

**2013-787**  
**MEE**

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2013-787**

**JANUARY 30, 2014**

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. 2013-787.

<b><i>Location:</i></b>	8524 Gate Parkway West between Gate Parkway West and J. Turner Boulevard
<b><i>Real Estate Number:</i></b>	154271-0000
<b><i>Current Zoning District:</i></b>	Commercial Office (CO)
<b><i>Proposed Zoning District:</i></b>	Commercial Residential Office (CRO)
<b><i>Current Land Use Category:</i></b>	Community/General Commercial
<b><i>Planning District:</i></b>	Southeast, District 3
<b><i>City Council District:</i></b>	The Honorable Don Redman, District 4
<b><i>Applicant/Agent:</i></b>	Mitchell Montgomery Montgomery Land Company 13400 Sutton Park Dr. S. Suite 1302 Jacksonville, Florida 32224
<b><i>Owners:</i></b>	William Cesery Revocable Trust Trustee William R. Cesery, Jr. 1450 -3 San Marco Boulevard Jacksonville, Florida 32207
<b><i>Staff Recommendation:</i></b>	<b>APPROVE</b>

### **GENERAL INFORMATION**

Application for Rezoning 2013-787 seeks to rezone approximately 16.50 acres of vacant land from the Commercial Office (CO) to the Commercial Residential Office (CRO) zoning district. The site is within the CGC functional land use category as defined by the Future Land Use Map series (FLUMs) contained in the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. According to the applicant, the request for the rezoning is to allow for assisted living/memory care and independent living uses on the subject property. The subject property is located at 8524 Gate Parkway West, just south of Gate Parkway and J. Turner Boulevard in the Southeast Planning 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 Community General Commercial (CGC) functional land use category according to the FLUMs (Future Land Use Map series) adopted as part of the 2030 Comprehensive Plan. The CGC category permits development including outlets and establishments that offer a wide range of goods and services including general merchandise, apparel, food, and related items, as well as multi-family residential development at a density of up to twenty units per acre. The proposed CRO zoning district is a primary zoning district within the CGC functional land use category. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 *Comprehensive planning for future development* of the Ordinance Code.

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 Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Policy 3.1.6: The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Objective 3.2: Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

Policy 3.2.2: City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

Policy 3.2.4: The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

The site is located in the Southeast Planning District and is undeveloped. The proposed CRO zoning district will promote infill development of vacant land and allow for a mixture of commercial, office, and residential uses on the site and access will be from Gate Parkway West.

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 site is accessed from Gate Parkway, which is classified as a collector roadway.

**SURROUNDING LAND USE AND ZONING**

The subject property is located on Gate Parkway. The surrounding uses, land use category and zoning are as follows:

<b><u>Adjacent Properties</u></b>	<b><u>Land Use Category</u></b>	<b><u>Zoning District</u></b>	<b><u>Current Use</u></b>
North	RPI	PUD (2007-440)	Apartments
East	RPI/BP	PUD (2005-219)	Wasteland
South	CGC	CO	Apartments
West	PUD	PUD (2005-689)	Apartments

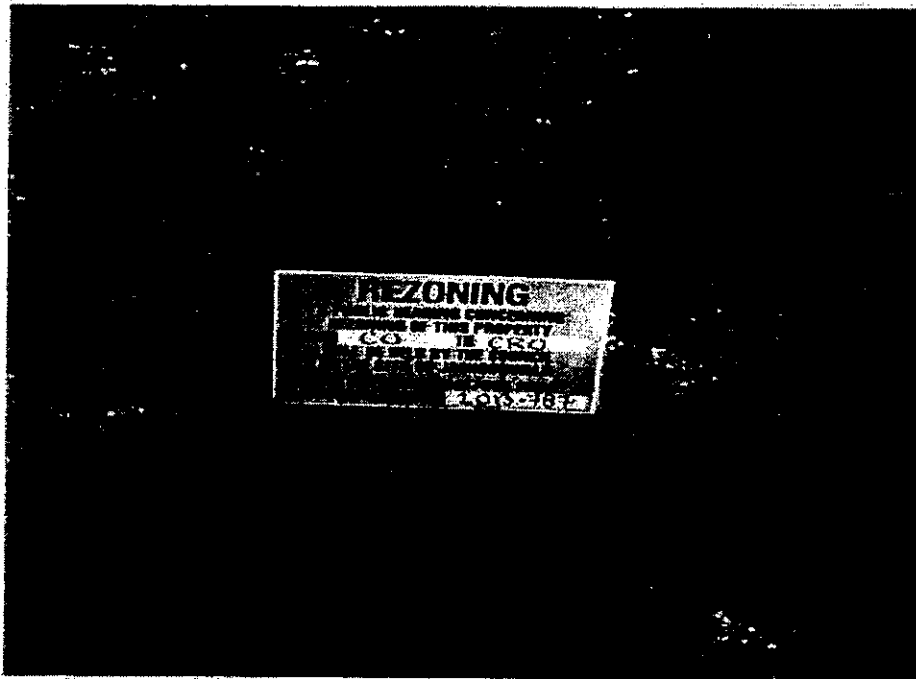
The proposed rezoning will allow for an assisted living and independent living care use that would be in keeping with the existing zoning districts. Therefore, the proposed rezoning to CRO will be consistent and compatible with the adjacent properties established in the vicinity.

**SUPPLEMENTARY INFORMATION**

Staff acknowledges receipt of posted public notice signs by applicant on the subject property on were posted on 12/17/13.

**RECOMMENDATION**

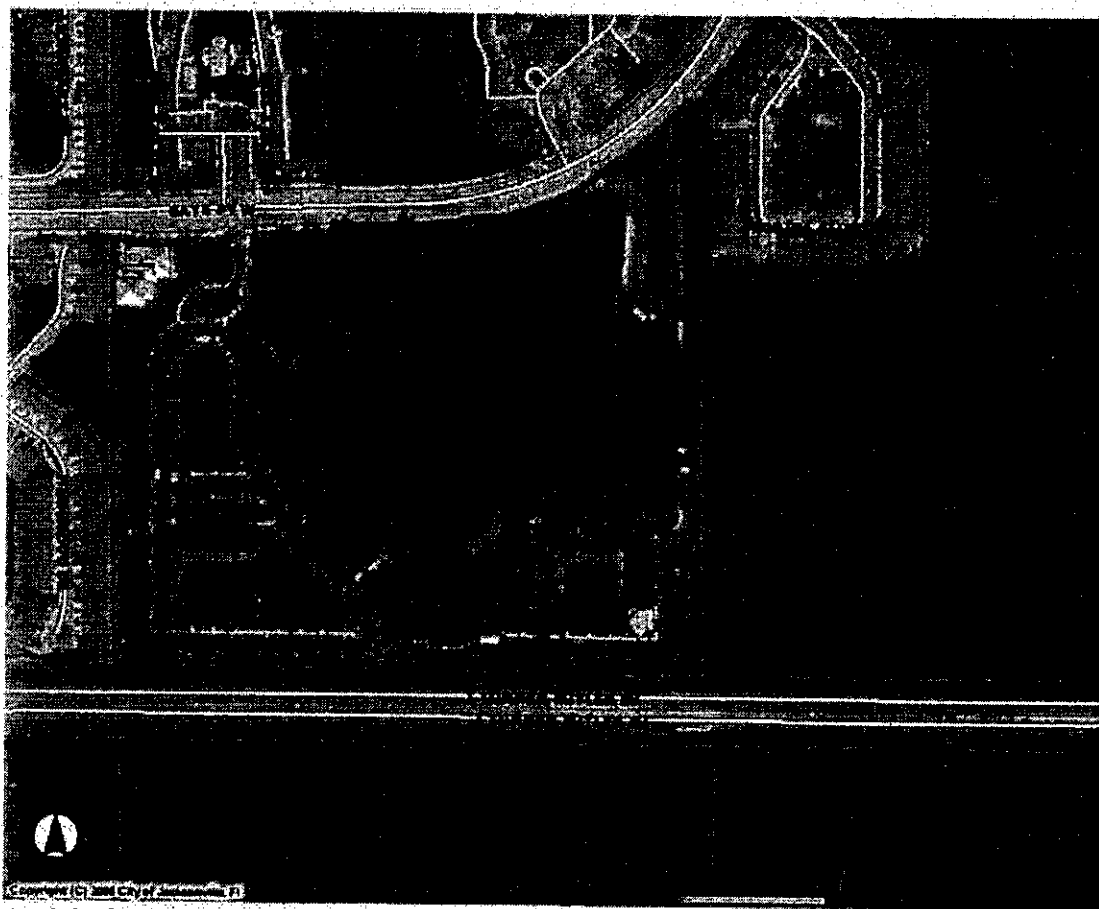
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2013-787 be **APPROVED**.



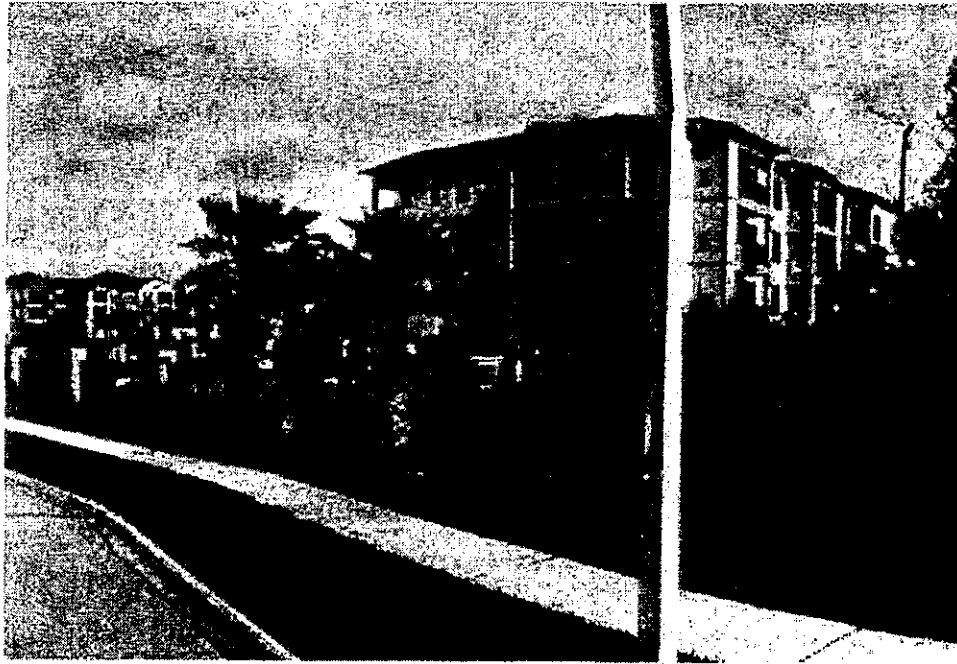
Public notice sign



The subject site on the left facing east along Gate Parkway West



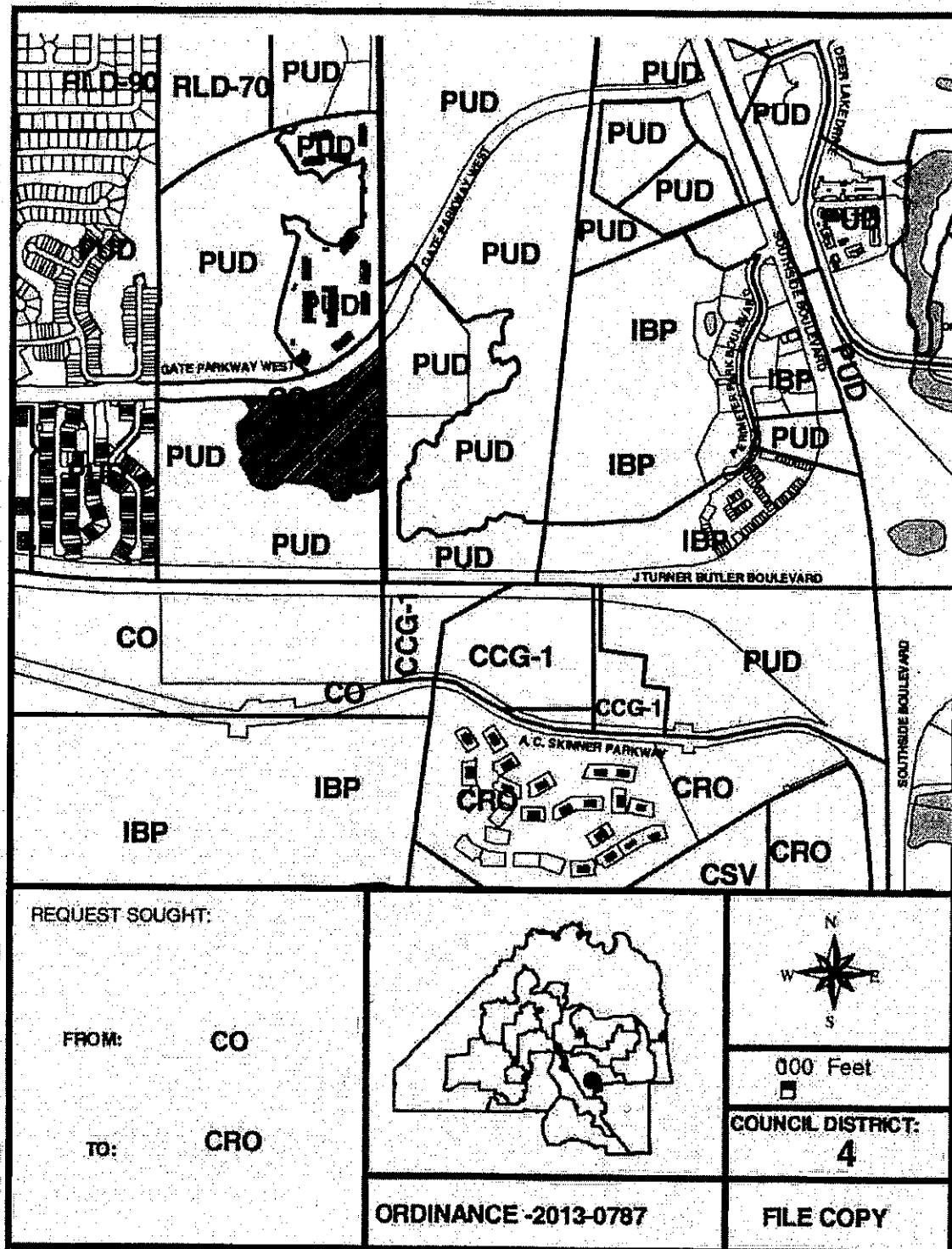
Aerial of subject property



View of apartments adjacent to subject property



View of apartments west of subject property





**Application For Rezoning To Conventional Zoning District****Planning and Development Department Info****Ordinance #** 2013-787 **Staff Sign-Off/Date** ME / 12/13/2013**Filing Date** 11/13/2013 **Number of Signs to Post** 3**Hearing Dates:****1st City Council** 01/28/2014 **Planning Commission** 01/30/2014**Land Use & Zoning** 02/04/2014 **2nd City Council** N/A**Neighborhood Association** WYNGATE FOREST HOA**Neighborhood Action Plan/Corridor Study** N/A**Application Info****Tracking #** 489**Application Status** PENDING**Date Started** 10/21/2013**Date Submitted** 10/21/2013**General Information On Applicant****Last Name****First Name****Middle Name**

MONTGOMERY

MITCHELL

ROY

**Company Name**

MONTGOMERY LAND COMPANY

**Mailing Address**

13400 SUTTON PARK DR. S. STE. 1402

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

JACKSONVILLE

FL

32224

**Phone****Fax****Email**

9048217171

9048217178

MITCHELL@MONTGOMERYLANDCO.COM

**General Information On Owner(s)****Check to fill first Owner with Applicant Info****Last Name****First Name****Middle Name**

CESERY

WILLIAM

R

**Company/Trust Name**

REVOCABLE TRUST TRUSTEE WILLIAM R. CESERY, JR.

**Mailing Address**

1450-3 SAN MARCO BLVD

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

JACKSONVILLE

FL

32207

**Phone****Fax****Email**

9043969601

9043969648

**Property Information****Previous Zoning Application Filed For Site?****If Yes, State Application No(s)**

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District

Map	154271 0000	4	3	CO	CRO
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Ensure that RE# is a 10 digit number with a space (##### #)

**Land Use Category Proposed?**

If Yes, State Land Use Application #

**Land Use Category**

Community/General Commercial

Total Land Area (Nearest 1/100th of an Acre) 16.50

**Justification For Rezoning Application**

TO ALLOW ASSISTED LIVING/MEMORY CARE AND INDEPENDENT LIVING USES

**Location Of Property****General Location**

SOUTHSIDE OF GATE PKWY W BETWEEN SOUTHSIDE BLVD &amp; BELFORT RD

House #	Street Name, Type and Direction	Zip Code
8524	GATE PY W	32216

**Between Streets**

GATE PARKWAY WEST and J TURNER BOULEVARD

**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**  
16.50 Acres @ \$10.00 /acre: \$170.00
- 3) Plus Notification Costs Per Addressee**  
307 Notifications @ \$7.00 /each: \$2,149.00
- 4) Total Rezoning Application Cost:** \$4,319.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

Book 9014 Pg 1640

THIS INSTRUMENT PREPARED BY  
AND SHOULD BE RETURNED TO:  
W. Robinson Frazier  
1515 Riverside Avenue, Suite A  
Jacksonville, Florida 32204  
Telephone: (904) 353-5615

Bk: 9014  
Pg: 1640 - 1643  
Doc# 98176782  
Filed & Recorded  
07/22/98  
08:50:01 A.M.  
HENRY M. COOK  
CLERK CIRCUIT COURT  
DUVAL COUNTY, FL  
REC. \$ 19.50  
DEED .70

PERSONAL REPRESENTATIVE'S DISTRIBUTIVE DEED

THIS INDENTURE is made on this 9th day of July, 1998, by and between WILLIAM R. CESERY, JR., the duly qualified and acting Personal Representative of the Estate of William R. Cesery, deceased, whose post office address is Post Office Box 8649, Jacksonville, Florida 32239, party of the first part, and WILLIAM R. CESERY, JR., as Trustee of the William R. Cesery Revocable Trust, under provisions of that certain Revocable Trust Agreement for William R. Cesery dated May 18, 1992, as amended and restated on December 1, 1993, whose post office address is Post Office Box 8649, Jacksonville, Florida 32239, party of the second part.

WITNESSETH: That WHEREAS, William R. Cesery died testate a resident of Duval County, Florida, on September 25, 1994, seized and possessed of the real property hereinafter described; and

WHEREAS, title to said property passed to the party of the second part as of the date of said decedent's death pursuant to the Florida law of descent and distribution as will more fully appear from those certain proceedings in the Circuit Court for Duval County, Florida, Probate Division, in Case No. 94-01812-CP, Division CV-E, subject only to the right of the party of the first part to sell or encumber the property for the purpose of defraying claims, costs, and expenses of administration of decedent's estate; and

WHEREAS, the party of the first part wishes to distribute said property to the party of the second part and evidence the release of the property from said right to sell or encumber.

NOW, THEREFORE, in consideration of the foregoing and in connection with the distribution of the estate of said decedent, the party of the first part has released to the party of the second

part the right to sell or encumber said property and granted, conveyed and confirmed unto the party of the second part, its successors and assigns forever, all of the interest of said decedent in and to the real property situated in Duval County, Florida, the property appraiser's identification number of which is 154271-0000-2, described as follows:

Undeveloped land described as follows: That certain tract or parcel of land, being a part of lots 23, 24, 25, 26, 37, 49, 56 and 60, all of lots 38, 39, 50, 57 and 61, and a part of the 40 foot platted roads adjacent to said lots, all as shown on plat of A. B. Campbell's Subdivision of Tiger Hole Plantation as recorded in Plat Book AQ, pages 260 and 261 of the Former Public Records of Duval County, Florida, and being more particularly described as commencing at the Southwest corner of Brackridge as recorded in Plat Book 23, pages 40 and 40A of the Current Public Records of said County; thence South 1° 01' 20" East along the Easterly right of way line of Balfort Road, a 66 foot right of way as now established, a distance of 653.2 feet to a point of curve; thence continuing along said Easterly right of way line along a curve to the right, said curve having a radius of 1942.86 feet an arc distance of 29.95 feet to a point for the point of beginning; thence North 89° 31' 10" East, 96.45 feet; thence South 77° 36' 30" East, 71.75 feet; thence North 89° 30' 50" East, 1996.0 feet; thence South 0° 45' East, 7998.62 feet to a point in the Southerly boundary of said Lots 60; thence South 89° 30' 10" West along the Southerly boundary of said Lots 60 and 61, 1542.9 feet to the Southwest corner of said Lot 61; thence North 0° 45' West along the Westerly boundary of said Lots 61, 57 and 50, 5980 feet to the Southwest corner of said Lot 39; thence North 0° 21' 20" West along the Westerly boundary of said Lot 39, 1392.9 feet to the Southeast corner of said Lot 26; thence South 89° 05' West along the Southerly boundary of said Lot 26, 658.8 feet to the Southwest corner of said Lot 26; thence North 1° 01' 20" West along the Westerly boundary of said Lot 26, 315.06 feet to a point in a curve in said Easterly right of way line of Balfort Road; thence along said Easterly right of way line along a curve to the left, said curve having a radius of 1942.86 feet an arc distance of 328.64 feet to the point of beginning. Excepting, however, from the above described lands all of the pieces or parcels of land described as Parcel "A", Parcel "B", Parcel "C" and Parcel "D" set forth as follows:

Parcel A (R.R. #154271-0000-2): That certain tract or parcel of land, being an 80 foot right of way, 40 feet as measured at right angles on each side of the following described centerline and being a part of Lots 22, 23, 24, 25 and 26, A. B. Campbell's Subdivision of Tiger Hole Plantation as recorded in Plat Book AQ, pages 260 and 261 of the Former Public Records of Duval County, Florida, being more particularly described as commencing at the Southwest corner of Brackridge as recorded in Plat Book 23, pages 40 and 40A of the Current Public Records of said County; thence South 1° 01' 20" East along the Easterly right of way line of Balfort Road, a

66 foot right of way line as now established, a distance of 653.2 feet to a point of curve; thence continuing along said Easterly right of way line along a curve to the right, said curve having a radius of 1942.86 feet an arc distance of 225.60 feet to a point for the point of beginning of the centerline of said 80 foot right of way; thence North 89° 30' 50" East along said centerline, 3470.14 feet to a point, said point being the termination of said 80 foot right of way.

Parcel B (R.E. #154271-0000-2): That certain tract or parcel of land, being an easement for drainage and utilities 50 feet wide, said easement being the Southerly 50 feet of Lots 60 and 61 as shown on plat of A. B. Campbell's Subdivision of Tiger Hole Plantation as recorded in Plat Book AQ, pages 260 and 261 of the Former Current Public Records of Duval County, Florida.

Parcel C (R.E. #154271-0000-2): That certain tract or parcel of land, being a part of Lot 23, as shown on plat of A. B. Campbell's Subdivision of Tiger Hole Plantation as recorded in Plat Book AQ, Pages 260 and 261 of the Former Public Records of Duval County, Florida, and being more particularly described as commencing at the Southwest corner of Brackridge as recorded in Plat Book 23, Pages 40 and 40A of the Current Public Records of said County; thence South 1° 01' 20" East along the Easterly right of way line of Belfort Road, a 66 foot right of way as now established, a distance of 653.2 feet to a point of curve; thence continuing along said Easterly right of way line along a curve to the right, said curve having a radius of 1942.86 feet, an arc distance of 29.95 feet; thence North 89° 31' 10" East, 96.45 feet; thence South 77° 36' 30" East, 71.76 feet; thence North 89° 30' 50" East, 1996.0 feet to a point for the point of beginning; thence South 0° 45' East, 110 feet to a point in the Northerly right of way line of Touchton Road, an 80 foot right of way as now established; thence South 89° 30' 50" West along said Northerly right of way line of Touchton Road, 150 feet; thence North 0° 45' West, 110 feet; thence North 89° 30' 50" East, 150 feet to the point of beginning.

Parcel D (R.E. #154271-0000-2): A strip of land 200 feet in width, the center line of which is described as follows:

Beginning at a point in the east line of Lot 60, A. B. Campbell's Division of Tiger Hole Plantation as recorded in Deed Book "AQ" Pages 260 and 261 of the former public records of Duval County, Florida, said point being on the south line of Section 11, Township 3 South, Range 27 East and 598.0 feet N89° 47'W of the southeast corner of aforesaid Section 11; thence continuing N89° 47'W for a distance of 4,123.37 feet more or less along the westerly prolongation of the south line of aforesaid Section 11 through Lots 60, 61, 62 and 63 to the west lot line of aforesaid Lot 63 and Big Pottsbury Creek, containing 7.08 acres, more or less.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations and easements of record, if any, and ad valorem taxes for the current year.

Because this deed is given to evidence the distribution of a decedent's estate and involves the assumption of no mortgage, minimum state documentary stamps are affixed.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, sealed and delivered  
in the presence of:

Susan H. Dyer  
Print: SUSAN H. DYER

William R. Cesery, Jr.  
Print: William R. Cesery, Jr. as Personal  
Representative of the Estate of  
William R. Cesery, deceased

Patricia A. Fowler  
Print: Patricia A. Fowler

As Witnesses

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 9th day of July, 1998, by WILLIAM R. CESERY, JR., as Personal Representative of the Estate of William R. Cesery, deceased.

NOTARY PUBLIC:

Patricia A. Fowler  
Print: Patricia A. Fowler  
State of Florida at Large (Seal)  
My Commission Expires:  
PATRICIA A. FOWLER  
Notary Public, State of Florida  
My Comm. expires Aug. 23, 1999  
Comm. No. CC-461286

## EXHIBIT B

for the above

### Agent Authorization

Date: 10/20/13

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

Re: Agent Authorization for the following site location:  
R.E. PARCEL # 154271-000 (SEE EXHIBIT 1 FOR LEGAL)

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 MITCHELL R.  
MONTGOMERY to act as agent to

file application(s) for WILLIAM R. CESERY REVOCABLE TRUST  
referenced property and in connection with such authorization to file such applications, papers, documents,  
requests and other matters necessary for such requested change.

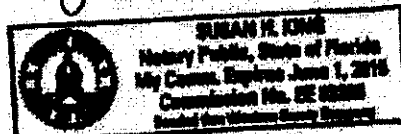
(Owner's Signature)

William R. Cesery, Jr.  
WILLIAM R. CESERY, JR. TRUSTEE

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 10 day of October (month),  
2013 (year) by William R. Cesery, Jr., who is personally known to me or has  
produced \_\_\_\_\_ as identification.

Susan H. King  
(Notary Signature)





# Property Ownership Affidavit

Date: 10/10/13

**Re: Ownership Certification**

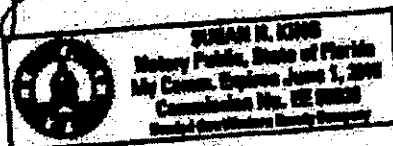
I, WILLIAM R. CESERY REVOCABLE TRUST, hereby certify that I am the Owner of the property described in the attached legal description, Exhibit 1 in connection with filing application(s) for WILLIAM R. CESERY REVOCABLE TRUST

submitted to the Jacksonville Planning and Development Department.

WILLIAM R. CESERY, JR. TRUSTEE

The foregoing affidavit was sworn and subscribed before me this 10 day of October (month), 2013 (year) by William R Cesery Jr who is personally known to me or has produced \_\_\_\_\_ as identification.

**(Notary Signature)**



## EXHIBIT A

### Property Legal Description

A portion of Lots 56, 57, 60 and 61, according to A.B. Campbell's Division of Tiger Hole Plantation, recorded in Deed Book "AQ", pages 260 and 261, of the former Public Records of Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Easterly line of Ironwood, as recorded in Plat Book 57, pages 64, 64A through 64S, of the current Public Records of said Duval County, with the Southerly right of way line of Gate Parkway West, a variable width right of way as now established; thence along said Southerly right of way line the following five (5) courses: 1) North 88°17'08" East, departing said Easterly line, 28.30 feet; 2) South 78°13'07" East, 51.42 feet; 3) North 88°17'08" East, 226.37 feet; 4) North 78°32'39" East, 70.92 feet; 5) North 88°17'08" East, 248.48 feet to the Point of Beginning.

From said Point of Beginning, thence continue along said Southerly right of way line of Gate Parkway West the following six (6) courses: 1) North 88°17'08" East, 214.66 feet to the point of curvature of a curve concave Northerly, having a radius of 1060.00 feet; 2) Northeasterly along the arc of said curve through a central angle of 10°14'52", an arc distance of 189.59 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 83°09'42" East, 189.34 feet; 2) North 89°59'45" East, 52.07 feet to a point on a curve concave Northwesterly, having a radius of 1072.00 feet; 3) Northeasterly along the arc of said curve, through a central angle of 12°22'53", an arc distance of 231.66 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 69°07'24" East, 231.21 feet; 4) North 51°11'02" East, 69.75 feet to a point on a curve concave Northwesterly, having a radius of 1060.00 feet; 5) Northeasterly along the arc of said curve, through a central angle of 17°37'10", an arc distance of 325.97 feet to a point on said curve, said point lying on the Easterly line of those lands described and recorded in Official Records Volume 1044, page 435 of said public records, said arc being subtended by a chord bearing and distance of North 50°25'45" East, 324.68 feet; thence South 00°45'12" East, departing said Southerly right of way line and along said Easterly line, 997.19 feet to its intersection with the Easterly line of those lands described and recorded in Official Records Volume 12941, page 1185 of said public records; thence Southwesterly and Northwesterly along said Easterly line the following twenty-nine (29) courses: 1) South 89°14'47" West, departing said Easterly line of lands in Official Records Volume 1044, page 435, a distance of 35.81 feet; 2) South 65°44'24" West, 10.32 feet; 3) South 49°41'02" West, 22.43 feet; 4) South 72°23'43" West, 62.57 feet; 5) South 81°08'10" West, 51.44 feet; 6) North 72°45'24" West, 43.66 feet; 7) South 17°26'57" West, 42.95 feet; 8) South 58°21'03" West, 37.03 feet; 9) South 86°22'08" West, 77.66 feet; 10) North 35°36'47" West, 86.82 feet; 11) North 64°15'34" West, 60.47 feet; 12) North 68°53'18" West, 70.72 feet; 13) North 89°26'21" West, 83.31 feet; 14) North 81°12'34" West, 29.07 feet; 15) North 83°03'04" West, 75.79 feet; 16) South 52°52'23" West, 80.10 feet; 17) South 75°36'39" West, 63.39 feet; 18) North 72°02'21" West, 69.46 feet; 19) North 64°37'49" West, 39.87 feet; 20) North 28°34'29" West, 79.78 feet; 21) North 28°23'00" West, 105.15 feet; 22) North 26°33'02" East, 53.85 feet; 23) North 25°05'27" West, 102.94 feet; 24) North 01°56'10" West, 77.68 feet; 25) North 00°23'46" East, 55.51 feet; 26) North 62°24'05" East, 51.43 feet; 27) North 39°20'40" East, 94.14 feet; 28) North 41°55'57" West, 91.34 feet; 29) North 01°42'52" West, 20.81 feet to the

Jacksonville

Point of Beginning.

## EXHIBIT A

### Property Legal Description

A portion of Lots 56, 57, 60 and 61, according to A.B. Campbell's Division of Tiger Hole Plantation, recorded in Deed Book "AQ", pages 260 and 261, of the former Public Records of Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Easterly line of Ironwood, as recorded in Plat Book 57, pages 64, 64A through 64S, of the current Public Records of said Duval County, with the Southerly right of way line of Gate Parkway West, a variable width right of way as now established; thence along said Southerly right of way line the following five (5) courses: 1) North 88°17'08" East, departing said Easterly line, 28.30 feet; 2) South 78°13'07" East, 51.42 feet; 3) North 88°17'08" East, 226.37 feet; 4) North 78°32'39" East, 70.92 feet; 5) North 88°17'08" East, 248.48 feet to the Point of Beginning.

From said Point of Beginning, thence continue along said Southerly right of way line of Gate Parkway West the following six (6) courses: 1) North 88°17'08" East, 214.66 feet to the point of curvature of a curve concave Northerly, having a radius of 1060.00 feet; 2) Northeasterly along the arc of said curve through a central angle of 10°14'52", an arc distance of 189.59 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 83°09'42" East, 189.34 feet; 2) North 89°59'45" East, 52.07 feet to a point on a curve concave Northwesterly, having a radius of 1072.00 feet; 3) Northeasterly along the arc of said curve, through a central angle of 12°22'53", an arc distance of 231.66 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 69°07'24" East, 231.21 feet; 4) North 51°11'02" East, 69.75 feet to a point on a curve concave Northwesterly, having a radius of 1060.00 feet; 5) Northeasterly along the arc of said curve, through a central angle of 17°37'10", an arc distance of 325.97 feet to a point on said curve, said point lying on the Easterly line of those lands described and recorded in Official Records Volume 1044, page 435 of said public records, said arc being subtended by a chord bearing and distance of North 50°25'45" East, 324.68 feet; thence South 00°45'12" East, departing said Southerly right of way line and along said Easterly line, 997.19 feet to its intersection with the Easterly line of those lands described and recorded in Official Records Volume 12941, page 1185 of said public records; thence Southwesterly and Northwesterly along said Easterly line the following twenty-nine (29) courses: 1) South 89°14'47" West, departing said Easterly line of lands in Official Records Volume 1044, page 435, a distance of 35.81 feet; 2) South 65°44'24" West, 10.32 feet; 3) South 49°41'02" West, 22.43 feet; 4) South 72°23'43" West, 62.57 feet; 5) South 81°08'10" West, 51.44 feet; 6) North 72°45'24" West, 43.66 feet; 7) South 17°26'57" West, 42.95 feet; 8) South 58°21'03" West, 37.03 feet; 9) South 86°22'08" West, 77.66 feet; 10) North 35°36'47" West, 86.82 feet; 11) North 64°15'34" West, 60.47 feet; 12) North 68°53'18" West, 70.72 feet; 13) North 89°26'21" West, 83.31 feet; 14) North 81°12'34" West, 29.07 feet; 15) North 83°03'04" West, 75.79 feet; 16) South 52°52'23" West, 80.10 feet; 17) South 75°36'39" West, 63.39 feet; 18) North 72°02'21" West, 69.46 feet; 19) North 64°37'49" West, 39.87 feet; 20) North 28°34'29" West, 79.78 feet; 21) North 28°23'00" West, 105.15 feet; 22) North 26°33'02" East, 53.85 feet; 23) North 25°05'27" West, 102.94 feet; 24) North 01°56'10" West, 77.68 feet; 25) North 00°23'46" East, 55.51 feet; 26) North 62°24'05" East, 51.43 feet; 27) North 39°20'40" East, 94.14 feet; 28) North 41°55'57" West, 91.34 feet; 29) North 01°42'52" West, 20.81 feet to the

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Jacksonville

Point of Beginning. Less and except, for zoning purposes, that 40' easement along the Easterly boundary line as shown by O.R.V. 1044 pg. 437. Containing 16.50 acres, more or less for zoning purposes.

