistent with the surround area and the surrounding Land Use and Zoning Categories are as followed:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LI/LDR	IL/RLD-100A	Vacant Industrial / Timber
South	WD/WR	IW	Vacant Industrial / Timber
East	WD/WR	IW	Office/ Truck Storage
West	LI	IL	Vacant Industrial / Timber

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 1, 2022 by the Planning and Development Department, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0345** be **APPROVED**.



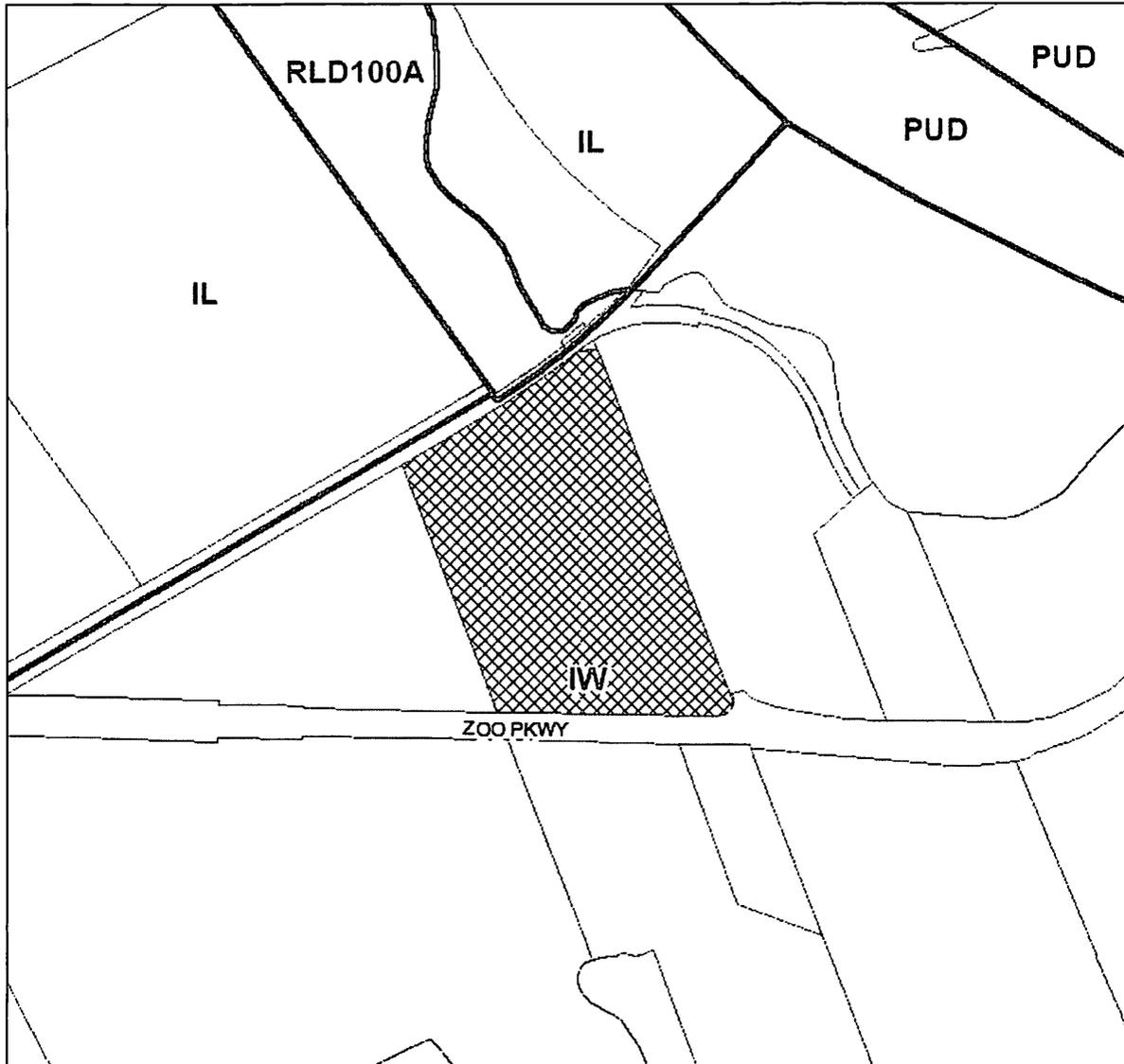
Aerial View

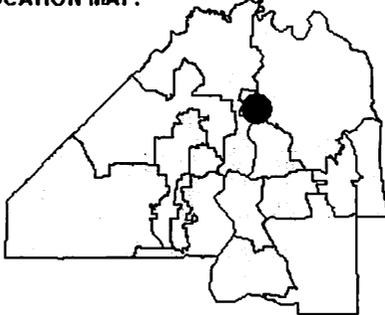
Source: JaxGIS Map



View of the Subject Property

Source: Planning & Development Department



<p>REQUEST SOUGHT:</p> <p>FROM: IW</p> <p>TO: IH</p>	<p>LOCATION MAP:</p> 	 <p>0 200 400 800 Feet</p>
<p>ORDINANCE NUMBER ORD-2022-0345</p>	<p>TRACKING NUMBER T-2022-4074</p>	<p>COUNCIL DISTRICT: 2</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0345 **Staff Sign-Off/Date** CMC / 04/20/2022
Filing Date 05/06/2022 **Number of Signs to Post** 5
Hearing Dates:
1st City Council 06/14/2022 **Planning Commission** 06/09/2022
Land Use & Zoning 06/22/2022 **2nd City Council** 06/28/2022
Neighborhood Association M & M DAIRY INC; THE EDEN GROUP INC.
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4074 **Application Status** FILED COMPLETE
Date Started 02/10/2022 **Date Submitted** 02/11/2022

General Information On Applicant

Last Name	First Name	Middle Name
CARVER	ROBERT	A

Company Name
FLORIDA CROWN ARCHITECTS

Mailing Address
3600 VINELAND RD, STE 101

City	State	Zip Code
ORLANDO	FL	32811

Phone	Fax	Email
4078411414		RCARVER@CFL.RR.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
WEBB	DAN	

Company/Trust Name
CEFL INC.

Mailing Address
3600 VINELAND RD, STE 101

City	State	Zip Code
ORLANDO	FL	32811

Phone	Fax	Email
4078411414		DAN@WEBBFL.COM

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 111060 1000	2	6	IW	IH

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

WD/WR

Land Use Category Proposed?

If Yes, State Land Use Application #

5670

Total Land Area (Nearest 1/100th of an Acre) 22.20

Justification For Rezoning Application

LAND NO LONGER HAS WATER ACCESS SINCE THE DEVELOPMENT OF ZOO PARKWAY

Location Of Property

General Location

NEAR IMESON INTERNATIONAL INDUSTRIAL PARK

House #	Street Name, Type and Direction	Zip Code
0	ZOO PKWY	32226

Between Streets

IMESON PARK BLVD. and BROWARD RIVER

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required **SIGN(S)** must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
22.20 Acres @ \$10.00 /acre: \$230.00
- 3) Plus Notification Costs Per Addressee**
9 Notifications @ \$7.00 /each: \$63.00
- 4) Total Rezoning Application Cost:** \$2,293.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description March 22, 2022

LEGAL DESCRIPTION

PARCEL 2

A tract of land situated in Township 1 South, Range 27 East and being a portion of Lots 6 and 7, of the Division of the William Drummond Grant, Section 47, according to plat recorded in Plat Book 1, Page 17, former public records of Duval County, Florida, together with a portion of that certain marsh land (now filled) conveyed to Nell L. C. Bostwick by the Trustees of the Internal Improvement Fund by deed recorded in the Official Records of said County in Volume 399, Page 5 and all being more particularly described as follows:

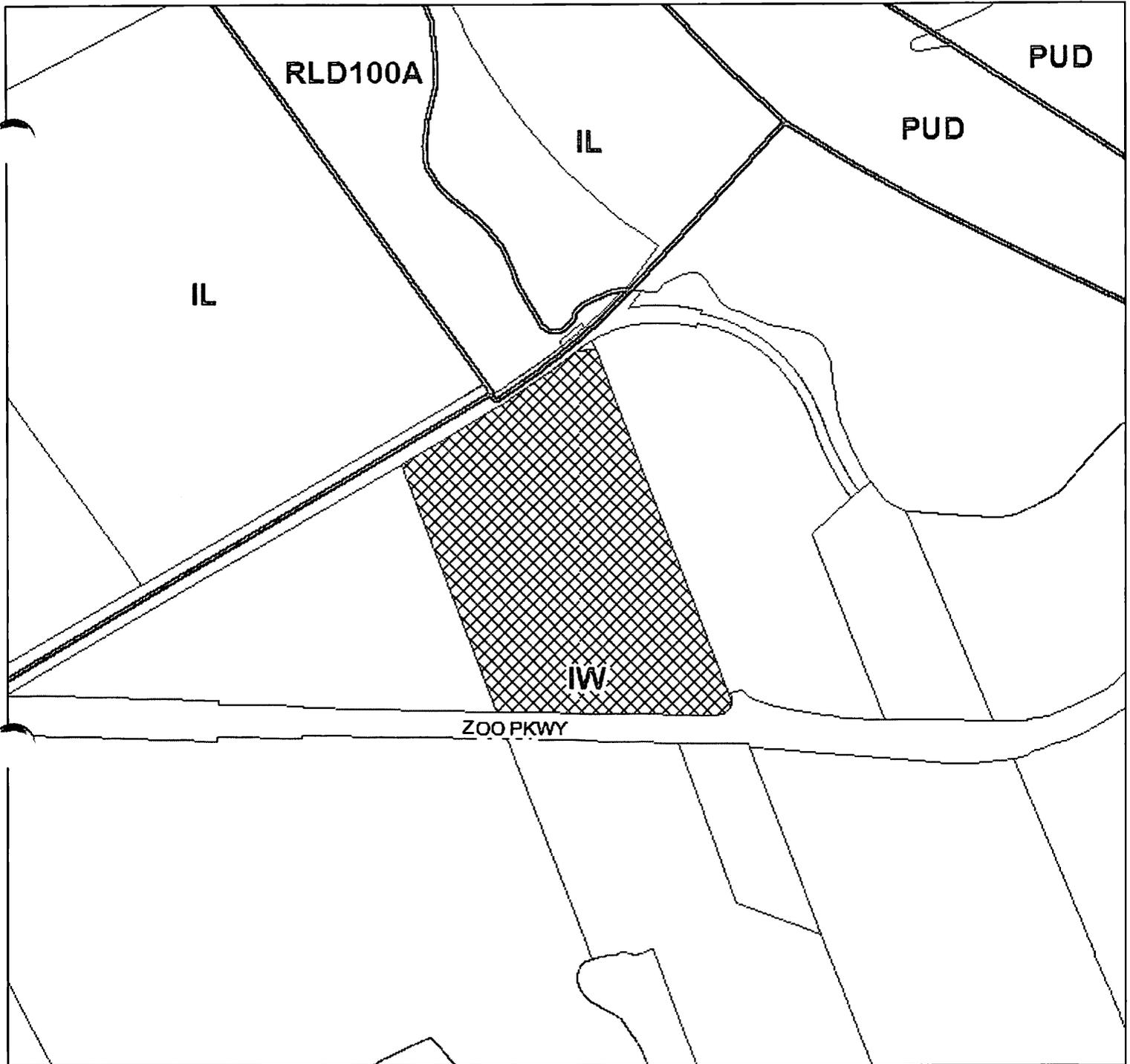
For a Point of Reference commence at a concrete monument located at the most westerly corner of said William Drummond Grant, Section 47 and run North 62°34'00" East along the line dividing said Grant from Section 17, said Township and Range, a distance of 2,188.56 feet to the common corner of Lots 7 and 8, aforementioned Division of the William Drummond Grant; run thence South 22°45'18" East along the line dividing said Lots 7 and 8, a distance of 154.31 feet to a point on the southeasterly right-of-way line of the Seaboard Coastline Railroad (a 100 foot right-of-way) for the Point of Beginning.

From the Point of Beginning thus described continue South 22°45'18" East along said dividing line, a distance of 982.03 feet to a point on the northerly right-of-way line of Heckscher Drive (State Road No. 105) (a 100 foot right-of-way); run thence South 88°52'18" East along said northerly right-of-way line, a distance of 867.72 feet to a point on the dividing line between Lots 5 and 6, aforementioned Division of the William Drummond Grant; run thence North 22°20'30" West along last mentioned dividing line and the northerly prolongation thereof, a distance of 1,479.41 feet to a point on previously mentioned southeasterly right-of-way line of Seaboard Coastline Railroad; run thence in a southwesterly direction along the arc of a curve in said southeasterly right-of-way line, said curve being concave northwesterly, and having a radius of 2,889.93 feet, a chord bearing and distance of South 54°57'10" West, 458.24 feet to the Point of Tangency of said curve; run thence South 59°30'00" West continuing along said southeasterly railroad right-of-way line, a distance of 359.64 feet to the Point of Beginning.

The land thus described contains 22.366 acres, more or less and being that portion of land

described in the Official Records of said County as Parcel "A" of Volume 2835, Page 1163, which lies between the said 100 foot wide Seaboard Coastline Railroad right-of-way and said 100 foot wide Heckscher Drive right-of-way.

Subject to a 25 foot utility easement described in the Official Records of said County as Parcel "B" of Volume 2894, Page 957.

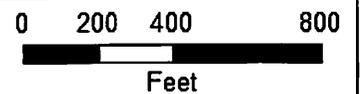
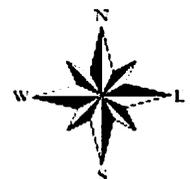
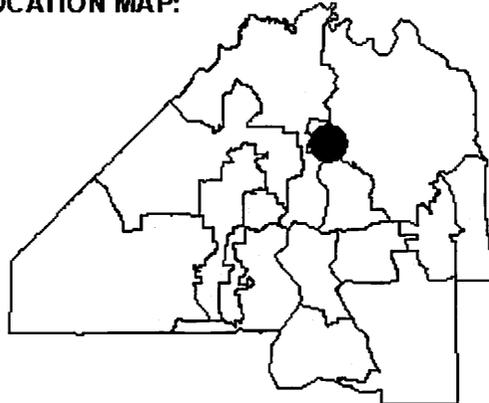


REQUEST SOUGHT:

FROM: IW

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

2

TRACKING NUMBER

T-2022-4074

**EXHIBIT 2
PAGE 1 OF 1**

This instrument prepared by and
To be returned to:

Earl M. Barker, Jr., Attorney at Law
Slott, Barker & Nussbaum
334 East Duval Street
Jacksonville, Florida 32202

Real Estate Id Number: _____

SPECIAL WARRANTY DEED

THIS WARRANTY DEED, dated the 15th day of August, 2016, by **CONTINENTAL EQUITIES, INC.**, a Florida corporation, of 1300 N.W. 167th Street, Miami Gardens, Florida 33169 ("Grantor") to **CEFL, INC.**, a Florida corporation, having an address at 1300 N.W. 167th Street, Miami Gardens, Florida 33169 ("Grantee"):

WITNESSETH, That the Grantor, for and in consideration of the sum of Ten and no/100ths Dollars (\$10.00) the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained and sold to the Grantee and said Grantee's heirs and assigns forever the following described land, situate, lying and being in the County of Duval, State of Florida, to wit:

See Attached Exhibit "A"

SUBJECT TO real estate ad valorem taxes for 2016, easements of record, covenants and restrictions of record, if any, the reference to which shall not be deemed to reimpose the same, zoning and other governmental laws and ordinances and any conveyances by which said real property or any interest therein has been transferred to others.

This Deed is prepared without benefit of survey or title search.

And the Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under the Grantor.

NOTE TO RECORDER: This Deed is executed and delivered in connection with a corporate reorganization for the purpose of transferring legal title to the above-described unencumbered real property to a wholly-owned subsidiary of the Grantor without any change in beneficial ownership. There is no consideration for this conveyance. Documentary stamps accordingly are due on the formal consideration hereinabove recited. See, *Crescent Miami Center, LLC. v. Florida Department of Revenue*, 857 So.2d 904 (Fla. 3rd DCA 2003); Fla. Stat. §201.0201.

IN WITNESS WHEREOF the Grantor has executed these presents.

Witnesses:

CONTINENTAL EQUITIES, INC.

Sign Name: [Signature]
Print Name: Bruce Schwartz

By: [Signature]
William C. Webb, Jr.
Its President

Sign Name: [Signature]
Print Name: [Signature]

STATE OF FLORIDA

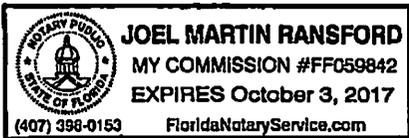
COUNTY OF MIAMI DADE

The foregoing instrument was acknowledged before me this 19 day of August, 2016, by William C. Webb, Jr., President of Continental Equities, Inc., on behalf of the corporation. He

[Check One] is personally known to me or
 has produced _____ as identification,

and did not take an oath.

(Seal)



Sign Name: [Signature]
Print Name: [Signature]
Notary Public, State of Florida
My commission expires: 10-3-17

EXHIBIT "A"
Special Warranty Deed from
Continental Equities, Inc. to CEFL, INC.

PARCEL 1

A tract of land situated in Township 1 South, Range 27 East comprised of a portion of Lots 6, 7 and 8, of the Division of the William Drummond Grant, Section 47, according to plat recorded in Plat Book 1, Page 17, former public records of Duval County, Florida, together with a portion of Government Lots 2 and 3, Section 17 and being more particularly described as follows:

For a Point of Reference commence at a concrete monument located at the most westerly corner of said William Drummond Grant, Section 47 and run North 62°34'00" East along the line dividing said Grant from said Section 17, a distance of 1,163.85 feet to a concrete monument for the Point of Beginning.

From the Point of Beginning thus described run thence North 35°31'00" West, a distance of 1,730.60 feet to a point; run thence North 62°34'00" East, parallel to said dividing Section line, a distance of 1,451.00 feet to a concrete monument; run thence South 35°31'00" East, a distance of 1,759.38 feet to the northwesterly right-of-way line of the Seaboard Coastline Railroad (a 100 foot right-of-way); run thence in a southwesterly direction along the arc of a curve in said northwesterly right-of-way line, said curve being concave northwesterly and having a radius of 2,789.93 feet, a chord bearing and distance of South 58°34'59" West, 89.31 feet to the Point of Tangency of said curve; run thence South 59°30'00" West continuing along said northwesterly right-of-way line of railroad, a distance of 1,352.69 feet to a point; run thence North 35°31'00" West, a distance of 108.14 feet to the Point of Beginning.

The land thus described contains 59.355 acres, more or less and being that portion of land described in the Official Records of said County as Parcel "A" of Volume 2835, Page 1163, which lies northwesterly of said 100 foot wide Seaboard Coastline railroad right-of-way.

Subject to a utility easement described in the Official Records of said County as Parcel "A" of Volume 2894, Page 957.

PARCEL 2

A tract of land situated in Township 1 South, Range 27 East and being a portion of Lots 6 and 7, of the Division of the William Drummond Grant, Section 47, according to plat recorded in Plat Book 1, Page 17, former public records of Duval County, Florida, together with a portion of that certain marsh land (now filled) conveyed to Nell L. C. Bostwick by the Trustees of the Internal Improvement Fund by deed recorded in the Official Records of said County in Volume 399, Page 5 and all being more particularly described as follows:

For a Point of Reference commence at a concrete monument located at the most westerly corner of said William Drummond Grant, Section 47 and run North 62°34'00" East along the line dividing said Grant from Section 17, said Township and Range, a distance of 2,188.56 feet to the common corner of Lots 7 and 8, aforementioned Division of the William Drummond Grant; run thence South 22°45'18" East along the line dividing said Lots 7 and 8, a distance of 154.31 feet to a point on the southeasterly right-of-way line of the Seaboard Coastline Railroad (a 100 foot right-of-way) for the Point of Beginning.

From the Point of Beginning thus described continue South 22°45'18" East along said dividing line, a distance of 982.03 feet to a point on the northerly right-of-way line of Heckscher Drive (State Road

No. 105) (a 100 foot right-of-way); run thence South 88°52'18" East along said northerly right-of-way line, a distance of 867.72 feet to a point on the dividing line between Lots 5 and 6, aforementioned Division of the William Drummond Grant; run thence North 22°20'30" West along last mentioned dividing line and the northerly prolongation thereof, a distance of 1,479.41 feet to a point on previously mentioned southeasterly right-of-way line of Seaboard Coastline Railroad; run thence in a southwesterly direction along the arc of a curve in said southeasterly right-of-way line, said curve being concave northwesterly, and having a radius of 2,889.93 feet, a chord bearing and distance of South 54°57'10" West, 458.24 feet to the Point of Tangency of said curve; run thence South 59°30'00" West continuing along said southeasterly railroad right-of-way line, a distance of 359.64 feet to the Point of Beginning.

The land thus described contains 22.366 acres, more or less and being that portion of land described in the Official Records of said County as Parcel "A" of Volume 2835, Page 1163, which lies between the said 100 foot wide Seaboard Coastline Railroad right-of-way and said 100 foot wide Heckscher Drive right-of-way.

Subject to a 25 foot utility easement described in the Official Records of said County as Parcel "B" of Volume 2894, Page 957.

PARCEL 3

A tract of land situated in Township 1 South, Range 27 East and being a portion of Lots 6 and 7, of the Division of the William Drummond Grant, Section 47, according to plat recorded in Plat Book 1, Page 17, former public records of Duval County, Florida, and being more particularly described as follows:

For a Point of Reference commence at a concrete monument located at the most westerly corner of said William Drummond Grant, Section 47 and run North 62°34'00" East along the line dividing said Grant from Section 17, said Township and Range, a distance of 2,188.56 feet to the common corner of Lots 7 and 8, aforementioned Division of the William Drummond Grant; run thence South 22°45'18" East along the line dividing said Lots 7 and 8, a distance of 1,245.71 feet to a point on the southerly right-of-way line of Heckscher Drive (State Road No. 105) (a 100 foot right-of-way) for the Point of Beginning.

From the Point of Beginning thus described run thence South 88°52'18" East along said southerly right-of-way line, a distance of 865.77 feet to a point on the dividing line between Lots 5 and 6, aforementioned Division of the William Drummond Grant; run thence South 22°06'49" East along last mentioned dividing line a distance of 878.57 feet to an iron pipe; continue thence South 22°06'49" East along said dividing line, a distance of 42 feet, more or less, to the mean high water line of the marshes of the St. Johns River; run thence in a westerly direction along said mean high water line 950 feet, more or less, to where said mean high water line intersects said dividing line between Lots 7 and 8; said point bearing South 22°45'18" East from the Point of Beginning; run thence North 22°45'18" West along said dividing line, a distance of 30 feet, more or less, to an iron pipe; continue thence North 22°45'18" West, along said dividing line, a distance of 50.00 feet to a concrete monument; continue thence North 22°45'18" West, along said dividing line, a distance of 821.03 feet to the Point of Beginning.

The land thus described contains 14.5 acres, more or less and being that portion of land described in the Official Records of said County as Parcel "A" of Volume 2835, Page 1163, which lies between the said 100 foot wide Heckscher Drive right-of-way and said mean high water line of the marshes of the St. Johns River.

Subject to a utility easement described in the Official Records of said County as Parcel "C" of Volume 2894, Page 957. And also subject to a Drainage Easement to the State of Florida by Order of Taking and described in the Official Records of said County in Volume 4444, Page 185.

LESS AND EXCEPT those lands described in that certain Stipulated Amended Order of Taking, dated October 14, 2010, in the case of *Jacksonville Transportation Authority, etc., Petitioner v. Continental Equities, Inc., Defendants*, in the Circuit Court of the Fourth Judicial Circuit, Duval County, Florida, Case No.: 2007-CA-010054, more particularly described as:

A part of the William Drummond Grant, Section 47, Township 1 South, Range 27 East, Duval County, Florida and also being a part of Lot 6, Plat of the Subdivision of the Drummond Grant, as recorded in Plat Book 1, Page 17, of the current Public Records of said Duval County, Florida, being more particularly described as follows:

Commence at the intersection of the westerly line of Lot 6, Plat of the Subdivision of the Drummond Grant as recorded in Plat Book 1, Page 17, of the current public records of Duval County, Florida, with the southerly existing right of way line of State Road No. 105 (Heckscher Drive) (a variable width right of way as now established); thence South 88 degrees, 53 minutes, 36 seconds East, departing said westerly line of Lot 6, along said southerly existing right of way line of State Road No. 105, a distance of 199.36 feet to the **Point of Beginning**; thence continue south 88 degrees, 53 minutes, 36 seconds East, along said southerly existing right of way line of State Road No. 105, a distance of 251.31 feet to the easterly line of said Lot 6; thence South 22 degrees, 8 minutes, 7 seconds East, departing last said right of way line, along said easterly line of Lot 6, a distance of 744.21 feet, thence North 70 degrees, 15 minutes, 12 seconds West, departing said easterly line of Lot 6, a distance of 331.39 feet; thence North 20 degrees, 40 minutes, 44 seconds West, a distance of 622.34 feet to the **Point of Beginning**.

Containing 3.775 acres, more or less.

PARCEL 4

A portion of the St. Johns River marshes or bottom lying in unsurveyed Section 21, Township 1 South, Range 27 East, Duval County, Florida, being more particularly described as follows:

For a Point of Reference commence at the intersection of the southerly right-of-way line of Heckscher Drive (State Road No. 105) (a 100 foot right-of-way) with the line dividing Lots 5 and 6 of the Division of the William Drummond Grant, Section 47, Township 1 South, Range 27 East, according to plat recorded in Plat Book 1, Page 17, former public records of said County and run South 22°06'49" East along said dividing line, a distance of 878.57 feet to an iron pipe; continue thence South 22°06'49" East, along said dividing line, a distance of 42 feet, more or less, to the mean high water line of the marshes of the St. Johns River for the Point of Beginning.

From the Point of Beginning thus described continue South 22°06'49" East along the prolongation of said line dividing Lots 5 and 6, a distance of 1,243 feet, more or less, to a point on that certain bulkhead line approved by Resolution of the Board of County Commissioners on September 29, 1958 and recorded in Established Bulkhead Lines Plat Book 1, Pages 8 and 8A, current public records of said County; run thence South 58°32'58.2" West along said bulkhead line, a distance of 600.0 feet to a point; run thence North 22°06'49" West, parallel with previously mentioned line dividing Lots 5 and 6, a distance of 1703 feet, more or less, to said mean high water line of the marshes of the St. Johns River; run thence in an easterly direction along said mean high water line, a distance of 750 feet, more or less to the Point of Beginning.

Containing 21.2 acres, more or less, and being the same parcel as described in the Official Records of said County as Parcel "B" of Volume 2835, Page 1163.

Subject to a 25 foot utility easement described in the Official Records of said County as Parcel "C" of Volume 2894, Page 957. And also subject to a Drainage Easement to the State of Florida by Order of Taking and described in the Official Records of said County in Volume 4444, Page 185.