

**RESOLUTION 2017-11-01**

**A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY ("DIA") ACCEPTING AND APPROVING THE FEE-SIMPLE CONVEYANCE OF CITY-OWNED REAL PROPERTY IDENTIFIED BY EXHIBIT 'A' TO THE FERBER COMPANY, SUBJECT TO THE TERMS AND CONDITIONS CONTAINED IN EXHIBIT 'B'; RECOMMENDING THAT CITY COUNCIL ADOPT LEGISLATION EFFECTUATING THE PURPOSES OF THIS RESOLUTION; INSTRUCTING DIA'S CHIEF EXECUTIVE OFFICER TO TAKE ALL NECESSARY ACTION IN CONNECTION THEREWITH TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, DIA is the designated Community Redevelopment Agency for the North Bank Community Redevelopment Area ("CRA"), to which a Community Redevelopment Plan was adopted by Ordinance 2014-0560-E; and

**WHEREAS**, the Ferber Company submitted an unsolicited proposal for City-Owned property commonly referred to as the "Jughandle" along with a portion of the May Street right-of-way, as illustrated by Exhibit 'A' attached hereto; and

**WHEREAS**, through the adoption of Resolution 2017-06-03 the DIA caused to be issued a Notice of Disposition (ISP-0213-17) in response to an unsolicited proposal by the Ferber Company; and

**WHEREAS**, the required 30-day notice period identified in Section 163.380(3)(a), Florida Statutes, and Section 122.434(a), Ordinance Code, have been met; and

**WHEREAS**, the DIA did not receive any proposals in response to ISP-0213-17; and

**WHEREAS**, the DIA desires to enter into a Redevelopment Agreement with the Ferber Company in accordance to the terms contained in Exhibit 'B'; and

**WHEREAS**, Section 122.434(d), Ordinance Code, requires that DIA provide City Council a 30-day notice of its intent to accept a proposal, after which the DIA and the Mayor, may execute such contracts, and the Mayor may execute and deliver deeds, leases, and other instruments and take all steps necessary to effectuate such contracts; and

**WHEREAS**, Section 122.434(d), Ordinance Code, requires Council approval of the agreement if the sales price of the property to be disposed of is greater than \$25,000. NOW THEREFORE

**BE IT RESOLVED**, by the Downtown Investment Authority:

**Section 1.** The DIA finds that the recitals set forth above are true and correct and are incorporated herein by this reference.

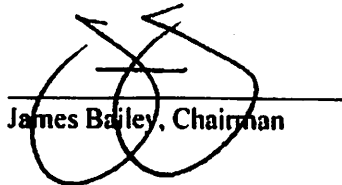
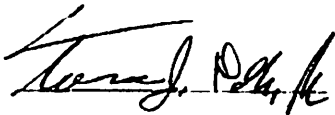
**Section 2.** The DIA recommends that City Council adopt legislation effectuating the purpose of this resolution subject to the terms and conditions identified by Exhibit 'B.'

**Section 3.** The DIA instructs the Chief Executive Officer of the Downtown Investment Authority to take all necessary action to effectuate the purposes set forth in this Resolution.

**Section 4.** This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

**DOWNTOWN INVESTMENT AUTHORITY**



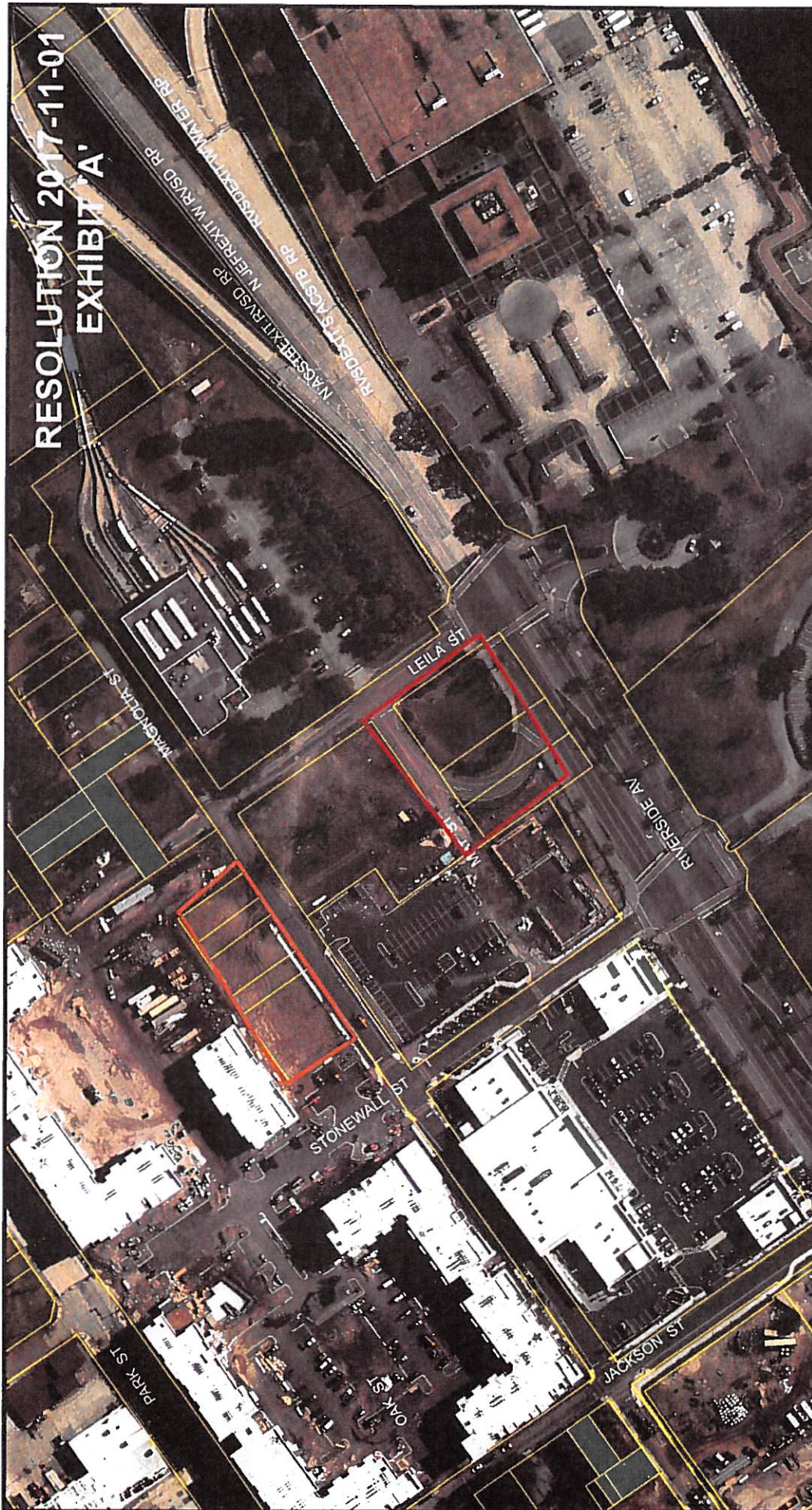
James Bailey, Chairman

Nov. 21, 2017  
Date

VOTE: In Favor: 7 Opposed: 0 Abstained: 0



**RESOLUTION 2017-11-01  
EXHIBIT 'A'**



**LEGEND**



**CITY PARCEL TO BE EXCHANGED**

**DUVAL COUNTY TAX PARCELS**



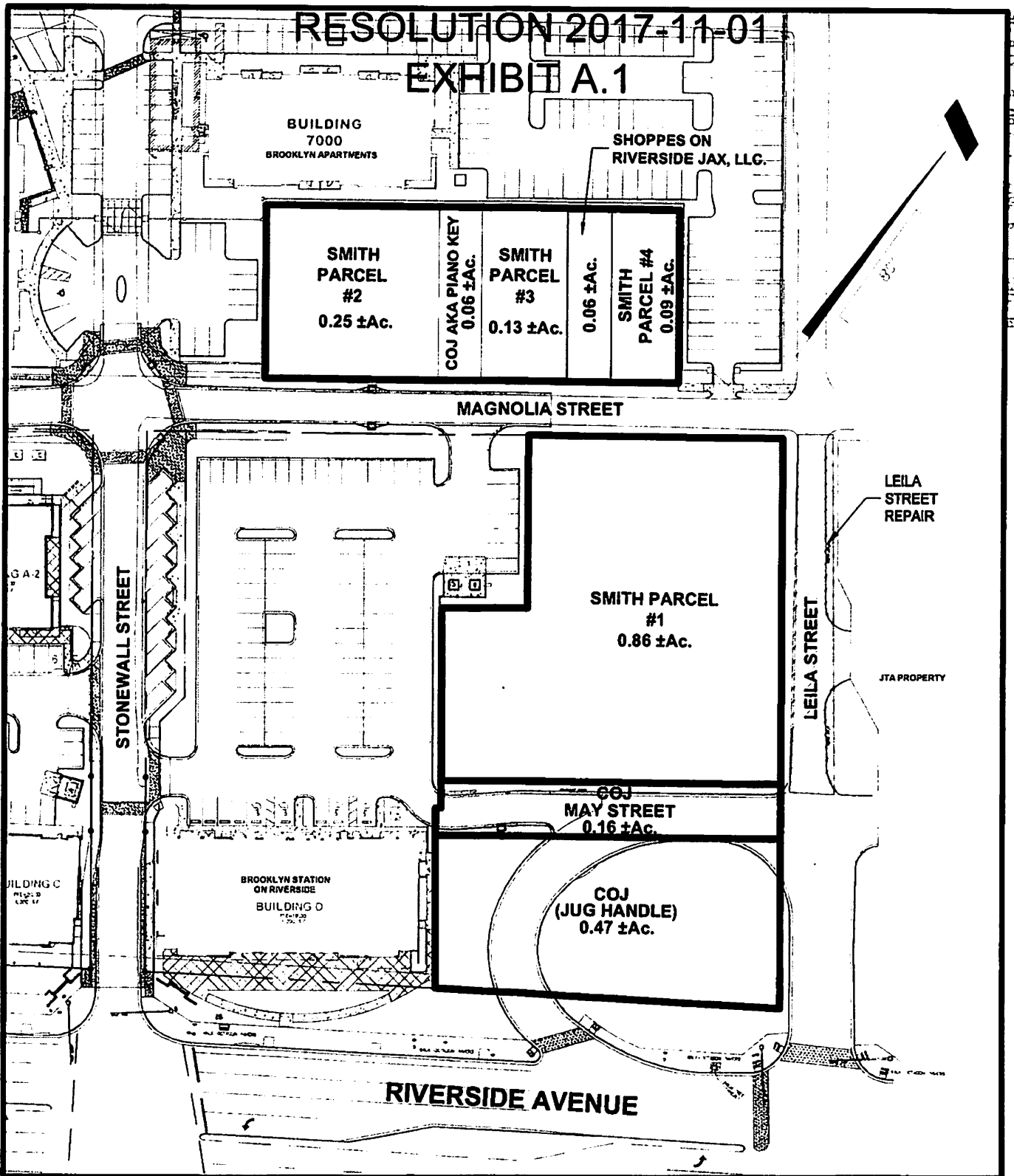
**EXCHANGED PARCELS TO BE RECEIVED BY CITY**



Not To Scale  
November 21, 2017



RESOLUTION 2017-11-01  
EXHIBIT A.1



**ETM**

VISION - EXPERIENCE - RESULTS  
ENGLAND - THIMS & MILLER, INC.

14775 Old St. Augustine Road, Jacksonville, FL 32258  
TEL: (904) 642-8990, FAX: (904) 646-9435  
CA - 00002584, LC - 0000316

**BROOKLYN RETAIL  
FOR FERBER COMPANY  
PONTE VEDRA, FLORIDA**

ETM NO. 15-009

DRAWN BY: L.P.

DATE: 6-2-17

DRAWING NO. 1 OF 1



**RESOLUTION 2017-11-01  
EXHIBIT 'B'**

**SUMMARY OF TERMS AND CONDITIONS**

**DIA /City Responsibilities:**

- Will convey that property comprised of the “jughandle” parcels a portion of May Street (see Resolution 2011-01-01, Exhibit ‘A’) in fee simple to Ferber Company; and
- Will allocate at no cost to Ferber Company up to 15,000 square feet of commercial/retail Phase I development rights from the Northwest Component Area of the Consolidated Downtown DRI; and
- Will contribute up to \$99,500.00 for the construction of the surface parking area identified in Resolution 2017-11-01 Exhibit ‘A.2’; and
- Will contribute the necessary credit acres of Water Quality Compensatory Credits from the St. Johns River Water Management District Permit No. 18269-1 for the project development and surface parking lot.

**Ferber Company Responsibilities:**

- Will convey to the City those non-City owned parcels that comprise the surface parking lot identified in Resolution 2017-11-01 Exhibits ‘A.1’ and ‘A.2’; and
- Will pay for and reconstruct that portion of Leila Street generally described as being north of May Street in accordance with the scope and cost estimates contained in the September 25, 2017 letter from ETM to Ferber Company, included as an attachment to the Resolution 2017-11-01 Summary Memorandum; and
- Will construct a surface parking lot on those parcels being conveyed to the City together with the City lot (see Resolution 2017-11-01 Exhibits ‘A.1’ and ‘A.2’). Will pay for those costs of construction in excess of \$99,500 in accordance with the scope and cost estimates contained in the November 7, 2017 letter from ETM to Ferber Company, included as an attachment to the Resolution 2017-11-01 Summary Memorandum; and
- Will pay for all costs associated with environmental inspection, analysis and remediation, if any, for the City properties being conveyed by the City; and
- Comply with the requirement that building(s) will be oriented along Riverside Avenue so as to maintain the building profiles along Riverside Avenue between Stonewall Street and Leila Street; noting that the project is subject to conceptual and final review and approval by the Downtown Development Review Board.