



RESOLUTION NO. 2008-06

A RESOLUTION DESIGNATING PROPERTY LOCATED AT 720 ATLANTIC BOULEVARD AS A BROWNFIELD AREA FOR ENVIRONMENTAL REHABILITATION AND ECONOMIC DEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, CLH-Jacksonville, LLC owns the property at 720 Atlantic Boulevard, Neptune Beach, Florida.

WHEREAS, 720 Atlantic Boulevard and adjacent properties may be impacted by environmental contaminants (together referred to herein as the "Property"), the legal description of which is attached hereto as Exhibit A and is depicted on the attached Exhibit B, both of which are incorporated herein by reference; and

WHEREAS, CLH-Jacksonville, LLC proposes to redevelop the 720 Atlantic Boulevard and rehabilitate environmental concerns on 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 – 376.86, 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 Brownfields' Redevelopment Act, Sections 376.77 – 376.86, Florida Statutes, 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(17) and (18), Florida Statutes; or as a property owner, if the City of Neptune Beach hereafter acquires any interest in the Property or any property within the designated Brownfield Area.

Section 3. Notification and rehabilitation agreement. CLH-Jacksonville, LLC will attempt to obtain a Brownfield Site Rehabilitation Agreement addressing rehabilitation of the Property and will notify the City of Neptune Beach when such agreement has been executed.

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 This resolution shall stand repealed without further action of the City Council nine (9) months from the effective date hereof unless a Brownfield Site Rehabilitation Agreement pertaining to the Property has been signed with the Florida Department of Environmental Protection by a person responsible for Brownfield Site Rehabilitation and the City of Neptune Beach 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 Mayor's signature.

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1 - CLH-Jacksonville

A part of the Castro Y. Ferrer Grant, Section 38, Township 2 South, Range 29 East, Neptune Beach, Duval County, Florida and being more particularly described as follows:

Commencing at the intersection of the South right of way line of Atlantic Boulevard and the East line of said Ferrer Grant; thence West 325 feet on said South right of way line of Atlantic Boulevard to the Point of Beginning; thence South 6° 30' East, 240 feet parallel with said East line of the Ferrer Grant; thence West 150 feet parallel with the said South line of Atlantic Boulevard; thence North 6° 30' West 240 feet parallel with the Ferrer Grant line to the said South line of Atlantic Boulevard; thence East 150 feet on said South line of Atlantic Boulevard to the Point of Beginning.

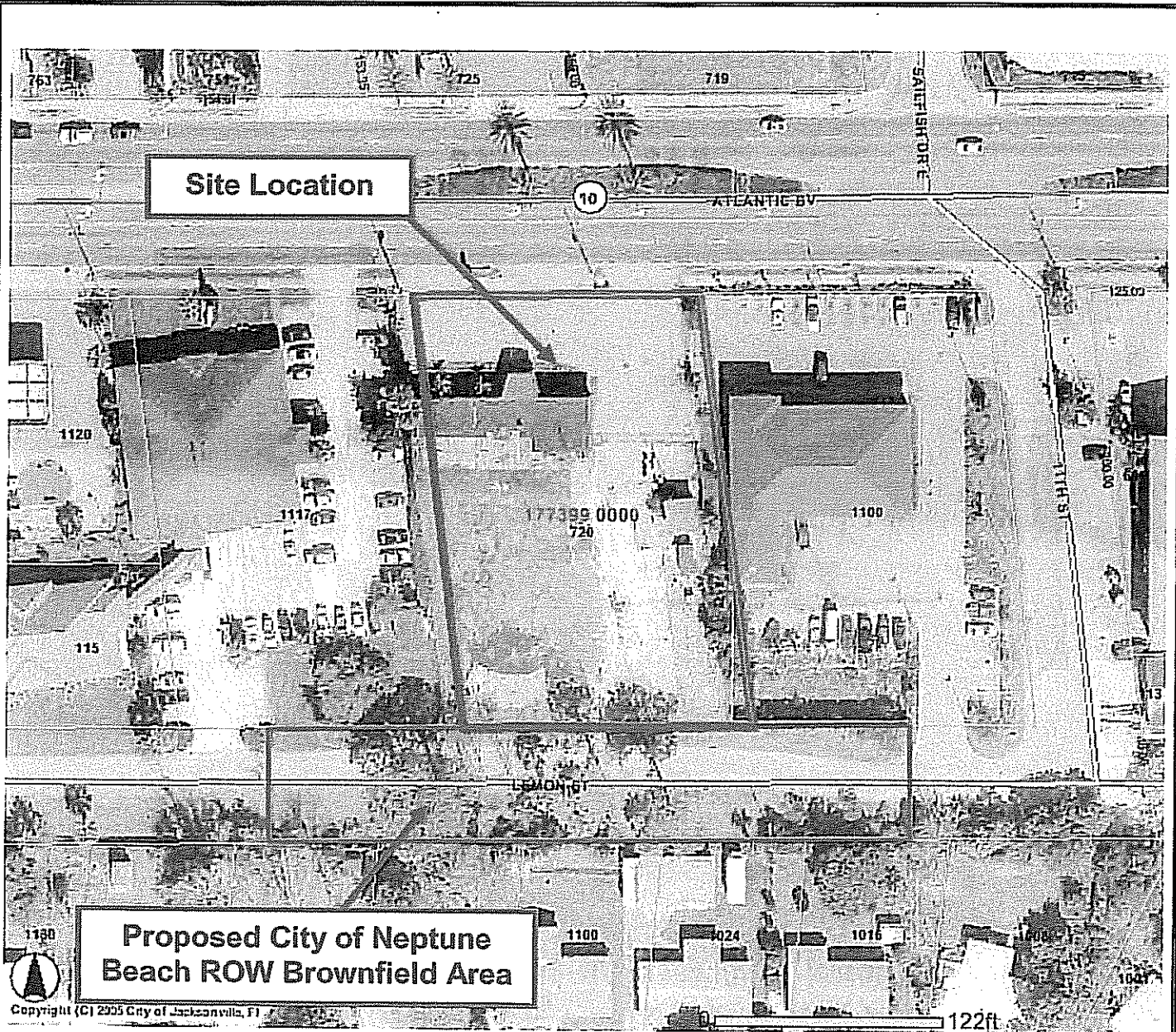
PARCEL 2 - Lemon Street Right of Way

A part of the Castro Y. Ferrer Grant, Section 38, Township 2 South, Range 29 East, Neptune Beach, Duval County, Florida and being more particularly described as follows:

Begin at the Southeast corner of lands described as Parcel "2" in Official Records Book 13057, page 949, of the current public records of Duval County, Florida, also being a point on the Northerly right of way line of Lemon Street (a 50 foot right of way as now established), thence along said right of way line South 89° 53' 48" East, a distance of 100.00 feet; thence departing said Northerly right of way line, South 00° 06' 12" West, a distance of 50 feet to a point on the Southerly right of way line of said Lemon Street; thence along said Southerly right of way line, North 89° 53' 48" West, a distance of 350.24 feet; thence departing said Southerly right of way line, North 00° 06' 12" East, a distance of 50.00 feet to a point on said Northerly right of way line of Lemon Street; thence along said Northerly right of way line, South 89° 53' 48" East, a distance of 250.24 feet to the Point of Beginning. Containing 0.40 acres more or less.

EXHIBIT B

DEPICTION OF PROPERTY



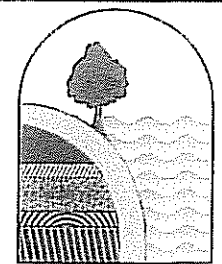
Proposed City of Neptune Beach ROW Brownfield Area

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Proposed Brownfield Area
 720 Atlantic Boulevard Site
 Neptune Beach, Duval County, Florida
 AEA Project No. 06-1026-00
 Source: Duval County Property Appraiser

Access Environmental Associates, Inc.

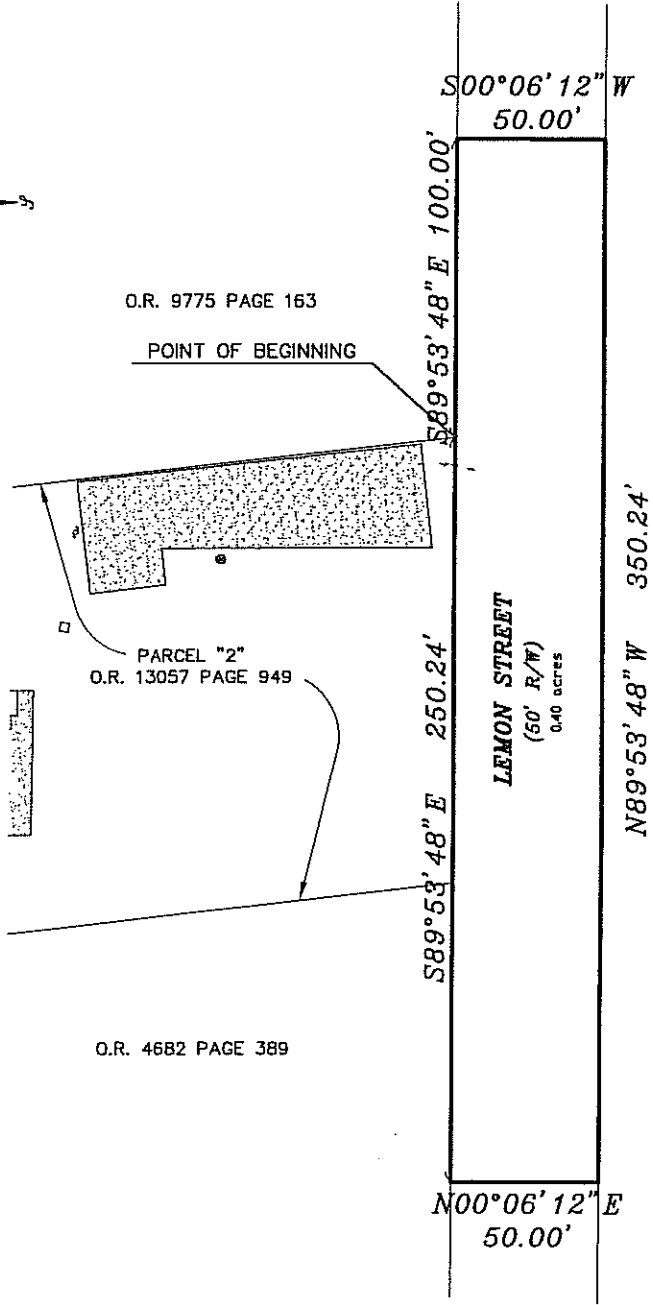
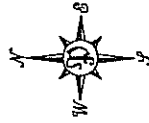
10250 Normandy Boulevard
 Suite 604
 Jacksonville, Florida
 32221



MAP SHOWING SKETCH OF

PROPOSED EASEMENT OVER RIGHT OF WAY FOR ENVIRONMENTAL PROJECT

A PART OF THE CASTRO Y. FERRER GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 29 EAST, NEPTUNE BEACH, DUVAL COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; SEE SHEET 2 OF 2 FOR COMPLETE DESCRIPTION.



SHEET 1 OF 2

PERRET AND ASSOCIATES, INC.

1614 ATLANTIC-UNIVERSITY CIRCLE, JACKSONVILLE, FLORIDA 32207 ~ (904) 805-0030 ~ FAX (904) 805-9888

GENERAL NOTES:

- (1) BEARINGS SHOWN HEREON ARE BASED ON S89°53'48" E FOR THE N'LY R/W LINE OF LEMON STREET
- (2) THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS
- (3) UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
- (4) IT IS THE LENDER'S RESPONSIBILITY TO DETERMINE FEMA F.I.R.M. MAP STATUS FOR THE LIFE OF THE LOAN ON THE PROPERTY SHOWN ABOVE. SURVEYOR HEREON WILL CONFIRM FOR ADDITIONAL FEE.

P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
P.R.C.	POINT OF REVERSE CURVE
P.C.C.	POINT OF COMPOUND CURVE
P.O.C.	POINT ON CURVE
P.C.P.	PERMANENT CONTROL POINT
B.R.L.	BUILDING RESTRICTION LINE
C/L	CENTER LINE
R/W	RIGHT-OF-WAY
O.R.V.	OFFICIAL RECORDS VOLUME
O/L	ON LINE

LEGEND

R	RADIUS
Δ or D	DELTA (CENTRAL ANGLE)
A or L	ARC LENGTH
C or CH	CHORD
CB	CHORD BEARING
(S)	LINE RADIAL TO CURVE
A/C	AIR CONDITIONER
CONC.	CONCRETE
FD	FOUND
I.P.	IRON PIPE

SCALE 1" = 50'

5-7-2008

DATE OF FIELD SURVEY

Nathan E. Perret
 NATHAN E. PERRET, FLA. CERT. NO. 5732
 GLENN M. BROADSTREET, FLA. CERT. NO. 5814



LB ~ 6715