

CURRENT PLANNING DIVISION



December 15, 2016

The Honorable Lori N. Boyer, President
The Honorable Danny Becton, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Downtown Development Review Board Advisory Report
Ordinance No.: 2016-780**

Dear Honorable Council President Boyer, Honorable Council Member and LUZ Chairman Becton and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Downtown development Review Board ("DDRB") respectfully offers this report for consideration by the Land Use and Zoning Committee ("LUZ").

- Recommendation by JPDD: Approve Deny
- Recommendation by DDRB to LUZ: Approve Deny
- DDRB Commentary: The DDRB unanimously recommended approval with little discussion.

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style.

Bruce E. Lewis, City Planner Supervisor
Current Planning Division

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2016-0780

DECEMBER 15, 2016

The Planning and Development Department hereby forwards to the Downtown Development Review Board, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2016-0780**

Location: 500 East Bay Street,
between Catherine Street and Liberty Street

Real Estate Numbers: 073358-0200

Current Zoning District: Planned Unit Development (PUD)

Proposed Zoning District: Commercial Central Business District (CCBD)

Current Land Use Category: Central Business District (CBD)

Planning District: Urban Core (1)

Planning Commissioner: Abel Harding

City Council Representative: The Honorable Reggie Gaffney, District 7

Agent: Shan Pollachi
Indy Hotels, LLC
9978-2 Old Baymeadows Road
Jacksonville, FL 32256

Owner: Michael Hampton
Choate Construction Company
8200 Roberts Drive, Suite 600
Atlanta, GA 30350

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0780** requests rezoning of 2.02 acres from Planned Unit Development (PUD) to Commercial Central Business District (CCBD) zoning district. The subject property is located at 500 East Bay Street, and is currently developed as an unfished high rise structure. The subject property is within the CBD

functional land use category as defined by the Future Land Use Map (FLUM) series contained in the Future Land Use Element (FLUE) as adopted as part of the 2030 Comprehensive Plan. According to the application, this rezoning is sought to permit a more compatible utilization of the site in keeping with the intent of the Downtown Development Zoning Overlay. The current uses outlined in the PUD are no longer viable for this site, and the applicant wishes to have more flexibility, as would be allowed in the CCBD district.

STANDARDS, CRITERIA AND FINDINGS

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

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

Yes. The Planning and Development Department finds that the subject property is located in a Central Business District (CBD) functional land use category according to the FLUMs (Future Land Use Map series) adopted as part of the 2030 Comprehensive Plan. The Central Business District (CBD) category is a mixed land use category that is coterminous with the Downtown jurisdictional area of the Downtown Investment Authority (DIA). The category allows medium to high density residential, commercial, industrial, institutional, recreational, and entertainment uses, as well as transportation and communication facilities. All the area in the CBD is included within the boundaries of the Downtown Developments of Regional Impact (DRI). The exact location, distribution, and density/intensity of various types of land use in the DIA's Downtown jurisdictional area will be guided by the site development plans approved as part of the development order for the Downtown DRI(s). The site is located within the Riverfront District of the Downtown Zoning Overlay.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan.

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

Yes. It is the opinion of the Planning and Development Department that the proposed rezoning furthers the Future Land Use Element (FLUE) Policy 3.2.2 of the 2030 Comprehensive Plan, which states that the City shall promote infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize. The applicant has indicated that the proposed rezoning request to CCBD will be to allow for more flexibility in the available uses for the site, and would be consistent with the Downtown Overlay District. The property has been developed as an unfinished tower for many years. The City has actively worked with various entities to promote the completion of the structure. Allowing the current owner some flexibility, similar to other properties in the surrounding area, would be an incentive towards the buildout of the project.

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.

SURROUNDING LAND USE AND ZONING

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

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CBD	PBF-1	GOV. OFFICE
East	CBD	PUD (2005-392)	VACANT
South	CBD	RIVER	RIVER
West	CBD	PUD (2005-392)	CONDOS

The proposed rezoning is consistent and compatible with the adjacent and nearby governmental, commercial and multifamily uses.

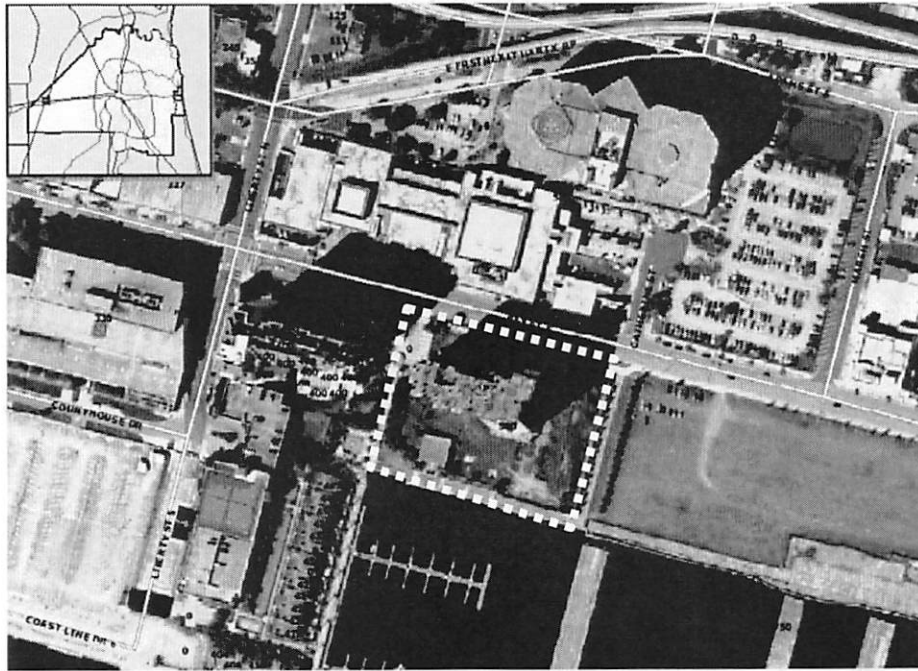
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on 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 **2016-0780** be **APPROVED**.



Aerial

*Source: Staff, Planning and Development Department
Date: August December 5, 2016*



Subject site

*Source: Staff, Planning and Development Department
Date: December 5, 2016*



Adjacent condo tower to the west

*Source: Staff, Planning and Development Department
Date: December 5, 2016*



Vacant City of Jacksonville property to the east

*Source: Staff, Planning and Development Department
Date: December 5, 2016*



Jacksonville Sherriff Office building to the north

*Source: Staff, Planning and Development Department
Date: December 5, 2016*



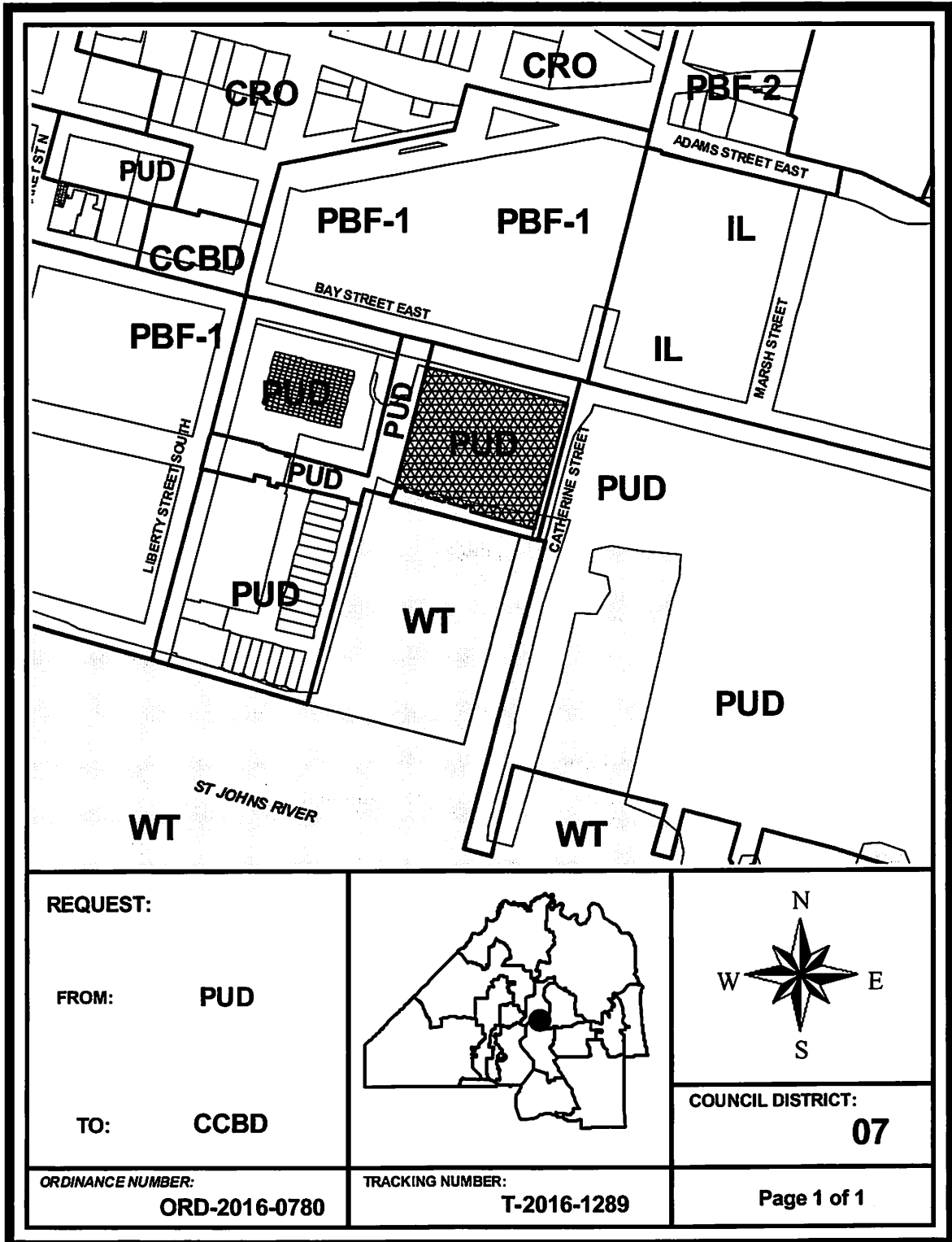
St. Johns River to the south

*Source: Staff, Planning and Development Department
Date: December 5, 2016*



Industrial uses to the east, on the north side of Bay Street

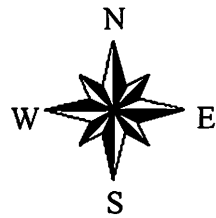
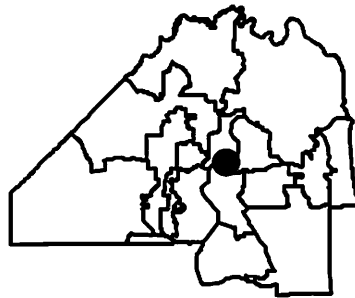
*Source: Staff, Planning and Development Department
Date: December 5, 2016*



REQUEST:

FROM: PUD

TO: CCBD



COUNCIL DISTRICT:
07

ORDINANCE NUMBER:
ORD-2016-0780

TRACKING NUMBER:
T-2016-1289

Page 1 of 1

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2016-0780 **Staff Sign-Off/Date** CAP / 11/09/2016
Filing Date 11/16/2016 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 01/10/2017 **Planning Commission** 12/15/2016
Land Use & Zoning 01/18/2017 **2nd City Council** N/A
Neighborhood Association NONE
Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 1289 **Application Status** PAID
Date Started 10/31/2016 **Date Submitted** 10/31/2016

General Information On Applicant

Last Name POLLACHI **First Name** SHAN **Middle Name**
Company Name INDY HOTELS, LLC
Mailing Address 9978-2 OLD BAYMEADOWS ROAD
City JACKSONVILLE **State** FL **Zip Code** 32256
Phone 9047977704 **Fax** 904 **Email**

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name HAMPTON **First Name** MICHAEL **Middle Name** J
Company/Trust Name CHOATE CONSTRUCTION COMPANY
Mailing Address 8200 ROBERS DRIVE, SUITE 600
City ATLANTA **State** GA **Zip Code** 30350
Phone 6788921271 **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning From Zoning District	Zoning District(s)	To Zoning District
Map 073358 0200	7	1	PUD	CCBD

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

Existing Land Use Category

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
2.02 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee
187 Notifications @ \$7.00 /each: \$1,309.00
- 4) Total Rezoning Application Cost: \$3,339.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Duval County, City Of Jacksonville
Michael Corrigan , Tax Collector
 231 E. Forsyth Street
 Jacksonville, FL 32202

General Collection Receipt

Account No: CR389320
 User: Lewis, Bruce

Date: 10/31/2016
 Email: BLewis@coj.net

RETURNED CHECK SERVICE FEE

Name: Shan Pollachi
 Address: 9978-2 Old Baymeadows Road Jacksonville, FL 32256
 Description: 500 East Bay Street to CCBD rezoning application

TranCode	IndexCode	SubObject	GLAcct	SubsldNo	UserCode	Project	ProjectDtl	Grant	GrantDtl	DocNo	Amount
701	TCSG017	34151G									3339.00

Total Due: \$3,339.00

Michael Corrigan, Tax Collector
 Duval County/City of Jacksonville
 Comments - taxcollectore@coj.net
 Inquiries - (904)630-1916
 www.coj.net/tc
 Date: 11/07/2016 Time: 12:15:11
 Location: POB Clerk: ZSP
 Transaction 0688475

Miscellaneous	
Item: CR - CR389320	
Receipt 0688475.0001-0001	3,339.00
Total Paid	3,339.00
CHECK 5044	3,339.00
Total Tendered	3,339.00

Paid By: INDY HOTELS LLC
 Thank You

ORDINANCE: _____

LEGAL DESCRIPTION

OCTOBER 25, 2016

KNIGHT'S WATER LOTS 14, 15 AND 16, KNIGHT'S MAP OF JACKSONVILLE, FLORIDA, AS RECORDED IN DEED BOOK Y, PAGES 428 AND 429, ALSO KNOWN AS DOGGETT'S WATER LOTS 14, 15 AND 16, DOGGETT'S MAP OF JACKSONVILLE, ALL FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. EXCEPT THE NORTHERLY 12 FEET OF THE ABOVE DESCRIBED LOTS.

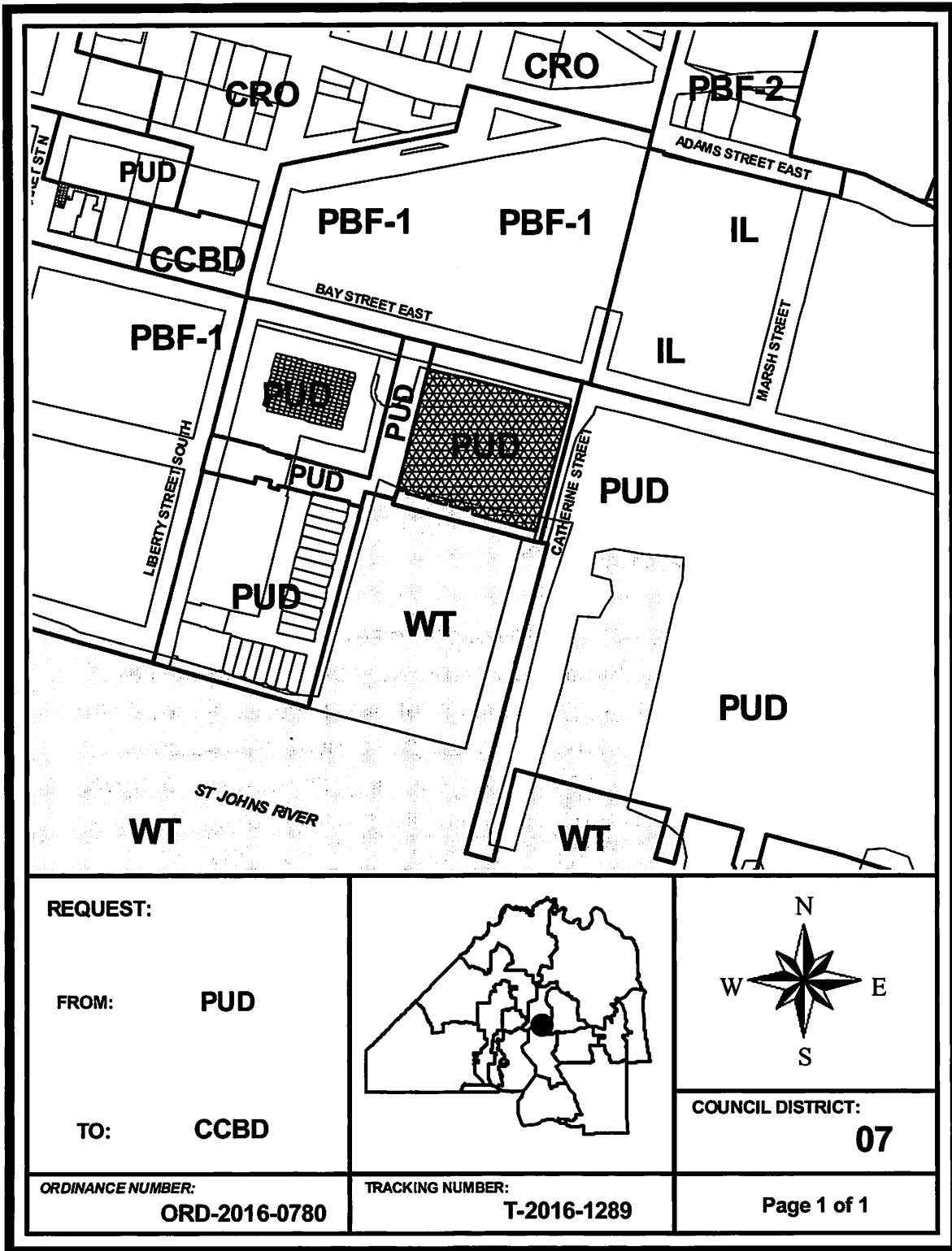
LESS AND EXCEPT THEREFROM ANY PART OF THE FOREGOING DESCRIBED LANDS THAT LIE WITHIN ANY PORTION OF THE FOLLOWING LANDS:

A PORTION OF WATER LOTS 14, 15 AND 16 AS SHOWN ON KNIGHT'S MAP OF JACKSONVILLE, FLORIDA, BEING RECORDED IN DEED BOOK Y, PAGES 428 AND 429 OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID LOTS ALSO BEING KNOWN AS WATER LOTS 14, 15 AND 16 AS SHOWN ON DOGGETT'S MAP OF JACKSONVILLE, OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. ALL LYING IN THE J. BELLAMY GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 26 EAST, OF SAID DUVAL COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BAY STREET (A VARIABLE WIDTH RIGHT-OF-WAY) WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID WASHINGTON STREET (A 70 FOOT RIGHT-OF-WAY); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID WASHINGTON STREET, SOUTH $14^{\circ} 41' 16''$ WEST 263.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH $14^{\circ} 41' 16''$ WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 9.29 FEET; THENCE SOUTH $76^{\circ} 45' 05''$ EAST, 11.35 FEET; THENCE NORTH $14^{\circ} 55' 37''$ EAST 5.10 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST, 9.50 FEET; THENCE SOUTH $14^{\circ} 55' 37''$ WEST, 8.00 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST, 40.10 FEET; THENCE NORTH $14^{\circ} 55' 37''$ EAST, 7.80 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST, 9.50 FEET. THENCE SOUTH $14^{\circ} 55' 37''$ WEST, 7.90 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST, 40.20 FEET; THENCE NORTH $14^{\circ} 55' 37''$ EAST, 7.80 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST, 9.60 FEET; THENCE SOUTH $14^{\circ} 55' 37''$ WEST, 8.0 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST, 40.10 FEET; THENCE NORTH $14^{\circ} 55' 37''$ EAST, 7.80 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST, 9.50 FEET; THENCE SOUTH $14^{\circ} 55' 37''$ WEST, 8.00 FEET; THENCE SOUTH $75^{\circ} 04' 23''$ EAST,

1.00 FEET; THENCE SOUTH 14° 55' 37" WEST, 4.80 FEET; THENCE SOUTH 75° 04' 23" EAST, 144.97 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CATHERINE STREET (A 70 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 14° 52' 46" WEST, 20.13 FEET TO ITS INTERSECTION WITH THE SOUTHERLY FACE OF A CONCRETE BULKHEAD ALONG THE ST. JOHNS RIVER; THENCE ALONG SAID SOUTHERLY FACE, THE FOLLOWING THREE COURSES: 1) NORTH 75° 04' 15" WEST, 313.18 FEET, 2) NORTH 09° 14' 09" EAST, 7.78 FEET, 3) NORTH 76° 47' 53" WEST, 71.82 FEET TO ITS INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED WASHINGTON STREET ALSO BEING THE WESTERLY LINE OF OFFICIAL RECORDS VOLUME 11464, PAGE 700; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING THREE COURSES 1) NORTH 14° 41' 16" EAST, A DISTANCE OF 22.43 FEET, 2) THENCE SOUTH 76° 48' 28" EAST, DEPARTING AFORESAID RIGHT-OF-WAY LINE, A DISTANCE OF 5.00 FEET, 3) THENCE NORTH 14° 41' 16" EAST, A DISTANCE OF 8.91 FEET TO THE NORTH LINE OF SAID OFFICIAL RECORDS VOLUME 11464, PAGE 700; THENCE SOUTH 75° 15' 00" EAST, A DISTANCE OF 65 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED WASHINGTON STREET, ALSO BEING POINT OF BEGINNING, CONTAINING 9,645 SQ.FT. OR 0.22 ACRES MORE OR LESS.

THE INTENT OF THE GRANTOR IS TO CONVEY TO GRANTEE ALL OF THE LANDS THAT LIE EASTERLY OF THE FORMER RIGHT-OF-WAY OF WASHINGTON STREET AND THAT WERE ORIGINALLY CONVEYED TO GRANTOR BY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 9501, PAGE 546 AND IN OFFICIAL RECORDS BOOK 9501, PAGE 553, BOTH RECORDED IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM LANDS TO BE CONVEYED TO THE CITY OF JACKSONVILLE FOR THE RIVERWALK THAT LIES ALONG THE SOUTHERLY PORTION OF SAID LANDS.

Exhibit 2



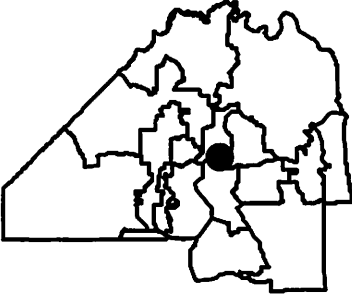
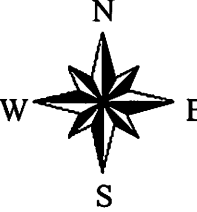
<p>REQUEST:</p> <p>FROM: PUD</p> <p>TO: CCBD</p>		
<p>ORDINANCE NUMBER: ORD-2016-0780</p>	<p>TRACKING NUMBER: T-2016-1289</p>	<p>COUNCIL DISTRICT: 07</p> <p>Page 1 of 1</p>

EXHIBIT A - Property Ownership Affidavit

Date: 9/22/16

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:
500 E Bay St, Jacksonville FL

To Whom it May Concern:

I Choate Construction Company hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for rezoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

By _____
Print Name: _____

If Owner is Corporate Entity:

Print Corporate Name:
Choate Construction Company
By Michael J. Hampton
Print Name: Michael J. Hampton
Its: Chief Operating Officer

*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 22nd day of September 2016 by Michael J. Hampton, who is personally known to me or who has produced _____ as identification and who took an oath.

Catherine Dodge
(Signature of NOTARY PUBLIC)

Catherine Dodge
(Printed name of NOTARY PUBLIC)
Georgia, County of Fulton
State of Florida at Large.
My commission expires: 2/10/19



EXHIBIT A

Property Ownership Affidavit

Date: 9/23/16

City of Jacksonville
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

I, Choate Construction Company hereby certify that I am the
Owner of the property described in the attached legal description, **Exhibit 1** in connection with
filing application(s) for _____
submitted to the Jacksonville Planning and Development Department.

Michael J. Hampton, EVP
(Owner's Signature)

STATE OF ~~FLORIDA~~ Georgia
COUNTY OF ~~DUVAL~~ Fulton

The foregoing affidavit was sworn and subscribed before me this 23rd day of
September (month), 2016 (year) by Michael J. Hampton
who is personally known to me or has produced _____
as identification.

Catherine Dodge
(Notary Signature)



Page 1 of 1

EXHIBIT B

Agent Authorization

Date: 9/23/16

City of Jacksonville
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:
500 E Bay St., Jacksonville FL 32202

Gentleman:

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 Indy Hotels LLC to act as agent to file application(s) for Re-Zoning 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.

Michael J. Hampton, EVP
Chate Construction Company

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 23rd day of September (month), 2016 (year) by Michael J. Hampton, who is personally known to me or has produced _____ as identification.



Catherine Dodge
(Notary Signature)

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 9/23/16

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

Re: Agent Authorization for the following site location: 500 E Bay St. Jax

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 Indy Hotels LLC to act as agent to file application(s) for rezoning 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:

Chate Construction Company

By _____

By Michael J. Hampton

Print Name: _____

Print Name: Michael J. Hampton

Its: Chief Operating Officer

*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

I, Sworn to and subscribed and acknowledged before me this 22nd day of September 2014, by Michael J. Hampton, who is personally known to me or who has produced _____ as identification and who took an oath.

Catherine Dodge

(Signature of NOTARY PUBLIC)

Catherine Dodge

(Printed name of NOTARY PUBLIC)

Georgia, County of Fulton

State of Florida

My commission expires: 2/10/17



IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO.: 2008-CA-007606
DIVISION: CV-C

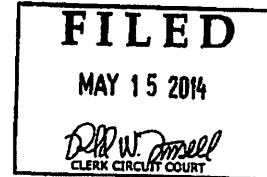
BERKMAN PLAZA 2, LLC,

Plaintiff,

vs.

CHOATE CONSTRUCTION COMPANY,

Defendant.



CHOATE CONSTRUCTION COMPANY,

Third-Party Plaintiff,

vs.

BERKMAN PLAZA 2, LLC, WELLS FARGO
BANK, NATIONAL ASSOCIATION,
WACHOVIA BANK, NATIONAL
ASSOCIATION, COMPASS BANK, CITY OF
JACKSONVILLE; *et al.*,

Third-Party Defendants.

CERTIFICATE OF TITLE

The undersigned Clerk of the Court certifies that he or she executed and filed the
Certificate of Sale in this action on **APR 29 2014** for the property described herein and that no
objections to the sale have been filed within the time allowed for filing objections.

The following property in Duval County, Florida:

**500 East Bay Street, Jacksonville, Florida, and also known as
Berkman Plaza – Phase 2**

and more specifically described in Exhibit "A" attached hereto.

was sold to:

Choate Construction Company

8200 Roberts Drive, Suite 600

Atlanta, GA 30350

WITNESS my hand and the seal of the court on this _____ day of MAY 15 2014, 2014.



RONNIE FUSSELL
CLERK OF THE CIRCUIT COURT

By: MONTREAL SPARROW
Deputy Clerk

Copies furnished to:

James O. Birr, III, Esq. Jimerson & Cobb, P.A. 701 Riverside Park Place Suite 302 Jacksonville, FL 32204 <i>Attorney for Choate</i>	Berkman Plaza 2, LLC c/o Robert W. Reardon, Esq., its Registered Agent Morris, Manning and Martin, LLP 3343 Peachtree Road, Suite 1600 Atlanta, GA 30326
Antoinette Burgess, Esq. Law Offices of Fred Tromberg 4925 Beach Blvd Jacksonville, FL 32207 <i>Attorney for David Berkman</i>	William W. Deem, Esq. Jason R. Teal, Esq. Office of General Counsel 117 West Duval Street, Suite 480 Jacksonville, FL 32202 <i>Attorneys for City of Jacksonville</i>
David Berkman Alan J. Travis Berkman Plaza 2, LLC 3190 Northeast Expressway Suite 400 Atlanta, GA 30341	Brian G. Corgan Esq. Chad V. Theriot, Esq. Kilpatrick Townsend & Stockton Suite 2800 1100 Peachtree Street Atlanta, GA 30309-4530 <i>Attorney for Choate Construction Company</i>

<p>Philip E. Beck, Esq. Smith, Currie & Hancock LLP 2700 Marquis One Tower 245 Peachtree Center Avenue NE Atlanta, GA 30303-1227 <i>Attorney for Berkman Plaza 2, LLC</i></p>	<p>Toby C. Pilcher, Esq. Claims Counsel Fidelity and Deposit Company of Maryland/Zurich American Insurance Company Contract Surety Bond Claims P. O. Box 968033 Schaumburg, IL 60196</p>
<p>Timothy A. Hunt, Esq. Hill, Ward & Henderson, P.A. 101 East Kennedy Boulevard Suite 3700 Tampa, FL 33602 <i>Attorney for Southern Pan Services Company</i></p>	<p>E. A. "Seth" Mills Jr., Esq. Jeffrey M. Paskert, Esq. Adam C. King, Esq. Mills Paskert Divers 100 N. Tampa Street, Suite 2010 Tampa, FL 33602 <i>Attorney for Fidelity and Deposit Company of Maryland/Zurich American Insurance Company</i></p>
<p>C & C Pumping Services, Inc. c/o Leslie Holdorf, its Registered Agent 19968 Independence Blvd Groveland, FL 34736</p>	<p>Arnold D. Tritt, Jr., Esq. Tritt & Associates, P.A. 707 Peninsular Place Jacksonville, FL 32204 <i>Attorney for Ray Williams Sheet Metal</i></p>
<p>Carl D. Dawson, Esq. Dawson Orr 50 North Laura Street Suite 1675 Jacksonville, FL 32202 <i>Attorney for A.A. Pittman and Sons Concrete</i></p>	



KNIGHT'S WATER LOTS 14, 15 AND 16, KNIGHT'S MAP OF JACKSONVILLE, FLORIDA, AS RECORDED IN DEED BOOK Y, PAGES 428 AND 429, ALSO KNOWN AS DOGGETT'S WATER LOTS 14, 15 AND 16, DOGGETT'S MAP OF JACKSONVILLE, FLORIDA, EXCEPT THE PORTION PUBLIC RECORDS OF DUAL COUNTY, FLORIDA, EXCEPT THE PORTION OF WATER LOTS 14, 15 AND 16 AS SHOWN ON KNIGHTS MAP OF JACKSONVILLE, FLORIDA, BEING RECORDED IN DEED BOOK Y, PAGES 428 AND 429 OF THE FORMER PUBLIC RECORDS OF DUAL COUNTY, FLORIDA, SAID LOTS ALSO BEING KNOWN AS WATER LOTS 14, 15 AND 16 AS SHOWN ON DOGGETT'S MAP OF JACKSONVILLE, OF THE FORMER PUBLIC RECORDS OF DUAL COUNTY, FLORIDA, ALL LYING IN THE 1, BELMONT GRANT, SECTION 18, TOWNSHIP 2 SOUTH, RANGE 26 EAST, OF SAID DUAL COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BAY STREET (A VARIABLE WIDTH RIGHT-OF-WAY) WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID WASHINGTON STREET (A 70 FOOT RIGHT-OF-WAY); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID WASHINGTON STREET, SOUTH 14°41'16" WEST 263.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 14°41'16" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 9.29 FEET; THENCE SOUTH 76°45'05" EAST, 11.35 FEET; THENCE NORTH 14°55'37" EAST, 5.10 FEET; THENCE SOUTH 75°04'23" EAST, 9.50 FEET; THENCE SOUTH 14°55'37" WEST, 8.00 FEET; THENCE SOUTH 75°04'23" EAST, 40.10 FEET; THENCE NORTH 14°55'37" EAST, 7.80 FEET; THENCE SOUTH 75°04'23" EAST, 9.60 FEET; THENCE SOUTH 14°55'37" WEST, 8.00 FEET; THENCE SOUTH 75°04'23" EAST, 40.10 FEET; THENCE NORTH 14°55'37" EAST, 7.80 FEET; THENCE SOUTH 75°04'23" EAST, 9.50 FEET; THENCE SOUTH 14°55'37" WEST, 7.90 FEET; THENCE SOUTH 75°04'23" EAST, 40.10 FEET; THENCE NORTH 14°55'37" EAST, 7.80 FEET; THENCE SOUTH 75°04'23" EAST, 9.50 FEET; THENCE SOUTH 14°55'37" WEST, 8.00 FEET; THENCE SOUTH 75°04'23" EAST, 40.10 FEET; THENCE NORTH 14°55'37" EAST, 7.80 FEET; THENCE SOUTH 75°04'23" EAST, 9.50 FEET; THENCE SOUTH 14°55'37" WEST, 8.00 FEET; THENCE SOUTH 75°04'23" EAST, 1.00 FEET; THENCE SOUTH 14°55'37" WEST, 4.80 FEET; THENCE SOUTH 75°04'23" EAST, 14.97 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CATHERINE STREET (A 70 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 14°52'46" WEST, 20.13 FEET TO ITS INTERSECTION WITH THE SOUTHERLY FACE OF A CONCRETE BULKHEAD ALONG THE ST. JOHNS RIVER; THENCE ALONG SAID SOUTHERLY FACE, THE FOLLOWING THREE COURSES: (1) NORTH 75°04'15" WEST, 311.18 FEET, (2) NORTH 09°14'09" EAST, 7.78 FEET, (3) NORTH 76°47'53" WEST, 71.82 FEET TO ITS INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE OF FOREMENTIONED WASHINGTON STREET ALSO BEING THE WESTERLY LINE OF OFFICIAL RECORDS VOLUME 11444, PAGE 700; THENCE ALONG SAID WESTERLY

EXHIBIT "A"

LESS AND EXCEPT THEREFROM ANY PART OF THE FOREGOING DESCRIBED LANDS THAT LIE WITHIN ANY PORTION OF THE FOLLOWING LANDS:

OR BK 14636 PAGE 1785

OR BK 13206 PAGE 752

LINE THE FOLLOWING THREE COURSES 1)NORTH 14°41'16" EAST, A DISTANCE OF 22.43 FEET; 2)THENCE SOUTH 76°48'28" EAST, DEPARTING AFORESAID RIGHT OF-WAY LINE, A DISTANCE OF 5.00 FEET; 3)THENCE NORTH 14°41'16" EAST, A DISTANCE OF 8.91 FEET TO THE NORTH LINE OF SAID OFFICIAL RECORDS VOLUME 11464, PAGE 700; THENCE SOUTH 75°15'00" EAST, A DISTANCE OF 65.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED WASHINGTON STREET, ALSO BEING THE POINT OF BEGINNING. CONTAINING 9,645 SQ. FT. OR 0.22 ACRES MORE OR LESS.

THE INTENT OF THE GRANTOR IS TO CONVEY TO GRANTEE ALL OF THE LANDS THAT LIE EASTERLY OF THE FORMER RIGHT OF WAY OF WASHINGTON STREET AND THAT WERE ORIGINALLY CONVEYED TO GRANTOR BY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 9501, PAGE 546 AND IN OFFICIAL RECORDS BOOK 9501, PAGE 553, BOTH RECORDED IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM LANDS TO BE CONVEYED TO THE CITY OF JACKSONVILLE FOR THE RIVERWALK THAT LIES ALONG THE SOUTHERLY PORTION OF SAID LANDS.

Annex 3

Board of Directors and Officers of Surviving Corporation

Board of Directors

	Title
Wm. Millard Choate	Chairman
David W. Priester	Director
Michael J. Hampton	Director

Officers

	Title
Wm. Millard Choate	Chairman/CEO
David W. Priester	President/COO
Michael J. Hampton	Executive Vice President/CAO
David A. Page	Secretary/Treasurer
Ben F. Bunyard	Senior Vice President Georgia
William Bland	Vice President/Business Development
James M. Brewer	Vice President/Division Manager
J. Crosswell Brim III	Vice President/Division Manager
John R. Dudas	Vice President/Division Manager
Scott Harris	Vice President/Business Development
Robert G. Hickman	Vice President/Director of Preconstruction
Mark Hughes	Vice President/Division Manager
Dave Knudson	Vice President/Division Manager
Joseph W. Lain	Vice President/Operations
S. Brent Long	Vice President/Director of Preconstruction
James S. Soteres	Vice President

**UNANIMOUS WRITTEN CONSENT OF
THE BOARD OF DIRECTORS
OF
CHOATE GEORGIA HOLDINGS, INC.**

In accordance with Section 14-2-821 of the Georgia Business Corporation Code ("GBCC") and the Bylaws of the Company, the undersigned, constituting all the members of the Board of Directors (the "Board") of **CHOATE GEORGIA HOLDINGS, INC.**, a Georgia corporation (the "Company"), do hereby adopt the following resolutions by signing their written consent hereto:

ELECTION OF OFFICERS

WHEREAS, the Board has not held regular annual meetings and desires to confirm and reelect the Company's officers:

NOW THEREFORE BE IT RESOLVED, that all existing Company officers be, and hereby are, removed from office and the following persons are hereby elected to the offices shown, to serve until their respective successors are duly elected and qualified:

Ben F. Bunyard	President
David A. Page	CFO, Secretary and Treasurer
William Bland	Vice President
J. Crosswell Brim, III	Vice President, Atlanta Special Projects
Joseph W. Lain	Vice President, Atlanta Interiors
James S. Soteres	Vice President
Robert G. Hickman	Vice President
Michael J. Hampton	Chief Operating Officer
Steve M. McDaniel	Controller
Shawn E. Allen	General Counsel
Emily G. Choate	Marketing Director

This Written Consent may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same Written Consent. A facsimile, ".pdf" or email copy of this Written Consent shall be deemed an original and any person may rely upon such a copy of this Written Consent in determining the validity of the actions taken by the Board hereunder.

The Secretary of the Company is hereby authorized and directed to place an original copy of this Written Consent in the minute book of the Company.

**FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS**

Detail by Entity Name

Foreign Profit Corporation

CHOATE CONSTRUCTION COMPANY

Filing Information

Document Number	P33725
FEI/EIN Number	58-1851823
Date Filed	04/23/1991
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Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	02/01/2006

Principal Address

8200 ROBERTS DRIVE
SUITE 600
ATLANTA, GA 30350

Changed: 02/01/2006

Mailing Address

8200 ROBERTS DRIVE
SUITE 600
ATLANTA, GA 30350

Changed: 02/01/2006

Registered Agent Name & Address

NRAI SERVICES, INC
1200 South Pine Island Road
Plantation, FL 33324

Name Changed: 11/02/2009

Address Changed: 02/11/2011

Officer/Director Detail

Name & Address

Title P

CHOATE, WM. MILLARD

1083 BRYNWyCK TRAIL
ATLANTA, GA 30319

Title ST

PAGE, DAVID A
280 OLD IVY ROAD
ATLANTA, GA 30342

Title V

BUNYARD, BEN F
1099 BERKSHIRE ROAD NE
ATLANTA, GA 30306

Annual Reports

Report Year	Filed Date
2014	03/21/2014
2015	02/23/2015
2016	03/11/2016

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