



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

City Council

Monday, June 20, 2022

6:00 PM

Council Chambers

MEMORANDUM TO:

The Honorable Mayor and
Members of the City Council
City of Jacksonville Beach, Florida

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the City Council.

OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- A. Regular City Council Meeting held on June 6, 2022
- B. Council Briefing held on June 13, 2022

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

- A. Proclamation to Beaches Sea Turtle Patrol

CITY CLERK

CITY MANAGER

- A. Accept/Reject the Monthly Financial Reports for the month of May 2022
- B. Approve/Disapprove Final Plat for Campbell Cove Townhomes
- C. Approve/Disapprove Final Plat for Owen Shores Townhomes
- D. Approve/Disapprove the emergency purchase of a Sequential Batch Processor Blower from Neuros in the amount of \$38,740

RESOLUTIONS

- A. Adopt/Deny Resolution No. 2104-2022 Amending the Energy Efficiency and Customer Incentive Rebate Program

ORDINANCES

- A. Approve/Disapprove Ordinance No. 2022-8177 abandoning certain City rights-of-way

described therein on the first reading and schedule a second reading for July 18, 2022

ADJOURNMENT

NOTICE

In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the council with respect to any matter considered at such meeting, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the City Clerk or to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's Office at (904) 247-6299 no later than one business day before the meeting.

You may use this website <http://www.jacksonvillebeach.org/publichearinginfo> to find information concerning the hearing process. This information is also available in the City Hall first floor display case.

**Minutes of Regular City Council Meeting
held Monday, June 6, 2022, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

Council Member Janson provided the invocation, followed by the Pledge of Allegiance led by members of Boy Scout Troop #37.

CALL TO ORDER:

Mayor Hoffman called the meeting to order at 6:01 P.M.

ROLL CALL:

Mayor: Christine Hoffman

Council Members:	Sandy Golding	Dan Janson	Fernando Meza
	Cory Nichols	Chet Stokes	Georgette Dumont

Also present were: City Manager Mike Staffopoulos, City Attorney Sandra Robinson, Director of Planning and Development Heather Ireland, and City Clerk Sheri Gosselin.

APPROVAL OF MINUTES:

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the following minutes:

- Regular City Council Meeting held on May 16, 2022

Amended Motion: It was moved by Ms. Dumont, seconded by Ms. Golding, and passed unanimously to amend the minutes to correct speaker Chuck McCue's address from Jacksonville Beach to Neptune Beach.

A voice vote resulted in the minutes being passed unanimously, as amended.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, and passed unanimously to approve the following minutes:

- Council Briefing held on May 23, 2022

ANNOUNCEMENTS:

Council Member Meza announced an additional \$1,000 bonus for First Responders approved by the Governor.

City Manager Mike Staffopoulos noted the resignation letter submitted by Mr. Stokes, effective November 7, 2022.

Council Member Stokes confirmed he submitted his resignation per Florida Statute in order to run for State House District 16. He thanked Jacksonville Beach residents for their support.

COURTESY OF THE FLOOR TO VISITORS:

Mayor Hoffman extended Courtesy of the Floor to visitors.

- Nicole Crosby, 1169 Neck Road, Ponte Vedra Beach, spoke on a balloon release ban.
- Carol Bailey-White, 7701 Timberlin Park Boulevard, Jacksonville, spoke on a balloon release ban.
- Trey Phillips, 934 10th Street North, Jacksonville Beach, expressed concerns about the prioritization of developers over residents.
- Mitchell Kinsey, 2007 Eastern Drive, Jacksonville Beach, spoke on code enforcement for trailers and boats in driveways.

MAYOR AND CITY COUNCIL:

Item A Proclamation for National Gun Violence Awareness Day

Mayor Hoffman read a Proclamation for National Gun Violence Awareness Day, which was recognized on June 3, 2022. The proclamation was accepted by Students Demand Action and Moms Demand Action representatives Katie Hathaway and Angela Carrero Ibasetta.

CITY CLERK: *No items*

CITY MANAGER:

Item A Approve/Disapprove the Scope of Services and Fees for Kimley-Horn and Associates, Inc. Professional Consultants for the Comprehensive Plan/Land Development Code Update Project the Amount of \$317,088

Director of Planning and Development Heather Ireland provided background on the item. She noted there would be multiple workshops with stakeholders throughout the project.

Motion: It was moved by Mr. Nichols, and seconded by Ms. Golding, to approve the Scope of Services and Fees for Kimley-Horn and Associates, Inc. Professional Consultants for the Comprehensive Plan/Land Development Code Update Project in the Amount of \$317,088.

Discussion:

A discussion ensued explaining the difference between the Comprehensive Plan and the Land Development Code, citizen engagement, the method of notification to citizens, and project scheduling.

Roll Call Vote: Ayes – Dumont, Golding, Janson, Meza, Nichols, Stokes, Mayor Hoffman.
The motion passed unanimously.

RESOLUTIONS: *No items*

ORDINANCES: *No items*

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:29 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:

Christine H. Hoffman, MAYOR

Date: _____

DRAFT

The Council Briefing began at 5:30 P.M. The meeting was held via video conference using the Zoom platform.

The following City Council Members were in attendance:

Mayor: Christine Hoffman

Council Members:	Georgette Dumont	Sandy Golding	Dan Janson
	Fernando Meza	Cory Nichols	Chet Stokes

Also present were City Manager Mike Staffopoulos, City Attorney Sandra Robinson, Director of Planning and Development Heather Ireland, Director of Public Works Dennis Barron, Superintendent of Electric Utilities Lamar Whitaker, and Chief of Parks Maintenance and Development Trevor Hughes.

Purpose of Briefing

The purpose of the Briefing was to update the Council members about ongoing items in the City.

City Manager

At-Large Seat Vacancy

City Attorney Sandra Robinson spoke about the letter of resignation submitted by Council Member Chet Stokes effective November 7, 2022. Ms. Robinson reviewed the relevant Florida Statutes and the City Charter. A conversation ensued regarding the process of the Council appointing a person to replace Mr. Stokes.

It was the consensus of the Council to have the Mayor, City Manager, and City Attorney put together a timeline and draft a process for discussion at a future briefing.

Right-of-Way Vacation Request

Director of Planning and Development Heather Ireland, Director of Public Works Dennis Barron, and Superintendent of Electric Utilities Lamar Whitaker spoke about the recently approved resolution to move forward with an ordinance to abandon 20 feet of City right-of-way (ROW) on the city block south of Gonzales Park for future residential development. A conversation ensued related to a list of ROWs, easements, alley closures, vacations, and abandonments since 1996, which was provided to the Council, and what determines an “overwhelming public purpose.”

Veterans Memorial

Chief of Parks Maintenance and Development Trevor Hughes spoke about adding additional monuments to the Veteran’s Memorial located at Oceanfront Park. A conversation ensued regarding the type and location of additional monuments or a dedication wall. It was the consensus of the Council for staff to do further research, reach out to local veteran groups for information, and present a concept for expansion at a future briefing.

Committee Assignment Report

Council Member Stokes provided an update regarding the Blue Zone project and stated the beaches were not chosen to be part of the program.

Council Member Golding stated the League of Cities opened the application process for the Policies Committee for the upcoming Legislative Session. She said she had applied to serve on the Municipal Administrative Policy Committee and encouraged the Council to apply for a committee.

Council Member Janson updated Council about the recent Quarterly Pension Board meeting.

Future Briefing Topics

Mr. Staffopoulos asked the Council if they would like the topic of balloon releases to be added to a future briefing for further discussion or if staff should put together an ordinance for the Council's consideration. The Council's consensus was to have an ordinance presented in the future for consideration.

Mr. Janson suggested discussing the upcoming in-person Council Briefing format due to the Governor recently ending the bill allowing virtual meetings. Ms. Robinson stated based on staff research, the Council can no longer meet virtually but could utilize the current format regarding remote participation.

Mayor Hoffman requested an update from Parks and Recreation regarding the Develop Park program and the revision of the Special Events policy.

Council Member Nichols asked for an update regarding pier completion and pier management.

The Briefing adjourned at 7:03 P.M.

Submitted by: Jodilynn Byrd
Deputy City Clerk

Approved:

Christine H. Hoffman, MAYOR

Date: _____



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Ashlie Gossett, Chief Financial Officer
DATE:	02/24/2022
SUBJECT:	Monthly Financial Reports for May 2022

BACKGROUND

Attached are the monthly financial reports for May 2022 as prepared by the Finance Department. These reports represent eight months of activity, or 66.58% of the total annual budget, and are prepared on a cash basis.

Summary Budget Reports Exhibits 1 through 6 show the cumulative actual revenues and expenditures compared to the actual amounts at the same point in time as last fiscal year. Exhibit 7 compares actual revenues and expenditures to the budget in total by fund.

FINANCIAL IMPACT

For informational purposes only.

REQUESTED ACTION

Accept/Reject the Monthly Financial Reports for the month of May 2022

ATTACHMENTS

1. 2022-5 May Financials



SUMMARY BUDGET REPORT

May 31, 2022

66.58% of Year Elapsed

Exhibit 1

General Fund Revenues

Revenue Category	Current Year Revenue to Date	Current Year Revenue % of Budget	Prior Year Revenue to Date	Prior Year Revenue % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
1 Taxes	12,719,189	85.37%	12,154,848	85.33%	0.04%	564,341
2 Licenses & Permits	645,842	106.78%	546,821	106.20%	0.58%	99,022
3 Intergovernmental Revenue	3,285,011	79.36%	2,960,123	76.93%	2.43%	324,888
4 Charges for Services	317,469	67.61%	304,491	69.18%	-1.57%	12,978
5 Enterprise Contributions	2,543,462	66.67%	2,503,705	66.67%	0.00%	39,757
6 Miscellaneous Revenue	(85,661)	-25.78%	175,367	47.54%	-73.32%	(261,028)
7 Fines & Forfeitures	85,322	52.67%	86,925	57.46%	-4.79%	(1,603)
8 Interfund Transfers	360,295	70.10%	349,039	67.91%	2.19%	11,255
Total Revenues	\$19,870,929	79.69%	\$19,081,319	80.05%	-0.36%	\$789,610

Current Year vs. Prior Year



Discussion

Total General Fund revenues are slightly lower than the prior year at the same point in time on a percent of budget basis.

- 1 Annual ad valorem tax distributions were received in December, bringing the tax revenue-to-date to 85.37%.
- 2 Permit revenues are up because of an increase in construction activity compared to the same time in the prior year.
- 6 Miscellaneous revenue includes interest on pooled investments, auction proceeds, facility rental fees, tennis fees, and cemetery lots purchased. The decrease from the prior year is due primarily to the adjustment to market value of the City's pooled investment assets.



SUMMARY BUDGET REPORT

May 31, 2022

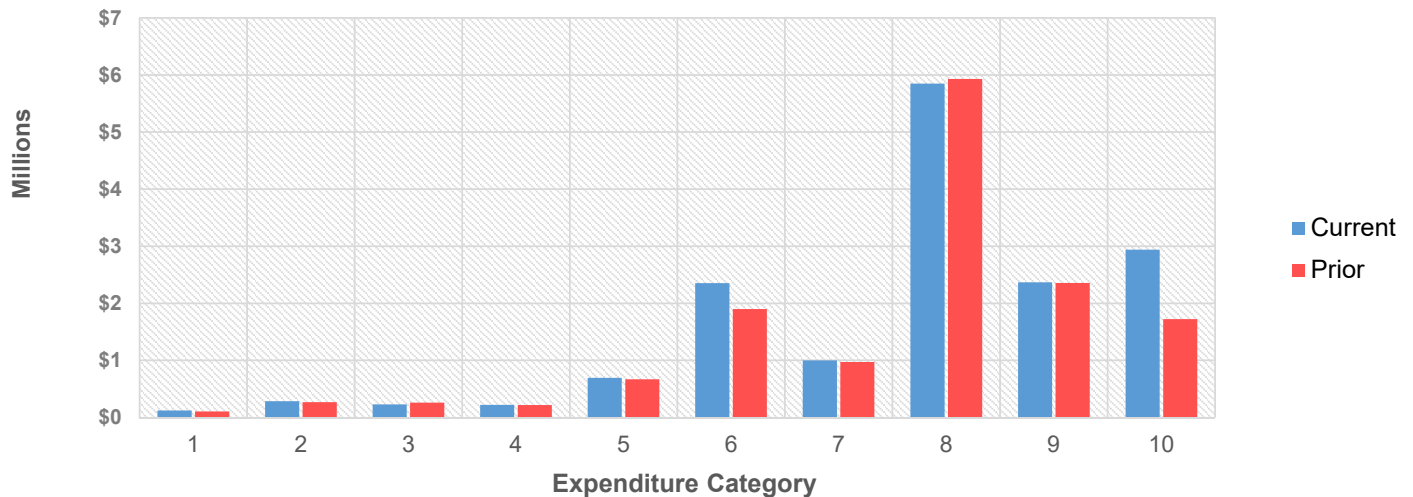
66.58% of Year Elapsed

Exhibit 2

General Fund Expenditures

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
1 City Administration	122,278	65.30%	108,004	60.47%	4.83%	14,274
2 City Attorney	285,101	59.09%	269,849	56.94%	2.15%	15,252
3 City Clerk	229,034	50.25%	260,872	62.91%	-12.67%	(31,837)
4 Building Maintenance	222,613	50.71%	218,391	51.44%	-0.72%	4,222
5 Planning and Development	694,887	57.48%	670,229	55.68%	1.80%	24,658
6 Parks and Recreation	2,355,448	59.95%	1,902,079	51.42%	8.53%	453,369
7 Public Works	1,002,154	51.91%	972,042	52.40%	-0.49%	30,112
8 Police	5,851,535	58.90%	5,932,109	57.71%	1.19%	(80,573)
9 Fire Services	2,368,037	70.64%	2,358,203	72.47%	-1.83%	9,834
10 Non-Departmental	2,940,906	69.52%	1,722,976	61.34%	8.18%	1,217,930
Total Expenditures	16,071,995	61.46%	14,414,754	58.62%	2.84%	\$1,657,242

Current Year vs. Prior Year



Discussion

Total General Fund expenditures are under budget by 5.12% and 2.84% above the prior year at the same point in time on a percent of budget basis.

- 6 Parks and Recreation expenditures increased in the current year as a result of approved staffing changes identified in the Parks Assessment Study as well as the transition from volunteers to City staff for ocean rescue services on Sundays and Holidays.
- 10 The increase in Non-Departmental expenditures is due to transfers to the General Capital Projects Fund for planned vehicle and heavy equipment replacements as well as City facility and infrastructure improvement projects.



SUMMARY BUDGET REPORT

May 31, 2022

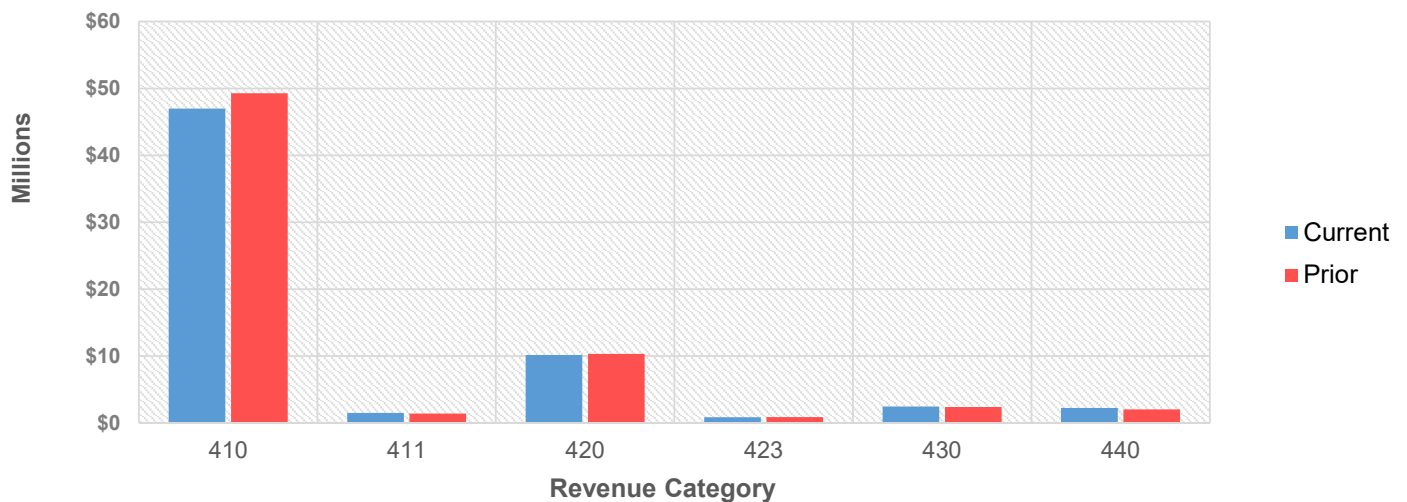
66.58% of Year Elapsed

Exhibit 3

Enterprise Fund Revenues

Revenue Category	Current Year Revenue to Date	Current Year Revenue % of Budget	Prior Year Revenue to Date	Prior Year Revenue % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
410 Electric	46,970,551	56.48%	49,287,886	59.51%	-3.03%	(2,317,335)
411 Natural Gas	1,478,257	73.63%	1,397,989	62.47%	11.16%	80,268
420 Water & Sewer	10,136,218	67.05%	10,310,525	69.25%	-2.21%	(174,307)
423 Stormwater	843,042	58.01%	857,182	59.49%	-1.49%	(14,140)
430 Sanitation	2,440,958	69.15%	2,377,278	66.67%	2.49%	63,679
440 Golf Course	2,237,180	98.40%	2,017,442	92.42%	5.99%	219,738
Total Revenues	\$64,106,206	59.61%	\$66,248,303	61.83%	-2.22%	(\$2,142,097)

Current Year vs. Prior Year



Discussion

Total Enterprise Fund revenues are under budget for the current year and slightly behind the prior year at the same point in time on a percent of budget basis.

410 The reduction in Electric revenues is primarily due to decreased customer consumption compared to the same point in the prior year.

411 The increase in Natural Gas revenues is due to increased customer consumption compared to the same point in the prior year.

440 Golf course revenues are 5.99% ahead of the prior year on a percent of budget basis, due largely to rate adjustments adopted in January.



SUMMARY BUDGET REPORT

May 31, 2022

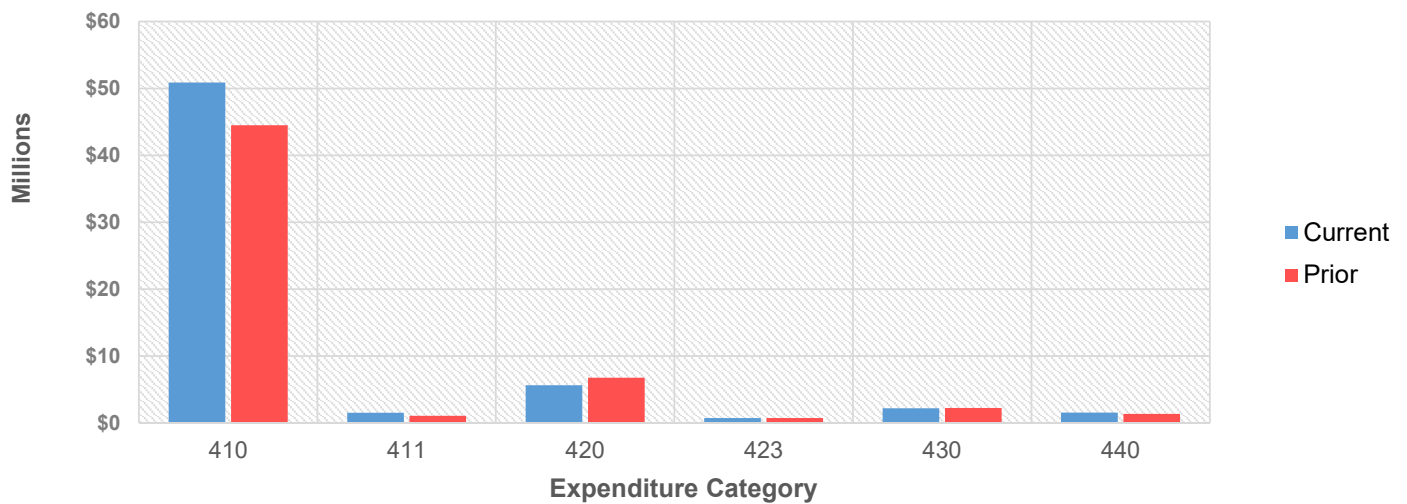
66.58% of Year Elapsed

Exhibit 4

Enterprise Fund Expenditures

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
410 Electric	50,874,012	56.12%	44,483,051	49.55%	6.57%	6,390,961
411 Natural Gas	1,506,369	71.28%	1,058,290	54.78%	16.51%	448,078
420 Water & Sewer	5,624,167	25.10%	6,739,378	37.95%	-12.85%	(1,115,211)
423 Stormwater	721,183	26.94%	734,077	37.49%	-10.56%	(12,895)
430 Sanitation	2,185,353	50.97%	2,231,679	56.54%	-5.57%	(46,325)
440 Golf Course	1,535,516	63.47%	1,340,274	59.90%	3.57%	195,242
Total Expenditures	\$62,446,600	50.13%	\$56,586,750	48.12%	2.02%	\$5,859,850

Current Year vs. Prior Year



Discussion

Total Enterprise Fund expenditures are under budget for the current year and slightly ahead of expenditures at the same point in the prior year.

410 The increase in Electric Fund expenditures is primarily due to the rising cost of purchased power.

411 Increased natural gas customer consumption and the rising cost of natural gas combined account for the increase in expenditures over the prior year.

420 The decrease in Water & Sewer expenditures from the prior year is largely due to savings in debt service costs now that the City is debt free.



SUMMARY BUDGET REPORT

May 31, 2022

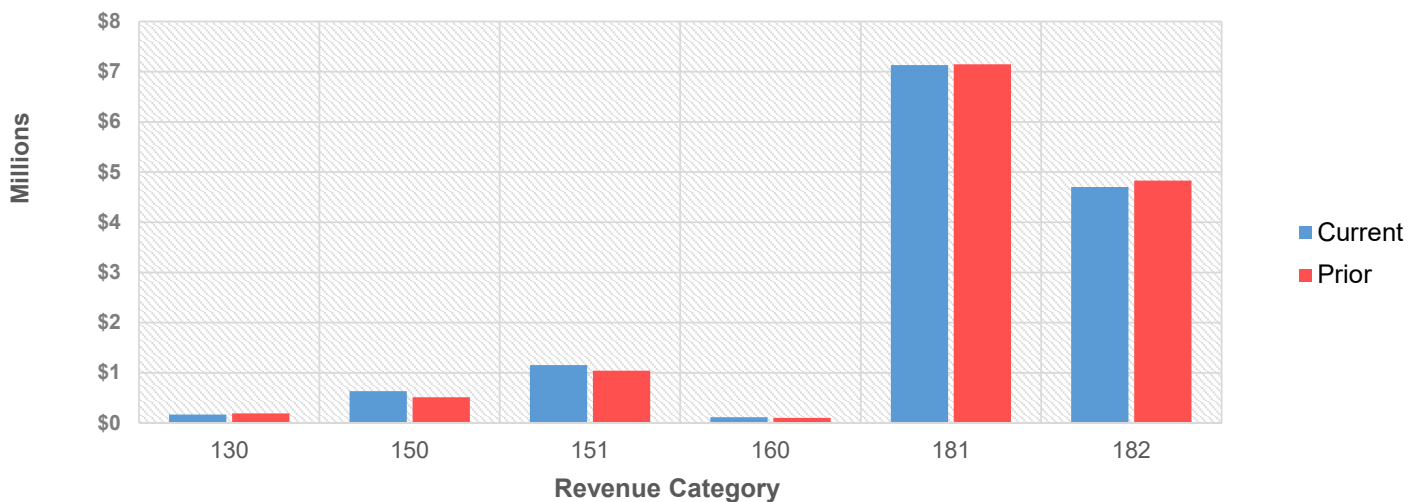
66.58% of Year Elapsed

Exhibit 5

Special Revenue Fund Revenues

Revenue Category	Current Year Revenue to Date	Current Year Revenue % of Budget	Prior Year Revenue to Date	Prior Year Revenue % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
130 Convention Development	168,132	44.81%	190,457	46.79%	-1.98%	(22,325)
150 Local Option Gas Tax	632,921	79.55%	509,812	62.46%	17.09%	123,108
151 Infrastructure Surtax	1,153,158	78.83%	1,041,137	75.42%	3.41%	112,022
160 Community Dev Blk Grant	112,295	79.08%	101,039	71.15%	7.93%	11,255
181 Downtown Increment Fund	7,131,499	93.22%	7,146,604	98.22%	-5.00%	(15,105)
182 Southend Increment Fund	4,702,556	174.61%	4,830,269	185.01%	-10.40%	(127,713)
Total Revenues	\$13,900,561	105.95%	\$13,819,319	109.39%	-3.44%	\$81,243

Current Year vs. Prior Year



Discussion

Total revenues in the Special Revenue Funds are 3.44% lower than the prior year actuals on a percent of budget basis.

130 Convention Development revenues reflect receipts through January 2022.

160 Community Development Block Grant revenues are received on a reimbursement basis.

181/ 182 The annual tax increment distribution for both the Downtown and Southend districts were received in December. The decrease from the prior year is due primarily to the adjustment to market value of the City's pooled investment assets.



SUMMARY BUDGET REPORT

May 31, 2022

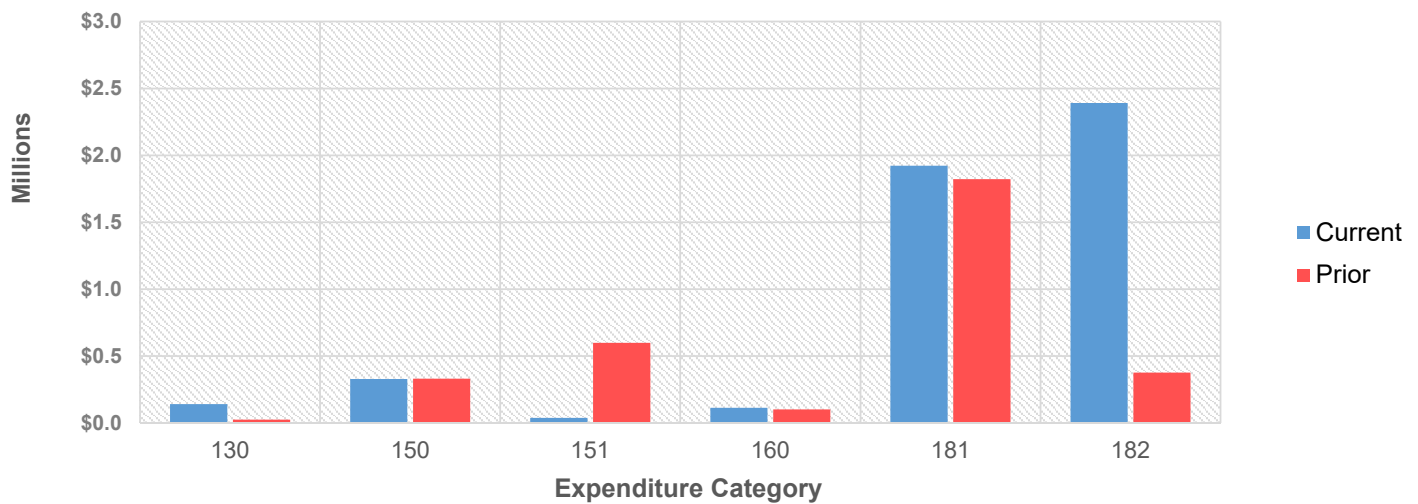
66.58% of Year Elapsed

Exhibit 6

Special Revenue Fund Expenditures

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
130 Convention Development	140,411	24.47%	24,000	12.21%	12.26%	116,411
150 Local Option Gas Tax	328,033	40.93%	330,922	41.71%	-0.78%	(2,889)
151 Infrastructure Surtax	36,980	2.72%	597,854	37.64%	-34.92%	(560,874)
160 Community Dev Blk Grant	112,295	79.08%	101,039	71.15%	7.93%	11,255
181 Downtown Increment Fund	1,922,252	19.38%	1,821,177	44.00%	-24.62%	101,075
182 Southend Increment Fund	2,390,639	20.83%	375,860	10.94%	9.89%	2,014,779
Total Expenditures	\$4,930,610	20.31%	\$3,250,853	31.58%	-11.27%	\$1,679,757

Current Year vs. Prior Year



Discussion

In total, Special Revenue Fund expenditures are under budget for the current year and 11.27% lower than the prior year on a percent of budget basis.

130 The increase in Convention Development Fund is due to expenditures on the urban trails master plan.

151 The decrease in Infrastructure Surtax Fund expenditures is attributable to roadway milling, paving, and overlay projects undertaken in the prior year.

160 Community Development Block Grant Fund expenditures will be reimbursed by grant funding.

182 The increase in the Southend Increment Fund is due to the timing of capital improvement projects.



SUMMARY BUDGET REPORT

May 31, 2022

66.58% of Year Elapsed

Exhibit 7

Summary Revenues and Expenditures

Fund Name	Budgeted Annual Revenues	Budgeted Revenues To Date	Actual Revenues To Date	Variance Favorable/(Unfavorable)
001 General Fund	24,935,609	16,600,967	19,870,929	3,269,962
130 Convention Development Tax	375,179	249,777	168,132	(81,644)
150 Local Option Gas Tax	795,610	529,680	632,921	103,240
151 Infrastructure Surtax	1,462,833	973,886	1,153,158	179,272
160 Community Dev. Blk. Grant	142,000	94,537	112,295	17,758
181 Downtown Increment Fund	7,650,521	5,093,361	7,131,499	2,038,139
182 Southend Increment Fund	2,693,245	1,793,037	4,702,556	2,909,519
410 Electric Utility	83,159,691	55,363,849	46,970,551	(8,393,298)
411 Natural Gas Utility	2,007,643	1,336,595	1,478,257	141,662
420 Water & Sewer Utility	15,118,502	10,065,194	10,136,218	71,023
423 Storm Water Management	1,453,336	967,563	843,042	(124,521)
430 Sanitation Fund	3,529,867	2,350,021	2,440,958	90,937
440 Golf Course Fund	2,273,503	1,513,592	2,237,180	723,587
460 Leased Facilities Fund	762,177	507,422	496,260	(11,161)
500 Internal Service Funds	13,622,837	9,069,450	8,616,355	(453,095)
Total Revenues	\$159,982,553	\$106,508,933	\$106,990,312	\$481,379

Fund Name	Budgeted Annual Expenditures	Budgeted Expenditures To Date	Actual Expenditures To Date	Variance Favorable/(Unfavorable)
001 General Fund	26,150,348	17,409,684	16,071,995	1,337,688
130 Convention Development Tax	573,719	381,955	140,411	241,545
150 Local Option Gas Tax	801,509	533,607	328,033	205,574
151 Infrastructure Surtax	1,359,106	904,829	36,980	867,849
160 Community Dev. Blk. Grant	142,000	94,537	112,295	(17,758)
181 Downtown Increment Fund	9,918,253	6,603,111	1,922,252	4,680,858
182 Southend Increment Fund	11,477,222	7,641,000	2,390,639	5,250,361
410 Electric Utility	90,651,229	60,351,366	50,874,012	9,477,354
411 Natural Gas Utility	2,113,227	1,406,888	1,506,369	(99,481)
420 Water & Sewer Utility	22,409,864	14,919,444	5,624,167	9,295,277
423 Storm Water Management	2,677,429	1,782,508	721,183	1,061,325
430 Sanitation Fund	4,287,562	2,854,459	2,185,353	669,106
440 Golf Course Fund	2,419,201	1,610,591	1,535,516	75,075
460 Leased Facilities Fund	871,513	580,213	505,935	74,277
500 Internal Service Funds	13,680,799	9,108,039	8,367,310	740,729
Total Expenditures	\$189,532,980	\$126,182,230	\$92,322,451	\$33,859,779

Fund Name	Net Income/(Loss)	Net Variance Favorable/(Unfavorable)
001 General Fund	3,798,934	4,607,650
130 Convention Development Tax	27,722	159,900
150 Local Option Gas Tax	304,887	308,814
151 Infrastructure Surtax	1,116,178	1,047,121
160 Community Dev. Blk. Grant	-	-
181 Downtown Increment Fund	5,209,247	6,718,997
182 Southend Increment Fund	2,311,917	8,159,879
410 Electric Utility	(3,903,461)	1,084,056
411 Natural Gas Utility	(28,111)	42,181
420 Water & Sewer Utility	4,512,051	9,366,300
423 Storm Water Management	121,860	936,804
430 Sanitation Fund	255,604	760,042
440 Golf Course Fund	701,663	798,662
460 Leased Facilities Fund	(9,675)	63,116
500 Internal Service Funds	249,045	287,634
Total	\$14,667,861	\$34,341,159



CASH AND INVESTMENTS BY TYPE

Fiscal Year to Date

May 31, 2022

Type of Investment	10/1/2021 Beginning Balance	Investment Earnings	Realized Gain/(Loss)	Unrealized Gain/(Loss)	Fees	Net Investment Income	Net Deposits (Withdrawals)	5/31/2022 Ending Balance	Weighted Net Return*
Sawgrass Asset Management	44,639,915	532,632	(87,758)	(2,063,943)	(63,202)	(1,682,270)	0	42,957,644	-0.69%
Galliard Capital Management	42,652,431	389,654	(461,254)	(1,253,287)	(46,541)	(1,371,429)	5,000,000	46,281,001	-0.60%
Garcia Hamilton & Associates	42,538,492	187,145	5,830	(241,178)	(61,533)	(109,735)	5,000,000	47,428,756	-0.05%
State Pooled Investment Fund	22,151,012	55,577	-	-	-	55,577	10,000,000	32,206,589	0.03%
Florida Trust	19,091,550	42,097	-	-	-	42,097	10,000,000	29,133,646	0.02%
Florida Municipal Investment Trust 0-2 Yr HQ Bond Fund	12,681,578	(84,265)	-	-	-	(84,265)	0	12,597,313	-0.04%
Operating Cash: Bank of America	33,974,437	47,643	-	-	(115,369)	(67,726)	(11,427,147)	22,479,563	-0.02%
Petty Cash	6,725	-	-	-	-	-	-	6,725	0.00%
TOTAL CITY MANAGED INVESTMENTS AND CASH	217,736,139	1,170,482	(543,183)	(3,558,407)	(286,645)	(3,217,753)	18,572,853	233,091,239	-1.42%
Pension: Salem Mutual Fund	66,984,250	2,444,064	536,278	(6,107,907)	-	(3,127,564)	(1,500,000)	62,356,686	-2.73%
Pension: Sawgrass Asset Mgt	27,641,190	313,165	(664,533)	(1,932,124)	(66,635)	(2,350,127)	-	25,291,063	-1.99%
Pension: Wells Capital	18,231,624	37,227	(78,615)	(4,477,905)	(79,666)	(4,598,959)	-	13,632,666	-3.18%
Pension: JPMCB - Strategic Property Fund	5,782,110	-	-	953,776	-	953,776	-	6,735,885	1.03%
TOTAL PENSION INVESTMENTS	118,639,174	2,794,457	(206,871)	(11,564,160)	(146,300)	(9,122,874)	(1,500,000)	108,016,300	-7.74%
TOTAL CASH AND INVESTMENTS	\$336,375,312	\$3,964,939	(\$750,053)	(\$15,122,567)	(\$432,945)	(\$12,340,627)	\$17,072,853	\$341,107,539	



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Director of Planning and Development Department
DATE:	05/09/2022
SUBJECT:	Final Plat for Campbell Cove Townhomes

BACKGROUND

The applicant, John Atkins of Atkins Builders, has applied to subdivide property that has been redeveloped into four new fee-simple townhouses that are located on the east side of Gorden Avenue, just south of 21st Avenue South. The previous use of the property was three vacant residential lots of record. The applicant has been advised by staff that they will need to receive final subdivision plat approval by City Council and record the final subdivision plat with the Duval County Clerk of Court prior to selling the four individual townhouse units.

The subject property is located in the Residential, multiple-family: RM-2 zoning district. The subject property received approval from the Planning Commission for a Concept Plan for Plat under PC#11-12, and received Development Plan approval for SP#21-2 in 2022. Each of the four townhouse lots shown on the attached plat exceeds the minimum lot size requirements for RM-2 townhouse lots.

The attached Final Plat document has been approved by all reviewing City Departments and is consistent with relevant Land Development Code and Comprehensive Plan regulations.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Approve/Disapprove Final Plat for Campbell Cove Townhomes

ATTACHMENTS

1. Final Plat Campbell Cove

CAMPBELL COVE

CITY OF JACKSONVILLE BEACH, FLORIDA

LOTS 10, 11 AND 12, BLOCK "R", PERMENTER'S REPLAT OF SOUTH PABLO OR ATLANTIC CAMP GROUNDS, AS
RECORDED IN PLAT BOOK 9, PAGE 44, OF THE CURRENT RECORDS OF DUVAL COUNTY FLORIDA
BEING A PORTION OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 29 EAST, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CAPTION:

BEING A PORTION OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 29 EAST, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT ATKINS BUILDER, INC., IS THE LAWFUL OWNER OF THE LANDS DESCRIBED IN THE CAPTION HEREON KNOWN AS CAMPBELL COVE, HAVING CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED. THIS PLAT BEING MADE IN ACCORDANCE WITH SAID SURVEY IS HEREBY ADOPTED AS A TRUE AND CORRECT PLAT OF THOSE LANDS.

THE EASEMENT DESIGNATED AS TEN FOOT (10') BEACHES ENERGY EASEMENT IS HEREBY IRREVOCABLY DEDICATED TO THE CITY OF JACKSONVILLE BEACH, A MUNICIPAL CORPORATION IN DUVAL COUNTY, FLORIDA, D/B/A BEACHES ENERGY SERVICES, ITS SUCCESSORS AND ASSIGNS FOR ITS NON-EXCLUSIVE USE IN CONJUNCTION WITH ITS UNDERGROUND ELECTRICAL DISTRIBUTION SYSTEM. BEACH ENERGY SERVICES HEREBY RESERVES THE NON-EXCLUSIVE , IRREVOCABLE AND PERPETUAL RIGHT OF INGRESS TO EGRESS FROM, OVER, UNDER, AND ACROSS ALL ROADS, STREETS, WAYS, BOULEVARDS, LANES, AND ELECTRIC EASEMENTS DEPICTED BY THIS PLAT FOR ITS USE IN THE CONSTRUCTION, INSTALLATION, MAINTENANCE, OR REMOVAL OF ITS UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM, SURFACE MOUNTED EQUIPMENT, FACILITIES, AND APPURTENANCES IN CONJUNCTION WITH ITS UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM. THE AFORESAID SPECIFIC TEN FOOT (10') BEACHES ENERGY EASEMENT IS SUBJECT TO THE FOLLOWING COVENANTS WITH SHALL RUN WITH THE LAND:

- (1) NO UTILITIES OTHER THAN BEACHES ENERGY SERVICES SHALL BE INSTALLED WITHIN SAID ELECTRIC EASEMENTS.
- (2) ELECTRIC EASEMENTS DEDICATED TO BEACHES ENERGY SERVICES AND WHERE ABOVE GROUND EQUIPMENT, FACILITIES, AND APPURTENANCES ARE PLACED SHALL REMAIN TOTALLY UNOBSTRUCTED IN COMPLIANCE WITH THE UTILITY'S REQUIREMENTS AND SPECIFICATIONS FOR EQUIPMENT CLEARANCES FROM SHRUBS, TREES, PLANTS, FENCES, AND OTHER OBJECTS.
- (3) THE INSTALLATION OF FENCES, HEDGES, AND LANDSCAPING IS PERMISSIBLE BUT SUBJECT TO REMOVAL BY BEACHES ENERGY SERVICES WITHOUT PRIOR NOTICE, AT THE EXPENSE OF EACH LOT OWNER OR ATKINS BUILDER, INC., FOR THE REMOVAL AND REPLACEMENT OF SUCH ITEMS.

IN WITNESS WHEREOF ATKINS BUILDER, INC., HAS CAUSED THESE PRESENTS TO BE SIGNED, THIS ____ DAY OF _____, 2022 A.D.

BY: _____
JOHN ATKINS , PRESIDENT OF ATKINS BUILDER, INC.

WITNESS
PRINT NAMES: _____

WITNESS
PRINT NAMES: _____

STATE OF FLORIDA, COUNTY OF DUVAL:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS ____ DAY OF _____, 2022 A.D., BY JOHN ATKINS, PRESIDENT OF ATKINS BUILDERS, INC., WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE

PRINT NAME: _____

COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

CLERK'S CERTIFICATE:

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED, AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND SUBMITTED TO ME FOR RECORDING AND IS RECORDED IN PLAT BOOK _____, PAGES _____ OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ON THIS ____ DAY OF _____, 2022 AD.

BY: _____ BY: _____
CLERK OF THE CIRCUIT COURT DEPUTY CLERK

CITY OF JACKSONVILLE BEACH APPROVAL:

EXAMINED AND APPROVED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, THIS ____ DAY OF _____, 2022 A.D.

MAYOR- CHRIS HOFFMAN

CITY CLERK-SHERRI GOSSELIN

CONSENT AND SUBORDINATION BY MORTGAGE:

SYNOVUS BANK AS HOLDER OF CERTAIN MORTGAGE OF THE LANDS DESCRIBED IN THE CAPTION HEREON RECORDED IN OFFICIAL RECORDS BOOK 19814, PAGE 2415 HEREBY JOINS AND CONSENTS TO THE FOREGOING ADOPTION AN DEDICATION AND AGREES THAT MORTGAGE SHALL BE SUBORDINATED TO THE DEDICATIONS.

IN WITNESS WHEREOF, PATRICK KINCAID, AS COMMERCIAL BANKER OF SYNOVUS BANK HAS CAUSED THESE PRESENTS TO BE SIGNED THIS ____ DAY OF _____, 2022 AD.

BY: _____

PATRICK KINCAID
COMMERCIAL BANKER OF SYNOVUS BANK

WITNESS
PRINT NAMES: _____

STATE OF FLORIDA, COUNTY OF DUVAL:

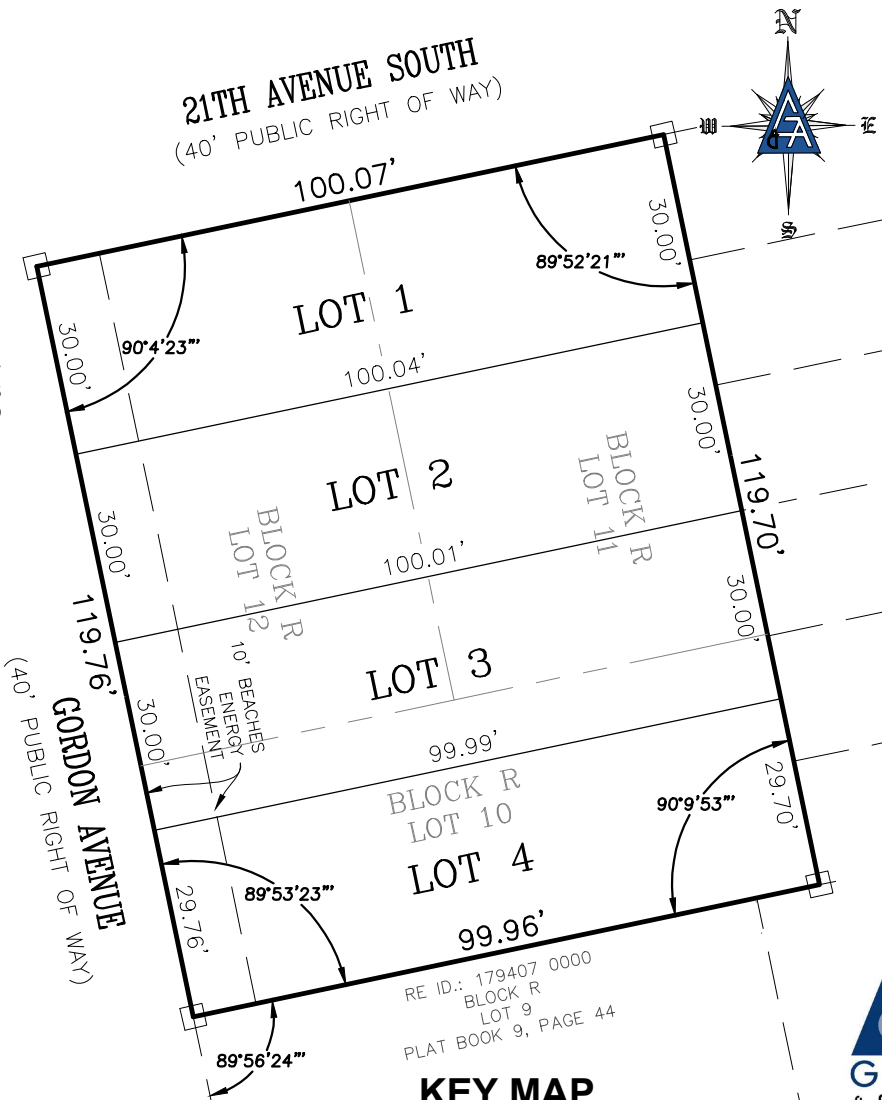
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS ____ DAY OF _____, 2022 A.D., PATRICK KINCAID COMMERCIAL BANKER, SYNOVUS BANK, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE

PRINT NAME: _____

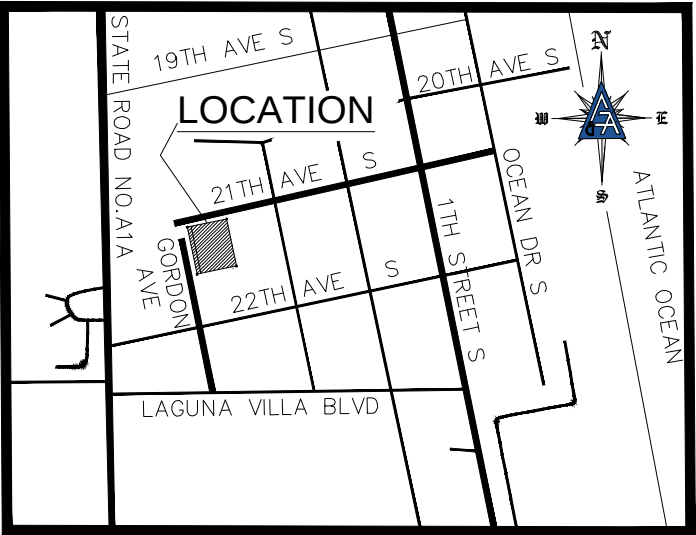
COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____



PLAT BOOK ____ PAGE ____

SHEET 1 OF 1 SHEETS



VICINITY MAP

NOT TO SCALE

GENERAL NOTES

1. FEATURES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, U.S. SURVEY FOOT, (NAD '83, 2011 ADJUSTMENT).
2. NO BEARINGS SHOWN HEREON, PLAT OF RECORD DOES NOT CONTAIN ANY ANGULAR INFORMATION, INTERIOR ANGLES AS PER FIELD SURVEY.
4. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHICAL FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT, THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. (FLORIDA STATUTE 177.091 (28))

LEGEND:

SET 4"x4" CONCRETE MONUMENT STAMPED "P.R.M. LB 6508"
R.E. ID. REAL ESTATE IDENTIFICATION

PLAT CONFORMITY REVIEW:

THIS PLAT HAS BEEN REVIEWED AND FOUND IN COMPLIANCE WITH TO FLORIDA STATUES CHAPER 177, PART 1, FLORIDA STATUTES, ON THIS ____ DAY OF _____, 2022 AD.

BY: _____

JOHN S. THOMAS, P.S.M.
PROFESSIONAL LAND SURVEYOR NUMBER 6223

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT PRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED IN THE CAPTION, THAT THE SURVEY WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART I, PLATTING; THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA AND THE CITY OF JACKSONVILLE BEACH, FLORIDA.

SIGNED AND SEALED THIS ____ DAY OF _____, 2022 A.D.

JOHN S. THOMAS
PROFESSIONAL SURVEYOR & MAPPER, LICENSE NUMBER 6223
GHOTTO & ASSOCIATES, INC.

PREPARED BY
GHIOTTO & ASSOCIATES, INC.
NATIONALLY CERTIFIED SURVEYORS & MAPPERS
CERTIFICATE OF AUTHORIZATION No. LB 6508
2426 PHILIPS HIGHWAY
JACKSONVILLE, FLORIDA 32207
(904) 886-0071
(904) 886-7174 FAX
www.GHIOTTO.com





City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Director of Planning and Development Department
DATE:	05/09/2022
SUBJECT:	Final Plat for Owen Shores Townhomes

BACKGROUND

The applicant, John Atkins of Atkins Builders, has applied to subdivide property that will be redeveloped into four fee-simple townhouses located on the west side of 2nd Street South between 13th and 14th Avenues South. The previous use of the property was excess surface parking for the Ameris Bank located on 3rd Street, which is not needed for the bank to meet their parking requirement. The applicant was advised by staff that they would need to receive final subdivision plat approval by City Council and record the final subdivision plat with the Duval County Clerk of Court prior to selling the four individual townhouse lots.

The subject property is located in a Commercial, limited: C-1 zoning district. The project received conditional use approval from the Planning Commission for townhouses in a commercial zoning district under PC#7-21. The project received Concept Plan for Plat approval from the Planning Commission under PC#12-22, and Development Plan approval under SP#21-3. The townhouses have been constructed to the RM-2 zoning district standards. Each of the four townhouse lots shown on the attached plat exceed the minimum lot size requirements for RM-2 townhouse lots.

The attached Final Plat document has been approved by all reviewing City Departments and is consistent with relevant Land Development Code and Comprehensive Plan regulations.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Approve/Disapprove Final Plat for Owen Shores Townhomes

ATTACHMENTS

1. Final Plat Owen Shores

OWEN SHORES

CITY OF JACKSONVILLE BEACH, FLORIDA

BEING LOTS 1 AND 2, BLOCK 133, PABLO BEACH SOUTH, PLAT BOOK 3, PAGE 28, SECTION 4, TOWNSHIP 3 SOUTH, RANGE 29 EAST, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CAPTION:

BEING LOTS 1 AND 2, BLOCK 133, PABLO BEACH SOUTH, PLAT BOOK 3, PAGE 28, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT ATKINS BUILDER, INC., IS THE LAWFUL OWNER OF THE LANDS DESCRIBED IN THE CAPTION HEREON KNOWN AS OWEN SHORES, HAVING CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED. THIS PLAT BEING MADE IN ACCORDANCE WITH SAID SURVEY IS HEREBY ADOPTED AS A TRUE AND CORRECT PLAT OF THOSE LANDS.

THE EASEMENT DESIGNATED AS TEN FOOT (10') BEACHES ENERGY EASEMENT IS HEREBY IRREVOCABLY DEDICATED TO THE CITY OF JACKSONVILLE BEACH, A MUNICIPAL CORPORATION IN DUVAL COUNTY, FLORIDA, D/B/A BEACHES ENERGY SERVICES, ITS SUCCESSORS AND ASSIGNS FOR ITS NON-EXCLUSIVE USE IN CONJUNCTION WITH ITS UNDERGROUND ELECTRICAL DISTRIBUTION SYSTEM. BEACH ENERGY SERVICES HEREBY RESERVES THE NON-EXCLUSIVE , IRREVOCABLE AND PERPETUAL RIGHT OF INGRESS TO EGRESS FROM, OVER, UNDER, AND ACROSS ALL ROADS, STREETS, WAYS, BOULEVARDS, LANES, AND ELECTRIC EASEMENTS DEPICTED BY THIS PLAT FOR ITS USE IN THE CONSTRUCTION, INSTALLATION, MAINTENANCE, OR REMOVAL OF ITS UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM, SURFACE MOUNTED EQUIPMENT, FACILITIES, AND APPURTENANCES IN CONJUNCTION WITH ITS UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM. THE AFORESAID SPECIFIC TEN FOOT (10') BEACHES ENERGY EASEMENT IS SUBJECT TO THE FOLLOWING COVENANTS WITH SHALL RUN WITH THE LAND:

- (1) NO UTILITIES OTHER THAN BEACHES ENERGY SERVICES SHALL BE INSTALLED WITHIN SAID ELECTRIC EASEMENTS.
- (2) ELECTRIC EASEMENTS DEDICATED TO BEACHES ENERGY SERVICES AND WHERE ABOVE GROUND EQUIPMENT, FACILITIES, AND APPURTENANCES ARE PLACED SHALL REMAIN TOTALLY UNOBSTRUCTED IN COMPLIANCE WITH THE UTILITY'S REQUIREMENTS AND SPECIFICATIONS FOR EQUIPMENT CLEARANCES FROM SHRUBS, TREES, PLANTS, FENCES, AND OTHER OBJECTS.
- (3) THE INSTALLATION OF FENCES, HEDGES, AND LANDSCAPING IS PERMISSIBLE BUT SUBJECT TO REMOVAL BY BEACHES ENERGY SERVICES WITHOUT PRIOR NOTICE, AT THE EXPENSE OF EACH LOT OWNER OR ATKINS BUILDER, INC., FOR THE REMOVAL AND REPLACEMENT OF SUCH ITEMS.

THE PRIVATE UTILITY EASEMENTS SHOWN HEREON IS FOR SANITARY SEWER LINES AND SHALL REMAIN PRIVATELY OWNED AND THE SOLE EXCLUSIVE PROPERTY OF THE OWNERS, THEIR SUCCESSOR AND ASSIGNS; PROVIDED HOWEVER, THE UNDERSIGNED OWNER RESERVES THE RIGHT TO CONVEY SAID EASEMENT TO AN ENTITY, INCLUDING WITHOUT LIMITATION, A PROPERTY OWNERS ASSOCIATION, OR OTHER THIRD PARTY THAT ASSUMES ALL OBLIGATION OF MAINTENANCE AND OPERATION THEREOF UNDER THIS PLAT.

IN WITNESS WHEREOF ATKINS BUILDER, INC., HAS CAUSED THESE PRESENTS TO BE SIGNED, THIS _____ DAY OF _____, 2022 A.D.

BY: _____
JOHN ATKINS , PRESIDENT OF ATKINS BUILDER, INC.

WITNESS
PRINT NAMES: _____

WITNESS
PRINT NAMES: _____

STATE OF FLORIDA, COUNTY OF DUVAL:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS _____ DAY OF _____, 2022 A.D., BY JOHN ATKINS, PRESIDENT OF ATKINS BUILDERS, INC., WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE

PRINT NAME: _____

COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

CLERK'S CERTIFICATE:

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED, AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND SUBMITTED TO ME FOR RECORDING AND IS RECORDED IN PLAT BOOK _____, PAGES _____ OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ON THIS _____ DAY OF _____, 2022 AD.

BY: _____
BY: _____

CLERK OF THE CIRCUIT COURT

DEPUTY CLERK

CITY OF JACKSONVILLE BEACH APPROVAL:

EXAMINED AND APPROVED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, THIS _____ DAY OF _____, 2022 A.D.

MAYOR- CHRIS HOFFMAN

CITY CLERK-SHERRI GOSSELIN

CONSENT AND SUBORDINATION BY MORTGAGE:

AMERIS BANK AS HOLDER OF CERTAIN MORTGAGE OF THE LANDS DESCRIBED IN THE CAPTION HEREON RECORDED IN OFFICIAL RECORDS BOOK 19999, PAGE 778 HEREBY JOINS AND CONSENTS TO THE FOREGOING ADOPTION AN DEDICATION AND AGREES THAT MORTGAGE SHALL BE SUBORDINATED TO THE DEDICATIONS.

IN WITNESS WHEREOF, JERRY POWER, AS COMMERCIAL BANKER OF AMERIS BANK HAS CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____, 2022 AD.

BY: _____

WITNESS

JERRY POWER

PRINT NAMES: _____

COMMERCIAL BANKER OF AMERIS BANK

STATE OF FLORIDA, COUNTY OF DUVAL:

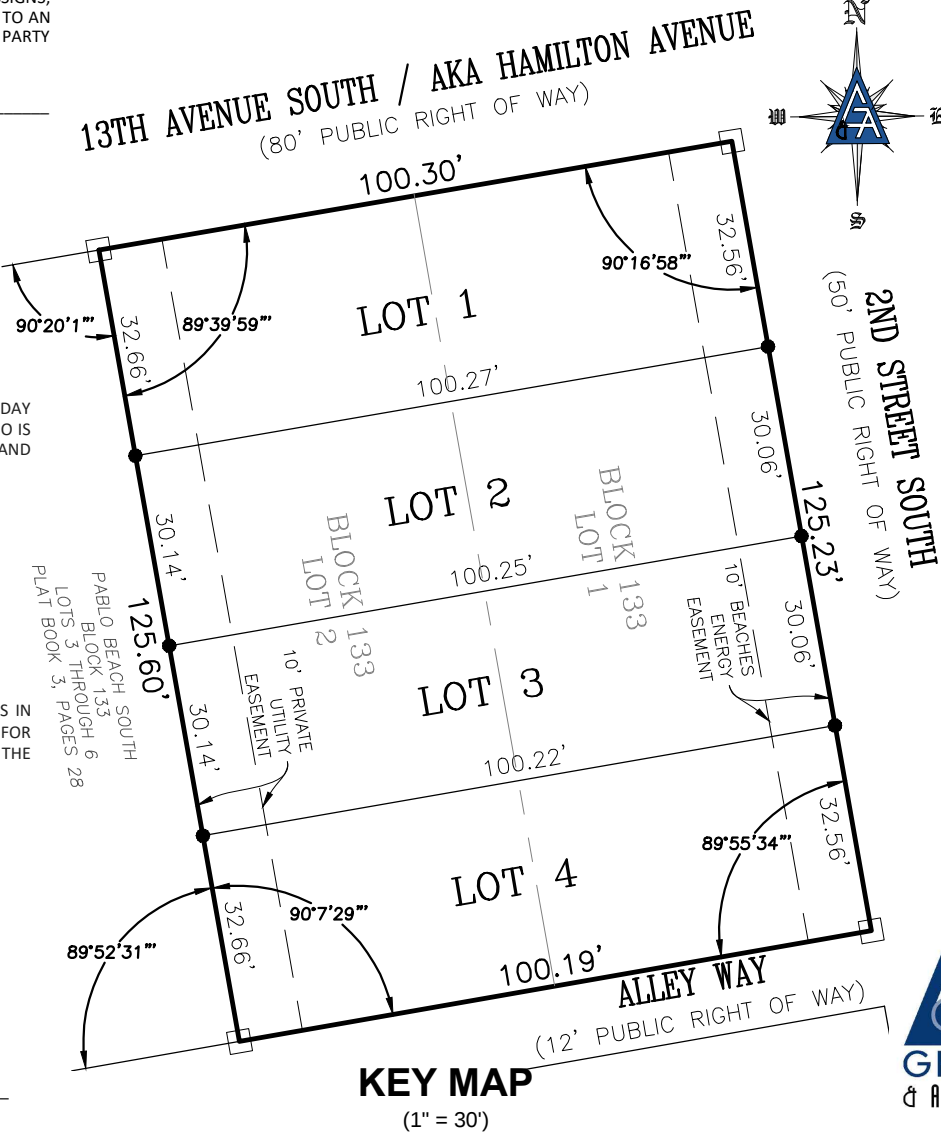
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS _____ DAY OF _____, 2022 A.D., JERRY POWER, COMMERCIAL BANKER, AMERIS BANK, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE

PRINT NAME: _____

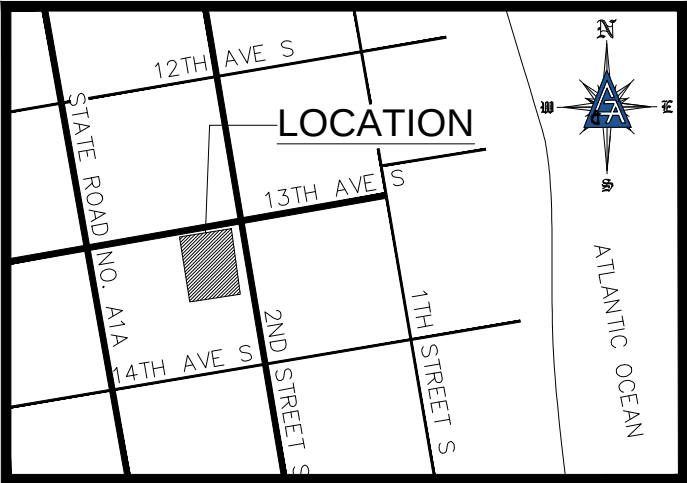
COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____



PLAT BOOK ____ PAGE ____

SHEET 1 OF 1 SHEETS



VICINITY MAP

NOT TO SCALE

GENERAL NOTES

- FEATURES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, U.S. SURVEY FOOT, (NAD '83, 2011 ADJUSTMENT).
- NO BEARINGS SHOWN HEREON. PLAT OF RECORD DOES NOT CONTAIN ANY ANGULAR INFORMATION.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHICAL FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT, THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. (FLORIDA STATUTE 177.091 (28))

SYMBOL LEGEND
DEFINITION:

- SYMBOL:
- SET 1/2" IRON PIPE W/CAP STAMPED LB 1048
 - SET 4"x4" CONCRETE MONUMENT STAMPED "P.R.M. LB 6508"

PLAT CONFORMITY REVIEW:

THIS PLAT HAS BEEN REVIEWED AND FOUND IN COMPLIANCE WITH TO FLORIDA STATUES CHAPER 177, PART 1, FLORIDA STATUTES, ON THIS _____ DAY OF _____, 2022 AD.

BY: _____

JOHN S. THOMAS, P.S.M.

PROFESSIONAL LAND SURVEYOR NUMBER 6223

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT PRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED IN THE CAPTION, THAT THE SURVEY WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART I, PLATTING; THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA AND THE CITY OF JACKSONVILLE BEACH, FLORIDA.

SIGNED AND SEALED THIS _____ DAY OF _____, 2022 A.D.

JOHN S. THOMAS

PROFESSIONAL SURVEYOR & MAPPER, LICENSE NUMBER 6223

GHIOTTO & ASSOCIATES, INC.

PREPARED BY

GHIOTTO & ASSOCIATES, INC.
NATIONALLY CERTIFIED SURVEYORS & MAPPERS

CERTIFICATE OF AUTHORIZATION No. LB 6508
2426 PHILIPS HIGHWAY
JACKSONVILLE, FLORIDA 32207
(904) 886-0071
(904) 886-7174 FAX
www.GHIOTTO.com





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CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Dennis W. Barron, Jr., Director of Public Works
DATE:	05/13/2022
SUBJECT:	Emergency Purchase of a Sequential Batch Processor Blower from Neuros

BACKGROUND

The Pollution Control Plant (PCP) Sequential Batch Processor (SBR) process requires the usage of three blower units to provide air to manage the wastewater breakdown process to function properly. Currently there is a single blower that has failed and needs to be replaced. The current process requirements are for one to two blowers to be operating at a time to ensure complete and efficient processing of the wastewater. These three blowers are rotated to assure redundancy and provide maintenance opportunities. With a single blower unavailable, the requirements for the two existing blowers become higher. This does not keep the City assured of accurate processing of wastewater. The City Manager approved the emergency purchase of this replacement blower on May 11, 2022. This request is for \$38,740, which is above the purchasing threshold of \$25,000 and requires City Council approval per the City's Purchasing Policy. This request is to approve that purchase after the fact.

FINANCIAL IMPACT

Funds will be spent from the following account: 420-07-0706-535-46-546002, and the budget will be amended as part of the year-end budget adjustment.

REQUESTED ACTION

Approve/Disapprove the emergency purchase of a Sequential Batch Processor Blower from Neuros in the amount of \$38,740

ATTACHMENTS

1. Neuros Quote for Replacement SBR Blower
2. City Manager Approval Email for Emergency Purchase

**Quotation**

Log Number AM-2022-0448-0
Created Date 5/6/2022
Last Modified Date 5/6/2022, 2:19 PM

Delivery address:

Jacksonville Beach, FL
Willie Rivers
910 South 10th Street
Jacksonville, FL 32250
United States
904-333-9535
wrivers@jaxbchfl.net

Invoice address:

Jacksonville Beach, FL

Project Description

Project Name: Jacksonville Beach, FL
Project Number: 09-0020
Models: 3 x NX50; 3 x NX200

Item	Quantity	Product Description	Product Code	Details	Sales Price	Total Price
1	1.00	NX200-C080 Core Exchange	SRV00014-0017.0	NX200-C080 Core (Under the Exchange Program) Warranty: 1 year from start up. Availability: TBD Note: APGN will take full ownership of the NX200-C080 core S/N 200-11-W21-11.	USD 35,100.00	USD 35,100.00
2	1.00	FSE On-Site Visit	SRV00014-0003.0	Site visit to perform core swap and to start up the turbo blower.	USD 1,500.00	USD 1,500.00
3	1.00	Estimated FSE Travel Expenses*	SRV00014-0009.0	*To be adjusted on final invoice.	USD 1,200.00	USD 1,200.00
4	1.00	FSE Travel Time	SRV00014-0006.0	Estimated 10hr at \$94/hr.	USD 940.00	USD 940.00

Subtotal USD 38,740.00
Total Price USD 38,740.00
Grand Total USD 38,740.00

Price does not include applicable taxes

Quote Prepared By

Julio Fajardo

Service après-vente / Aftermarket Sales
Manager

Expiration Date

6/6/2022

- Payment method: CK, Wire transfer, Credit card
- Payment: Net 30 Days
- Shipping: PPA

Thank you for choosing APG-Neuros!

From: [Mike Staffopoulos](#)
To: [Dennis Barron](#)
Subject: FW: Approval Needed - Emergency Purchase - SBR Core Swap
Date: Wednesday, May 11, 2022 3:48:07 PM
Attachments: [Core exchange option V2.pdf](#)
Importance: High

Dennis, emergency purchase approved.

Mike

From: Dennis Barron <dbarron@jaxbchfl.net>
Sent: Wednesday, May 11, 2022 3:46 PM
To: Mike Staffopoulos <mstaffopoulos@jaxbchfl.net>
Subject: Approval Needed - Emergency Purchase - SBR Core Swap
Importance: High

Mike,
Please approve the EMERGENCY purchase of a SBR blower unit for \$38,740.
We currently have 3 blowers, and one is down.
Process requires 2 blowers to be in operation.
This is a sole source purchase.
I will get this on the City Council Agenda for 6/20 for approval after the fact.

Dennis W. Barron, Jr. MBA
Director of Public Works

City of Jacksonville Beach
1460-A Shetter Avenue
Jacksonville Beach, FL 32250

Office: (904)247-6219



Chairman of Northeast Florida American Public Works Association (2022-23)
Trustee on the Coard of Trustees for Florida WateReuse

From: Robert Delgado <rdelgado@jaxbchfl.net>
Sent: Wednesday, May 11, 2022 3:01 PM
To: Dennis Barron <dbarron@jaxbchfl.net>
Cc: Phil Brown <pbrown@jaxbchfl.net>
Subject: SBR Core Swap

Mr. Barron,

Attached above we have a quotation for the core swap for blower #2 for our SBRs. We are over the 25k limit. Would it be possible to present this to city council on our next meeting May 16th?

Robert Delgado
WW Plant Operations Manager
City Of Jacksonville Beach
910 10th Street South
Jacksonville Beach, FL 32250
904-831-2092



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Ashlie Gossett, Chief Financial Officer, and Allen Putnam, Director of Beaches Energy Services
DATE:	04/28/2022
SUBJECT:	Resolution No. 2104-2022 Amending the Energy Efficiency and Customer Incentive Rebate Program

BACKGROUND

Since 2009, Beaches Energy Services has offered various energy efficiency rebates to its customers. The program, which was last updated in 2014, offers financial incentives for customers to make energy-saving improvements to their homes that are above those required by the building code. This program is very popular with our customers and has been successful in both reducing energy consumption and saving customers money.

After a thorough review of industry standards and comparable utility programs, staff recommends a few minor changes to update the program and clarify some language. Proposed changes to the City's energy efficiency and customer incentive rebate program include:

1. Extend the application deadline from 60 to 90 days after purchase or installation.
2. Set 15 SEER (Seasonal Energy Efficiency Ratio) air conditioners as the minimum rebate requirement and remove 14 SEER from eligibility.
3. Increase the rebate amount for 16 SEER and above from \$300 to \$350.
4. Increase the maximum commercial lighting rebate amount from \$2,500 to \$5,000.

FINANCIAL IMPACT

Funding for rebates is included in the annual Beaches Energy operating budget.

REQUESTED ACTION

Adopt/Deny Resolution No. 2104-2022 Amending the Energy Efficiency and Customer Incentive Rebate Program

ATTACHMENTS

1. Resolution No. 2104-2022

Introduced by: _____
Adopted: _____

RESOLUTION NO. 2104-2022

A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING RESOLUTION NO. 1932-2014, THE ENERGY EFFICIENCY AND CUSTOMER INCENTIVE REBATE PROGRAM; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Energy efficiency improvements lower energy usage, lower customer costs, and protect the environment; and

WHEREAS, Heating and cooling a home represents the most significant portion of its energy usage; and

WHEREAS, Beaches Energy Services wants to encourage customers to make energy efficiency improvements to their homes and business.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, AMEND RESOLUTION NO. 1932-2014 AS FOLLOWS:¹

SECTION 1. Overview. Beaches Energy Services offers conditional rebates to qualifying customers as an incentive to install qualifying ENERGY STAR® equipment, insulation upgrades and commercial lighting (referred to "Qualifying Energy Efficient Equipment and Installations"). Customers benefit from Qualifying Energy Efficient Equipment and Installations through Beaches Energy Services bill savings and sound environmental stewardship. Beaches Energy Services benefits by reducing its peak demand and reliance on power production from fossil fuels.

SECTION 2. Program Eligibility Criteria and Requirements. The following criteria and requirements must be met for a customer to be deemed eligible for a rebate.

2.01. Eligible Participants: Only electric customers of record with Beaches Energy Services may qualify for a rebate.

2.02. Requirements:

- a. ■ Residential rebates are valid only on existing residential homes.
- b. ■ Residential rebates do not apply to new construction homes.
- c. ■ Commercial rebates are valid only on existing commercial buildings.
- d. ■ Commercial rebates do not apply to new construction buildings.
- e. ■ The customer must receive retail electric service from Beaches Energy Services.

¹ ~~Strikethrough~~ text indicates deletions, underline text indicates additions.

- f. ~~■~~ The Residential Qualifying Energy Efficient Equipment and Installations must be located on the customer's premises of record's primary residence, and within Beaches Energy Services service territory.

2.03. Application:

- a. ~~■~~ An application for a rebate must be completed by the customer and approved by Beaches Energy Services.
- b. ~~■~~ Applications must be submitted to Beaches Energy Services within ~~60~~90 days of purchase or installation.
- c. ~~■~~ A copy of the required proof of purchase and/or installation by customer must be attached to the application. The proof of purchase and/or installation must include the customer name, address, and date of purchase or installation. Additional information specific to the type of rebate being sought may be required.

2.04. Additional Terms:

- a. ~~■~~ Equipment must be installed in accordance with the manufacturer's recommendations.
- b. ~~■~~ Equipment must be installed prior to issuance of a rebate.
- c. ~~■~~ Onsite verification of installation may be required prior to issuing rebate.
- d. ~~■~~ Beaches Energy Services reserves the right to withhold payment of any rebate until any identified problems with the application are resolved.
- e. ~~■~~ Beaches Energy Services may terminate this rebate in whole or in part due to the customer's failure to fulfill the terms and conditions in this document.
- f. ~~■~~ Beaches Energy Services may alter or cancel the rebate program at any time and without notice to customer.
- g. ~~■~~ Rebates will not exceed customer's purchase or installation price.
- h. ~~■~~ Rebates may take between 4-6 weeks for processing.
- i. ~~■~~ Rebates will be issued in the form of a credit on one or more of customer's monthly electric bills.
- j. ~~■~~ In the event that a qualifying customer is in default of any payment obligations to Beaches Energy Services, Beaches Energy Services may, at its sole discretion, apply the rebate as a credit against such default amounts.

2.05. Limit of Liability; Indemnification:

- a. ~~■~~ In no way shall Beaches Energy Services be liable for, and Customer hereby agrees to indemnify, defend and hold harmless Beaches Energy Services, its subsidiaries or affiliates, and their respective employees, officers and directors, from and against any and all liability, loss, damage, cost or expense, including attorney's fees, that may be caused by, due to, occasioned by, or otherwise arising out of the installation, operation, mis-operation, or use of Customer's Qualifying Energy Efficient Equipment and Installations.
- b. ~~■~~ Customer acknowledges and agrees that in no event shall any statement, representation, or lack thereof, either express or implied, by Beaches Energy Services, relieve the Customer of exclusive responsibility for the Customer's system. Specifically, Beaches Energy Services' approval of the rebate application, payment of the rebate, or any Beaches Energy Services inspection of the Qualifying Energy

Efficient Equipment and Installations shall not be construed as confirming or endorsing the Equipment design or its operating or maintenance procedures nor as a warranty or guarantee as to the safety, reliability, or durability of the Qualifying Energy Efficient Equipment and Installations.

- 2.06. Qualifying Energy Efficient Rebates;
- a. ☐ ENERGY STAR® Air Conditioner/Heat Pump
 - b. ☐ Insulation Upgrade
 - c. ☐ ENERGY STAR® Solar Water Heater
 - d. ☐ Window Tint/Solar Screen
 - e. ☐ Heat Pump Water Heater
 - f. ☐ Commercial Lighting

SECTION 3. Specific Rebate Programs.

3.01 ENERGY STAR® Air Conditioner/Heat Pump Rebate Requirements:
Requirements:

- a. ☐ Valid only on existing residential homes.
- b. ☐ Unit must be ENERGY STAR® qualified SEER ~~14~~15 and heat pumps must be HSPF 8.0 or greater.
- c. ☐ Unit must be ENERGY STAR® qualified SEER ~~15~~16 or higher and heat pumps must be HSPF 8.2 or greater.
- d. ☐ The Qualifying Energy Efficient Equipment must be installed by an authorized State of Florida Certified Heating, Air Conditioning, Refrigeration and Ventilation (HARV) or mechanical contractor.
- e. ☐ The customer must provide the contractor's invoice or paid receipt, including the customer name, address of installation and date of sale. For air source heat pumps and air conditioners, a copy of the "Certificate of ARI Certified Performance" provided by the contractor will also be required.
- f. ☐ Onsite verification of installation may be required.

Rebate amount:

- ~~14~~15 SEER 8.0 HSPF: **\$100**
- ~~15~~16 SEER 8.2 HSPF: **~~\$300~~350**

3.02 Insulation Upgrade Rebate Requirements:
Requirements:

- a. ☐ Valid only on existing residential homes.
- b. ☐ Requirements: Minimum upgrade to R-19 insulation or higher (batting, blanket, board, sprayed-on or blown-in) in existing attic levels and/or minimum upgrade to R-11 insulation or higher (batting, blanket or board form) in existing raised flooring levels.
- c. ☐ Rebate only applies to insulation installed over or under conditioned space.
- d. ☐ May be installed by homeowner.
- e. ☐ Must be installed in accordance with the manufacturer's recommendations.
- f. ☐ Rebate form must be completed and submitted to Beaches Energy Services. If

installed by the customer, proof of purchase must include a cutout section from each type of the insulation packaging showing the product name, R-rating and description along with a copy of the receipt. If installed by a contractor, proof of purchase must include installation details (depth, type, R-rating and density of insulation) itemized on the invoice.

- g. ➤ Limit 2,400 Sq. Ft. maximum per customer premise applicant and account.
- h. ➤ Limit one rebate per residential customer account.
- i. ➤ Onsite verification of installation may be required.

Rebate Amount: \$0.125 per square foot up to a maximum of \$300.

3.03 ENERGY STAR® Solar Water Heater Rebate Requirement:

Requirements:

- a. ➤ Valid only on existing residential homes.
- b. ➤ The solar water heater system ("the system") must be ENERGY STAR® rated solar domestic water heating equipment as certified by the Florida Solar Energy Center (FSEC). System performance must have current FSEC certification.
- c. ➤ The system must be installed, operated, and maintained in accordance with all applicable codes, laws, ordinances, and rules. All necessary permits must be obtained prior to installation.
- d. ➤ System must be installed by a Contractor currently certified to install solar water heaters by the Florida Department of Business and Professional Regulation Construction Industry Licensing Board.
- e. ➤ All solar water heater system components (i.e. collectors, valves, piping, tanks, pumps, insulation, controllers, etc.) must be new and must not have been previously placed in service in any other location for any other application. Rebuilt, refurbished, or relocated equipment is not eligible for a rebate.
- f. ➤ The primary purpose of the system must be to provide domestic hot water to the premises.
- g. ➤ The system must replace an electric hot water heater.
- h. ➤ The solar water heater system must be at least 80% shade free as calculated from the middle of the lowest edge of collector(s).
- i. ➤ All systems must be guaranteed against freeze damage.
- j. ➤ Collectors oriented East, West or flat mounted must be correctly sized using a correction factor formula.
- k. ➤ Ineligible Systems - Solar pool heating systems of all types, including spas, whether residential, commercial or institutional, are ineligible for a rebate. Additional solar thermal technologies such as solar heating, ventilation and air conditioning equipment are also excluded.
- l. ➤ Limit one rebate per residential customer account.
- m. ➤ Onsite verification of installation may be required.

Rebate Amount: \$500 or the amount paid by the customer, whichever is less.

3.04 Window Tint/Solar Screen Rebate Requirements:

Requirements:

- a. ☐ Valid only on existing residential homes.
- b. ☐ Shading Coefficient (SC) of film or screen must be 0.5 or less, or a Solar Heat Gain Coefficient (SHGC) of 0.43 or less.
- c. ☐ If installed by the customer, a cutout section from the packaging showing the product name, shading coefficient or Solar Heat Gain Coefficient, and description along with a copy of the receipt must be submitted. If installed by a contractor, the installation details must be itemized on the invoice.
- d. ☐ Limit one rebate per residential customer account.
- e. ☐ Onsite verification of installation may be required.

Rebate Amount: **\$100 or the amount paid by the customer, whichever is less.**

3.05 Heat Pump Water Heater Rebate Requirements:

Requirements:

- a. ☐ Valid only on existing residential homes.
- b. ☐ Must be an Energy Star rated heat pump water heater.
- c. ☐ Make and model number must be on contractor's invoice.
- d. ☐ Receipt and Energy Star qualification are required to receive this rebate.
- e. ☐ Heat pump water heater must be installed, operated, and maintained in accordance with all applicable codes, laws, ordinances, and rules.
- f. ☐ All necessary permits must be obtained prior to installation.
- g. ☐ Beaches Energy Services reserves the right to inspect the heat pump water heater at any time to ensure that it is consistent with rebate requirements. On-site inspection may be required by Beaches Energy Services prior to issuance of rebate.
- h. ☐ Rebate form must be completed and submitted to Beaches Energy Services within 60 days of installation along with the copy of the contractor's invoice. The invoice must include customer name, address of installation and date of purchase or installation.
- i. ☐ Limit one rebate per residential customer.
- j. ☐ Rebate will not exceed purchase price.

Rebate Amount: **\$500 or the amount paid by the customer, whichever is less.**

3.06 Commercial Lighting Rebate Requirements:

Requirements:

- a. ☐ Valid only on existing commercial buildings.
- b. ☐ Must be a commercial customer of Beaches Energy Services.
- c. ☐ All work must be done by a licensed Florida contractor in accordance with the manufacturer's recommendations.
- d. ☐ All necessary permits must be obtained prior to installation.
- e. ☐ Prior to installation, a retrofit/upgrade worksheet and lighting analysis sheet must be completed and reviewed by Beaches Energy Services Conservation Specialist for approval.
- f. ☐ Rebate form must be completed and submitted to Beaches Energy Services.

- g. ~~Beaches Energy Services reserves the right to inspect the retrofit/upgrade to ensure specific requirements are met. On-site inspection may be required by Beaches Energy Services prior to issuance of the rebate.~~
- h. ~~Lighting rebate will be applied to the commercial customer's Beaches Energy account providing the retrofit/upgrade meets all requirements established in the commercial lighting rebate program.~~
- i. ~~Rebate amount will not exceed purchase price.~~

Rebate Amount: **\$150 per reduced kW up to a maximum of ~~\$2,500~~\$5,000 or the amount paid by the customer, whichever is less.**

SECTION 4. Repeal of Prior Inconsistent Resolutions and Council Decisions. All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. Severability. If any section, sentence, clause, or phrase of this resolution should be held invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, or portion of this resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. Effective Date. This resolution shall become effective immediately upon passage and adoption by the City Council.

AUTHENTICATED this ____ day of _____, 2022.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

Sandra R. Robinson, City Attorney



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Director of Planning and Development Department
DATE:	06/14/2022
SUBJECT:	Ordinance No. 2022-8177 Abandonment of Certain City of Jacksonville Beach Rights-of-Way

BACKGROUND

The City of Jacksonville Beach Planning and Development Department received an application for the abandonment of a right-of-way or easement from applicant *Beach Block Townhomes, LLC*, pursuant to the process approved via Resolution No. 1514-96. The request is for the abandonment of 10 feet of right-of-way along the northern and southern boundaries of the entire block immediately south of Gonzales Park for the development of a new 38-unit townhouse project. The application package (attached hereto) included a completed application, property legal description, proof of ownership, property deeds, the applicant's narrative on the application request, the applicant's analysis of the applicability of the criteria for a right-of-way abandonment, and proposed site plans for the residential project.

The applicant is requesting that the City of Jacksonville Beach abandon 10 feet of right-of-way on 2nd Avenue North and 10 feet of right-of-way on 1st Avenue North between 10th Street North and 11th Street North. The applicant owns the entirety of the property which is the subject of the proposed project. The application was submitted with a companion Planned Unit Development: PUD rezoning application. The reason for the request is to maintain compliance with a City Council adopted Beaches Energy Services (BES) Policy that electrical utility easements be maintained on "private property." The abandonment of right-of-way does not change the applicant's proposed site plan, but allows the project to maintain compliance with the aforementioned BES policy. The proposed project has not yet gone through the official rezoning or development plan review process.

As is outlined in the application, following an evaluation of completeness, a copy of the application was made available to all other property owners within 300 feet of the subject property to solicit any comments from the public. Correspondence received is provided as part of the attachments to this memo. Following the request for public comments, a copy of the application was provided to the Fire Marshal, Public Works Department, the Police Department, and BES for staff review, comment, and recommendation. Departmental review criteria are provided as part of the application package.

Below is a summary of the department reviews:

Planning and Development Department - Pursuant to the departmental review criteria: No other properties will be left without frontage on another public street; the abandonment will not result in an alley or easement being utilized as the principal means of access to a lot or parcel of land; all real property owners within 300 feet of the subject property were sent sufficient notice and one email in opposition was received from a neighboring property owner; and the request



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proposes to abandon a portion of the right-of-way along the entire north and south sides of the block that is the subject property.

Public Works Department - Public Works reviewed the request based on the two department review criteria outlined in the application, and as is detailed in a memo from Director Barron to the City Manager dated March 24, 2022, is recommending disapproval of the request based on the following: There are several existing utilities that are located in the areas that are proposed to be vacated that would require relocation that may cause congestion in the remaining right-of-way, and there is the potential for crowding of utilities due to those that would have to be relocated, causing a negative impact on the future maintenance and excavation of such utilities.

Beaches Energy Services - BES's Electrical Engineering Division reviewed the request based on the three department review criteria outlined in the application and is recommending disapproval of the request based on the location of existing overhead power lines and other electric facilities that are located within the existing right-of-way and the location of an existing natural gas line along 2nd Avenue North.

Fire Marshal - Pursuant to the departmental review criteria, the Fire Marshal does not have any comment as fire suppression services would be required as part of the proposed project.

Police Department - Pursuant to the departmental review criteria, the Police Department does not have any comment or recommendation.

A recommendation for disapproval by any City Department indicates that, based on the departmental review criteria, there is a continuing public purpose that is served by the right-of-way or easement. Pursuant to Resolution 1514-96, Section 1., streets and alleyways **will not be abandoned unless the City Council determines that there is an overwhelming public interest that will be served if the right-of-way is turned over to private ownership.** The applicant has provided their analysis that the right-of-way property provides no current public benefit nor is there any expectation in the future that it will be needed for public benefit.

On May 16, 2022, the City Council considered and approved by a vote of 4-3 a Resolution to proceed with an Ordinance to abandon 20 feet of City right-of-way on the subject property. At that meeting, the Council requested to discuss the application further, and did so at a briefing held on June 13, 2022. Staff provided an abbreviated staff memo and a history of right-of-way abandonment requests from 1996. Staff has prepared an Ordinance for the abandonment of the subject portions of right-of-way, which will take effect upon the adoption of a Planned Unit Development: PUD ordinance for the subject property.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Approve/Disapprove Ordinance No. 2022-8177 abandoning certain City rights-of-way described



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therein on the first reading and schedule a second reading for July 18, 2022

ATTACHMENTS

1. Application to Close Right of Way
2. March 24, 2022 Memo from Dennis Barron regarding Abandonment of ROW
3. Michael Dunlap Email Correspondence
4. Ordinance No. 2022-8177



ABANDONMENT OR CLOSING OF A RIGHT OF WAY OR EASEMENT APPLICATION

AS/400 # _____

This form is intended for submittal, along with the \$350.00 nonrefundable application fee, for all requests for the abandonment or closing of a public street or alley right of way, or any public access or utility easement. This application must be submitted to the Jacksonville Beach Planning and Development Department for processing. Following an evaluation of completeness, the Department will send a copy of the application to all property owners who might be affected by the proposed right of way or easement closing along with a request for their comments on the request. If there are no significant objections received from the affected property owners, the Planning and Development Department will request comments and recommendations from the Electric Utility, Fire, Police, and Public Works Department with respect to the effect of the proposed abandonment on their operations. The public comment and departmental review period process may take as much as 45 days to complete. If the administrative review indicates that the right of way or easement can be closed, then all of the information received is compiled into a report to the City Manager for inclusion, with a draft ordinance, on the agenda for consideration by the City Council.

APPLICANT INFORMATION

Applicant's Name: _____

Telephone: _____

Mailing Address: _____

E-Mail: _____

PROPERTY INFORMATION

Street Address of Property: _____

Legal Description of Property: _____

(Lot, block, subdivision name)

Location of the Right of Way or Easement you are applying to abandon or close: _____

(Attach a boundary survey or plat of the property)

Reason(s) why you are requesting that this Right of Way or Easement be abandoned: _____

(Attach additional pages if necessary to fully explain why this application should be approved)

Applicant's Signature: *Zach Miller*
(authorized agent)

Date of Application: _____



RIGHT OF WAY / EASEMENT ABANDONMENT REVIEW CRITERIA AND PROCEDURES

REVIEW PROCESS	
1. An application for the City of Jacksonville Beach to abandon, vacate or close a public street, alley or utility right of way or easement is submitted to the Planning and Development Department for processing. The application must be accompanied by a \$350.00 nonrefundable processing fee.	4. The foregoing review and notification process may take up to 30 days to complete. Once all of the departmental reviews and property owner comments have been received, the Planning and Development Department compiles the information and presents it in writing, along with a staff recommendation and draft ordinance, to the City Manager who then schedules the request for consideration by the City Council.
2. Following receipt of the application and fee, Planning and Development Department staff will check the application for completeness. The Planning and Development Department will then send a notice to all of the other property owners who might be affected by the proposed closing to request their comments on the request. Approximately one week is allowed for the other affected property owners to respond.	5. All requests to abandon a public right of way or easement must be approved by ordinance. In Jacksonville Beach, an ordinance must be considered and approved at two separate City Council meetings ("First" and "Second" Reading). The applicant is required to attend both of these City Council meetings to answer any questions the members might have regarding the application.
3. Once the property owners' response period is over, copies of the application will be sent to the Jacksonville Beach Electric Utility Department, Fire Department, Police Department and Public Works Department for their review, comments and recommendations concerning the proposed right of way or easement closing. Those departments may recommend approval, approval with conditions such as retaining an easement in the case of a right of way closing, or disapproval. A recommendation of disapproval by a reviewing department indicates that there is a continuing public purpose that is served by the right of way or easement. In this instance the applicant is notified and process is stopped.	

DEPARTMENTAL REVIEW CRITERIA

ELECTRIC UTILITY DEPARTMENT

1. The Electric Utility Department conducts a records check and field inspection to determine if there are any existing overhead or underground electric facilities located within the right of way or easement that is proposed to be closed. If such facilities are present, the Department will make a determination if the closure can be made without affecting the integrity of electric system.
2. In the case of an alley right of way, if there are electric facilities within the right of way or easement, then the Department will recommend that the application not be approved. In some such instances arrangements may be made for the facilities to be removed or relocated at the applicant's expense.
3. In the case of a partial or complete road right of way closing, the recommendation would be based on a case-by-case determination of accessibility to the Department's facilities.

FIRE DEPARTMENT

1. The primary concern of the Fire Department is access to buildings, fire hydrants or fire department connections.

The Department will generally recommend disapproval of a right of way or easement closing which would make any part of a building to be located in excess of 200 feet from a fire/rescue pumper parked at the street access.
2. All buildings are to be located within 300 feet of a fire hydrant as measured along the travel route of the fire/rescue pumper.

PLANNING AND DEVELOPMENT DEPARTMENT

1. The Planning and Development Department checks all applications to close a public alley or street right of way to ensure that no other properties are left without frontage on another public street.
2. Utilizing an alley or easement as the principal means of access to a lot or parcel of land is not permitted in Jacksonville Beach.
3. The Planning and Development Department compiles the responses received from the other property owners who might be affected by the proposed right of way or easement closing. As a general rule, if an abutting property owner objects, it is considered to be sufficient evidence that the right of way or easement has a public purpose and should be retained as such. An application may wish to discuss the request to close the right of way or easement with the adjacent property owners before submitting an application.
4. In the case of a partial street right of way closing, it is the City's policy to close the section for the entire length of the block and not just the portion which abuts the applicant's property.

POLICE DEPARTMENT

1. The Police Department reviews right of way or easement closing requests to determine that an officer can readily access a business, residence or other property by use of an alternate street or public accessway.

PUBLIC WORKS DEPARTMENT

1. The Public Works Department conducts a records check and field survey to ascertain the presence of any existing water, sewer, or storm drainage facilities with the area proposed to be closed. This may include water and sewer lines or drainage pipe, swales or ditches.

2. The Public Works Department evaluates the particular installation to determine if the closure will adversely affect maintenance and repair functions and assess the potential disruption of departmental service delivery activities resulting from future development of the abandoned right of way or easement. The review of drainage system concerns relates to the potential for flooding or increased difficulty in maintaining drains as a result of the closure.

CITY COUNCIL / CITY MANAGER

1. Following a review of the information supplied by the reviewing departments, the City Council and City Manager will make a determination if there is an overwhelming public interest in retaining the road or alley right of way or the public easement. This determination will be made by balancing the reasons given by the applicant in support of the closure when weighed against the present or future needs of the City. In other words, **there must be a significant public purpose that will be served if the right of way or easement is turned over to a private owner.**

LEGAL DESCRIPTION OF APPLICANT'S PROPERTY

LEGAL DESCRIPTION OF APPLICANT'S PROPERTY

A part of Government Lots 3 and 6, Section 33, Township 2 South, Range 29 East, Duval County, Florida, said part being more particularly described as follows: For the point of beginning commence at the intersection of the East line of the Castro Y Ferrer Grant, Section 38, Township 2 South, Range 29 East With the Southerly right-of-way line of 2nd Avenue North (formerly Willard Avenue) as now established as an 80 foot right-of-way, said East line of the Castro Y Ferrer Grant, Section 38, also being the Easterly right-of-way line of 11th Street, as now established as a 40 foot right-of-way; thence run S. 9°37' E. along said East line of the Castro Y Ferrer Grant, a distance of 209.86 feet to the Northerly right-of-way line of 1st Avenue North, as now established; thence runs S. 83°23' E. along said Northerly right-of-way line of 1st Avenue North, a distance of 123.88 feet; thence run N 11°18' W., a distance of 229.44 feet to the aforesaid Southerly right-of-way line of 2nd Avenue North, thence run S. 88°05' W. along said Southerly right-of-way line, a distance of 113.10 feet to the point of beginning.

A/K/A: 115 N 11th St., Jacksonville Beach, FL 32250 / Parcel # 177305-0010

And

PARCEL NO.1: A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference commence at the Northwestern corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05' West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; thence continue South 88°05' West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet to the point of beginning; thence continue South 88°05' West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 96.70 feet; thence South 11°18' East, parallel with said westerly right of way line of Tenth (10th) Street North, a distance of 114.72 feet; thence South 87°25'32" East, a distance of 78.24 feet; thence North 01°55' West, a distance of 119.31 feet to the point of beginning. PARCEL NO. 2: A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference commence at the Northwestern corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05' West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; and the point of beginning; thence continue South 88°05' West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet; thence South 01°55' East, a distance of 119.31 feet; thence South 87°25'32" East, a distance of 76.35 feet to said Westerly right of way line of Tenth (10th) Street North; thence North 11°18' West, along said Westerly right of way line, a distance of 127.00 feet to the point of beginning.

RE#: 177307-0000

LEGAL DESCRIPTION OF APPLICANT'S PROPERTY

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, LYING IN AND BEING PART OF GOVERNMENT LOTS 3 AND 6, SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, IN THE CORPORATE LIMITS OF JACKSONVILLE BEACH, ,DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88° 05' 00" WEST BY AND ALONG THE WESTERLY PROLONGATION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF 2ND AVENUE NORTH, AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED, A DISTANCE OF 50.68 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 10TH STREET, A 50 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE SOUTH 11° 18' 00" EAST BY AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 127.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 11° 18' 00" EAST BY AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 126.61 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE NORTH, A RIGHT-OF-WAY VARIED WIDTH AS NOW ESTABLISHED; THENCE NORTH 83° 18' 00" WEST BY AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 157.81 FEET TO THE EASTERLY BOUNDARY OF THOSE LANDS AS DESCRIBED IN O.R. BOOK 4507, PAGE 452, OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 11° 18' 00" WEST BY AND ALONG SAID EASTERLY BOUNDARY AND PARALLEL WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH 10TH STREET, A DISTANCE OF 114.92 FEET TO THE SOUTHERLY BOUNDARY OF THOSE LANDS AS DESCRIBED IN O.R. BOOK 3721, PAGE 492(EX) AND O.R. BOOK 5567, PAGE 996 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 87° 25' 32" EAST BY AND ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 154.59 FEET TO THE

**AGENT
AUTHORIZATION
PROOF OF OWNERSHIP**

AGENT AUTHORIZATION

October 21, 2021

To Whom It May Concern:

This letter is to authorize Zach Miller, Esq. to sign and act as agent for submittal, amendment and approval of applications for a ROW Abandonment for properties with the following real estate numbers: 177307-0000 177305-0010 177306-0000

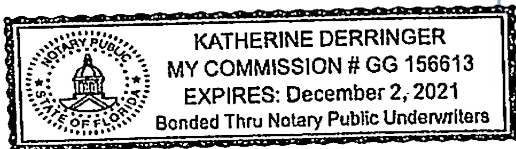
By: Beach Block Townhomes LLC

Name: Alex Sifakis

Title: Managing Member

COUNTY OF DUVAL
STATE OF FLORIDA

The foregoing was acknowledged before me this 21st day of October, 2020 by Alex Sifakis as Managing Member of Beach Block Townhomes, LLC on behalf of the _____. He/She is personally known to me or produced n/a - personally known as identification.



Notary Public Signature

Print Name: Katherine Derringer

Commission Expires: 12/2/2021

Prepared under the direction of and return to:

Ian McKillop
McKillop Law Firm, PL
7563 Philips Highway
Building 500
Jacksonville, FL 32256
File Number: 20-1335
Consideration: \$0.00

QUITCLAIM DEED

This Quitclaim Deed is made this 1st day of February, 2021 by **JWB Real Estate Capital, LLC, a Florida Limited Liability Company**, whose post office address is 7563 Philips Hwy, Suite 208, Jacksonville, FL 32256 (whether singular or plural, "Grantor"), to and in favor of **Beach Block Townhomes LLC, a Florida Limited Liability Company**, whose post office address is 7563 Philips Highway, Suite 208, Jacksonville, FL 32256 (whether singular or plural, "Grantee").

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said Grantee, and Grantee's heirs and assigns forever, all the right, title, interest, claim and demand which Grantor has in and to the following described land, situate, lying and being in Duval, FL, (the "Property"):

PARCEL 1

A part of Government Lots 3 and 6, Section 33, Township 2 South, Range 29 East, Duval County, Florida, said part being more particularly described as follows: For the point of beginning commence at the intersection of the East line of the Castro Y Ferrer Grant, Section 38, Township 2 South, Range 29 East With the Southerly right-of-way line of 2nd Avenue North (formerly Willard Avenue) as now established as an 80 foot right-of-way, said East line of the Castro Y Ferrer Grant, Section 38, also being the Easterly right-of-way line of 11th Street, as now established as a 40 foot right-of-way; thence run S. 9°37' E. along said East line of the Castro Y Ferrer Grant, a distance of 209.86 feet to the Northerly right-of-way line of 1st Avenue North, as now established; thence runs S. 83°23' E. along said Northerly right-of-way line of 1st Avenue North, a distance of 123.88 feet; thence run N 11°18' W., a distance of 229.44 feet to the aforesaid Southerly right-of-way line of 2nd Avenue North, thence run S. 88°05' W. along said Southerly right-of-way line, a distance of 113.10 feet to the point of beginning.

A/K/A: 115 N 11th St., Jacksonville Beach, FL 32250 / Parcel # 177305-0010

****This instrument is being recorded to eliminate any outstanding interest as a result of the Quit Claim Deed recorded in OR BK 19422, PG 920.****

To have and to hold the same, together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, for the use and benefit of the Grantee forever.

SUBJECT TO taxes for 2021 and subsequent years, not yet due and payable, and covenants, restrictions, easements, reservations and limitations of record, if any, without intention of creating or reimposing same.

This Property is not the constitutional homestead of the Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witness Signature: [Signature]
Witness Name: Ian McKillop

Witness Signature: [Signature]
Witness Name: Arbey McKillop

JWB Real Estate Capital, LLC, a Florida Limited Liability Company

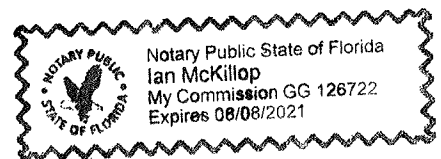
[Signature]
Adam Rigel, Manager

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of February, 2021, by **Adam Rigel, Manager of JWB Real Estate Capital, LLC, a Florida Limited Liability Company**, who is personally known to me or who produced the identification set forth below.

[Signature]
Signature of Notary Public
Print, Type/Stamp Name of Notary

Personally Known ☒ OR Produced Identification ☐
Type of Identification Produced: _____



Prepared under the direction of and return to:

Ian McKillop
McKillop Law Firm, PL
7563 Philips Highway
Building 500
Jacksonville, FL 32256
File Number:
Consideration

WARRANTY DEED

This Warranty Deed made this 28th day of December, 2020 between **JWB Real Estate Capital, LLC, a Florida limited liability company** whose post office address is **7563 Philips Highway, Suite 208, Jacksonville, FL 32256** (whether singular or plural, "Grantor"), and **Beach Block Townhomes, LLC, a Florida limited liability company**, whose post office address is **7563 Philips Highway, Suite 208, Jacksonville, FL 32256** (whether singular or plural, "Grantee"):

(Whenever 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, trusts, and trustees)

WITNESSETH, that Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Duval, FL, (the "Property"):

PARCEL NO.1: A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference commence at the Northwestern corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05" West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; thence continue South 88°05" West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet to the point of beginning; thence continue South 88°05" West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 96.70 feet; thence South 11°18" East, parallel with said westerly right of way line of Tenth (10th) Street North, a distance of 114.72 feet; thence South 87°25'32" East, a distance of 78.24 feet; thence North 01°55' West, a distance of 119.31 feet to the point of beginning. **PARCEL NO. 2:** A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference commence at the Northwestern corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05" West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; and the point of beginning; thence continue South 88°05' West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet; thence South 01°55' East, a distance of 119.31 feet; thence South 87°25'32" East, a distance of 76.35 feet to said Westerly right of way line of Tenth (10th) Street North; thence North 11°18" West, along said Westerly right of way line, a distance of 127.00 feet to the point of beginning.

RE#: 177307-0000

Address: 1010 2nd Ave. Jacksonville Beach, FL 32250

Together with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever. And Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land, that Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever, and that the Property is free of all encumbrances except taxes for 2020 and subsequent years and covenants, restrictions, easement and reservations of record, if any, without the intention of creating or reimposing same.

This Property is not the constitutional homestead of the Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witness Signature: [Signature]

Witness Name: Hasanah Comstock

Witness Signature: [Signature]

Witness Name: Katherine Derringer

JWB Real Estate Capital, LLC, a Florida limited liability company

[Signature]
By: Adam Rigel, its Manager

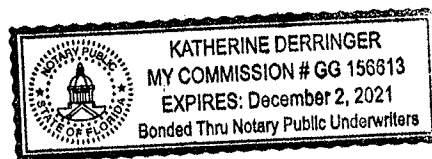
STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 28th day of December, 2020, by Adam Rigel, who is personally known to me or who produced the identification set forth below.

[Signature]

Signature of Notary Public

Print, Type/Stamp Name of Notary



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: n/a

Prepared under the direction of and return to:

Ian McKillop
McKillop Law Firm, PL
7563 Philips Highway
Building 500
Jacksonville, FL 32256
File Number: 20-1401
Consideration: \$1,400,000.00

WARRANTY DEED

This Warranty Deed made this 31st day of December, 2020 between **Paul A. McGovern, a married man**, whose post office address is PO BOX 49118, Jacksonville Beach, FL 32240 (whether singular or plural, "Grantor"), and **Beach Block Townhomes LLC, a Florida Limited Liability Company**, whose post office address is 7563 Philips Highway, Suite 208, Jacksonville, FL 32256 (whether singular or plural, "Grantee"):

(Whenever 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, trusts, and trustees)

WITNESSETH, that Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Duval, FL, (the "Property"):

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, LYING IN AND BEING PART OF GOVERNMENT LOTS 3 AND 6, SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, IN THE CORPORATE LIMITS OF JACKSONVILLE BEACH, ,DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88° 05' 00" WEST BY AND ALONG THE WESTERLY PROLONGATION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF 2ND AVENUE NORTH, AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED, A DISTANCE OF 50.68 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 10TH STREET, A 50 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE SOUTH 11° 18' 00" EAST BY AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 127.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 11° 18' 00" EAST BY AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 126.61 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE NORTH, A RIGHT-OF-WAY VARIED WIDTH AS NOW ESTABLISHED; THENCE NORTH 83° 18' 00" WEST BY AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 157.81 FEET TO THE EASTERLY BOUNDARY OF THOSE LANDS AS DESCRIBED IN O.R. BOOK 4507, PAGE 452, OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 11° 18' 00" WEST BY AND ALONG SAID EASTERLY BOUNDARY AND PARALLEL WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH 10TH STREET, A DISTANCE OF 114.92 FEET TO THE SOUTHERLY BOUNDARY OF THOSE LANDS AS DESCRIBED IN O.R. BOOK 3721, PAGE 492(EX) AND O.R. BOOK 5567, PAGE 996 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 87° 25' 32" EAST BY AND ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 154.59 FEET TO THE

**WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH 10TH STREET AND THE
POINT OF BEGINNING.**

RE#: 177306-0000

Address: 1005 1st Avenue North, Jacksonville Beach, FL 32250

Together with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever. And Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land, that Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever, and that the Property is free of all encumbrances except taxes for 2020 and subsequent years and covenants, restrictions, easement and reservations of record, if any, without the intention of creating or reimposing same.

This Property is not the constitutional homestead of the Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witness Signature: _____

Witness Name: Luke McGovern

Witness Signature: _____

Witness Name: Julia McKillop

Paul A. McGovern
Paul A. McGovern

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or () online notarization this 31st day of December, 2020, by Paul A. McGovern.

Julia McKillop
Signature of Notary Public
Print, Type/Stamp Name of Notary



JULIA MCKILLOP
Commission # GG 955055
Expires February 26, 2024
Bonded Thru Budget Notary Services

Personally Known: _____ OR Produced Identification: X

Type of Identification

Produced: FL DL

CRITERIA FOR ROW ABANDONMENT

RIGHT OF WAY ABANDONMENT APPLICATION

January 10, 2022

Preamble:

The proposed application is to vacate ten (10) feet of right-of-way on 2nd Avenue North and ten (10) feet of right-of-way on 1st Avenue North, both between 10th Street North and 11th Street North (the ROW Property”), all of which are immediately adjacent to the applicant’s property (the “Applicant’s Property”). Please see attached legal description and sketch showing the ROW Property.

The application is filed in conjunction with an already filed (as amended) application for rezoning to planned unit development for the applicant’s property (the “PUD Application”). The PUD Application is to allow thirty-eight (38) townhouse units on the Applicant’s Property. Specifically, the PUD Application seeks to develop property with fee simple townhouses. The Applicant’s Property is designated High-Density Residential on the City of Jacksonville Beach Future Land Use Map (“FLUM”) and currently is occupied by apartments and, per the FLUM, may be developed with more than fifty (50) units at a density of forty (40) units an acre. Unlike other townhouse developments, the PUD Application seeks approval of a site plan (preliminary development plan, per the LDC) which provides internal access to the townhouses via two internal driveways, thereby negating the need for each townhouse to have driveway access directly to the adjacent rights-of-way.

During the review process of the PUD Application, Beaches Energy provided the comment that, per its internal policy, any easement for electric utilities would need to be within “private property” and not within the adjacent right-of-way. Because the site plan for the PUD Applications calls for reduced setbacks along 1st Avenue North and 2nd Avenue North there is not sufficient space to accommodate Beaches Energy’s internal policy requirement of ten (10) feet of clear space on private property and accommodate the internal access drives. The applicant’s representatives met with and had several rounds of communication with Beaches Energy and the Public Works Department. During these communications, the Applicant proposed vacating the ROW Property so that the ten (10) foot clear space for the electric easements were on private property and not the right-of-way. While this proposal would not change the design, layout, density, or any substantive portion of the development proposal, it would meet Beaches Energy’s internal policy that the electric easement be on private property and not within the rights-of-way.

Departmental Review Criteria.

ELECTRIC UTILITY DEPARTMENT

- 1. The Electric Utility Department conducts records check and field inspection to determine if there are any existing overhead or underground electric facilities located**

within the right-of-way or easement that is proposed to be closed. If such facilities are present, the Department will make a determination if the close can be made without affecting the integrity of the electric system.

There are currently no underground electric utilities within the ROW Property. There is an overhead electric transmission line which crosses 2nd Avenue North and is partially within the area to be abandoned. This transmission line is anchored by a guy-wire which is on the Applicant's Property. Contingent upon approval of this Application, the applicant will provide any and all easements deemed necessary by Beaches Energy and any other department/utility provided within the ROW Property, including any necessary for the overhead transmission lines and relocated guy-wire. The applicant will also release any and all claims Applicant may have against the City and Beaches Energy for the guy-wire located on Applicant's Property.

- 2. In the case of any alley right of way, if there are electric facilities within the right of way or easement, then the Department will recommend that the application not be approved. In some such instances arrangements may be made for facilities to be removed or relocated at the applicant's expense.**

Not applicable as the ROW Property is not an "alley right-of-way."

- 3. In the case of a partial or complete road right-of-way closing, the recommendation would be based on a case-by-case determination of accessibility to the Department's facilities.**

Not applicable. The partial closing will not have an effect on access to facilities. The ROW Property does not include any portion of the existing roadway. The portion of the ROW Property on 2nd Avenue North is eighty (80) feet wide and the road is approximately twenty (20) feet wide. The portion of the ROW Property on 1st Avenue North is approximately sixty-five (65) feet to seventy-five (75) feet in width and the road is approximately twenty (20) feet wide.

FIRE DEPARTMENT

- 1. The primary concern of the Fire Department is access to buildings, fire hydrants or fire department connections.**

The Department will generally recommend disapproval of a right of way or easement closing which would make any point of a building located in excess of 200 feet from a fire/rescue pumper parked at the street.

The abandonment of the ROW Property will not render any existing or proposed building in excess of 200 feet from a fire/rescue pumper parked on the street.

2. **All buildings are to be located within 300 feet of a fire hydrant as measured along the travel route of the fire/rescue pumper.**

The buildings within the proposed development will comply with this requirement.

PLANNING AND DEVELOPMENT DEPARTMENT

- 1 **The Planning and Development Department checks all applications to close a public alley or street right of way to ensure no other properties are left without frontage on another public street.**

The Applicant's Property will still have frontage on public rights-of-way and private rights-of-way (internal access drives owned by the owner's association) if the ROW Property is abandoned.

- 2 **Utilizing an alley or easement as the principal means of access to a lot or parcel of land is not permitted in Jacksonville Beach.**

The primary means of access to the proposed development will be the internal access drives.

3. **The Planning and Development Department compiles the responses received from the other property owners who might be affected by the proposed right of way or easement closing. As a general rule, if an abutting property owner objects, it is considered to be sufficient evidence that the right of way or easement has a public purpose and should be retained as such. An application may wish to discuss the request to close the right of way or easement with the adjacent property owners before submitting an application.**

The only property owner that abuts the ROW Property is the applicant.

4. **In the case of a partial street right of way closing, it is the City's policy to close the section for the entire length of the block and not just the portion which abuts the applicant's property.**

The Applicant's Property comprises the entire block and the portions of the ROW Property on 1st Avenue North and 2nd Avenue North run the entire length of the block. Therefore, the proposed abandonment complies with this policy.

POLICE DEPARTMENT

1. **The Police Department reviews right of way or easement closing requests to determine that an officer can readily access a business, residence or other property by use of an alternate street or public accessway.**

Abandonment of the ROW Property will not affect access to the Applicant's Property or any other property.

PUBLIC WORKS DEPARTMENT

1. **The Public Works Department conducts a records check and field survey to ascertain the presence of any existing water, sewer, or storm drainage facilities with the area proposed to be closed. This may include water and sewer lines or drainage pipe, swales or ditches.**

There are currently no water, sewer or storm drainage facilities within the ROW Property. The applicant will provide any easements over the ROW Property as requested by the City, any department and/or any utility provider.

2. **The Public Works Department evaluates the particular installation to determine if the closure will adversely affect maintenance and repair functions and assess the potential disruption of departmental service delivery activities resulting from future development of the abandoned right of way or easement. The review of drainage system concerns relates to the potential for flooding or increased difficulty in maintaining drains as a result of the closure.**

Currently there are no public works facilities within the ROW Property or for which the ROW Property provides access. The proposed development requires a vaulted retention system whereas the current apartment complex provides no retention system.

CITY COUNCIL/CITY MANAGER

1. **Following a review of the information supplied by the reviewing departments, the City Council and City Manager will make a determination if there is an overwhelming public interest in retaining the road or alley right of way or the public easement. This determination will be made by balancing the reasons given by the applicant in support of the closure when weighed against the present or future needs of the City. In other words, there must be a significant public purpose that will be served if the right of way or easement is turned over to a private owner.**

2nd Avenue North is eighty (80) feet wide. 1st Avenue North is approximately sixty-five (65) feet to seventy-five (75) feet wide. The streets located within the respective rights-of-way are approximately twenty (20) feet in width.

Because of the size of the existing rights-of-way compared to the existing street, the ROW Property currently provides no public benefit nor is there any expectation in the future that it will be needed to provide a public benefit. The ROW Property functions as unused space bordering existing local roads.

Because the applicant owns the entire block, there is no other property affected by the proposed abandonment.

Vacating the ROW Property will allow the applicant to comply with Beaches Energy's internal policy that electric utilities be located on private property and not public rights-of-way. Vacating the ROW Property will allow compliance with this policy and will allow the applicant to develop Applicant's Property pursuant to the PUD Application and site plan. This development provides the following benefits:

- *Replaces an existing apartment complex built in 1974 with no retention system and no amenities with new fee simple townhouses, a vaulted retention system and amenities.*
- *Allows development of thirty-eight (38) units at a density of twenty-six (26) units an acre instead of more than fifty (50) apartments at a density of forty (40) units per acre as allowed under the FLUM designation.*
- *Allows the units to be served by two (2) internal driveways instead of each unit having its own driveway which connects directly to the street.*
- *The applicant will construct twenty-six (26) public parking spaces. The public parking spaces will have a four (4) hour limit.*
- *Allow the zoning of the Applicant's Property to be consistent with the FLUM designation Specifically, the FLUM designation of the Applicant's Property is high-density residential which requires a minimum density of twenty-one (21) units per acre and a maximum density of forty (40) units per acre (See Policy LU 1.2.1(3)).*
- *The Applicant will grant any and all easements required by the City or any utility provider within the ROW Property.*
- *Applicant will waive any and all claims it may have against the City and its departments for placement of the guy-wire on the Applicant's Property.*

Per the criteria, the analysis for the City Manager and the City Council is balancing the reasons given by the Applicant for the closure against the present and future benefits the ROW Property provides the City/public. As provided above, the ROW Property provides no benefit to the City or public nor is there any expectation that the ROW Property will provide benefit to the City or Public. Thus, the required analysis is balancing no benefit versus the benefits outlined above. Logically, the Applicant meets this criterion.

**LEGAL DESCRIPTION OF ROW
PROPERTY TO BE ABANDONED**

MAP SHOWING SKETCH AND LEGAL DESCRIPTION OF

RIGHT OF WAY PARCEL NO. 1:
BEING A PORTION OF 2ND AVENUE NORTH, LYING IN SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88°05'00" WEST, 50.68 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19527, PAGE 489 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°05'00" WEST ALONG THE NORTHERLY LINE OF SAID LANDS AND ALONG THE NORTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19570, PAGE 1957 OF SAID PUBLIC RECORDS, SAME BEING THE SOUTHERLY RIGHT OF WAY LINE OF 2ND AVENUE NORTH, BEING AN 80 FOOT WIDE RIGHT OF WAY, 265.29 FEET TO THE NORTHWEST CORNER OF LAST MENTIONED LANDS; THENCE NORTH 09°37'00" WEST ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF 11TH STREET NORTH, BEING A 40 FOOT WIDE RIGHT OF WAY, 10.09 FEET; THENCE NORTH 88°05'00" EAST, 264.99 FEET; THENCE SOUTH 11°18'00" EAST ALONG THE NORTHERLY EXTENSION OF THE WESTERLY RIGHT OF WAY LINE OF 10TH STREET NORTH, BEING A 50 FOOT WIDE RIGHT OF WAY, 10.14 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 2,651 SQUARE FEET, MORE OR LESS.

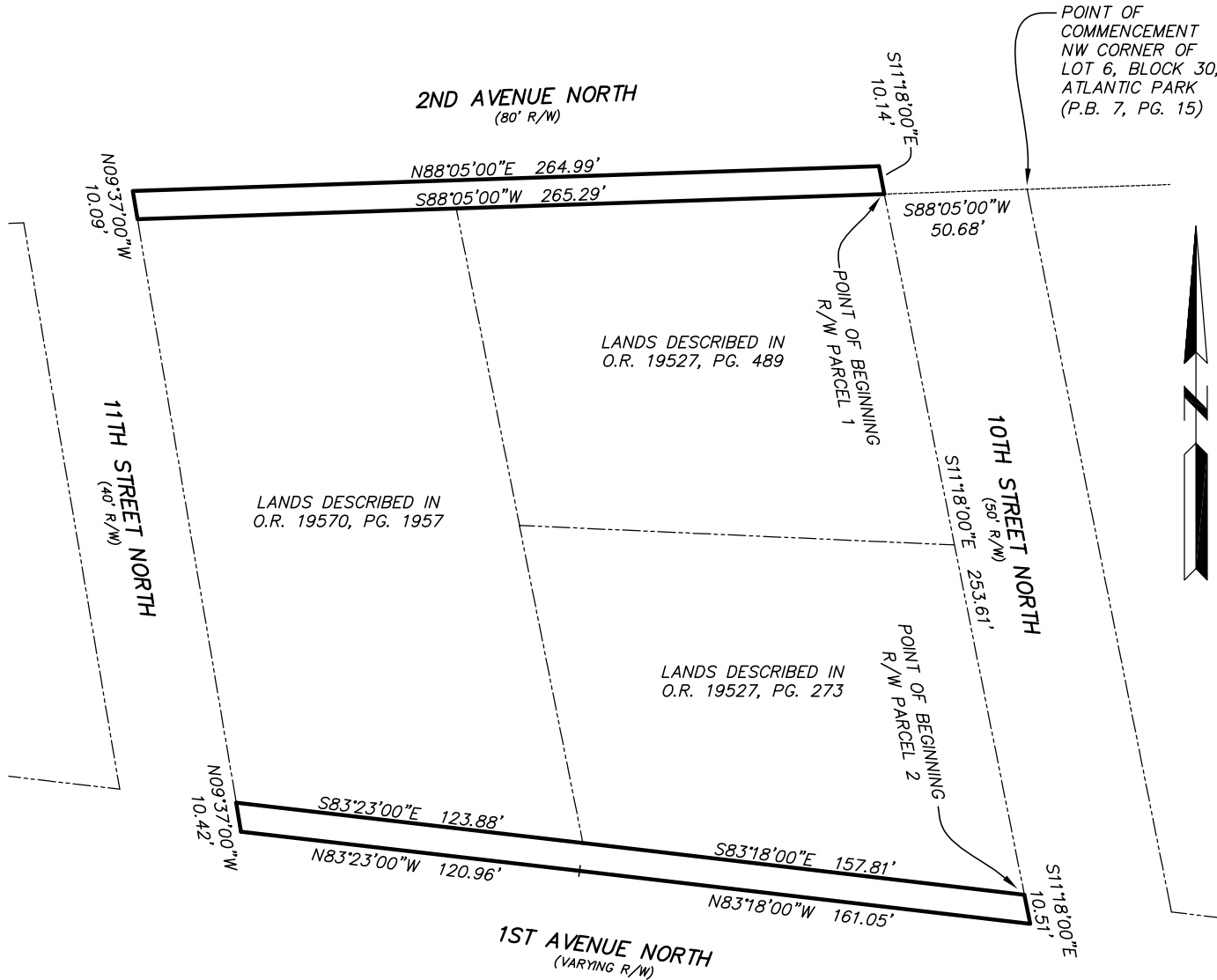
RIGHT OF WAY PARCEL NO. 2:
BEING A PORTION OF 1ST AVENUE NORTH, LYING IN SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88°05'00" WEST, 50.68 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19527, PAGE 48 OF SAID PUBLIC RECORDS; THENCE SOUTH 11°18'00" EAST ALONG THE EASTERLY LINE OF SAID LANDS AND ALONG THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19527, PAGE 273 OF SAID PUBLIC RECORDS, SAME BEING THE WESTERLY RIGHT OF WAY LINE OF 10TH STREET NORTH, BEING A 50 FOOT WIDE RIGHT OF WAY, 253.61 FEET TO THE SOUTHEAST CORNER OF LAST MENTIONED LANDS AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 11°18'00" EAST ALONG THE SOUTHERLY EXTENSION OF SAID WESTERLY RIGHT OF WAY LINE, 10.51 FEET; THENCE NORTH 83°18'00" WEST, 161.05 FEET; THENCE NORTH 83°23'00" WEST, 120.96 FEET; THENCE NORTH 09°37'00" WEST ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF 11TH STREET NORTH, BEING A 40 FOOT WIDE RIGHT OF WAY, 10.42 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19570, PAGE 1957 OF SAID PUBLIC RECORDS; THENCE SOUTH 83°23'00" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF 1ST AVENUE NORTH, BEING A VARIABLE WIDTH RIGHT OF WAY, 123.88 FEET TO THE SOUTHEAST CORNER OF LAST MENTIONED LANDS AND THE SOUTHWEST CORNER OF AFOREMENTIONED LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19527, PAGE 273; THENCE SOUTH 83°18'00" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS AND CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF 1ST AVENUE NORTH, 157.81 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 2,818 SQUARE FEET, MORE OR LESS.

MAP SHOWING SKETCH AND LEGAL DESCRIPTION OF

A PORTION OF 1ST AVENUE NORTH AND A PORTION OF 2ND AVENUE NORTH, LYING IN SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 29 EAST, CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA



UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH,
PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

SHEET 2 OF 2

NOTES

- Bearings are based on the DEED OF RECORD.
- This is a SKETCH AND LEGAL DESCRIPTION
- Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is not the responsibility of the undersigned.
- There may be Restrictions or Easements of Record evidenced by title examination that have not been shown hereon.

LEGEND

- ⊙ DENOTES CONCRETE MONUMENT
- x-x DENOTES FENCE
- DENOTES 1/2" IRON PIPE SET WITH CAP, L.B. 8295
- DENOTES IRON PIPE FOUND (NOTED)

DATE	12-17-21
SCALE	1"=60'
JOB No.	2018-418-3
F.B.	-
page	-
Comp. File	20-418.dwg
Drawn by	WJM

MELROSE SURVEYING AND MAPPING, INC.

PROFESSIONAL LAND SURVEYORS
11437 CENTRAL PARKWAY, SUITE 100
JACKSONVILLE, FLORIDA 32224
L.B. No. 8295
(18,1904) 721-1226

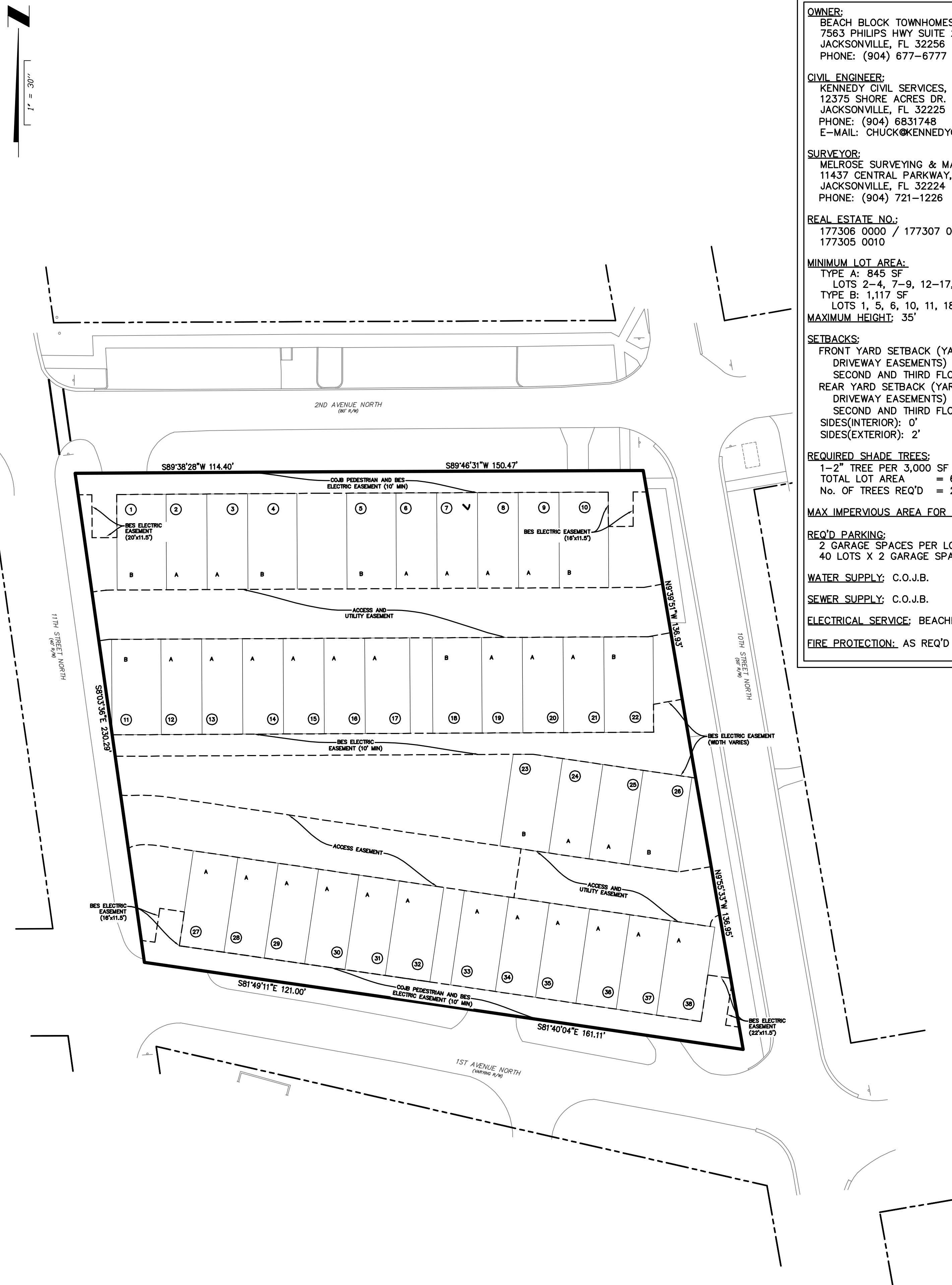
THIS IS TO CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS MADE UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS AS OUTLINED AND SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 5J-17, (formerly CHAPTER 61G17-6), FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.022, FLORIDA STATUTES.

BY: WILLIAM J. MELROSE
WILLIAM J. MELROSE, STATE OF FLORIDA, REGISTERED
LAND SURVEYOR, CERTIFICATE No. 8843

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

ABBREVIATION	DEFINITION	ABBREVIATION	DEFINITION
P.C.P.	Permanent Control Point	L.B.	Licensed Business
P.R.M.	Permanent Reference Monument	R.L.S.	Registered Land Surveyor
P.O.B.	Point of Beginning	J.E.A.	Jacksonville Electric Authority
P.C.	Point of Curvature	EQUIP	Equipment
P.T.	Point of Tangency	A/C	Air Conditioner
P.R.C.	Point of Reverse Curvature	C.A.T.V.	Cable Television
P.I.	Point of Intersection	OHL	Overhead Lines
R/W	Right of Way	F.M.	Field Measured
O.R.V.	Official Records Volume	R=	Radius equals
D.B.	Deed Book	L=	Arc Length equals
Pg.	page	Ch.=	Chord Bearing & Distance equals
B.R.L.	Building Restriction Line	Δ=	Delta or Central Angle equals
Esmt	Easement	I.P.	Iron Pipe
		Conc.	Concrete

SITE PLANS



OWNER:
BEACH BLOCK TOWNHOMES, LLC
7563 PHILIPS HWY SUITE 208
JACKSONVILLE, FL 32256
PHONE: (904) 677-6777

CIVIL ENGINEER:
KENNEDY CIVIL SERVICES, INC.
12375 SHORE ACRES DR.
JACKSONVILLE, FL 32225
PHONE: (904) 6831748
E-MAIL: CHUCK@KENNEDYCIVILSERVICES.COM

SURVEYOR:
MELROSE SURVEYING & MAPPING, INC.
11437 CENTRAL PARKWAY, SUITE 107
JACKSONVILLE, FL 32224
PHONE: (904) 721-1226

REAL ESTATE NO.:
177306 0000 / 177307 0000 /
177305 0010

MINIMUM LOT AREA:
TYPE A: 845 SF
LOTS 2-4, 7-9, 12-17, 19-21, 24, 25, 27-38
TYPE B: 1,117 SF
LOTS 1, 5, 6, 10, 11, 18, 22, 23, 26
MAXIMUM HEIGHT: 35'

SETBACKS:
FRONT YARD SETBACK (YARDS FACING INTERIOR ACCESS DRIVEWAY EASEMENTS) – 2 FEET (FIRST FLOOR),
SECOND AND THIRD FLOORS – 0 FEET (FOR BALCONIES ONLY).
REAR YARD SETBACK (YARDS OPPOSITE FROM INTERIOR ACCESS DRIVEWAY EASEMENTS) – 2 FEET (FIRST FLOOR),
SECOND AND THIRD FLOORS – 0 FEET (FOR BALCONIES ONLY).
SIDES(INTERIOR): 0'
SIDES(EXTERIOR): 2'

REQUIRED SHADE TREES:
 1-2" TREE PER 3,000 SF OF DEVELOPED AREA
 TOTAL LOT AREA = 66,899 SF
 No. OF TREES REQ'D = 22 @ 2" (11 @ 4")

MAX IMPERVIOUS AREA FOR PROJECT: 80%

REQ'D PARKING:
2 GARAGE SPACES PER LOT
40 LOTS X 2 GARAGE SPACES = 80 TOTAL SPACES

WATER SUPPLY: C.O.J.B.

SEWER SUPPLY: C.O.J.B.

ELECTRICAL SERVICE: BEACHES ENERGY SERVICE

FIRE PROTECTION: AS REQ'D

LEGAL DESCRIPTION

PARCEL NO. 1:
A PART OF GOVERNMENT LOT 3, SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWESTERLY CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88°05' WEST, ALONG AN EASTERLY PROLONGATION OF THE SOUTHERLY RIGHT OF WAY LINE OF SECOND (2ND) AVENUE NORTH AS NOW ESTABLISHED AS AN 80 FOOT RIGHT OF WAY, A DISTANCE OF 50.69 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF TENTH (10TH) STREET NORTH AS NOW ESTABLISHED AS A 50 FOOT RIGHT OF WAY; THENCE CONTINUE SOUTH 88°05' WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SECOND (2ND) AVENUE NORTH, A DISTANCE OF 55.37 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°05' WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SECOND (2ND) AVENUE NORTH, A DISTANCE OF 96.70 FEET; THENCE SOUTH 11°18' EAST PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE OF TENTH (10TH) STREET NORTH, A DISTANCE OF 114.72 FEET; THENCE SOUTH 87°25'32" EAST, A DISTANCE OF 78.24 FEET; THENCE NORTH 01°55' WEST A DISTANCE OF 119.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 10,122 SQUARE FEET AND/OR 0.23± ACRES, MORE OR LESS.

PARCEL NO. 2:
A PART OF GOVERNMENT LOT 3, SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWESTERLY CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88'05" WEST, ALONG AN EASTERLY PROLONGATION OF THE SOUTHERLY RIGHT OF WAY LINE OF SECOND (2ND) AVENUE NORTH AS NOW ESTABLISHED AS AN 80 FOOT RIGHT OF WAY, A DISTANCE OF 50.69 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF TENTH (10TH) STREET NORTH AS NOW ESTABLISHED AS A 50 FOOT RIGHT OF WAY AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88'05" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF (2ND) AVENUE NORTH, A DISTANCE OF 55.37 FEET; THENCE SOUTH 01'55" EAST A DISTANCE OF 119.31 FEET; THENCE SOUTH 87'25'32" EAST A DISTANCE OF 76.35 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF TENTH (10TH) STREET NORTH; THENCE NORTH 11'18" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 127.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,985 SQUARE FEET AND/OR 0.18± ACRES, MORE OR LESS.

TOGETHER WITH:

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, LYING IN AND BEING PART OF GOVERNMENT LOTS 3 AND 6, SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, IN THE CORPORATE LIMITS OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88°05'00" WEST BY AND ALONG THE WESTERLY PROLONGATION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF 2ND AVENUE NORTH, AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED, A DISTANCE OF 50.68 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 10TH STREET, A 50 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE SOUTH 11°18'00" EAST BY AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 127.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 11°18'00" EAST BY AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 126.61 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE NORTH, A RIGHT-OF-WAY VARIED WIDTH AS NOW ESTABLISHED; THENCE NORTH 83°18'00" WEST BY AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 157.81 FEET TO THE EASTERLY BOUNDARY OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 5567, PAGE 996 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 11°18'00" WEST BY AND ALONG SAID EASTERLY BOUNDARY AND PARALLEL WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH 10TH STREET, A DISTANCE OF 114.92 FEET TO THE SOUTHERLY BOUNDARY OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 3721, PAGE 492 (EX) AND OFFICIAL RECORDS VOLUME 5567, PAGE 996 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 87°25'32" EAST BY AND ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 154.59 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH 10TH STREET AND THE POINT OF BEGINNING.

ALSO TOGETHER WITH:

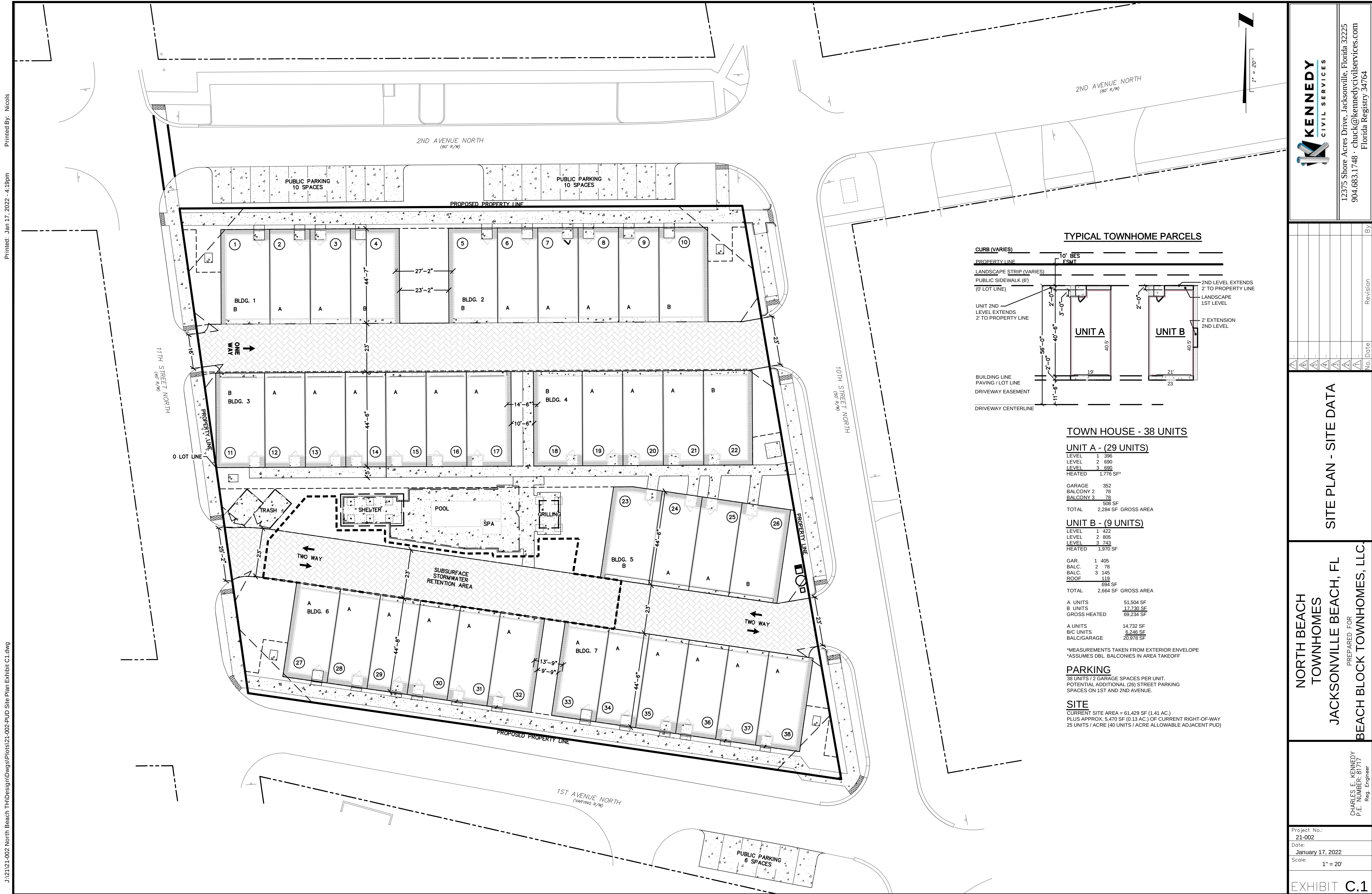
A PART OF GOVERNMENT LOTS 3 AND 6, SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR THE POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE EAST LINE OF THE CASTRO Y FERRER GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 29 EAST, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 2ND AVENUE NORTH (FORMERLY WILLARD AVENUE) AS NOW ESTABLISHED AS AN 80 FOOT RIGHT-OF-WAY, SAID EAST LINE OF THE CASTRO Y FERRER GRANT, SECTION 38, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF 11TH STREET, AS NOW ESTABLISHED AS A 40 FOOT RIGHT-OF-WAY; THENCE RUN S. 93° 7' E. ALONG SAID EAST LINE OF THE CASTRO Y FERRER GRANT, A DISTANCE OF 109.66 FEET; THE NORTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE NORTH, AS NOW ESTABLISHED, WHERE RUN S. 83° 32' E. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE NORTH, A DISTANCE OF 121.88 FEET; THENCE RUN N. 118° 18' W. A DISTANCE OF 229.44 FEET TO THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF 2ND AVENUE NORTH, THENCE RUN S. 88° 05' W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 113.10 FEET TO THE POINT OF BEGINNING, BEING THE SAME PROPERTY DESCRIBED IN OR BOOK 4507, PAGE 452 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ALSO TOGETHER WITH:

RIGHT OF WAY PARCEL NO. 1: BEING A PORTION OF 2ND AVENUE NORTH, LYING IN SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88°05'00" WEST, 50.68 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 13527, PAGE 489 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°05'00" WEST ALONG THE NORTHERLY LINE OF SAID LANDS AND ALONG THE NORTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19570, PAGE 1957 OF SAID PUBLIC RECORDS, SAME BEING THE SOUTHERLY RIGHT OF WAY LINE OF 2ND AVENUE NORTH, BEING AN 80 FOOT WIDE RIGHT OF WAY, 265.29 FEET TO THE NORTHWEST CORNER OF LAST MENTIONED LANDS; THENCE NORTH 09°37'00" WEST ALONG THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF 11TH STREET NORTH, BEING A 40 FOOT WIDE RIGHT OF WAY, 10.09 FEET; THENCE NORTH 88°05'00" EAST, 264.99 FEET; THENCE SOUTH 11°18'00" EAST ALONG THE NORTHERLY EXTENSION OF THE WESTERLY RIGHT OF WAY LINE OF 10TH STREET NORTH, BEING A 50 FOOT WIDE RIGHT OF WAY, 10.14 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAIN 2,651 SQUARE FEET, MORE OR LESS.

ALSO TOGETHER WITH:

RIGHT OF WAY PARCEL NO. 2: BEING A PORTION OF 1ST AVENUE NORTH, LYING IN SECTION 33, TOWNSHIP 2 SOUTH, RANGE 29 EAST, CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 30, ATLANTIC PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88°05'00" WEST, 50.68 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19527, PAGE 48 OF SAID PUBLIC RECORDS; THENCE SOUTH 11°18'00" EAST ALONG THE EASTERLY LINE OF SAID LANDS AND ALONG THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19527, PAGE 273 OF SAID PUBLIC RECORDS, SAME BEING THE WESTERLY RIGHT OF WAY LINE OF 10TH STREET NORTH, BEING A 50 FOOT WIDE RIGHT OF WAY, 253.61 FEET TO THE SOUTHEAST CORNER OF LAST MENTIONED LANDS AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 11°18'00" EAST ALONG THE SOUTHERLY EXTENSION OF SAID WESTERLY RIGHT OF WAY LINE, 10.51 FEET; THENCE NORTH 83°18'00" WEST, 161.05 FEET; THENCE NORTH 83°23'00" WEST, 120.96 FEET; THENCE NORTH 09°37'00" WEST ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF 11TH STREET NORTH, BEING A 40 FOOT WIDE RIGHT OF WAY, 10.42 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19570, PAGE 1957 OF SAID PUBLIC RECORDS; THENCE SOUTH 83°23'00" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF 1ST AVENUE NORTH, BEING A VARIABLE WIDTH RIGHT OF WAY, 123.88 FEET TO THE SOUTHEAST CORNER OF LAST MENTIONED LANDS AND THE SOUTHWEST CORNER OF AFOREMENTIONED LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19527, PAGE 273; THENCE SOUTH 83°18'00" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS AND CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF 1ST AVENUE NORTH, 157.81 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAIN 2,818 SQUARE FEET, MORE OR LESS.



12375 Shore Acres Drive, Jacksonville, Florida 32225
904.683.1748 - chuck@kennedycivilservices.com
Florida Registry 34764

SITE PLAN - SITE DATA

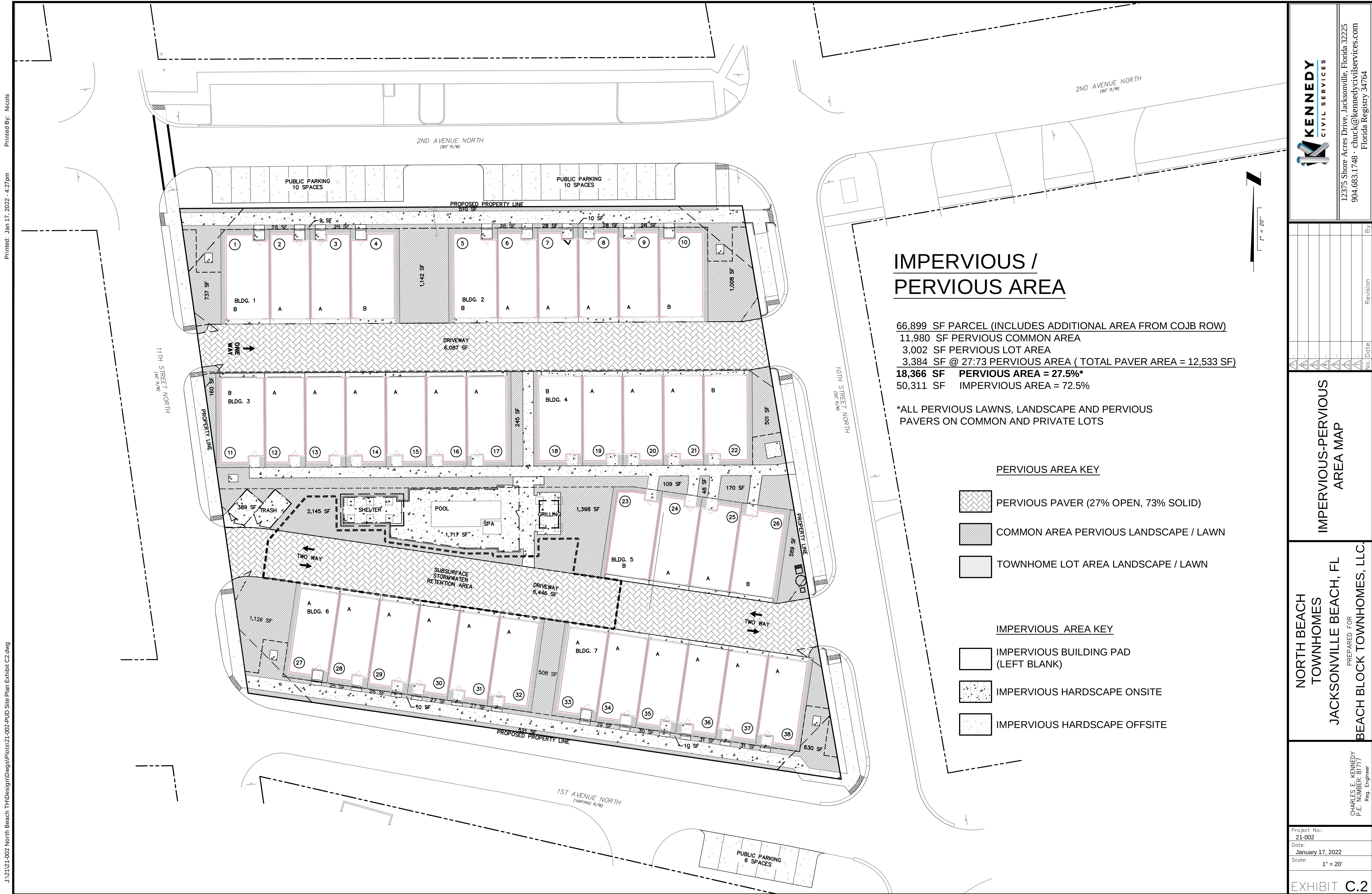
NORTH BEACH
TOWNHOMES
JACKSONVILLE BEACH, FL
PREPARED FOR
BEACH BLOCK TOWNHOMES, LLC.

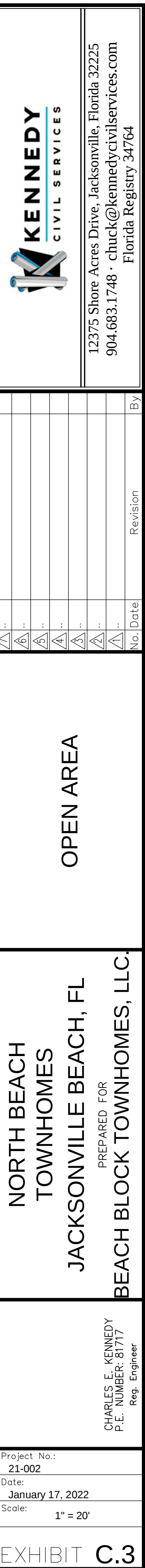
CHARLES E. KENNEDY
P.E. NUMBER: 87717
Reg. Engineer

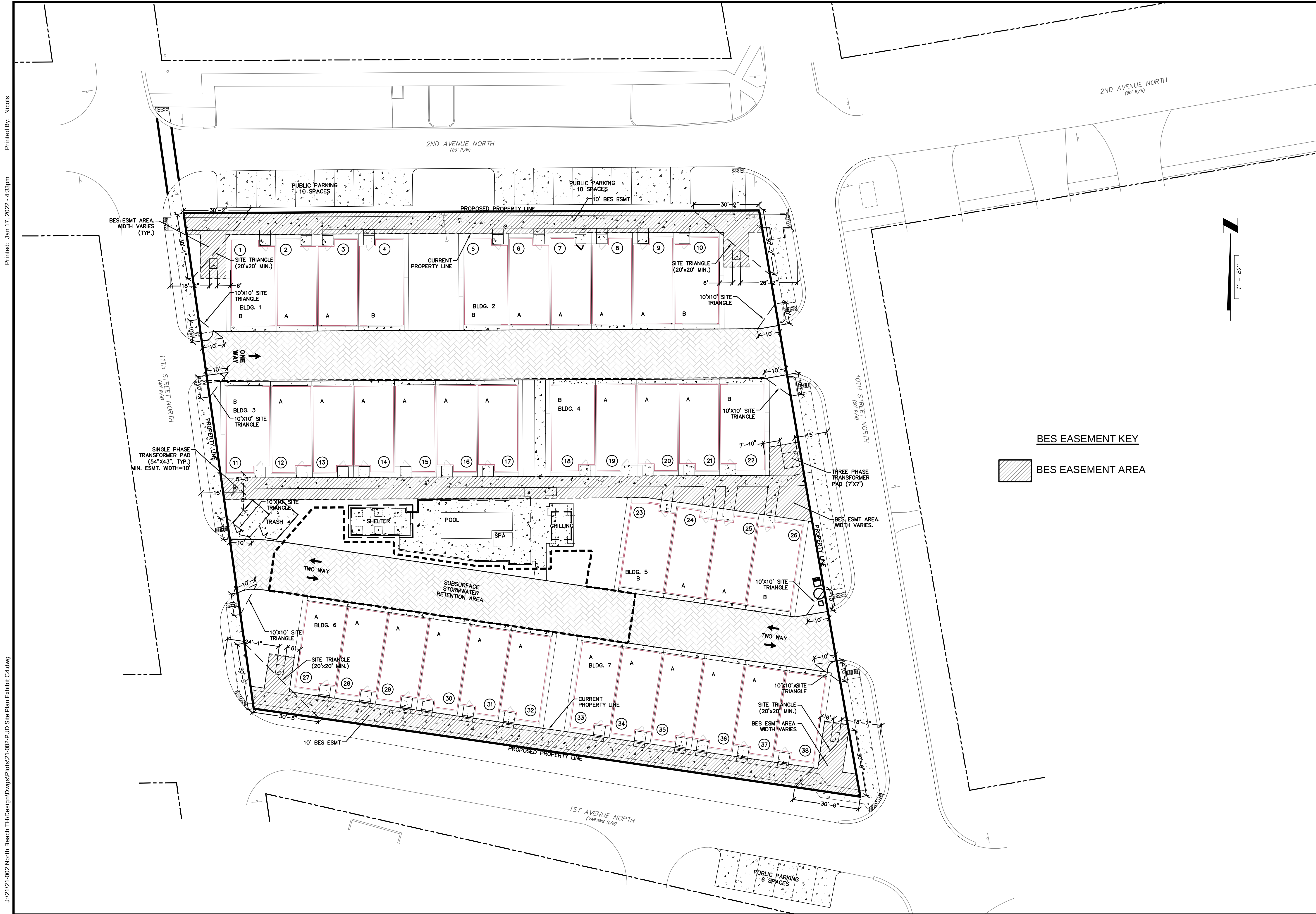
Project No.:
21-002
Date:
January 17, 2022
Scale:
1" = 20'

EXHIBIT C.1

THIS DRAWING IS THE PROPERTY OF CONNELLY & WICKER INC. AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS NOT TO BE USED ON ANY OTHER PROJECT AND IS TO BE RETURNED ON REQUEST.







Printed By: Nicols

Printed: Jan 17, 2022 - 4:39pm

J:\2121-002 North Beach TH\Design\Drawings\Plots\21-002-PUD Site Plan Exhibit C4.dwg

12375 Shore Acres Drive, Jacksonville, Florida 32225
904.683.1748 · chuck@kennedycivilservices.com
Florida Registry 34764

No.	Date	Revision	By

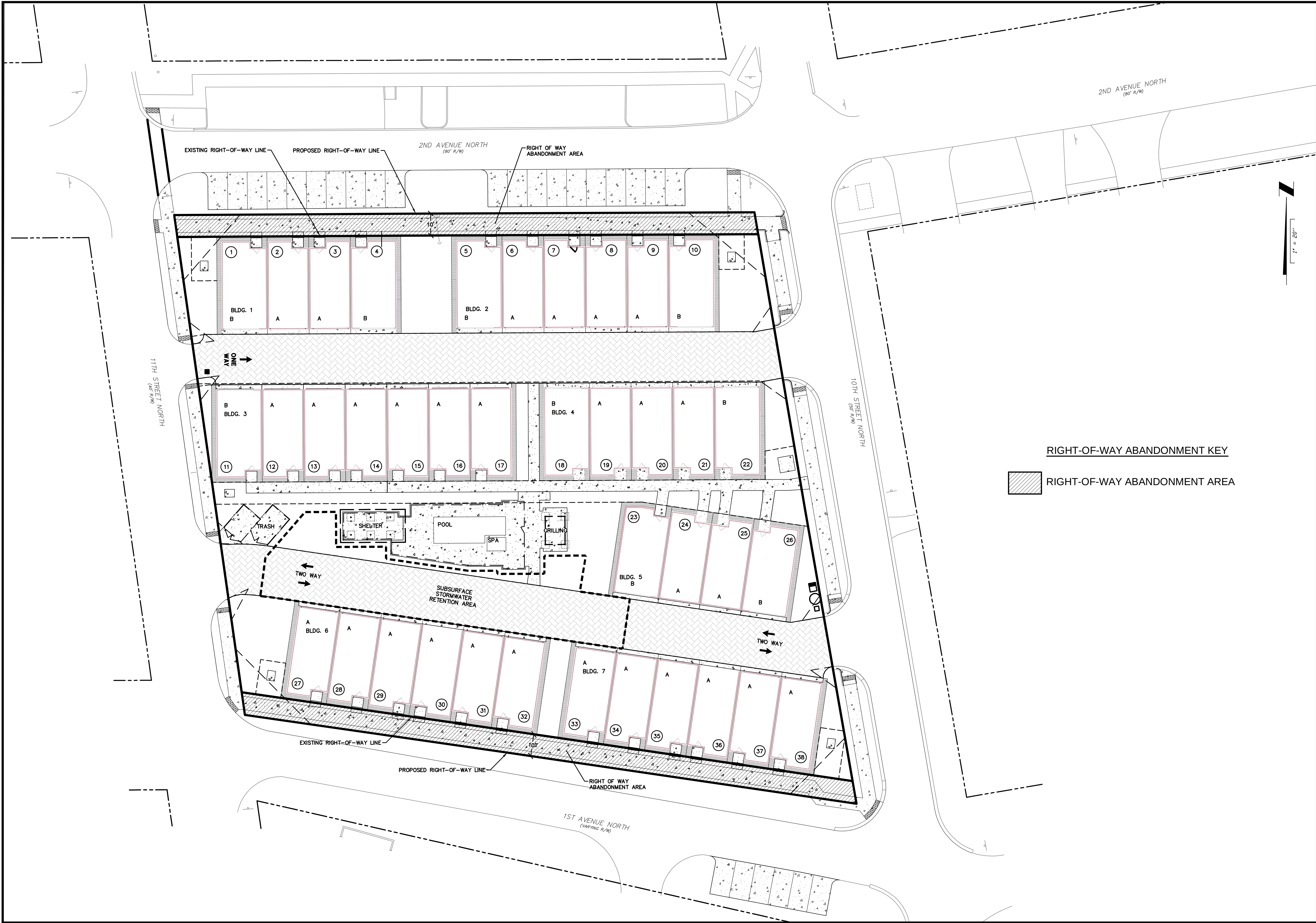
SITE TRIANGLES, BES
EASEMENTS, AND
TRANSFORMER
LOCATIONS

NORTH BEACH
TOWNHOMES
JACKSONVILLE BEACH, FL
PREPARED FOR
BEACH BLOCK TOWNHOMES, LLC.

CHARLES E. KENNEDY
P.E. NUMBER: 87717
Reg. Engineer

Project No.:
21-002
Date:
January 17, 2022
Scale:
1" = 20'

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RIGHT-OF-WAY ABANDONMENT KEY
RIGHT-OF-WAY ABANDONMENT AREA

No.	Date	Revision	By
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			



City of Jacksonville Beach • Public Works Dept. • 1460-A Shetter Ave. • Jacksonville Beach FL 32250

CITY COUNCIL CONSIDERATION ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Dennis W. Barron, Jr., Director of Public Works
DATE:	March 24, 2022
SUBJECT:	Right of Way Vacation Application #22-100011
	Beach Block Townhomes – a JWB Development

BACKGROUND

The Public Works (PW) Department reviews Right of Way (ROW) vacation requests for two (2) criteria as defined below:

1. The Public Works Department conducts a records check and field survey to ascertain the presence of any existing water, sewer, or storm drainage facilities with the area proposed to be closed. This may include water and sewer lines or drainage pipe, swales or ditches.
2. The Public Works Department evaluates the particular installation to determine if the closure will adversely affect maintenance and repair functions and assess the potential disruption of departmental service delivery activities resulting from future development of the abandoned right of way or easement. The review of drainage system concerns relates to the potential for flooding or increased difficulty in maintaining drains as a result of the closure.

There are two ROW vacation requests involved in this request:

1. The southern ten (10) feet of ROW along the 2nd Avenue North corridor.
2. The northern ten (10) feet of ROW along the 1st Avenue North corridor.

ROW vacation request area #1:

Criteria #1: PW has made utility locate requests for the area, and have determined that there are several utilities located in the area described as #1 above. There is an existing gas main, communication cables, electric cables, and utility boxes located in this ROW area. These utilities would require relocation out of the existing defined ROW into other areas in the ROW at the developers costs. This relocation may cause additional congestion in the ROW that is left in the area. The City has a 12" raw water line and a 16" forced sewer main in the ROW area on this side of the street.

Criteria #2: The raw water line and its maintenance are CRITICAL to allow access to the City well system and continue to provide potable water to the residents of Jacksonville Beach. The sewer forced main in the ROW transfers the sanitary sewer from lift station to the Pollution Control Plant (PCP). This line and its maintenance is CRITICAL to City services and maintenance ability is of an urgent capacity. While these lines do not appear to need to be relocated; relocating other utilities may crowd these primary service lines and create the inability to perform vital maintenance and excavation on these utilities. In addition there is a 6" potable water main and a 24" sanitary effluent force main located on the north side ROW of 2nd Ave.



City of Jacksonville Beach • Public Works Dept. • 1460-A Shetter Ave. • Jacksonville Beach FL 32250

North. These again complicate the amount of utilities contained within this entire ROW and the potential congestion of this area.

These utility locations in the existing ROW do NOT include any additional infrastructure requirements for the construction of this development.

ROW vacation request area #2:

Criteria #1: PW has made utility locate requests for the area designated as #2 above, as well. There is a 6" PVC potable water main and fire hydrants located on the north side of 1st Avenue North in the ROW. This water main falls within the 10' area of the requested vacation area and would have to be relocated at developer's costs to allow placement outside of the 10' area, and allow ability to complete required repairs and maintenance. There is also a communication line presently buried underground within the ROW area. In addition, this vacation, if approved, would require the intersection at 1st Avenue North and 11th Street North to have to be rebuilt due to alignment issues, after the water main is relocated.

Criteria #2: PW is concerned with the amount of ROW left to complete required repairs and maintenance if this vacation is approved. In addition, the 10' reduction of the ROW on 1st Avenue North would leave approximately 58' of remaining ROW. The current minimum is 60' for a ditch/swale section according to the LDC.

These utility locations in the existing ROW do NOT include any additional infrastructure requirements for the construction of this development.

RECOMMENDATION

For the above mentioned concerns, PW does NOT recommend the approval of the ROW vacations for this project on either identified area.



FILE COPY

LeeAnn Bassabe

From: architect200@comcast.net
Sent: Sunday, February 13, 2022 1:05 PM
To: Planning Division
Subject: 38 unit proposal BEACH BLOCK TOWNHOMES # 22-1000111

HELLO HEATHER,

Please forward any further info that completes the pending request: ie street renderings /full app/ et al of this project for review, and any related COJB upcoming meeting dates.

My notes on the site plan :

the work can be best described as a poorly designed concept, given its clear regard for density & profit over all other considerations,

At loss is any ANY tree on the site, creating whats known in my field as a ground-scraper, ie destroy the natural environment favor of a permanent eyesore, one that faces a park!

Its stunning that the land use code supports such setbacks, lot coverage, mystery retention, and lack of context.

To abandon any right of way in favor of this design

Is a request that should be summarily dismissed by the planning department, public works, as well as the city council.

I write as a nearby Home Owner as well as a practicing Architect,

Please advise, Michael

Michael Dunlap Architect PA
1120 2nd Avenue North
Jacksonville Beach, FL 32250

www.michaeldunlap.com
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Introduced by: _____
1st Reading: _____
2nd Reading: _____

ORDINANCE NO. 2022-8177

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, VACATING, DISCONTINUING, ABANDONING, AND CLOSING PORTIONS OF CERTAIN PUBLIC RIGHTS-OF-WAY KNOWN AS PORTIONS OF FIRST AVENUE NORTH AND SECOND AVENUE NORTH, BEING PART OF GOVERNMENT LOTS THREE AND SIX, SECTION THIRTY-THREE, TOWNSHIP TWO SOUTH, RANGE 29 EAST, AS RECORDED IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SUBJECT TO EXPRESSED RESERVATION UNTO SAID CITY OF PERPETUAL EASEMENTS FOR CERTAIN PURPOSES; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville Beach ("City") has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes; and

WHEREAS, on December 2, 1996, the Jacksonville Beach City Council ("City Council") adopted Resolution No. 1514-96, setting forth a policy for closing street rights-of-way and alleys; and

WHEREAS, Resolution No. 1514-96 established certain principles to apply to the closing or abandonment of rights-of-way and easements; and

WHEREAS, said Resolution states that the City's interest will be retained unless there is an overwhelming public interest that is served and the rights of abutting property owners will not be impaired; and

WHEREAS, the proposed unified development of the properties surrounding the subject portions of rights-of-way into a medium density residential subdivision represents a reasonable use of the properties, consistent with the surrounding development and land uses; and

WHEREAS, the City Council hereby finds that this Ordinance serves a legitimate government purpose, it is a permissible exercise of the City's powers and authority, and benefits the public health, safety, and welfare of the citizens, residents, and guests of the City of Jacksonville Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. RECITALS AND LEGISLATIVE FINDINGS. The above recitals are correct and made a part of this Ordinance; furthermore, the City Council makes the following legislative findings as such pertains to the requested rights-of-way abandonment:

- (a) The subject rights-of-way do not provide the sole means of access to adjoining property;

- (b) The subject rights-of-way are not needed by the City for public rights-of-way nor to meet future transportation needs;
- (c) The public interest will be served by the abandonment of the subject rights-of-way; and
- (d) The rights of the abutting property owners will not be impaired by the City's abandonment of the subject rights-of-way.

SECTION 2. ABANDONMENT. That those certain public rights-of-way located in the Atlantic Park section of the City of Jacksonville Beach, Florida, and more particularly described below, are hereby vacated, discontinued, abandoned, and closed as public rights-of-way:

- A. **SECOND AVENUE NORTH.** Being a portion of 2nd Avenue North, lying in Section 33, Township 2 South, Range 29 East, City of Jacksonville Beach, Duval County, Florida, and being more particularly described as follows:

Commence at the northwest corner of Lot 6, Block 30, Atlantic Park, according to the plat thereof as recorded in Plat Book 7, Page 15 of the current public records of Duval County, Florida; thence south 88°05'00" west, 50.68 feet to the northwest corner of lands described in Official Records Book 19527, Page 489 of said public records and the point of beginning; thence continue south 88°05'00" west along the northerly line of said lands and along the northerly line of lands described in Official Records Book 19570, Page 1957 of said public records, same being the southerly right of way line of 2nd Avenue North, being an 80 foot wide right of way, 265.20 feet to the northwest corner of last mentioned lands; thence north 09°37'00" west along the northerly extension of the easterly right of way line of 11th Street North, being a 40 foot wide right of way, 10.09 feet; thence north 88°05'00" east, 264.99 feet; thence south 11°18'00" east along the northerly extension of the westerly right of way line of 10th Street North, being a 50 foot wide right of way, 10.14 feet to the point of beginning.

Said lands contain 2,651 square feet, more or less; and

- B. **FIRST AVENUE NORTH.** Being a portion of 1st Avenue North, lying in Section 33, Township 2 South, Range 29 East, City of Jacksonville Beach, Duval County, Florida, and being more particularly described as follows:

Commence at the northwest corner of Lot 6, Block 30, Atlantic Park, according to the plat thereof as recorded in Plat Book 7, Page 15 of the current public records of Duval County, Florida; thence south 88°05'00" west, 50.68 feet to the northwest corner of lands described in Official Records Book 19527, Page 48 of said public records; thence south 11°10'00" east along the easterly line of said lands and along the easterly line of lands described in Official Records Book 19527, Page 273 of said public records, same being the westerly right of way line of 10th Street North, being a 50 foot wide right of way, 253.61 feet to the southeast corner of last mentioned lands and the point of beginning; thence continue south 11°18'00" east along the southerly extension of said westerly right of way line, 10.51 feet; thence north 83°18'00" west, 161.05 feet; thence north 83°23'00" west, 120.96 feet; thence north 09°37'00" west along the southerly extension of the easterly right of way line of 11th Street North, being a 40 foot wide right of way, 10.42 feet to the southwest corner of lands described in Official

Records Book 19570, Page 1957 of said public records; thence south 83°23'00" east along the southerly line of said lands and along the northerly right of way line of 1st Avenue North, being a variable width right of way, 123.88 feet to the southeast corner of last mentioned lands and the southwest corner of aforementioned lands described in Official Records Book 19527, Page 273; thence south 83°18'00" east along the southerly line of said lands and continuing along the northerly right of way line of 1st Avenue North, 157.81 feet to the point of beginning.

Said lands contain 2,818 square feet, more or less.

The owners of the property adjacent and contiguous to aforesaid abandoned rights-of-way are hereby authorized to enter upon and use the land contained therein to the same extent and purpose as if the same had never been platted, subject, however, to the reservation unto the City of Jacksonville Beach, Florida of certain perpetual easements provided for in Sections 3, 4, and 5.

SECTION 3. EASEMENT (SECOND AVENUE NORTH). That there is hereby reserved unto the City within the above-described abandoned portion of the 2nd Avenue North right-of-way, a perpetual easement for the free liberty, right, and privilege of using said abandoned land for the purposes of ingress and egress, and maintaining and installing any and all sidewalk, electrical, sewer, water, drainage, or other utilities, as may be necessary or appropriate on the premises together with the free right of ingress or egress to, from, and over said land by lawfully authorized servants, employees, and agents of the City.

SECTION 4. EASEMENT (FIRST AVENUE NORTH). That there is hereby reserved unto the City a perpetual easement within the above-described abandoned portion of the 1st Avenue North right-of-way, a perpetual easement for the free liberty, right, and privilege of using said abandoned land for the purposes of ingress and egress, and maintaining and installing any and all sidewalk, electrical, sewer, water, drainage, or other utilities, as may be necessary or appropriate on the premises together with the free right of ingress or egress to, from, and over said land by lawfully authorized servants, employees, and agents of the City.

SECTION 5. EXISTING AND FUTURE UTILITIES. That all right, title, and interest in and to all roads, sewer lines, pipes, mains, or other utilities installed by the City within said easement areas shall be and forever remain in possession of said City, and may continue to be used, repaired, enlarged, and maintained in the City's ordinary course of business without any interference in the exercise of its proprietary interest therein from the adjacent property owners because of the abandonment of the aforementioned portions of public rights-of-way. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. After the date of this Ordinance, no utility may add additional lines or facilities in the abandoned land based on a claim that it is or they are public right(s)-of-way. This Ordinance does not create new easement rights except as provided in Sections 3 and 4.

SECTION 6. SEVERABILITY. It is the intention of the City Council that if any section, subsection, clause or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this Ordinance.

SECTION 7. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 8. RECORDING/CODIFICATION. This Ordinance shall be recorded in the public records of Duval County, Florida. This Ordinance shall not be codified.

SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect upon the adoption of a Planned Unit Development ("PUD"), to-wit: PUD ordinance for this property, and upon its adoption and publication according to the law.

AUTHENTICATED THIS _____ DAY OF _____, A.D., 2022.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

Sandra R. Robinson, City Attorney