

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

January 7, 2021

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-723**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

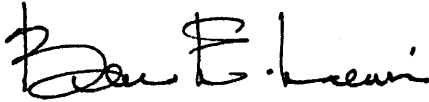
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Absent
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 written in a cursive style with a large initial "B".

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 OF**APPLICATION FOR REZONING ORDINANCE 2020-0723****JANUARY 7, 2021**

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 2020-0723.

Location: 12210 New Berlin Road

Real Estate Number: 106596-0000

Current Zoning District: Industrial Light (IL)
Residential Low Density-60 (RLD-60)

Proposed Zoning District: Public Buildings and Facilities-2 (PBF-2)

Current Land Use Category: Light Industrial (LI)
Residential Rural (RR)

Proposed Land Use Category: Public Buildings and Facilities (PBF)

Planning District: District 6—North

Applicant/ Owner: City of Jacksonville
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance 2020-0723 seeks to rezone approximately 10.44± acres of a property from Industrial Light (IL)/ Residential Low Density-60 (RLD-60) to Public Buildings and Facilities-2 (PBF-2) in order to develop the property with a Public Library. The Planning and Development Department finds that the subject property is located in the Light Industrial (LI)/ Residential Rural (RR) 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series (**Ordinance 2020-0724**) that seeks to amend the portion of the site that is within the Light Industrial (LI)/ Residential Rural (RR) land use category to Public Buildings and Facilities (PBF).

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 request is for a rezoning from Zoning Districts Industrial Light (IL)/Residential Low Density-60 (RLD-60) to Public Buildings and Facilities-2 (PBF-2). Concurrently there is a land-use application to amend the land-use category from Light Industrial (LI)/Residential Rural (RR) to Public Buildings and Facilities (PBF). If approved, the proposed rezoning would be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

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), Light Industrial (LI) is a category which provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Public Buildings and Facilities-2 (PBF-2) is a permitted zoning district in the LI land use category and therefore is consistent. Rural Residential (RR) is a category intended to provide rural estate residential opportunities in the Suburban and Rural Areas of the city. The PBF-2 zoning district is a permitted secondary zoning district in the RR land use category and therefore is consistent.

Future Land Use Element

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The subject properties is located in the Suburban Area and will be supplied by City Water and City Sewer. Therefore, the applications will be in compliance with Policy 1.2.9.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Policy 1.2.6

The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Industrial Zones

The subject property is located within the “Industrial Situational Compatibility” Zone. ‘Industrial Sanctuary” and Industrial Situational Compatibility” Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

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 RLD-60/IL to PBF-2 in order to permit the development of a Public Library.

SURROUNDING LAND USE AND ZONING

The subject site is located on the west side of New Berlin Road, a collector roadway, and is also located within the Suburban Area, Planning District 6 and Council District 2. The property is located within the North Jacksonville Vision Plan area with a mix of LDR, MDR, LI and PBF uses surrounding the site. The adjacent properties to the Southwest of the subject property are located within Planned Unit Development Ord. #2014-0060 North Point Industrial Park which allows for

warehousing and distribution facilities. The property directly adjacent, bordering the West and south property lines, is currently vacant undeveloped woodlands acting as a natural buffer for the subject property and the industrial uses to the south. Further north along New Berlin Road are developed single-family neighborhoods and Duval County School New Berlin Elementary zoned PBF-2. Property to the east, across New Berlin Road, is owned and operated by an industrial company with outside storage. This rezoning request would allow for the development of a Public Library which will be beneficially to the surrounding area. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	RR	RR-Acre	Single Family Dwellings
South	LI	PUD: 2014-0060	Industrial Warehousing
East	LI	IL	Single Family Dwellings
West	LI	PUD: 2014-0060	Vacant

It is the opinion of the Planning and Development Department that the requested rezoning to PBF-2 will be consistent and compatible with the surrounding uses.

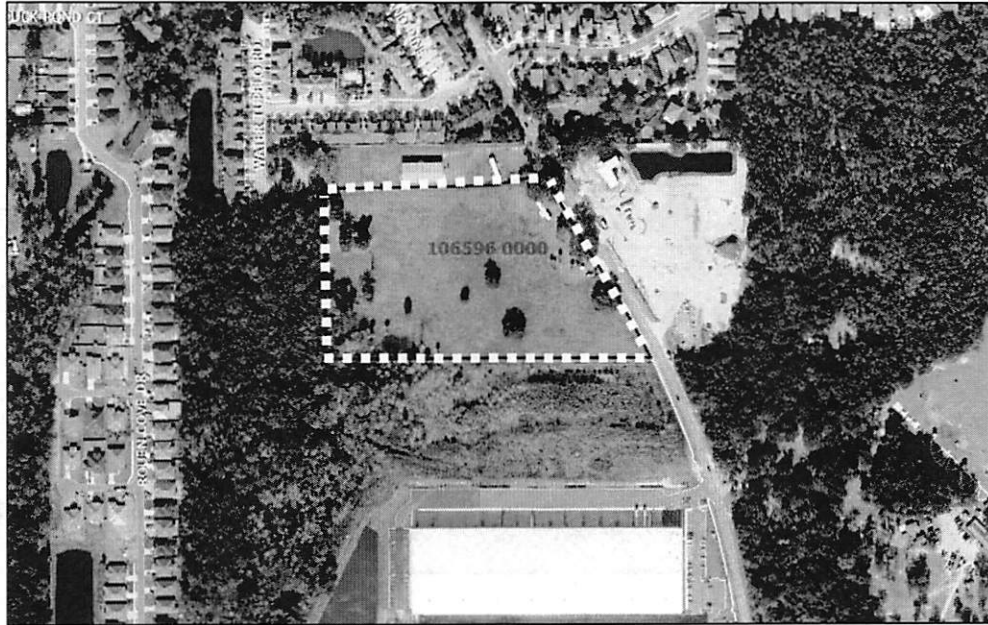
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **December 2, 2020** by the Planning and Development Department, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0723 be **APPROVED**.



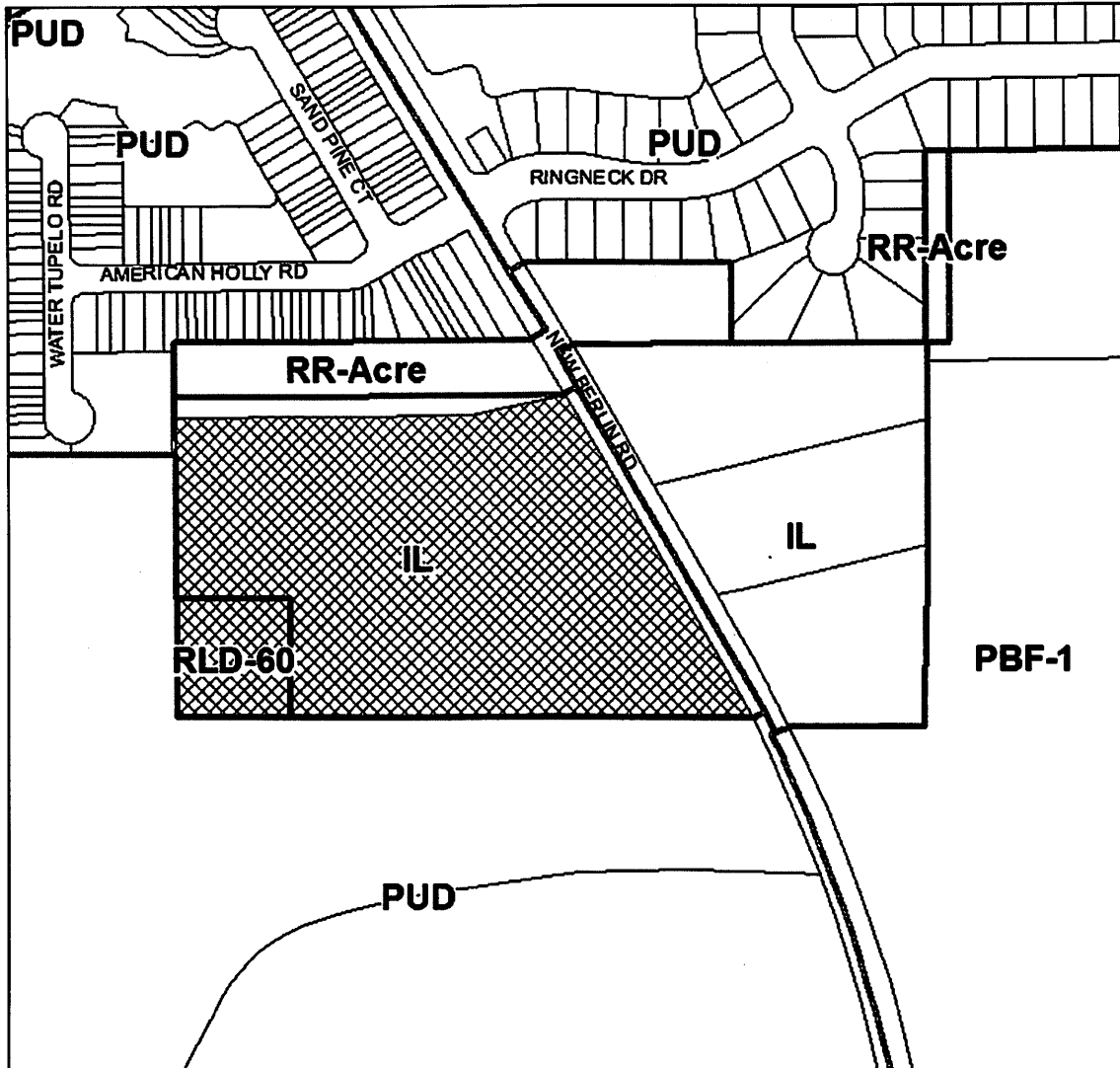
Aerial View

Source: JaxGIS Map



View of Subject Property

Source: Planning & Development Department 12/02/2020



<p>REQUEST SOUGHT:</p> <p>FROM: IL & RLD-60</p> <p>TO: PBF-2</p>	<p>LOCATION MAP:</p>	<p>0 95 190 380 Feet</p>
<p>TRACKING NUMBER</p> <p>T-2020-3231</p>	<p>COUNCIL DISTRICT:</p> <p>2</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>	

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0723 **Staff Sign-Off/Date** ELA / 11/24/2020

Filing Date 11/24/2020 **Number of Signs to Post** 3

Hearing Dates:

1st City Council 01/05/2021 **Planning Commission** 01/07/2021

Land Use & Zoning 01/20/2021 **2nd City Council** N/A

Neighborhood Association M & M DAIRY INC, THE EDEN GROUP INC.

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3231

Application Status FILED COMPLETE

Date Started 11/03/2020

Date Submitted 11/03/2020

General Information On Applicant

Last Name JACKSONVILLE **First Name** CITY OF **Middle Name**

Company Name
CITY OF JACKSONVILLE

Mailing Address
214 NORTH HOGAN STREET, SUITE 300

City JACKSONVILLE **State** FL **Zip Code** 32202

Phone 9042557800 **Fax** **Email** COMMUNITYPLANNING@COJ.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name JACKSONVILLE **First Name** CITY OF **Middle Name**

Company/Trust Name
CITY OF JACKSONVILLE

Mailing Address
214 NORTH HOGAN STREET, SUITE 300

City JACKSONVILLE **State** FL **Zip Code** 32202

Phone 9042557800 **Fax** **Email**

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	106596 0000	2	6	IL	PBF-2

Map

106596 0000

2

6

RLD-60

PBF-2

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

Existing Land Use Category

LI

Land Use Category Proposed?

If Yes, State Land Use Application #

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

10.44

Justification For Rezoning Application**Location Of Property****General Location**

WEST OF NEW BERLIN ROAD

House #

12210

Street Name, Type and Direction

NEW BERLIN RD

Zip Code

32202

Between Streets

PORT JACKSONVILLE PARKWAY

and

AMERICAN HOLLY ROAD

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

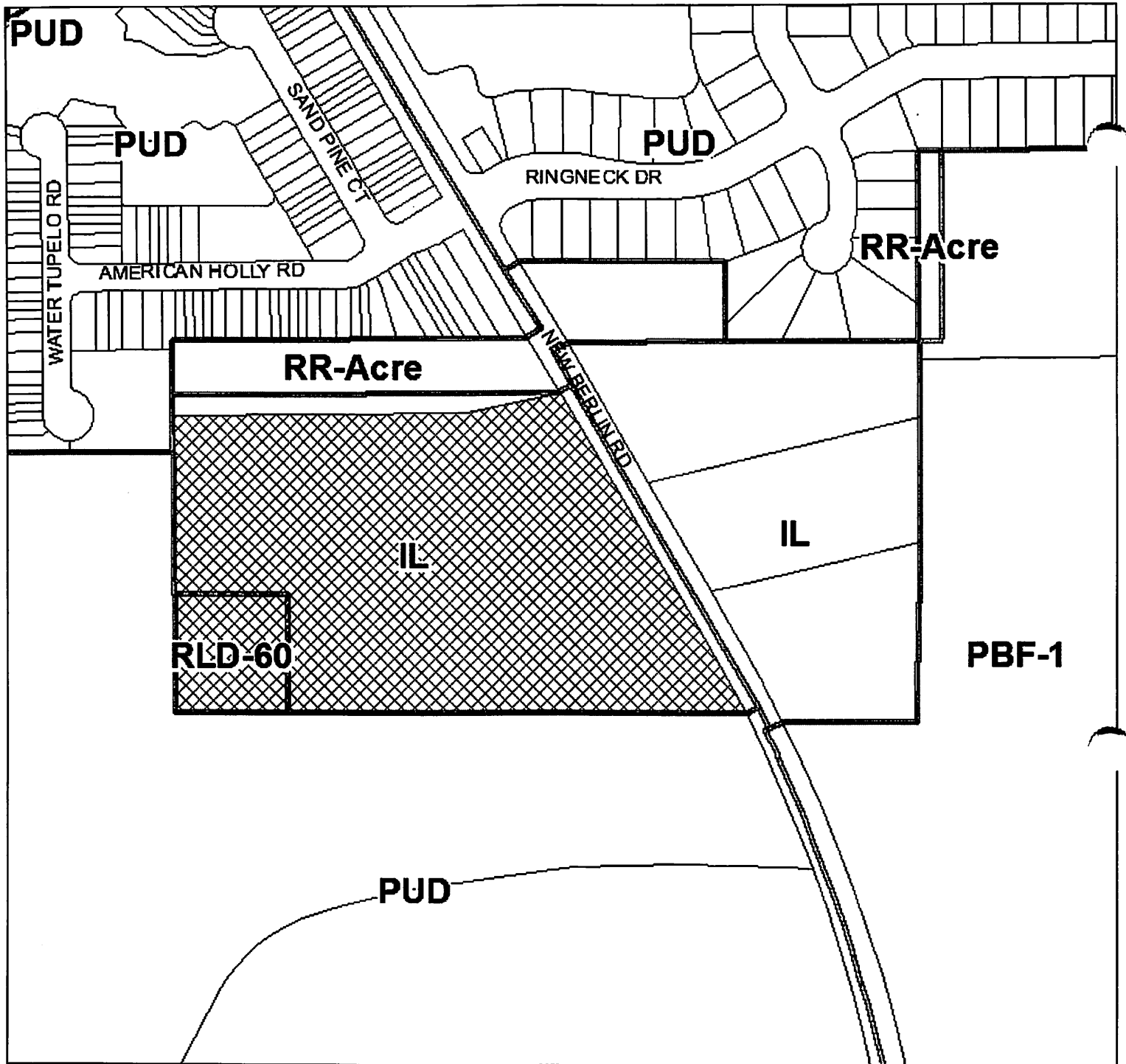
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
10.44 Acres @ \$10.00 /acre: \$110.00
- 3) Plus Notification Costs Per Addressee
76 Notifications @ \$7.00 /each: \$532.00
- 4) Total Rezoning Application Cost: \$2,642.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

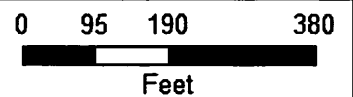
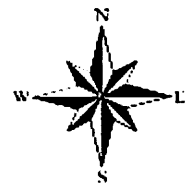
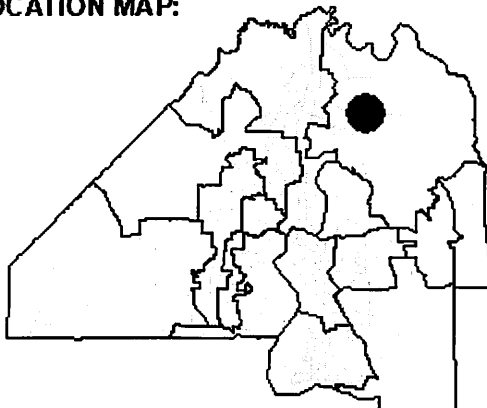


REQUEST SOUGHT:

FROM: IL & RLD-60

TO: PBF-2

LOCATION MAP:



COUNCIL DISTRICT:

2

TRACKING NUMBER

T-2020-3231

**EXHIBIT 2
PAGE 1 OF 1**

LEGAL DESCRIPTION

October 29, 2020

THAT PORTION OF THE SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 LYING WESTERLY OF NEW BERLIN ROAD (A 60 FOOT RIGHT OF WAY), TOGETHER WITH THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, LYING WEST OF SAID NEW BERIN ROAD ALL OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 27 EAST, LESS AND EXCEPT: THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 12189, PAGE 620, ALL LYING IN DUVAL COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36, TOWNSHIP 1 NORTH, RANGE 27 EAST, WITH THE WESTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD (A 60 FOOT RIGHT OF WAY). THENCE NORTH 89°54'46" WEST, ALONG SAID SOUTH LINE, 1008.41 FEET TO AN INTERSECTION WITH A LINE COMMON TO THE EASTERLY LINE OF SECTION 35 AND THE WEST LINE OF SAID SECTION 36, THENCE NORTH 00°09'25" WEST, ALONG LAST SAID LINE 524.53 FEET TO AN INTERSECTION WITH THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 12189, PAGE 620; THENCE NORTH 89°25'16" EAST, ALONG SAID SOUTHERLY BOUNDARY 518.83 FEET TO AN ANGLE POINT; THENCE NORTH 78°10'08" EAST, CONTINUING ALONG LAST SAID BOUNDARY 167.59 FEET TO AN INTERSECTION WITH AFORESAID WESTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD; THENCE SOUTH 30°54'41" EAST, ALONG LAST SAID LINE 422.42 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2834.90 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY AND SAID CURVE AN ARC DISTANCE OF 231.17 FEET TO SAID SOUTH LINE OF THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36 AND TO THE POINT OF BEGINNING, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°25'30" EAST, 231.11 FEET.

PARCEL DESCRIBED CONTAINS 10.52 ACRES MORE OR LESS.

BOUNDARY SURVEY OF:

THAT PORTION OF THE SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 LYING WESTERLY OF NEW BERLIN ROAD (A 60 FOOT RIGHT OF WAY), TOGETHER WITH THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 LYING WEST OF SAID NEW BERLIN ROAD AND A PORTION OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 27 EAST, LESS AND EXCEPTING THEREFROM THE PORTIONS OF SAID SECTIONS 35 AND 36 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36, TOWNSHIP 1 NORTH, RANGE 27 EAST, WITH THE WESTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD (A 60 FOOT RIGHT OF WAY). THENCE NORTH 89°44'48" WEST, ALONG SAID SOUTH LINE, 1008.41 FEET TO AN INTERSECTION WITH A LINE COMMON TO THE EASTERLY LINE OF SECTION 35 AND THE WEST LINE OF SAID SECTION 36, THENCE NORTH 00°09'25" WEST, ALONG SAID LINE 524.53 FEET TO AN INTERSECTION WITH THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 12189, PAGE 620, THENCE NORTH 89°25'16" EAST, ALONG SAID SOUTHERLY BOUNDARY 518.83 FEET TO AN ANGLE POINT; THENCE NORTH 78°10'08" EAST, CONTINUING ALONG SAID BOUNDARY 167.39 FEET TO AN INTERSECTION WITH A 20' WIDE WESTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD; THENCE NORTH 16°29'58" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE 1008.41 FEET TO THE POINT OF BEGINNING, THENCE SOUTHWESTERLY AND HAVING A RADIUS OF 2834.90 FEET, THENCE CONTINUING ALONG SAID RIGHT OF WAY AND SAID CURVE AN ARC DISTANCE OF 231.17 FEET TO SAID SOUTH LINE OF THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36 AND TO THE POINT OF BEGINNING, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°23'30" EAST, 231.17 FEET.

CERTIFIED TO:
 THE CITY OF JACKSONVILLE, FIDELITY NATIONAL TITLE INSURANCE COMPANY, AND M & V DAIRY, INC.

Fidelity National Title Insurance Company
 Order No.: 7788393
 Property Address: 12210 New Berlin Road
 Jacksonville, FL 322262258
AMERICAN LAND TITLE ASSOCIATION COMMITMENT
 Commitment Date: 07/22/2019 at: 8:00 AM

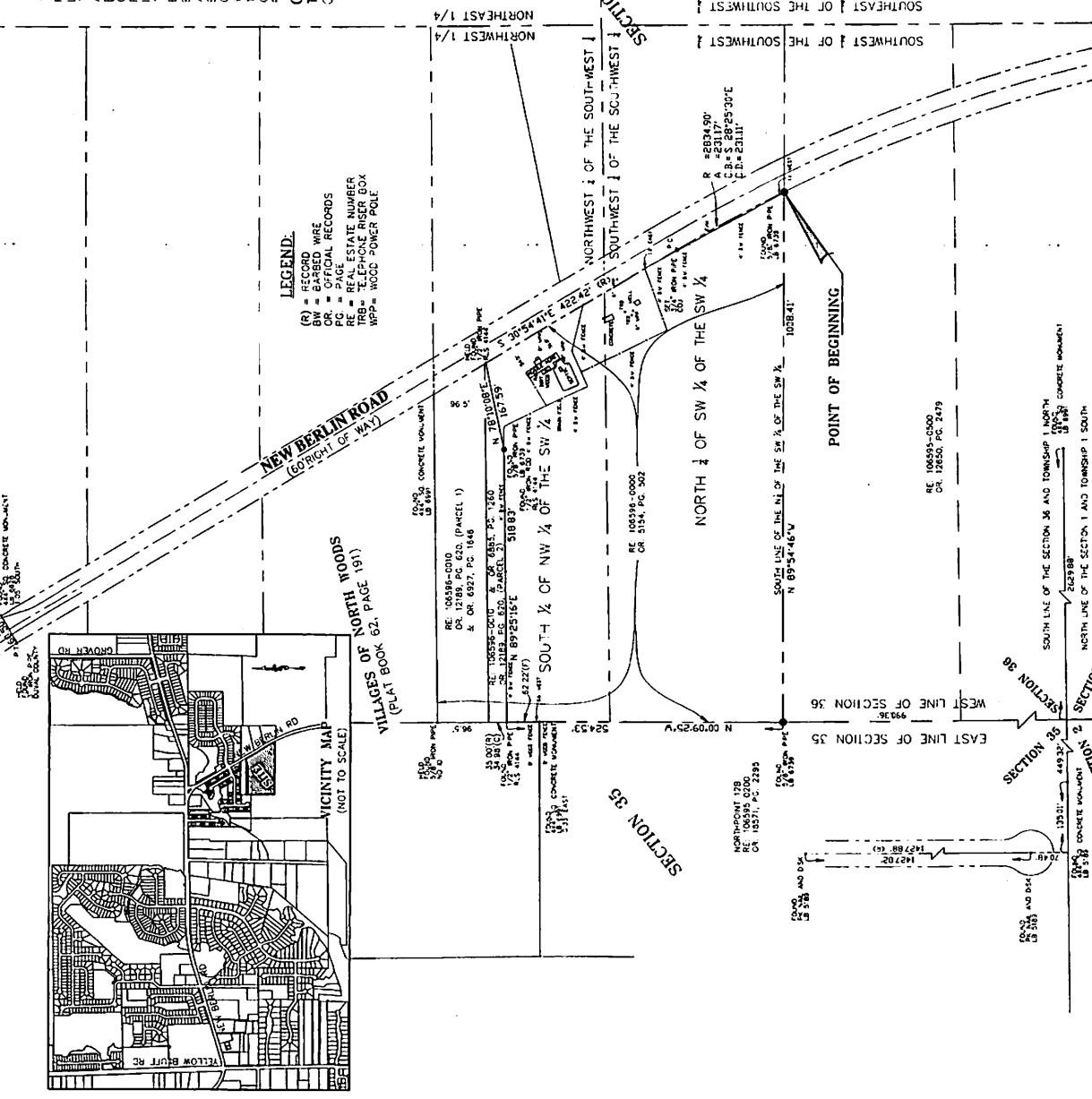


- GENERAL NOTES**
- A BEARING OF S 09°54'41"E AS HELD ON THE WESTERLY RIGHT OF WAY LINE OF NEW BERLIN WAS ASSUMED.
 - THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF AN ABSTRACT TITLE, THEREFORE THERE MAY BE EASEMENTS OR COVENANTS, AND RESTRICTIONS OR OTHER MATTERS OF PUBLIC RECORD THAT MAY OR MAY NOT AFFECT THIS PARCEL.
 - X-REFERENCE: DUVAL COUNTY JOHN'S OF WAY MAPS ON NEW BERLIN ROAD DATED MARCH 2, 1931, FILE NUMBER 30-116, DEEDS OF RECORD AND RECORDED IN THE PUBLIC RECORDS ALL OF FILE # 4 THE CITY OF JACKSONVILLE ENGINEERING DIVISION.
 - MAP PREPARED BY A. AMERICAN SURVEYORS OF FLORIDA, INC. DATED 1-01-11, FILE NUMBER 11-477 ON FILE AT THE CITY OF JACKSONVILLE TOPOGRAPHICAL SECTION.
 - DISTANCES AS SHOWN HERE ON ARE ACTUAL DISTANCES UNLESS OTHERWISE NOTED.
 - NOT ALL INTERIORS IMPROVEMENTS WERE LOCATED ON THIS SITE.
 - IMPROVEMENTS ASSOCIATED TO BOUNDARY ONLY WERE LOCATED AS SHOWN HEREON.

THIS TITLE INSURANCE POLICY IS SUBJECT TO THE POLICY TERMS, CONDITIONS AND EXCLUSIONS SET FORTH IN THE POLICY AND THE SCHEDULES ATTACHED HERETO. THIS POLICY IS NOT A CONTRACT AND DOES NOT CONSTITUTE AN OFFER OF INSURANCE. FOR A COMPLETE LIST OF COVERED RISKS AND EXCLUSIONS, PLEASE REFER TO THE POLICY AND SCHEDULES ATTACHED HERETO.

[Signature]
 DATE: 7/22/2019
 TIME: 8:00 AM
 OFFICE: JACKSONVILLE, FL
 PHONE: 904.244.1234
 FAX: 904.244.1234

PROJECT NO.	101841
DATE	8-26-19
SCALE	1"=100'
CITY OF JACKSONVILLE LIBRARY SITE BOUNDARY SURVEY	



PROJECT NO.	101841
DATE	8-26-19
SCALE	1"=100'
CITY OF JACKSONVILLE LIBRARY SITE BOUNDARY SURVEY	
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