

TEU AMENDMENT

The Transportation, Energy and Utilities Committee offers the following amendment to File No. 2024-439:

- (1) On **page 1, line 27**, after "RESERVATION" insert ", AND AUTHORIZING EXECUTION OF AN AIR RIGHTS EASEMENT AGREEMENT OVER A PORTION OF THE ALBERT STREET RIGHT-OF-WAY";
- (2) On **page 2, line 15**, strike "Exhibit 1" and insert "Revised Exhibit 1, labeled as "Revised Exhibit 1, Rev Maps, August 20, 2024 - TEU"";
- (3) On **page 2, line 24½**, insert "In addition to the aforementioned closure, the City has agreed to grant an aerial (air rights) easement over the Albert Street right-of-way to Jax Downtown Pro Real Estate, LLC, the proposed developer of the site, for construction of certain site improvements (a building) at that location. As such, there is hereby approved, and the Mayor, or her duly authorized designee, is hereby authorized to execute and deliver that certain Air Rights Easement Agreement between the City of Jacksonville and Jax Downtown Pro Real Estate, LLC, in substantially the same form attached here to as **Exhibit 3** and incorporated herein by this reference.";
- (4) On **page 2, line 30**, strike "request." and insert "request, provided that the right-of-way closures and grant of the aerial (air rights) easement are contingent upon acquisition of certain City-owned property by the Applicant as outlined in Section 2 below.";
- (5) On **page 3, lines 10 and 17-18**, after "rights-of-way" insert "and City execution of the Air Rights Easement Agreement";

- (6) On **page 3, line 13**, strike "**Exhibit 2**" and insert "**Revised Exhibit 2**, labeled as Revised Exhibit 2, Rev Hold Harmless, August 20, 2024 - TEU"";
- (7) On **page 3, lines 13-14**, strike "reference and" and insert "reference,";
- (8) On **page 3, line 17**, after "correct" insert ", and (3) that the Applicant acquire the City-owned parcels adjacent to the closure areas as outlined in Section 2 above";
- (9) On **page 3, line 20**, strike "Covenant and" and insert "Covenant,";
- (10) On **page 3, line 21**, after "Department" insert "and Applicant's acquisition of certain City-owned parcels";
- (11) Remove **Exhibit 1** and replace with **Revised Exhibit 1**, attached hereto, to remove GIS maps and to attach revised legal descriptions and boundary survey sketches reflecting various changes to the right-of-way closure areas;
- (12) Remove **Exhibit 2** and replace with **Revised Exhibit 2**, attached hereto, which attaches a revised Hold Harmless Covenant to include revised legal descriptions and boundary survey sketches reflecting various changes to the right-of-way closure areas;
- (13) Attach a new **Exhibit 3**, attached hereto, to attach the Air Rights Easement Agreement and associated easement legal description and boundary survey sketch;
- (14) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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