Date Submitted:	
Date Filed: 8 - 24 - 7070)

Current Zoning District:

Application Number: WRF 20-21	
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.

RLD-60

For Official Use Only

Current Land Use Category: \(\mathcal{D} \mathcal{R} \)

Council District: 6		Planning District	: 3
Previous Zoning Applications Filed (provide application numbers):			
None Found		•	
Applicable Section of Ordinance Coo	le:		
News of Wales of A			
Notice of Violation(s):			
Neighborhood Associations: 5047	bfost		
Overlay:	<u> </u>		
LUZ Public Hearing Date:		City Council Public Hearing Date:	
Number of Signs to Post: 2	Amount of Fee	: b	Zoning Asst. Initials: Man
- Ite	l <u>.</u>		The state of the s
PROPERTY INFORMATION			
1. Complete Property Address:		2. Real Estate Number:	
0 HARDY RD. JACKSONVILLE FL 32257		155767-00	20
3. Land Area (Acres):		4. Date Lot was R	ecorded:
1.92		JULY14TH 2020/ DEED # 19279/ PG.2402	
5. Property Located Between Streets:		6. Utility Services	Provider:
LIVINGSTON RD. & WINDRIDGE CT.		City Water / City Sewer	
		Well / Septic 🗸	
7. Waiver Sought:			<u> </u>
Reduce Required Minimum Road Fro	ntage from 48	teet to	Ofeet.
8. In whose name will the Waiver be granted? Javier Castro			
	Page 1		

OWNER'S INFORMATION (please attach separate sheet if more than one owner)		
10. E-mail:		
javi00976@yahoo.com / marinesbirriel@hotmail.com		
12. Preferred Telephone:		
(904) 566 0366 / (904) 535 4135		
j		

APPLICANT'S INFORMATION (if different from owner)		
13. Name: N/A	14. E-mail:	
15. Address (including city, state, zip):	16. Preferred Telephone:	

CRITERIA

Section 656.101(I), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage, pursuant to Section 656.407, Ordinance Code."

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:

- i. There are practical or economic difficulties in carrying out the strict letter of the regulation;
- ii. 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);
- iii. 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;
- iv. 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;
- v. 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.

Page 2 of 5

- 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.
- There are practical or economic difficulties in carrying out the strict letter of the regulation?
- Yes. Hardy road is an unproved street that has been utilized by six property owners for years. The parcel of land is the fourth lot on the left when entering Hardy rd. The road is 20 feet wide and every lot owner owns 10 feet from the edge of the lot. The road cannot be widened without affecting other lots.
- ii. 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)?
- No. The request is not based on exclusively upon the desire to reduce the cost of developing the site or circumvent the requirements of Chapter 654 in that the parcel is situated in around other lots with existing structures and in use.
- iii. 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?
- No. If approved, the waiver will not substantially diminish property values in, or alter the essential character of, the surrounding the site nor interfere with or injure the rights of others. I am seeking the waiver to build a single-family structure which will be my primary residence which will also be retirement home. After being in the Navy for 25 years I purchased this lot due to the tranquility of where it is situated and the properties built around it. I am planning on building a property that will only increase the value of the surrounding homes.
- iv. 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 vehicular access connected to a public street. Hardy rd. is a road connected to Pine Acres rd. not maintained by the city. Each property owner owns 10 feet from the middle of the road to each lot.
- v. 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. No. If approved, the proposed waiver will not be detrimental to the public health, safety or welfare. Planned structure to be built will be a significant improvement as compared to existing structure.

ATTACHMENTS			
The following attachments must accompany each copy of the application.			
Survey	Survey		
Site Plan – two (2) copies on 8 ½ x :	Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger		
Property Ownership Affidavit (Exhi	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.coi.net/pao-propertySearch/Basic/Search.aspx , or print-out of entry from the			
Florida Department of State Division	n of Corporations if a corpor	ate owner,	
http://search.sunbiz.org/Inquiry/CorporationSearch/ByName.			
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.			
Applications filed to correct existing zol	ning violations are subject to	a double fee.	
Base Fee	Public Notices	Advertisement	
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)	Applicant or Agent (if different than owner)
Print name: Javier Castro-Martinez	Print name:
Signature:	Signature:
	*An agent authorization letter is required if the application is made by any person other than the
Owner(s)	property owner.
Print name: Marines Castro	
Signature: All The Cold	
7/0	

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

Page 5 of 5

Instructions for Completing an Application for Waiver of Road Frontage

business. When the use requires licensure or other approvals by the State or any other governmental entity, such as a liquor license approval, the waiver granted in connection with such use shall be granted to the applicant or the State license holder.

OWNER'S INFORMATION BOX

Items 9-12

Please provide the full name, address, e-mail address, and preferred telephone number for the owner(s) of the property. Use a separate sheet of paper if necessary.

APPLICANT'S INFORMATION BOX

Items 13-16

If the applicant is not the property owner, please provide the full name, address, e-mail address, and preferred telephone number for the applicant or authorized agent.

CRITERIA

Item 17

Please read the criteria against which the request will be reviewed, and use the area on the application, or if needed a separate piece of paper, to provide as much detail as possible to describe the reason for the application. This is your opportunity to provide as much information as you can to assist the planner assigned to your application in understanding your request. This is critical and may impact the Planning Department's recommendation. Be specific about what you're trying to do or accomplish.

ATTACHMENTS

All applications must consist of four (4) complete sets of the application and <u>all required attachments</u>. All required attachments should be provided on 8 ½ " x 11" paper, with the exception of two (2) of the four (4) application sets, which will include site plans at 11" x 17" or larger.

- > Survey, signed and sealed by a licensed surveyor within the last five (5) years or as required by the Current Planning Division
- > Legal description, may be written as either lot and block, or metes and bounds (Exhibit 1)
- > Site plan, drawn to scale
- > Agent Authorization Letter is required if application is made by any person other than the property owner. (Exhibit B)
- Property Ownership Affidavit (Exhibit A)
- Proof of property ownership, may be a print-out of property appraiser record card if individual owner (http://apps.coi.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).
- > Proof of valid and effective easement for access to the property.

PLANNING AND DEVELOPMENT DEPARTMENT

214 N. Hogan Street, Suite 300 Jacksonville, FL 32202 Phone: 904.255.7800 Fax: 904.255.7884 www.coj.net

Instructions for Completing an Application for Waiver of Road Frontage

A larger scale drawing may be required for commercially zoned property with an existing structure, or otherwise as required by the Planning and Development Department's Zoning Section. The same shall also show existing improvements on the property.

The following information must be shown on the site plan:

- > Property dimensions and total land area
- > Buildings (including dimensions and total lot coverage area)
- > Parking spaces and dimensions (including handicap) commercial only
- Loading and unloading area, if applicable, with turn-around area and dimensions commercial only
- > Landscape areas and dimensions commercial only
- > Ingress and egress (driveways, alleys and easements)
- > Adjacent streets and rights-of-way
- North arrow, map scale, and date of drawing
- Signage (if any)
- > Building setbacks per Zoning Code
- > Adjacent zoning districts and property uses

All drawings must be drawn to scale. Failure to have a "to-scale" drawing with each of the items above shown could result in your application being deferred or denied.

NOTIFICATIONS

- > When your completed application is submitted and accepted as sufficient, a list of property owners (addressee) within a 350-feet radius of the property will be prepared by the Department. These property owners will be mailed a notice of public hearing.
- > For all applications, <u>except</u> Administrative Deviations, the applicant will receive an invoice from the *Financial News & Daily Record* for the advertisement of their notice of public hearing. This invoice must be paid prior to the application being heard by the Land Use & Zoning Committee.
- > The applicant will be provided with signs to post on their property. The required signs must be posted on the property within five (5) working days after the application is filed. Sign(s) must be visible and maintained until a final determination has been made on the application.

PLANNING AND DEVELOPMENT DEPARTMENT

214 N. Hogan Street, Suite 300 Jacksonville, FL 32202 Phone: 904.255.7800 Fax: 904.255.7884 www.coj.net

EXHIBIT 1

Legal Description

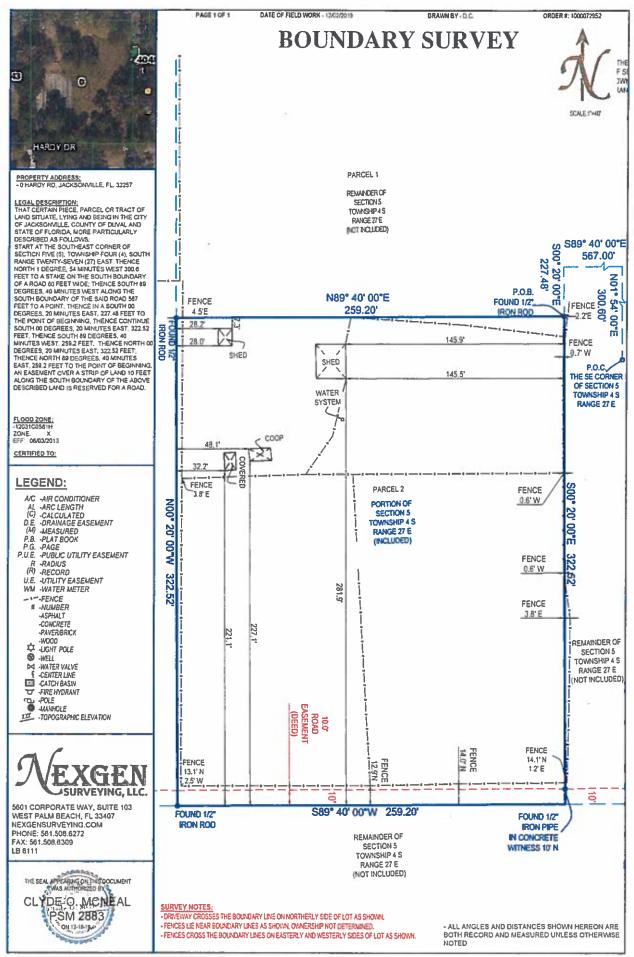
PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE CITY OF JACKSONVILLE, COUNTY OF DUVAL AND STATE OF FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: START AT THE SOUTHEAST CORNER OF SECTION FIVE (5), TOWNSHIP FOUR (4), SOUTH RANGE TWENTY-SEVEN (27) EAST; THENCE NORTH 1 DEGREE, 54 MINUTES WEST 300.6 FEET TO A STAKE ON THE SOUTH BOUNDARY OF A ROAD 60 FEET WIDE; THENCE SOUTH 89 DEGREES, 40 MINUTES WEST ALONG THE SOUTH BOUNDARY OF THE SAID ROAD 567 FEET TO A POINT; THENCE IN A SOUTH 00 DEGREES, 20 MINUTES EAST, 227.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES, 20 MINUTES EAST, 322.52 FEET; THENCE SOUTH 89 DEGREES, 40 MINUTES WEST, 259.2 FEET; THENCE NORTH 00 DEGREES, 20 MINUTES EAST, 322.52 FEET; THENCE NORTH 89 DEGREES, 40 MINUTES EAST, 259.2 FEET TO THE POINT OF BEGINNING. AN EASEMENT OVER A STRIP OF LAND 10 FEET ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED LAND IS RESERVED FOR A ROAD

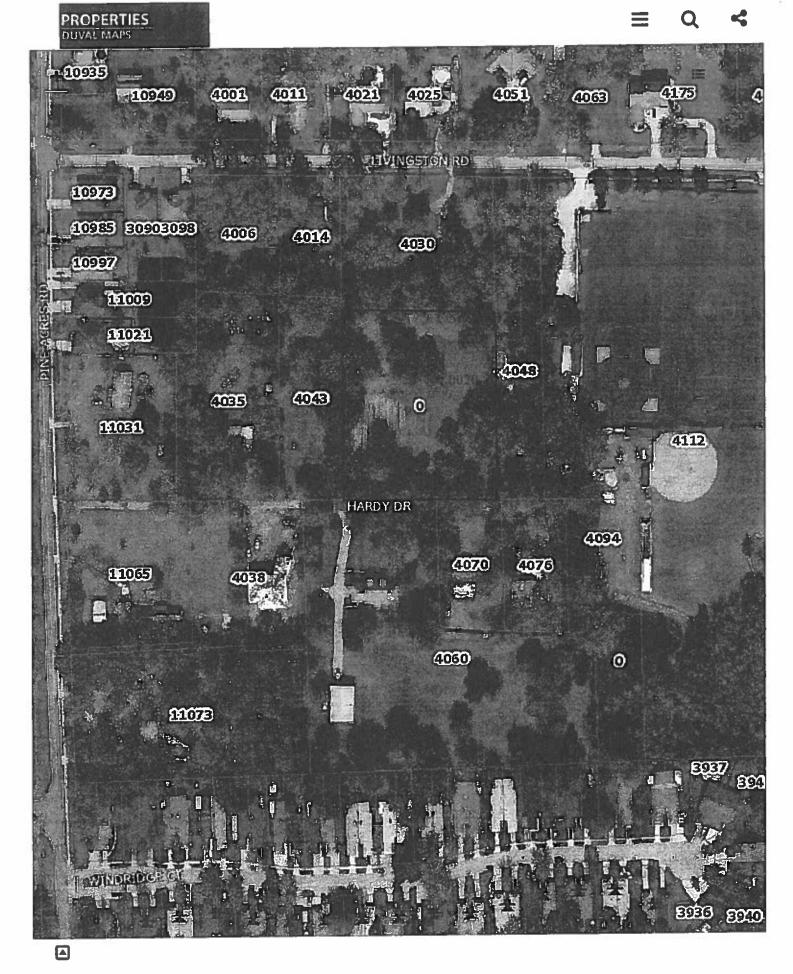
EXHIBIT A

Property Ownership Affidavit - Individual

Date: 1 AVG 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 in Jacksonville, Florida: Address: 0 HARDY RD. Jacksonville, FL 32258 RE#(s): 155767-0020 To Whom it May Concern: Javier Castro hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Application for Waiver of Minimum Required Frontage submitted to the Jacksonville Planning and Development Department. STATE OF FLORIDA COUNTY OF DUVAL Sworn to and subscribed and acknowledged before me this ______ day of HUGUST 2020, BY TAVIER CASTROMARTINEZ known to me or who has produced MILITARY AD ID as identification and who took an oath. gnature of NOTARY PUBLIC) **GERMIN G. WYLLIE** Commission # GG 233616 Expires August 25, 2022 Bonded Thru Tray Fain Insurance 630-385-7019 (Printed name of NOTARY PUBLIC) State of Florida at Large. My commission expires: August 25 2022

G:\JOINT\Applications\Exhibits\Ownership AffidavitForm Individual.docx





PROPERTY ADDRESS: - O Hardy Dr, JACKSONVILLE, FL32257

LEGAL DESCRIPTION: THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE CITY OF JACKSONVILLE, COUNTY OF DUVAL AND STATE OF FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: START AT THE SOUTHEAST CORNER OF SECTION FIVE (5), TOWNSHIP FOUR (4), SOUTH RANGE TWENTY-SEVEN (27) EAST; THENCE NORTH 1 DEGREE, 54 MINUTES WEST 300.6 FEET TO A STAKE ON THE SOUTH BOUNDARY OF A ROAD 60 FEET WIDE; THENCE SOUTH 89 DEGREES, 40 MINUTES WEST ALONG THE SOUTH BOUNDARY OF THE SAID ROAD 567 FEET TO A POINT; THENCE IN A SOUTH 00 DEGREES, 20 MINUTES EAST, 227.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES, 20 MINUTES EAST, 322.52 FEET; THENCE SOUTH 89 DEGREES, 40 MINUTES WEST, 259.2 FEET; THENCE NORTH 00 DEGREES, 20 MINUTES EAST, 322.52 FEET; THENCE NORTH 89 DEGREES, 40 MINUTES EAST ALONG THE SAID BOUNDARY OF THE SAID ROAD 259.2 FEET TO THE POINT OF BEGINNING. AN EASEMENT OVER ASTRIP OF LAND 10 FEET ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED LAND IS RESERVED FOR A ROAD

FLOOD ZONE: -12031C0561H ZONE: X EFF: 06/03/2013

Recorded 07/14/2020 01:46 PM, RONNIE FUSSELL CLERK CIRCUIT COURT DUVAL COUNTY RECORDING \$18.50 DEED DOC ST \$1330.00



THIS INSTRUMENT PREPARED BY AND RETURN TO:

Title America Real Estate Closings

10448 Old Saint Augustine Road Jacksonville, FL 32257 904.262.6400w

FILE: **T39549**

Parcel ID#:155767-0020 SALE PRICE: \$190,000.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 8th day of July, 2020 by

Richard A. Barkoskie and Sharon L. Barkoskie, Husband and Wife,

whose post office address is 108 Riverwalk Boulevard, St. Johns, FL 32259 herein called the Grantors, to

Javier Castro and Marines Castro, Husband and Wife

whose post office address is 4654 Silverthorn Dr., Jacksonville, FL 32258, hereinafter called the Grantees: (Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the Grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in **Duval** County, State of Florida, viz.:

That certain Piece, Parcel or Tract of land situate, lying and being in the City of Jacksonville, County of Duval and State of Florida, more particularly described as follows:

Start at the Southeast corner of Section 5, Township 4 South, Range 27 East; thence North 1 degrees 54 minutes West 300.6 feet to a stake on the South boundary of a Road 60 feet wide; thence South 89 degrees, 40 minutes West along the South boundary of the said Road 567 feet to a point; thence in a South 00 degrees, 20 minutes East, 227.48 feet to the Point of Beginning; thence continue South 00 degrees, 20 minutes East, 322.52 feet; thence South 89 degrees, 40 minutes West, 259.2 feet; thence North 00 degrees, 20 minutes East, 322.52 feet; thence North 89 degrees, 40 minutes East, 259.2 feet to the Point of Beginning. An easement over a strip of land 10 feet along the South boundary of the above described land is reserved for a road.

Subject to easements, restrictions and reservations of record and taxes for the year 2020 and thereafter.

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

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

AND, the Grantors hereby covenant with said Grantees that the Grantors are lawfully seized of said land in fee simple; that the Grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

ess #1 Signature Steven Dale Kuhn, Sr.

Witness #1 Printed Name

Witness #2-Signature Jennifer Gullett

Witness #2 Printed Name

Richard A. Barkasku Richard A. Barkoskie by Sharon Lynne

Barkoskie, as attorney-in-fact

STATE OF FLORIDA COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of () physical presence or () online notarization, this 8th day of July, 2020 by Sharon Lynne Barkoskie as attorney-in-fact for Richard A. Barkoskie and Sharon L. Barkoskie, individually, who () is personally known to me or (-) has produced

as identification.. Driver License

SEAL



Notary Public

Steven Dale Kuhn, Sr.

Printed Notary Name

Prepared by and return to:

Zachary Roth Ansbacher Law 8818 Goodbys Executive Drive Jacksonville, FL 32217 File No. 120134-20



ACCESS EASEMENT

THIS ACCESS EASEMENT (this "Easement") is made by DAVID CLARENCE HARTLEY and ELLEN CAMERON HARTLEY, a married couple ("Hartley"), whose address is 11031 Pine Acres Road, Jacksonville, Florida 32257; KHALIL H. SAKAKINI, a single man ("Sakakini"), whose address is 4035 Hardy Drive, Jacksonville, Florida 32257; ALTI NDREKA, joined by his spouse, Blerina Ndreka ("A. Ndreka"), whose address is 11065 Pine Acres Road, Jacksonville, Florida 32257; EDUARD NDREKA, joined by his spouse, Kristiana Vinjari Ndreka ("E. Ndreka"), whose address is 4038 Hardy Drive, Jacksonville, Florida 32257; MARK V. JOHNS, a single man ("Johns"), whose address is 4060 Hardy Drive, Jacksonville, Florida 32257; RICHARD A. BARKOSKIE and SHARON L. BARKOSKIE, married couple ("Barkoskie"), whose address is 108 Riverwalk Boulevard, St. Johns, Florida 32259; and. Hartley, Sakakini, A. Ndreka, E. Ndreka, Johns, Barkoski, are collectively referred to as "Parties" and may be individually referred to as a "Party."

Recitals:

- A. Hartley is the owner of that certain parcel of land located in Duval County, Florida and more particularly described in <u>Exhibit A</u> (the "Hartley Property").
- B. Sakakini is the owner of certain parcels of land located in Duval County, Florida and more particularly described in <u>Exhibit B</u> (the "Sakakini Properties").
- C. A. Ndreka is the owner of that certain parcel of land located in Duval County, Florida and more particularly described in Exhibit C (the "A. Ndreka Property").
- D. E. Ndreka is the owner of that certain parcel of land located in Duval County, Florida and more particularly described in Exhibit D (the "E. Ndreka Property").
- E. Johns is the owner of that certain parcel of land located in Duval County, Florida and more particularly described in <u>Exhibit E</u> (the "Johns Property").
- F. Barkoskie is the owner of that certain parcel of land located in Duval County, Florida and more particularly described in Exhibit F (the "Barkoskie Property").
- G. Portions of the Hartley Property, the Sakakini Properties, the A. Ndreka Property, the E. Ndreka Property and the Johns Property, Property (collectively, the "Grantor Properties") are utilized by the Parties to access their respective properties.

H. The Parties (the "Grantees") have requested and Hartley, Sakakini, A. Ndreka, E. Ndreka, and Johns (the "Grantors") have agreed to memorialize an easement for ingress, egress, utilities, and municipal services over, through, and under a portion of the Grantor Properties as depicted on Exhibit G (the "Easement Property").

NOW, THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, the following grants, agreements, and covenants and restrictions are made:

- 1. Recitals. The Recitals are incorporated by this reference thereto.
- 2. <u>Grant of Easement.</u> The Grantors hereby grant to the Grantees, and their respective employees, agents, guests, customers, invitees, mortgagees, tenants, lessees, subtenants, licensees, heirs, successors and assigns, as an easement appurtenant to the Hartley Property, the Sakatini Properties, the A. Ndreka Property, the E. Ndreka Property, the Johns Property, and the Barkoskie Property, Property, respectively, a non-exclusive perpetual easement for an access way for vehicular, pedestrian, and municipal service ingress and egress over, on and across portions of the Easement Property located on each of the Grantor Properties, and a non-exclusive perpetual easement for the construction, replacement, maintenance and operation of electric, water, sewer, gas, telecommunication, and data utilities and related facilities.
- 3. <u>Use by Grantor.</u> Each of the Grantors may utilize the portions of the Easement Property on their property for any purpose so long as such use does not unreasonably interfere with the Grantees' rights under this Easement.
- 4. <u>Running of Benefits and Burdens</u>. All provisions of this instrument, including the benefits and burdens, run with the lands described herein and are binding upon and inure to the heirs, successors and assigns of the parties hereto.
- 5. <u>Enforcement</u>. In the event of any default under this instrument, the party not in default shall be entitled to any and all remedies available at law or in equity, including but not limited to an injunction or specific performance.
- 6. <u>No Third Party Beneficiaries</u>. This Easement is granted only for the benefit of the Grantee Parcel, and is not intended for the use or benefit of any other real property, nor is it for the use or benefit of any person or entity other than those set forth above.
- 7. <u>Entire Agreement; Amendment</u>. The parties hereto agree that the entire agreement between the parties with respect to the easement is set forth in this instrument. This Easement may be amended only by an instrument in writing and signed by the persons who are the then owners of the fee simple title to the Grantor Parcel and the Grantee Parcel.
- 8. <u>Waiver</u>. No waiver of any of the provisions hereof shall be effective unless it is in writing and signed by the party against whom the waiver is asserted. Any such written waiver shall be applicable only to the specific instance to which it relates and shall not be deemed to be a continuing waiver or waiver of any future matter.

- 9. <u>Indemnification</u>. The owner of the Grantee Parcel agrees to indemnify, defend and hold harmless the Grantor, their respective successors and/or assigns, and their respective tenants, invitees and employees, from all costs, claims, obligations, liabilities, penalties and expenses, including reasonable attorneys' fees and costs incurred by any such indemnified party, arising from or in connection with the use of the easement granted herein.
- 10. <u>Severability</u>. If any provision of this Easement shall to any extent be found by a court of competent jurisdiction to be invalid or unenforceable, neither the remainder of this Easement nor the application of the provisions to other persons, entities or circumstances, shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law or equity.
- 11. Governing Law. This Easement shall be governed by and construed in accordance with the laws of the State of Florida without regard to any conflict of laws principles.
- 12. <u>Notices</u>. Any notice required or permitted by this Easement shall be delivered by certified mail, return receipt requested or overnight delivery to the address listed above or such alternate address as provided in writing in compliance with this paragraph by any Party. Such notices shall be deemed effective when sent unless they are returned to sender as unable to be delivered.
- 13. Attorneys' Fees and Costs. In the event of any litigation with respect to the rights and obligations of the parties to this Easement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs from the non-prevailing party, whether incurred at trial, on appeal, or in any bankruptcy proceedings.

[Signatures appear on the following pages.]

Signed, sealed and delivered in the presence of: Richard A. Barrow by Richard A. Barkoskie Printed: by Sharon Lynne Barkoskie as attorney in fact Printed: STATE OF FLORIDA COUNTY OF DUVAL The foregoing instrument was acknowledged before me, by means of _____ presence or online notarization, this 8 day of 1, 2020, by Sharon Lynn Barkoskie as attorney in fact for Richard A. Barkoskie and Sharon L. Barkoskie, individually, who is personally known to me or who has produced ______ Driver License identification. Notary Public Steven Dale Kuhn, Sr. Print Name: My Commission Expires: STEVEN DALE KUHN, SR. Commission # GG 340890 Expires June 2, 2023 Bonded Thru Troy Fain insurance 800-365-7019

IN WITNESS WHEREOF, the parties of, 2020.	hereunto have set their hands and seals this day
Signed, sealed and delivered in the presence of:	
Printed: Juann Brown	David Clarence Harley
Printed:	Ellen Cameron Hartley Ellen Cameron Hartley
STATE OF FLORIDA	
COUNTY OF Dual	
presence or online notarization, this	wledged before me, by means of physical day of une, 2020, by David Clarence Hartley ersonally known to me or who has produced as identification.
LUANN BROWN Notary Public, State of Florida My Comm. Expires 8/20/2020 Commission No. FF19313	Notary Public Luann Brown Print Name: My Commission Expires:

Signed, sealed and delivered in the presence of: STATE OF FLORIDA COUNTY OF June The foregoing instrument was acknowledged before me, by means of physical presence or ___ online notarization, this day of June, 2020, by Khalil H. Sakakini, produced personally known or who has is/are to me who as identification. to ense Notary Public LUANN BROWN Notary Public, State of Florida Print Name: Lugnn ? Ny Commission No. FF19318 Commission No. FF19318 My Commission Expires:

Signed, sealed and delivered in the presence of:

Printed: Sunn Brown	Alti Ndreka
Printed: Luann Brown	Blerina Mohcko-Blerina Ndreka
presence or online notarization, this 💥	vledged before me, by means of physical day of Sune, 2020, by Alti Ndreka and
The state of the s	known to me or who has produced as identification. Notary Public
Notary Public, State of Florida Comm. Expires 8/20/2020 Commission No. FF19318	Print Name: Luann Brown My Commission Expires:

in the presence of: Eduardo Ndreka Kristiana Vinjari Ndreka STATE OF FLORIDA COUNTY OF 1 The foregoing instrument was acknowledged before me, by means of physical presence or ____ online notarization, this 27 day of _____ 2020, by Eduardo Ndreka and Kristiana Vinjari Ndreka, who is/are personally known to me or who has produced Drivers License as identification. Notary Public Luann Brown LUANN BROWN Print Name:

My Commission Expires:

Notary Public, State of Florida

My Comm. Expires 8/20/2020 Commission No. FF19318

Signed, sealed and delivered

Signed, sealed and delivered in the presence of: STATE OF FLORIDA COUNTY OF & The foregoing instrument was acknowledged before me, by means of physical presence or ____ online notarization, this 27 day of June, 2020, by Mark V. Johns, who who has produced personally known me or is/are Drivers License as identification.

> LUANN BROWN Notary Public, State of Florida My Comm. Expires 8/20/2020 Commission No. FF19318

Print Name: Luan
My Commission Expires:

EXHIBIT "A"

Hartley Property

A portion of Section 5 and Section 8, Township 4 South Range 27 East, Duval County, Florida, being more particularly described as follows:

Commence at the Southeasterly corner of said Section 5; thence South 01° 54' 00" East, 253.00 feet; thence South 89° 40' 00" West, 1115.20 feet to the point of beginning; thence continue South 89° 40' 00" West, 190.00 feet, to a point situate on the Easterly right-of-way line of Pine Acres Road, (A 66 foot right-of-way, as now established); thence North 03° 14' 25" West, along said Easterly right-of-way line 202.64 feet; thence North 01° 15' 29" West, continuing along said Easterly right-of-way line, 47.36 feet; thence North 89° 35' 26" East, departing from said Easterly right-of-way line, 201.04 feet; thence South 00° 20' 00" East, 250.00 feet to the point of beginning.

EXHIBIT "B"

Sakakini Properties

PARCEL 1:

Start at the Southeast corner of Section 5. Township 4 South, Range 27 East, Thence North 1°54' West, 300.60 feet to the South right of way line of Livingston Road; thence South 89°40' West, 915.2 feet, thence South 2°30' West. 202.30 feet to the Point of Beginning; thence North 86°20' West 141.5 feet; thence South 1°27' East, 107.52 feet; thence South 88°33' West, 28 feet; thence South 1°27' East, 240 feet; thence North 88°33' East, 158.64 feet; thence North 00°18'30" East, 335.07 feet to the Point of Beginning. Further described as: Beginning at the Southeast corner of Section 5, Township 4 South, Range 27 East; thence North 1°54' West, 300.60 feet; thence South 89°40' West, 915.2 feet; thence South 2°30' West, 202.3 feet to the Point of Beginning; thence North 86°20' West, 141.5 feet; thence South 1°27' East, 107.52 feet; thence South 88°33' West, 28 feet; thence South 1°27' East, 240 feet; thence North 88°33' East, 158.64 feet; thence North 00°18'30" East, 335.07 feet to the Point of Beginning.

PARCEL 2:

A parcel of land in Sections 5 and 8, Township 4 South, Range 27 East, Duval County, Florida.

Said Parcel of land being more particularly described as follows: For Point of reference commence at the Southeast corner of said Section 5 and run North 1°26' West, along the East line of Section 5. a distance of 304.1 feet to a point of the Southerly right of way line of Livingston Road, having a 60 foot right of way; thence South 80°40' West, along said Southerly right of way line, 826.2 feet to an iron pie at the Northeast corner of lands described in Deed recorded in the Official Records of said County in Volume 2579, Page 14; thence South 0°11' East along the East line of said lands, 209.1 feet to an iron pipe for the Point of Beginning.

From the Point of Beginning thus described continue South 0°11' East, along the East line of said lands and along a fence, 340.90 feet to the Southeast corner of said lands; thence South 89°43' West along the South line of said lands, 114.96 feet to the Southeast corner of lands described in Deed recorded in said Official Records in Volume 2632, Page 13; thence North 1°19' East, 348.33 feet to the Northeast corner of last mentioned lands; thence South 86°20' East, 106.07 feet to the Point of Beginning.

EXHIBIT "C"

A. Ndreka Property

A PORTION OF THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 8; THENCE SOUTH 02°37'07"EAST, ALONG THE EAST LINE OF SAID SECTION 8, 245.68 FEET; THENCE SOUTH 89°32'40"WEST, 1095.13 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°27'20"EAST, 238.27 FEET; THENCE SOUTH 87°50'20"WEST, 200.81 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF PINE ACRES ROAD (A 66.00 FOOT RIGHT OF WAY); THENCE NORTH 03°05'29"WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF PINE ACRES ROAD 244.51 FEET; THENCE NORTH 89°32'40"EAST, 211.97 FEET TO THE POINT OF BEGINNING.

EXHIBIT "D"

E. Ndreka Property

A PORTION OF THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 8; THENCE SOUTH 02°37'07"EAST, ALONG THE EAST LINE OF SAID SECTION 8, 245.68 FEET; THENCE SOUTH 89°32'40"WEST, 906.52 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 11865, PAGE 938, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°32'40"WEST, 188.61 FEET; THENCE SOUTH 00°27'20"EAST, 238.27 FEET; THENCE SOUTH 87°50'20"WEST, 200.81 FEET TO THE EASTERLY RIGHT OF WAY LINE OF PINE ACRES ROAD (A 66.00 FOOT RIGHT OF WAY) THENCE SOUTH 03°05'29"EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE, 10.00 FEET TO THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 3079, PAGE 1115, AS MONUMENTED; THENCE NORTH 87°50'20"EAST, ALONG THE NORTH LINE OF SAID OFFICIAL RECORDS VOLUME 3079, PAGE 1115, AS MONUMENTED 288.65 FEET; THENCE SOUTH 00°22'27"EAST, 9.60 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 16979, PAGE 770, AND THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 3079, PAGE 1115, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AS MONUMENTED; THENCE NORTH 88°43'47"EAST, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS VOLUME 16979, PAGE 770, 103.97 FEET TO ITS INTERSECTION WITH THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 11865, PAGE 938, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 01°16'04"WEST, ALONG THE WEST LINE OF SAID OFFICIAL RECORDS VOLUME 11865, PAGE 938, 253.80 FEET TO THE POINT OF BEGINNING.

EXHIBIT "E"

Johns Property

That certain piece, parcel or tract of land, situated, lying and being a part of the North 1/2 of Government Lot 1, Section 8, Township 4 South, Range 27 East, Duval County, Florida, more particularly described as follows:

Commencing at the Northeast comer of sald Section 8, thence South 01 deg 54 min 00 sec East, along the East line of said Section 8, a distance of 245.68 feet; thence North 89 deg 44 min 13 sec West, a distance of 669.73 feet for a point of beginning, sald point lying at the Northwest comer of those lands described in Official Records Volume 9394, Page 626 of the current public records of said County; thence South 00 deg 30 min 00 sec West along the West line of said lands, a distance of 212.75 feet; thence South 88 deg 11 min 06 sec East along the South line of said lands and along the South line of those lands described in Official Records Volume 8905, Page 218 to the Southeast corner thereof, a distance of 220.81 feet; thence North 86 deg 31 min 13 sec East, a distance of 44.64 feet; thence South 00 deg 25 min 15 sec West, along the West line of those lands described in Official Records Volume 8213, Page 1961 of said current public records, a distance of 216.63 feet; thence South 87 deg 33 min 37 sec West along the South line of said North 1/2 of Government Lot 1, a distance of 496.16 feet; thence North 00 deg 21 min 45 sec West, along the Easterly line of those certain lands described in Official Records Volume 3079, Page 1115 and in Official Records Volume 81, Page 247 of said current public records, a distance of 455.87 feet; thence South 89 deg 44 min 11 sec East, a distance of 236.79 feet to the point of beginning. Containing 3.77 acres, more or less.

EXHIBIT "F"

Barkoskie Property

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE. LYING AND BEING IN THE CITY OF JACKSONVILLE, COUNTY OF DUVAL AND STATE OF FLORIDA, MORE PARTICULARLY **DESCRIBED AS FOLLOWS:** START AT THE SOUTHEAST CORNER OF SECTION FIVE (5), TOWNSHIP FOUR (4), SOUTH RANGE TWENTY-SEVEN (27) EAST; THENCE NORTH 1 DEGREE, 54 MINUTES WEST 300.6 FEET TO A STAKE ON THE SOUTH BOUNDARY OF A ROAD 60 FEET WIDE; THENCE SOUTH 89 DEGREES, 40 MINUTES WEST ALONG THE SOUTH BOUNDARY OF THE SAID ROAD 567 FEET TO A POINT; THENCE IN A SOUTH 00 DEGREES, 20 MINUTES EAST, 227.48 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE SOUTH 00 DEGREES, 20 MINUTES EAST, 322.52 FEET: THENCE SOUTH 89 DEGREES, 40 MINUTES WEST, 259.2 FEET; THENCE NORTH 00 DEGREES, 20 MINUTES EAST, 322.52 FEET; THENCE NORTH 89 DEGREES, 40 MINUTES EAST, 259.2 FEET TO THE POINT OF BEGINNING. AN EASEMENT OVER A STRIP OF LAND 10 FEET ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED LAND IS RESERVED FOR A ROAD.

EXHIBIT "G"

Easement Property

20.00 FOOT EASEMENT FOR INGRESS, EGRESS AND UTILITIES A PORTION OF THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 8; THENCE SOUTH 02'37'07"EAST, ALONG THE EAST LINE OF SAID SECTION 8, 255.69 FEET; THENCE SOUTH 89'32'40"WEST, 583.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89'32'40"WEST, 723.21 FEET TO ITS INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF PINE ACRES ROAD (A 66.00 FOOT RIGHT OF WAY); THENCE NORTH 03'05'39"WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF PINE ACRES ROAD 20.02 FEET; THENCE NORTH 89'32'40"EAST, 724.17 FEET; THENCE SOUTH 00'27'20"EAST, 20.00 FEET TO THE POINT OF BEGINNING.

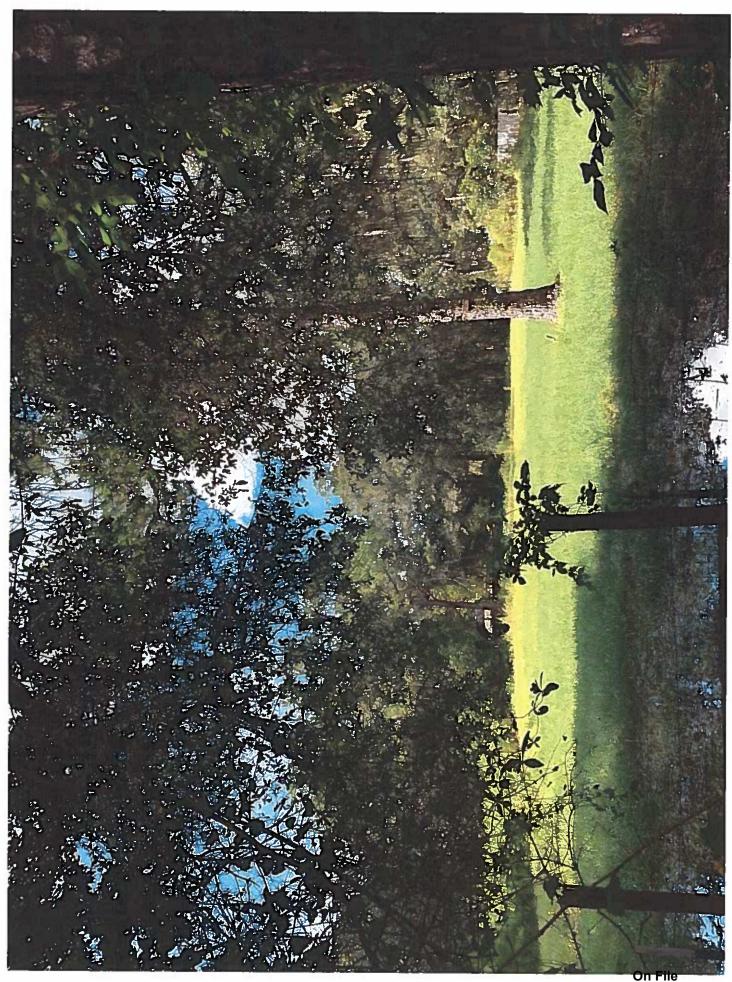
3023707E NOT THE THIRD WE ARRIVED IN THE STATE OF THE O.R.Y. 18272 PAGE 1915 ANTHONY PAUL O'NEIL, MOSSONIA, FINESCO, FINESCO, PARTIES NEEDS NEE **GRAPHIC SCALE** CAN. 18402 PAGE 2184 AND A COMPANY OF A COLARY.

A COLOR OF A STRY OF A STRUCTURE OF THE PARTY. Easemat Only O.R.Y. 19058 PAGE 2179 O.R.Y. 15800 PAGE 819 O.R.V. 13609 PAGE 726 A 50 575 25180 724.17 OR.V. 18551 PAGE 1466 COMMENCE AT THE MORTHEAST CORNER OF SAD SECTION & THENCE SOUTH 0237D7TAST, ALONG THE EIST THE OF SACTORN & 245.69 FEET, THENCE SOUTH BY SALES, SALES FEET TO THE PERMY OF BECHWANG THENCE CONTINUE SOUTH BY THE YEAR FEET TO THE CASTAWAYS. LINE OF THE ADDRESS TOWN WITH THE CASTAWAYS AND (A 64.00 FOOT REALT FEET TO WINTE THENCE MORTH OTIGSTAMEST, ALONG SAD EIGHBY ROOT OF MAY LAKE OF PARK ACRES ROAD 24.02 FEET, TRAVE MORTH BY THENCE TOWN OF DESTRUCTION, THENCE TOWN OF THE THENCE SOUTH OF 27720TAST, 724.17 FEET, 20.00 FOOT EASTIONT FOR MORESS, ECRESS, AND UTILITIES A PORTION OF THE MORTHEAST CONNER OF SECTION OF TOWNSHIP + SOUTH, RAINCE 27 EAST, DUVAL COUNTY, FLOWERA AND BETHE MORE ZARTICULARY DESCRIBED AS FOLLOWS: 1 TON-TERM SKETCH Mer' businer for segue O.R.V. 19054 PAGE 1943 HARDY DRIVE ORV. 7063 PAGE 770 NOS11'57 PINE ACRES (66'R/W) ROAD

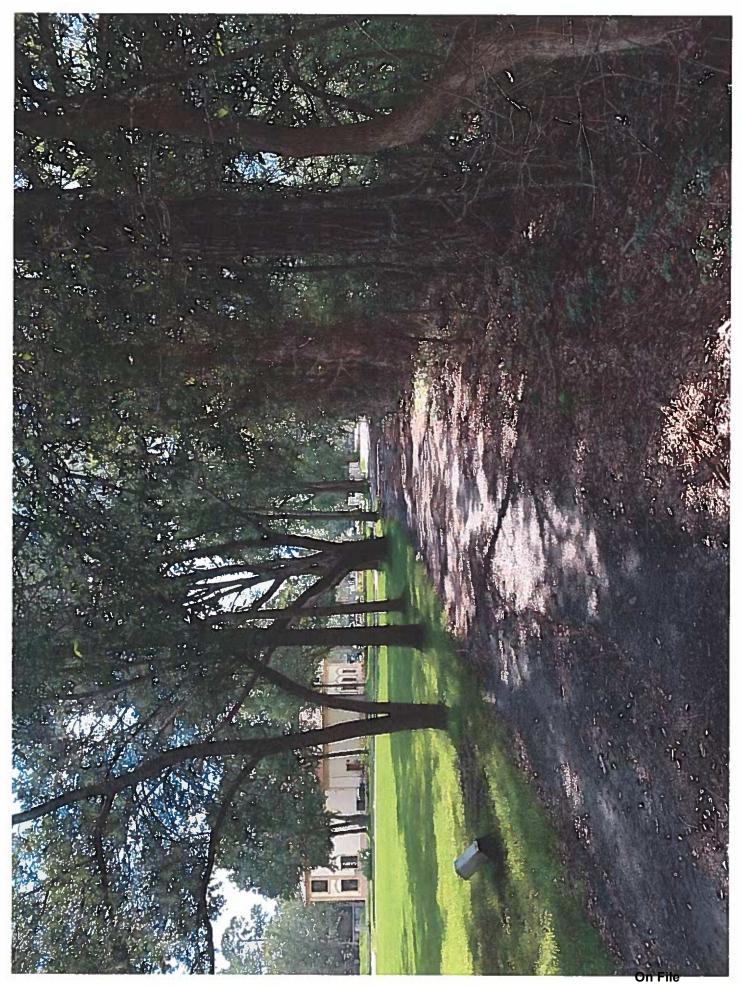
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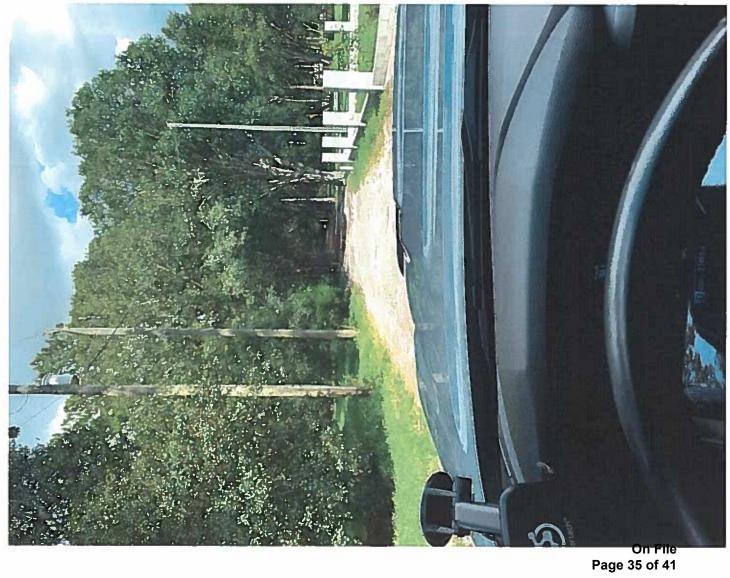
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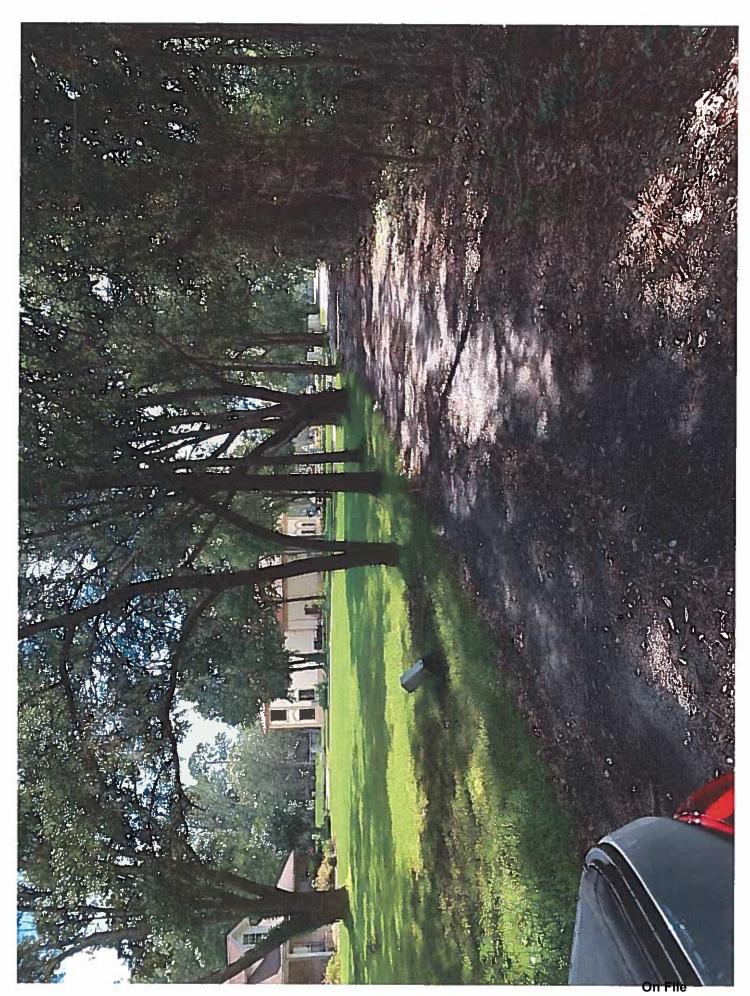
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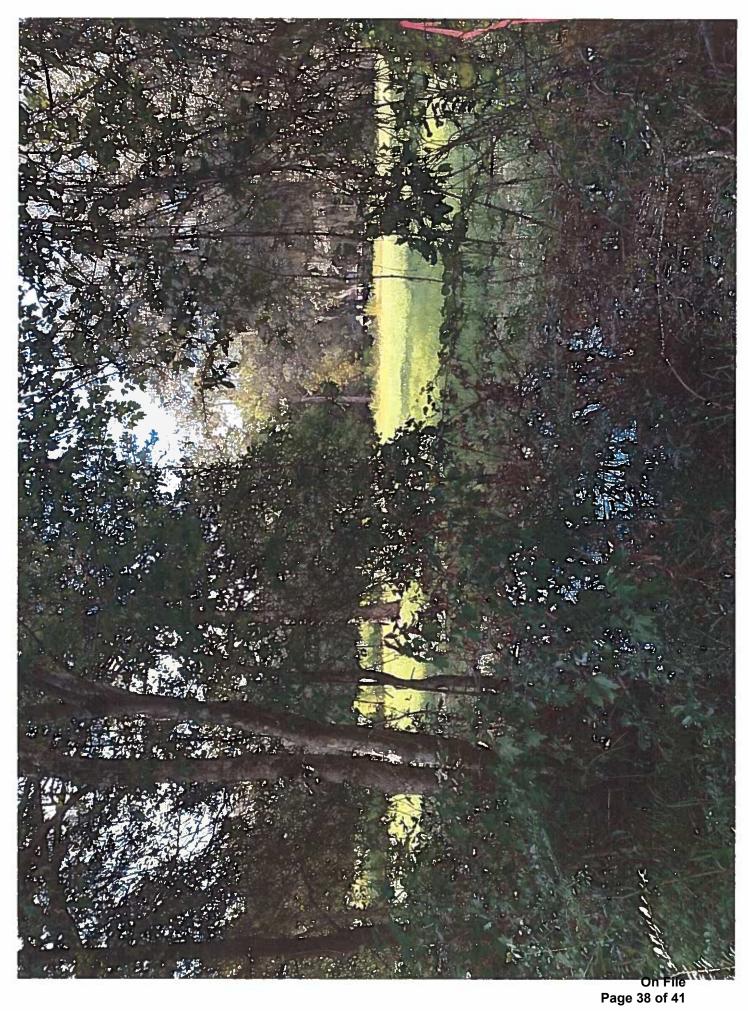
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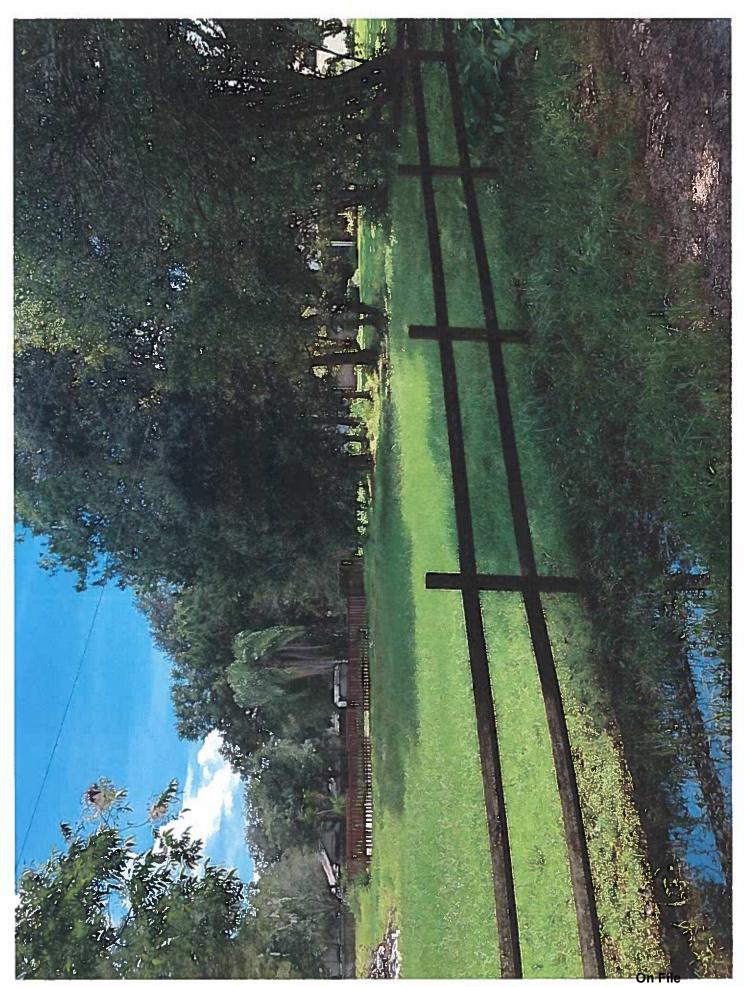




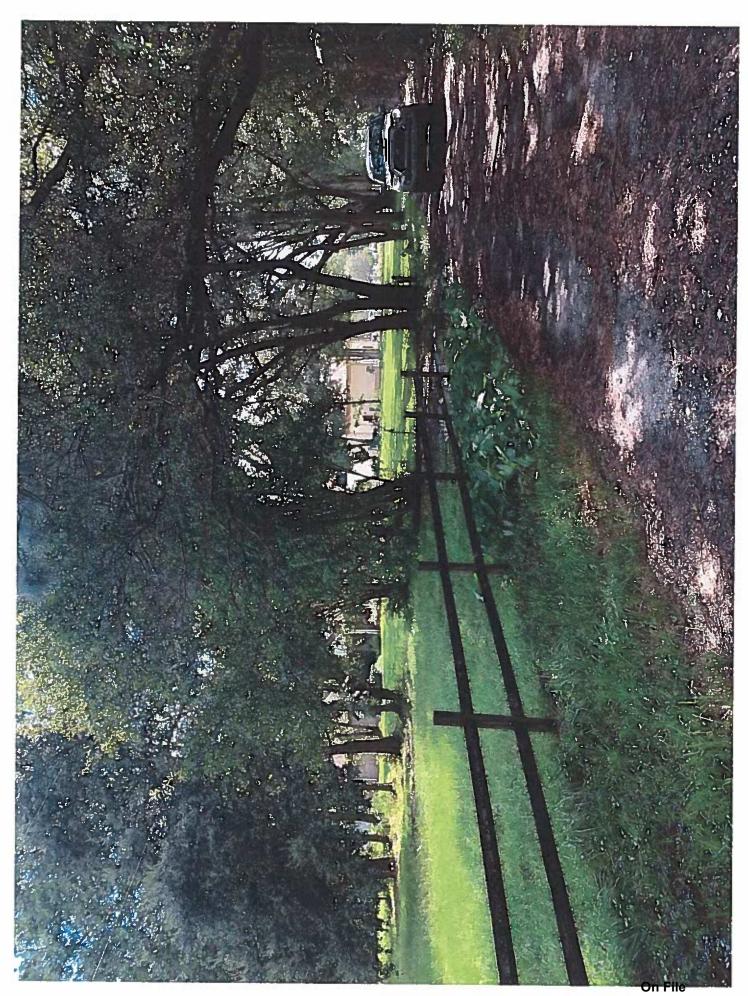


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