



## RESOLUTION NO. 2008-06

### A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA DESIGNATING PROPERTY LOCATED AT 720 ATLANTIC BOULEVARD AND A PORTION OF THE LEMON STREET RIGHT OF WAY AS A BROWNFIELD AREA FOR ENVIRONMENTAL REHABILITATION AND ECONOMIC DEVELOPMENT AND PROVIDING AN EFFECTIVE DATE.

**Whereas**, CLH Jacksonville, LLC, owns the property at 720 Atlantic Boulevard, Neptune Beach, Florida (the "Property") the legal description of which is attached hereto as Exhibit A and as depicted on Exhibit B, attached hereto, both of which are incorporated herein by the this reference; and

**Whereas**, CLH Jacksonville, LLC, proposes to redevelop the property; and

**Whereas**, CLH Jacksonville, LLC, requests that the City of Neptune Beach designate the Property a Brownfield Area as authorized under the Florida Brownfields Redevelopment Act, Sections 376.77 – 376.85, Florida Statutes; and

**Whereas**, valuable economic incentives accrue to those who redevelop designated Brownfield sites;

**Now, therefore be it resolved** by the Council of the City of Neptune Beach:

**Section 1. Findings.** The Council, acting as the governing body of Neptune Beach, finds the preamble hereof to be true and correct.

**Section 2. Designation.** For the purposes of the Florida Brownfield Redevelopment Act, Sections 376.77 – 376.85, Florida Statutes, (hereinafter, the "ACT"), the property is hereby designated a Brownfield area. This area shall be called the 720 Atlantic Boulevard Brownfield Area. This designation shall not, however, render the City of Neptune Beach liable for the cost of site rehabilitation or source removal, as those terms are defined in Sections 376.79 (14) and (15), Florida Statutes; for other costs in excess of those attributable to the City as administrator of a Brownfields Program; or, as a property owner, if the City hereafter acquires any realty within the designated Brownfield Area.

**Section 3. Notification and Rehabilitation Agreement.** CLH Jacksonville, LLC, will attempt to obtain a Brownfields Site Rehabilitation Agreement addressing such rehabilitation, and notify the City when such an agreement has been reached.

**Section 4. Sunset.** This resolution shall stand repealed without further action of the City Council nine (9) months from the effective date hereof unless a Brownfields Site Rehabilitation Agreement pertaining to the Property has been signed with the Florida Department of Environmental Protection by that person responsible for Brownfield Site Rehabilitation, and the City has been notified of the agreement.

**Section 5. Effective Date.** This resolution shall become effective upon signature by the Mayor or upon becoming effective without the signature.

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Richard A. Brown  
Mayor

ATTEST:

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Lisa Volpe, CMC  
City Clerk