

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-0403

JULY 23, 2015

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning **Ord. 2015-0403**.

Location: 7403 Argyle Forest Boulevard
Northwest quadrant of Argyle Forest Boulevard and
Rampart Road

Real Estate Number: A portion of 016488 0000

Current Zoning District: Planned Unit Development (PUD 2007-034-E)

Proposed Zoning District: Commercial Community General-1 (CCG-1)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Community General Commercial (CGC)
Companion to 2015C-009(2015-402)

Planning District: Southwest (4)

Planning Commissioner: Chris Hagan

City Council District: The Honorable Jim Love, District 14

Applicant/Agent: Paul M. Harden, Esq.
501 Riverside Ave., Suite 901
Jacksonville, Florida 32202

Owner: Sam Yazji
Argyle Property Group, Inc.
7695 Merrill Road
Jacksonville, Florida 32277

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2015-0403** seeks to rezone 3.24 acres of land from PUD to CCG-1. The 3.24 acre site is located at 7403 Argyle Forest Boulevard at the intersection of Argyle Forest Boulevard and Rampart Road. The property is also located in the Southwest Planning District and the Suburban Development Area. The application has filed to change the land use category from Low Density Residential (LDR) to Community/General Commercial (CGC) along with a companion rezoning to go from Planned Unit Development (PUD) to Commercial Community/General-1 (CCG-1). The land use amendment and rezoning changes are intended to allow for development of the subject site with commercial uses. The existing PUD (2007-034-E) permits a 10.11 acre commercial office park for medical, financial, and professional office development. The property is located at the intersection of two roads classified as collector roads and meets the secondary zoning criteria for neighborhood commercial development in the LDR functional land use category.

The subject property is located at the intersection of Argyle Forest Boulevard and Rampart Road; a signalized intersection at the confluence of two four-lane roads. According to the Functional Highway Classification Map of the Transportation Element, Argyle Forest Boulevard is classified as a minor arterial roadway and Rampart Road north of Argyle Forest Boulevard is classified as a collector roadway. Rampart Road becomes a local residential road south of Argyle Forest Boulevard and provides entrance into a well-established single-family subdivision. Additionally, the site is located one half of a mile south of the Collins Road/Rampart Road intersection which is just west of the new Collins Road/I-295 access ramp. Pedestrian access is provided for by sidewalks located along both sides of Argyle Forest Boulevard and Rampart Road and Rampart Road also contain dedicated bike lanes in both directions.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?

Yes. In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the Planning and Development Department finds that the subject property is located in the LDR Functional Land Use Category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. There is a companion Land Use Application 2015C-009, Ordinance 2015-402 that seeks to amend a portion of the existing LDR land use to CGC. The CCG-1 Zoning District is a primary zoning district in the CGC Land Use Category. The Planning and Development Department recommends **APPROVAL** of the companion land use amendment application 2015C-009 from LDR to CGC.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. The proposed amendment is consistent with the following policies of the respective elements of the 2030 Comprehensive Plan:

GOAL 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 1.1.25 The City will encourage the use of such smart growth practices as:

1. Interconnectivity of transportation modes and recreation and open space areas;
2. A range of densities and types of residential developments;
3. A mix of uses including office, commercial, and residential which encourage internal capture of trips;
4. Use of the Development Areas;
5. Revitalization of older areas and the downtown, and
6. Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.

GOAL 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

The proposed amendment to CGC is for a site that is located at the intersection of two roadways that are classified as collector or higher on the Functional Highway Classification Map of the 2030 Comprehensive Plan. The newly designated CGC location will optimize the combined potential for economic benefit and employment and will result in a compact and efficient land use pattern without encouraging sprawl by providing for commercial uses in close proximity to a large supply of residential uses. Additionally, the proposed amendment will further smart growth goals by providing for a broader mix of uses within a fully developed neighborhood in the Suburban Development Area.

3. Does the proposed rezoning conflict with any portion of the City's land use regulations?

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. The subject property meets the lot requirements of the CCG-1 Zoning District as set forth in Section 656.313 of the Zoning Code and will be developed in accordance with the Land Development Regulations through the 10 set review and permitting process.

SURROUNDING LAND USE AND ZONING

The surrounding land use categories, zoning and uses are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RR-ACRE	Retention Pond, COJ owned property
South	LDR	PUD (2007-224-E)	Single-family residential
East	LDR	PUD (2007-224-E)	Single-family residential
West	LDR	PUD (2007-034-E)	Vacant single-family/ allows office

Therefore, the proposed rezoning is consistent and compatible with the adjacent and nearby residential zoning districts.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 25, 2015 the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2015-0403 be APPROVED.



Property located at intersection of Argyle Forest Boulevard and Rampart Road.

*Source: Planning and Development Department
Date: June 25, 2015*



City of Jacksonville owned retention pond area north of the property.

*Source: Planning and Development Department
Date: June 25, 2015*



Single-family subdivision west of the subject property.

*Source: Planning and Development Department
Date: June 25, 2015*



Entrance to single-family subdivision southeast of the property.

*Source: Planning and Development Department
Date: June 25, 2015*



Typical single-family development in the surrounding area.

*Source: Planning and Development Department
Date: June 25, 2015*

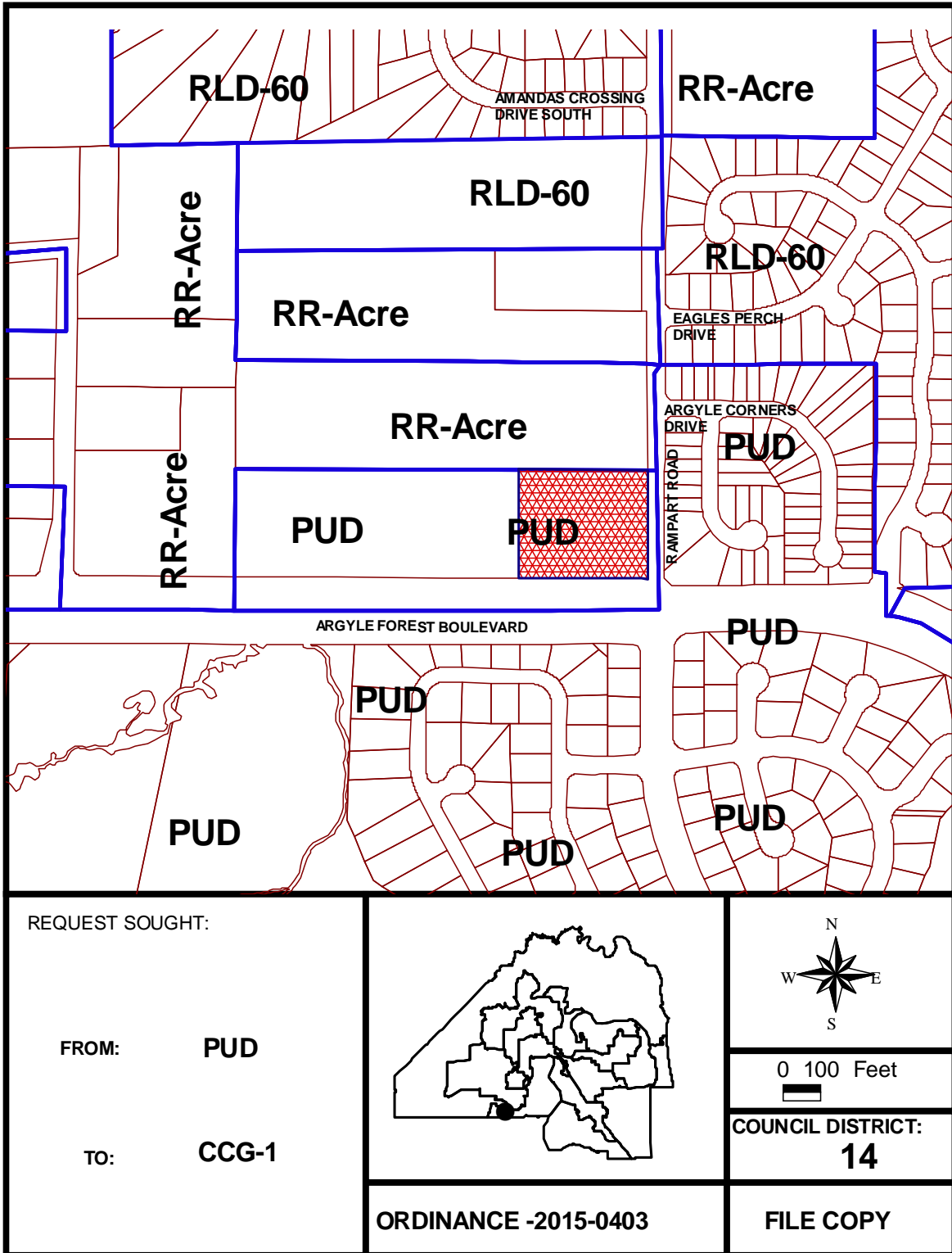


JTA stub out west of the subject property on Argyle Forest Boulevard.

*Source: Planning and Development Department
Date: June 25, 2015*



Aerial view of the subject property.



Application For Rezoning To Conventional Zoning District



Planning and Development Department Info

Ordinance # 2015-0403 **Staff Sign-Off/Date** AAG / 05/08/2015

Filing Date 06/09/2015 **Number of Signs to Post** 4

Hearing Dates:

1st City Council 07/28/2015 **Planning Commission** 07/23/2015

Land Use & Zoning 08/04/2015 **2nd City Council** 08/11/2015

Neighborhood Association ARGYLE FOREST CIVIC COUNCIL, HIGHLAND LAKES OWNERS ASSOCIATION

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 842 **Application Status** FILED COMPLETE

Date Started 04/29/2015 **Date Submitted** 04/29/2015

General Information On Applicant

Last Name **First Name** **Middle Name**

Company Name

Mailing Address

City **State** **Zip Code**

Phone **Fax** **Email**

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name **First Name** **Middle Name**

Company/Trust Name

Mailing Address

City **State** **Zip Code**

Phone **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council	Planning From Zoning	To Zoning
---------	---------	----------------------	-----------

District	District	District(s)	District
Map			

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

Existing Land Use Category

Land Use Category Proposed?

If Yes, State Land Use Application #

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

Justification For Rezoning Application

TO DEVELOP CONSISTENT WITH COMMERCIAL USES.

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
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Between Streets

and

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

Exhibit 1 A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

Exhibit A Property Ownership Affidavit – Notarized Letter(s).

Exhibit B Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or

authorized agent MUST BE PRESENT at the public hearings. The required SIGN(S) must be POSTED on the property BY THE APPLICANT within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
3.24 Acres @ \$10.00 /acre: \$40.00
- 3) Plus Notification Costs Per Addressee
51 Notifications @ \$7.00 /each: \$357.00
- 4) Total Rezoning Application Cost: \$2,397.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE _____

Legal Description

A PARCEL OF LAND LYING IN SECTION 35, TOWNSHIP 03 SOUTH, RANGE 25 EAST BEING A PORTION OF CORRECTIVE QUIT-CLAIM DEED, RECORDED IN OFFICIAL RECORDS BOOK 674, PAGE 507 OF THE PUBLIC RECORDS OF DUVAL COUNTY BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID CORRECTIVE QUIT-CLAIM DEED, THENCE RUN SOUTH 89°36'35" WEST ALONG THE NORTH LINE OF SAID CORRECTIVE QUIT-CLAIM DEED, 20.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF RAMPART ROAD ACCORDING TO THAT CERTAIN ORDER OF TAKING, RECORDED OFFICIAL RECORDS BOOK 13978, PAGE 929 OF SAID PUBLIC RECORDS AND PER THE RIGHT-OF-WAY MAPS RAMPART ROAD IMPROVEMENTS, ENG. PROJECT No. PW-03-95, PREPARED BY D.R.M.P., INC., LAST REVISED 12/22/06 AND THE POINT OF BEGINNING; THENCE RUN SOUTH 00°14'45" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, 355.78 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ARGYLE FOREST BOULEVARD ACCORDING TO AFORESAID RIGHT-OF-WAY MAPS; THENCE RUN NORTH 89°24'21" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF ARGYLE FOREST BOULEVARD, 400.00 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, RUN NORTH 00°14'55" EAST, 348.91 FEET TO THE AFORESAID NORTH LINE OF SAID CORRECTIVE QUIT-CLAIM DEED, RECORDED IN OFFICIAL RECORDS BOOK 674, PAGE 507; THENCE RUN ALONG SAID NORTH LINE, NORTH 89°36'35" EAST, 400.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA AND CONTAINS 3.235 ACRES MORE OR LESS.

EXHIBIT A - Property Ownership Affidavit

Date: April 3rd, 2015

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location:
7403 Argyle Forest Blvd.

To Whom it May Concern:

I Argyle Property Group, Inc. hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for PUD Rezoning # FLUM submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Argyle Property Group, Inc.

By _____

By [Signature]

Print Name: _____

Print Name: SAM YAZJI

Its: pres.

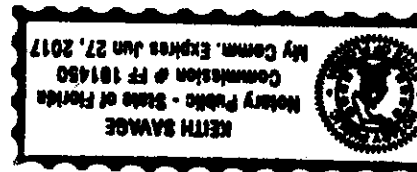
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

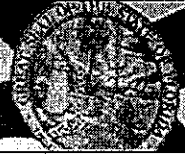
Sworn to and subscribed and acknowledged before me this 3rd day of April 2015 2014, by Sam Yazji, who is personally known to me or who has produced, Florida Drivers License as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

Keith Savage
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: June 27, 2017

**FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS****Detail by Entity Name****Florida Profit Corporation**

ARGYLE PROPERTY GROUP, INC.

Filing Information

Document Number	P08000010594
FEI/EIN Number	272597248
Date Filed	01/28/2008
State	FL
Status	ACTIVE

Principal Address7695 MERRILL RD.
JACKSONVILLE, FL 32277

Changed: 04/26/2012

Mailing Address7695 MERRILL RD
JACKSONVILLE, FL 32277

Changed: 04/26/2012

Registered Agent Name & AddressYAZJI, SAM
7695 MERRILL ROAD
JACKSONVILLE, FL 32277

Name Changed: 04/26/2012

Address Changed: 04/30/2009

Officer/Director Detail**Name & Address**

Title P

YAZJI, HAYSSAM B
7247 PLACID OAKS DR.
JACKSONVILLE, FL 32277

Title VP

ALBERT, ELIAN R

5017 CAPE ROMIAN COURT
JACKSONVILLE, FL 32277

Annual Reports

Report Year	Filed Date
2012	04/26/2012
2013	04/29/2013
2014	04/30/2014

Document Images

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04/26/2012 -- ANNUAL REPORT	View image in PDF format
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04/19/2010 -- ANNUAL REPORT	View image in PDF format
04/30/2009 -- ANNUAL REPORT	View image in PDF format
01/28/2008 -- Domestic Profit	View image in PDF format

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State of Florida, Department of State

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: April 3rd, 2015

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: 7403 Argyle Forest Blvd.

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Paul Harden to act as agent to file application(s) for PUD Rezoning & FLUM for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Argyle Property Group, Inc.

By _____

By [Signature]

Print Name: _____

Print Name: SAM YAZJI

Its: pres.

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 3rd day of April 2015
2014, by Sam Yazji, who is personally known to me or who has
produced Florida Drivers License as identification and who took an oath.

[Signature]

(Signature of NOTARY PUBLIC)

Keith Savage

(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: June 27, 2017

**FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS****Detail by Entity Name****Florida Profit Corporation**

ARGYLE PROPERTY GROUP, INC.

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JACKSONVILLE, FL 32277

Name Changed: 04/26/2012

Address Changed: 04/30/2009

Officer/Director Detail**Name & Address**

Title P

YAZJI, HAYSSAM B
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Title VP

ALBERT, ELIAN R

5017 CAPE ROMIAN COURT
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04/26/2012 -- ANNUAL REPORT	View image in PDF format
03/11/2011 -- ANNUAL REPORT	View image in PDF format
04/19/2010 -- ANNUAL REPORT	View image in PDF format
04/30/2009 -- ANNUAL REPORT	View image in PDF format
01/28/2008 -- Domestic Profit	View image in PDF format

This instrument prepared without
title examination or guaranty by:
Robert Wallace
7400 Baymeadows Way #106
Jacksonville, FL 32256

CORECTIVE QUIT-CLAIM DEED

This Quit-Claim Deed is made this 20th day of May, 2008 between H
& G Enterprises, LLC, a Florida limited liability company, with a
mailing address at 5947 County Road 352, Keystone Heights, FL 32656,
the "Grantor", and Argyle Property Group, Inc., a Florida
corporation, the "Grantee", with a mailing address at 243 N.
Arlington Rd., Jacksonville, FL 32211.

WITNESSETH: The Grantor does hereby transfer, remise, release and
quitclaim forever to Grantee and the Grantee's successors and
assigns forever, an undivided eighteen percent interest the
following described land, situate, lying and being in the County of
Duval, State of Florida, to wit:

See attached Exhibit "A"

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

This Corrective Quitclaim deed is given to correct typographical
errors in the legal description of that certain Quitclaim Deed
recorded in Official Record Volume 14490, Page 2245, current public
records, Duval County, Florida.

IN WITNESS WHEREOF, the Grantor has caused this document to be
executed the day and year first above written.

SIGNED AND SEALED IN OUR PRESENCE: H & G Enterprises, LLC

Forrest Joseph
Forrest Joseph

By: Hassan B. Yazji
Hassan B. Yazji

Taney Hick
Taney Hick

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ Clay

The foregoing instrument was acknowledged before me this 20
day of May, 2008, by Hassan B. Yazji, president of H&G Enterprises,

LLC, who is personally known to me ✓ or who has produced
as identification.

Rebecca E. Richardson
Notary Public

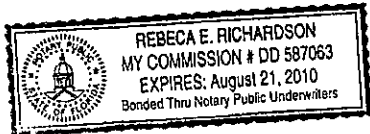


EXHIBIT "A"

Parcel A

A portion of Tracts 13, 14 and 16, Block 1, Sections 35 and 38, Township 3 South, Range 25 East, as shown on the plat of Jacksonville Heights as recorded in Plat Book 5 page 93, of the current public records of Duval County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Lot 61, as shown on the Plat of Amanda's Crossing, as recorded in Plat Book 42 pages 77, 77A and 77B, inclusive, of the current public records of said county; thence South 00 degrees 41 minutes 19 seconds West, along the westerly right of way line of Rampart Road (a 66 foot right of way as now established), a distance of 990.00 feet to the northerly line of those lands recorded in Official Records Book 674 page 507, said current public records, and the Point of Beginning; thence continue South 00 degrees 41 minutes 19 seconds West, along said westerly right of way line Rampart Road, a distance of 355.73 feet to the northerly right of way line of Argyle Forest Boulevard also know as Kirwin Road (a variable right of way as now established); thence North 88 degrees 55 minutes 19 seconds West, along last said line, a distance of 1,264.83 feet to the westerly line of Tract 13; thence North 00 degrees 44 minutes 02 seconds East, along last said line, a distance of 332.87 feet to the aforesaid northerly line of those lands described and recorded in Official Records Book 674, page 507; thence South 89 degrees 57 minutes 26 seconds East, along last said line, a distance of 1,264.72 feet to the Point of Beginning.

Parcel B

A portion of Tracts 13, 14 and 16, Block 1, Sections 35 and 38, Township 3 South, Range 25 East, as shown on the plat of Jacksonville Heights as recorded in Plat Book 5 page 93, of the current public records of Duval County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Lot 61, as shown on the Plat of Amanda's Crossing, as recorded in Plat Book 42 pages 77, 77A and 77B, inclusive, of the current public records of said county; thence South 00 degrees 41 minutes 19 seconds West, along the westerly right of way line of Rampart Road (a 66 foot right of way as now established), a distance of 1,320.00 feet to the southerly line of those lands designated Parcel A, as described and recorded in Official Records Book 674 page 507, said current public records, and the Point of Beginning; thence continue South 00 degrees 41 minutes 19 seconds West, along said westerly right of way line Rampart Road, a distance of 25.73 feet to the northerly right of way line of Argyle Forest Boulevard also know as Kirwin Road (a variable right of way as now established); thence North 88 degrees 55 minutes 19 seconds West, along last said line, a distance of 1,264.83 feet to the easterly line of Tract 12, said Block 1, Jacksonville Heights; thence North 00 degrees 44 minutes 02 seconds East, along last said line, a distance of 2.87 feet to the aforesaid southerly line of those lands designated Parcel A; thence South 89 degrees 57 minutes 26 seconds East, along last said line, a distance of 1,264.98 feet to the Point of Beginning.