

This instrument prepared by: Jody L. Brooks Office of General Counsel City of Jacksonville 117 West Duval Street Suite 480 Jacksonville, FL 32202

FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT FOR A RESTRICTIVE COVENANT

This FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT, for a RESTRICTIVE COVENANT ("AMENDMENT") is entered into on this 23" day of November, 2016, between the Parties, Jacksonville Port Authority ("JAXPORT"), a body politic and corporate created and existing under Chapter 2004-319, Laws of Florida, as amended, and the Florida Department of Environmental Protection ("DEPARTMENT"), a public agency of the State of Florida.

RECITALS:

- A. WHEREAS, the Parties entered into that certain Memorandum of Agreement for a Restrictive Covenant ("MOARC") on January 9, 2014 and recorded same in Official Record Book 16669, Page 1440 in Duval County, State of Florida for those certain real properties known by the name "Talleyrand Marine Terminal" ("TMT"); and
- B. WHEREAS, JAXPORT is the fee simple owner of certain additional real property adjoining the TMT that contains rail lines situated in the County of Duval, State of Florida, more particularly shown on **Exhibit "1"** attached hereto and made a part hereof ("Rail Line Property"); and
- C. WHEREAS, the Parties have agreed to extend the bounded limits of the MOARC to include the Rail Line Property; and
- D. WHEREAS, the Parties wish to clarify that the MOARC operates as an Institutional Control ("IC") for identified DEPARTMENT projects within the bounded limits of the

MOARC. The parties intend for the MOARC to function as the IC that is necessary to obtain a Conditional Site Rehabilitation Completion Order ("SRCO") from the DEPARTMENT pursuant to Rule 62-780, Florida Administrative Code ("F.A.C.").

E. WHEREAS, the Parties wish to incorporate the discovery and inclusion of contaminated soils or groundwater ("Contamination") discovered after the effective date of the MOARC.

NOW THEREFORE, in consideration of the foregoing, of the mutual promises and covenants herein contained, and for other good and valuable consideration, the parties agree as follows:

- 1. The above recitals are true and correct and, by reference, are incorporated herein and made a part hereof.
- 2. Unless otherwise defined in this Amendment, capitalized terms shall have the meaning ascribed to them in the MOARC.
- The Rail Line Property is depicted and identified on the attached Exhibit "1".
- 4. Exhibit A of the MOARC is hereby amended to include the Rail Line Property, as depicted and identified in **Exhibit "1"**, within the boundary of the TMT and any and all reference made in the MOARC to TMT shall include the Rail Line Property.
- 5. Exhibit A of the MOARC is hereby amended and replaced in its entirety by the attached "Revised Exhibit A". Real estate parcel numbers ("RE Numbers") have been provided within the "Revised Exhibit A" for identification and reference only. The RE Numbers may change from time to time, but shall have no bearing upon the boundary of the TMT.
- 6. The MOARC shall operate as the IC for each facility identified in Exhibit B of the MOARC. Remedial actions that have been approved by the DEPARTMENT for these facilities, which are carried out pursuant to Rule 62-780, Florida Administrative Code, may function as final remedies.
- 7. Conditional SRCOs for contamination covered by this MOARC shall be issued as appropriate according to Rule 62-780 Florida Administrative Code, with the understanding that this MOARC is intended to serve as an IIIC appropriate for implementation of risk based corrective action culminating in a conditional SRCO, upon fulfilment of rule requirements.
- 8. Contamination that is identified within the MOARC boundary after the effective date of the MOARC shall be included within the MOARC. If the Contamination, in the determination by THE DEPARTMENT and JAXPORT, is fully contained within the limits of the MOARC boundary, and the type and extent of the source of the Contamination can be identified, then this MOARC can serve as the IC framework for risk based corrective action as set out in Rule 62-780 Florida Administrative Code.

SAVE AND EXCEPT as hereby specifically amended, the terms and conditions of the MOARC shall remain in full force and effect.

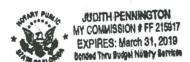
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IN WITNESS WHEREOF, the lawful representations of the parties have caused this Amendment to be signed as follows:

Form Approved By:	JAXPORT By:
Office of General Counsel	BRIANLW. TAYLOR Chief Executive Officer Jacksonville Port Authority 2831 Talleyrand Ave. Jacksonville, FL 32206
Signed, sealed, and delivered in the presence of:	
Asst Skinner	Carlotte
Witness Signature	Witness Signature
Printed Name	Printed Name
8/22/2016 Date	8/22/16 Date
STATE OF FLORIDA COUNTY OF Daval	
The foregoing instrument was acknowledge 201, by Brian W. Taylor.	ed before me this and day of August,
Who is personally known to me	
Who produced identification	
Type of Identification	Notary Public, State of Florida at Large
	- 10

	PROTECTION	
Approved as to form by:	By:	
San & Estentinut	from Ille .	
Toni Sturtevant, Asst. General Counsel	F. JOSEPH ULLO, Jr., P.E., Director	
Office of General Counsel	Division of Waste Management	
Signed, sealed, and delivered in	Dept. of Environmental Protection Division of Waste Management 2600 Blairstone Road Tallahassee, FL 32399-2400	
in the presence of:		
Withess Signature Mildred BCent	Witness Signature WASNE S KIGEL	
Printed Name	Printed Name	
11/23/16	11/23/16	
Date	Date	

STATE OF FLORIDA COUNTY OF LEON



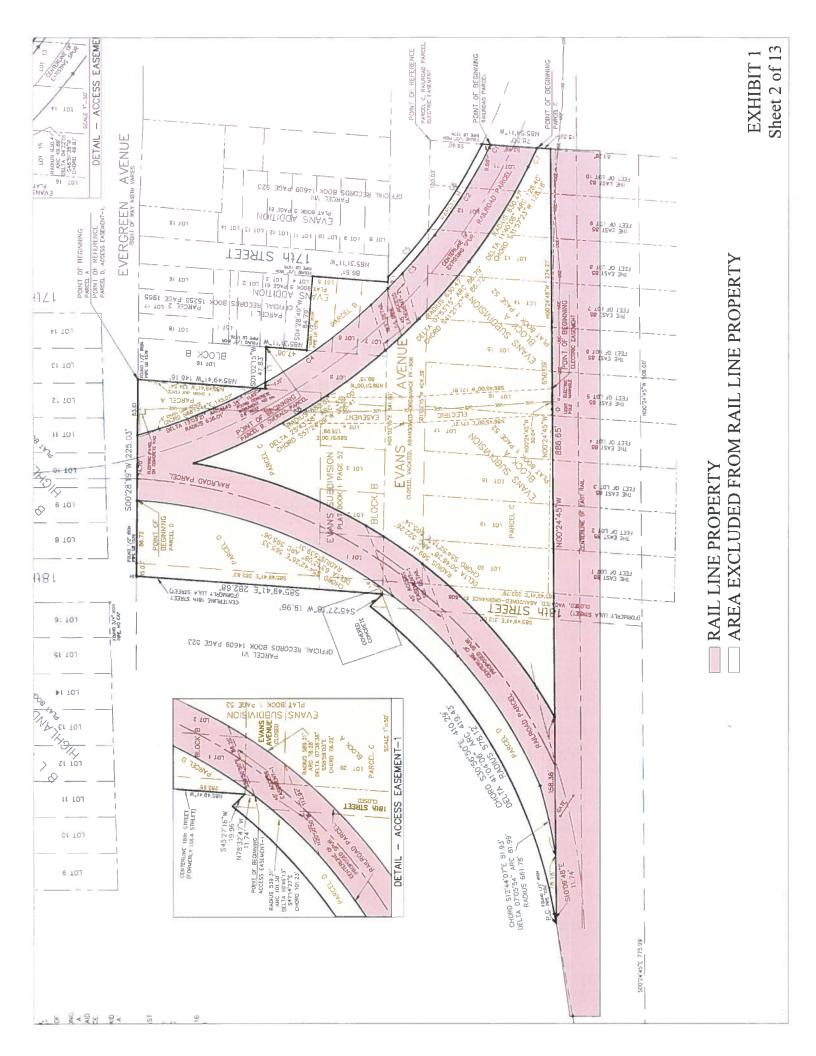
Notary Public, State of Florida at Large

FLORIDA DEPARTMENT OF

ENVIRONTMENTAL

EXHIBIT "1" DEPICTION OF RAIL LINE PROPERTY





PARCEL 2

Municipal Docks and Terminals Railroad Right of Way

The Easterly 85 feet of Lots 1 through 10 and all of Lots 11 through 20, Block A, Evans Subdivision of a part of Section 6, Township 2 South, Range 27 East according to plat recorded in Plat Book 1, page 52 of the Former Public Records of Duval County, Florida, excepting therefrom a fractional part of Lots 11, 12 and 13 of said Block A more particularly described as:

Beginning at the Southeast corner of said Lot 11; thence North 85 degrees 45 minutes West along the Southerly line of said Lot, a distance of 59.90 feet to a point; thence Northeasterly along a curve that is 34 feet Southeasterly of and concentric to the center line of the railroad spur track as now constructed leading to the Municipal Docks of the City of Jacksonville (a chord distance and bearing of 116.27 feet and North 31 degrees 59 minutes 45 seconds East) to the Easterly line of said Lot 13; thence South 01 degrees 02 minutes 15 seconds West along the Easterly line of said Lots 13, 12 and 11, a distance of 103.03 feet to the point of beginning.

ALSO:

Lots 1, 2, 3, 4 and 5, Block B of said Evans Subdivision.

ALSO:

A part of Section 6, Township 2 South, Range 27 East of said County more particularly described as follows:

Beginning at the intersection of the Westerly line of Evergreen Avenue and the Southerly line of Lulu Street as shown on plat of Evans Subdivision of a part of said Section 6 as recorded In Plat Book 1, Page 52, of the Former Public Records of said County; thence Westerly along the said Southerly line, a distance of 210 feet more or less to the Northeasterly corner of Lot 1, Block B, of said Evans Subdivision; thence Southerly along the Easterly line of Lots 1, 2, 3 and 4 of said Block B and a Southerly prolongation thereof, a distance of 210 feet more or less to an intersection with a Westerly prolongation of the Northerly line of Lot 16 of said Block B; thence Easterly along said Westerly prolongation and said Northerly line a distance of 210 feet, more or less, to the said Westerly line of Evergreen Avenue; thence Northerly along said Westerly line of Evergreen Avenue, a distance of 210 feet, more or less to the point of beginning.

Also:

Lots 5, 6 and 7 of Richens Subdivision of Lots 6, 7, 8, 9, 13, 14 and 15 and the West 45 feet of Lots 11 and 12, Block B, of said Evans Subdivision, according to plat recorded in Plat Book 5, Page 61, of the Current Public Records of said County.

Also:

A part of Section 6, Township 2 South, Range 27 East of said Duval County, more particularly described as follows:

Beginning at the intersection of the Northerly line of Lulu Street and the Easterly line of the St. Johns River Terminal Company Railroad right-of-way; thence Easterly along said

Northerly line, a distance of 318 feet more or less, to an intersection with a line 25 feet Northeasterly of the center line of the Municipal Docks Railroad Track, said line being in a curve concave to the Northeast, 25 feet distant from and concentric with the said center line of the Municipal Docks Railroad Track; thence Northwesterly along said line 25 feet distant from said centerline, a distance of 444 feet more or less to a concrete monument marking the point of tangency of said curved line; thence Northwesterly along a line parallel to and 25 feet Northeasterly of the center line of the said Municipal Docks Railroad Track, a distance of 446.67 feet more or less to the Southerly line of 21st Street (as now established for a width of 80 feet); thence Westerly along said Southerly line of 21st Street, a distance of 18 feet more or less to an intersection with the Easterly line of the St. Johns River Terminal Company right-of-way; thence Southerly along the said Easterly line, a distance of 786 feet more or less to an intersection with the Northerly line of Lulu Street and the point of beginning.

The intent of this description is to convey the lands described in Deed Books 133, Page 648, and 136, Page 65, except that part lying within the right-of-way of 21st Street (as now established for a width of 80 feet).

Also:

Lots 3, 4, 10, and 11, Block B, and Lots 3, 4, 10 and 11, Block D, both of Highland Park according to plat recorded in Plat Book 3, Page 88, of the said Current Public Records.

Also:

Lots 1, 2, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 and 25, Block 9, and Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 and 23, Block 10, all of Hartridges Addition of East Springfield according to plat recorded in Plat Book 2, Page 8 of the said Current Public Records.

A part of Section 6, Township 2 South, Range 27 East of said Duval County, more particularly described as follows:

Commence at the intersection of the North line of 17th Street and the Westerly line of Phoenix Avenue as now established: thence Northerly along the said Westerly line of Phoenix Avenue, a distance of 149 feet more or less, to an intersection with the Southerly line of the lands described in Deed recorded in Deed Book 131, Page 481, of the Public Records of said County; thence Westerly at an angle of 89 degrees 45 minutes as turned to the left from a Northerly prolongation of the last described line, a distance of 163.86 feet more or less to the Westerly line of the lands described in said deed; thence Northerly along the said Westerly line and the Westerly line of the lands described in deed recorded in Deed Book 135, Page 74, of the said Public Records, a distance of 73.59 feet more or less to the Northerly line of the lands described in said deed recorded in Deed Book 135, Page 74; thence Easterly along said Northerly line, a distance of 158 feet more or less to an intersection with the said Westerly line of Phoenix Avenue; thence Southerly along said Westerly line of Phoenix Avenue, a distance of 72.29 feet more or less to the point of beginning, being the same lands described in deeds recorded in Deed Book 131, Page 481, Deed Book 131, Page 484 and Deed Book 135, Page 74 of the said Public Records, except any part lying within the right-of-way of Phoenix Avenue (as established for a width of 50 feet).

A part of Lot 1, Block 2 Cummings Subdivision of Lot 10, Block C, Longbranch, according to plat recorded in Plat Book 2, Page 54 of the Current Public Records of said Duval County, more particularly described as follows:

Beginning at the intersection of the Easterly line of Haines Street (formerly Kooker Street) with an Easterly prolongation of the Northerly line of 17th Street (formerly Oregon Street) as shown on plat of Hartridge's Addition of East Springfield, recorded in Plat Book 2, Page 8, of the said Current Public Records, a part of both streets having been closed by Ordinance EE-402 of the City of Jacksonville; thence Northerly along the Easterly line of said Haines Street, a distance of 100 feet to an intersection with a line that is parallel to and 100 feet Northerly of the sald Northerly line of 17th Street; thence Easterly along said line parallel to the said Northerly line of 17th Street, a distance of 45 feet more or less to the center of Bigelow Branch; thence Southeasterly along the center of Bigelow Branch, a distance of 190 feet more or less to an intersection with the said Easterly prolongation of the Northerly line of 17th Street; thence Westerly along said Easterly prolongation, a distance of 200 feet mere or less to the point of beginning.

Also:

A part of Lot 11, Block C, Longbranch, according to plat recorded in Deed Book AH, Pages 526 and 527 of the Former Public Records of said Duval County, more particularly described as follows:

Commence at a point in the East line of Haines Street (formerly Kooker Street) 999.88 feet Southerly of the South line of 21st Street (Haines Street closed by Ordinance EE-402 of the City of Jacksonville); thence Easterly along a line parallel to the Northerly line of 17th Street (formerly Oregon Street) a distance of 60.1 feet to the center of Bigelow Branch and the point of beginning; thence continue Easterly along sald line parallel to the Northerly line of 17th Street, a distance of 396.4 feet more or less to an intersection with a line 14.3 feet Westerly of and parallel to the East line of Bennett Street; thence Southerly along said line parallel to the East line of Bennett Street, a distance of 100 feet, more or less, to the center line of Bigelow Branch; thence Northwesterly up and along the said center line, a distance of 420 feet, more or less, to the point of beginning.

Also:

All of Blocks 9 and 10 of Thompson's Addition to East Springfield as recorded in Plat Book 6, Page 48 of the Current Public Records of said county, together with that part of Bennett Street lying Westerly of Lot 8 of said Block 10 and all of Jones Street (formerly Buckman Street) lying between said Blocks 9 and 10.

Also:

A part of Blocks 23, 26 and 31 of said Thompson's Addition to East Springfield, a part of Section 6, Township 2 South, Range 27 East, of said Duval County, a part of Thelma Street (formerly "F" Street) and a part of Danese Street (formerly "E" Street), all being more particularly described as follows:

Beginning at the Northeasterly corner of the lands described in deed recorded in Deed Book 1572, page 184, of the said Public Records, said Northeasterly corner being in the Northwesterly right-of-way line of Talleyrand Avenue (as now established for a width of 60 feet); thence Northeasterly along said Northwesterly right-of-way line, a distance of 199.35 feet, more or less, to an intersection with an Easterly prolongation of the Southerly line of the lands described as Parcel No. 1 in Tract 1 in the Official Records Book 605, Page 543, of said Duval County; thence Westerly along said Easterly prolongation and said Southerly line, a distance of 1299.18 feet, more or less, to the Southwesterly corner of said Parcel No.

1, said Southwesterly corner being coincident with the Southeasterly corner of lands described as Parcel No. 2 in Tract 1 in said Official Record Book 605, Page 543; thence Westerly along the Southerly line of said Parcel No. 2, a distance of 65 feet to an intersection with the Easterly line of the lands described as Parcel No. 1 in deed recorded in Deed Book 1315, Page 485, of the said Public Records; thence Southerly along said Easterly line, a distance of 10.77 feet, more or less to the Southeasterly corner of said Parcel No. 1, said Southeasterly corner being 10 feet Northerly of the centerline of the main line of the Municipal Docks and Terminals Company Railroad; thence Westerly along Southerly line of said Parcel No. 1, (being along a line 10 feet Northerly of and parallel to the center line of said main line) a distance of 672.82 feet, more or less; thence Northwesterly at an angle of 5 degrees 19 minutes as turned to the right from a Westerly prolongation of the last described line, a distance of 105.85 feet, more or less; thence Northwesterly at an angle of 8 degrees 27 minutes as turned to the right from a Northwesterly prolongation of the last described line, a distance of 105.87 feet, more or less, to a point in the Easterly line of Buckman Street (as now established for a width of 60 feet), said point being the Southwesterly corner of said Parcei No. 1; thence Southerly along the said Easterly line of Buckman Street, a distance of 137.67 feet, more or less, to the Northwesterly corner of the lands described as Parcel No. 2 in deed recorded in said Deed Book 1315, Page 485; thence Easterly along the Northerly line of said Parcel No. 2, a distance of 1281.03 feet, more or less, to the Northeasterly corner of said Parcel No. 2, said Northeasterly corner being coincident with the Northwesterly corner of said lands described in deed recorded in said Deed Book 1572, Page 184; thence Southeasterly along the Northeasterly line of said lands, a distance of 930.03 feet to the point of beginning.

LESS AND EXCEPT PARCELS TO BE DEEDED TO BERMAN:

PARCEL A (TO BE DEEDED TO BERMAN)

PART OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST DUVAL COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF LOT 16, BLOCK B, EVANS SUBDIVISION, AS RECORDED IN PLAT BOOK I, PAGE 52 OF THE FORMER PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE NORTH 85°49'41" WEST, ALONG THE NORTH LINE OF SAID LOT 16, A DISTANCE OF 134.54 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 638.01 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 145.38 FEET, MAKING A CENTRAL ANGLE OF 13°03'21" AND HAVING A CHORD BEARING OF NORTH 68°13'14" EAST AND A CHORD DISTANCE OF 145.07 FEET TO THE WEST RIGHT OF WAY LINE OF EVERGREEN AVENUE (A RIGHT OF WAY OF VARIABLE WIDTH); THENCE SOUTH 00°28'19" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 63.61 FEET TO THE POINT OF BEGINNING.

PARCEL B (TO BE DEEDED TO BERMAN)

PART OF LOTS 11, 12 AND 13, BLOCK A AND PART OF LOT 5, BLOCK B, EVANS SUBDIVISION. AS RECORDED IN PLAT BOOK 1, PAGE 52 OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH PART OF LOTS 5, 6 AND 7 OF EVANS ADDITION AS RECORDED IN PLAT BOOK 5, PAGE 61 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, ALSO TOGETHER WITH A PART OF THAT PART OF EVANS AVENUE CLOSED, VACATED AND ABANDONED BY ORDINANCE No. FF-606. ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 5, BLOCK B OF SAID EVANS SUBDIVISION; THENCE NORTH 85'31'11" WEST, ALONG THE SOUTH LINE OF SAID LOT . 5. A DISTANCE OF 47.08 FEET: THENCE SOUTH 04°28'49" WEST, ALONG THE EAST LINE OF LOT 5 OF SAID EVANS ADDITION, A DISTANCE OF 84.79 FEET TO THE NORTH RIGHT OF WAY LINE OF 17th STREET; THENCE NORTH 85°31'11" WEST, ALONG SAID NORTH RIGHT OF WAY LINE. A DISTANCE OF 86.61 FEET TO WEST LINE OF EVANS ADDITION AND THE EAST LINE OF THE AFOREMENTIONED EVANS AVENUE: THENCE SOUTH 01°02'15" WEST, ALONG LAST SAID LINE, A DISTANCE OF 6.16 FEET TO A POINT ON A CURVE TO THE SOUTHEAST AND HAVING A RADIUS OF 571.47 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG A BOUNDARY OF THOSE LANDS AS DESCRIBED AS PARCEL VIII IN OFFICIAL RECORDS BOOK 14609, PAGE 523 OF SAID CURRENT PUBLIC RECORDS, A DISTANCE OF 70.32 FEET, MAKING A CENTRAL ANGLE OF 07°03'02" AND HAVING A CHORD BEARING SOUTH 40°55'11" WEST OF AND A CHORD DISTANCE OF 70.28 FEET TO THE EAST LINE OF THE AFOREMENTIONED BLOCK A, EVANS SUBDIVISION AND A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 571.47 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID BOUNDARY OF PARCEL VIII, A DISTANCE OF 116.58 FEET, MAKING A CENTRAL ANGLE OF 11°41'18" AND HAVING A CHORD BEARING OF SOUTH 31°57'58" WEST AND A CHORD DISTANCE OF 116.38 FEET TO THE SOUTH LINE OF THE SAID BLOCK A; THENCE NORTH 85°54'II" WEST, ALONG THE SOUTH LINE OF BLOCK A, A DISTANCE OF 9.69 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 727.98 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A

DISTANCE OF 3.71 FEET, MAKING A CENTRAL ANGLE OF 00°17'30" AND HAVING A CHORD BEARING OF NORTH 25°47'53" EAST AND A CHORD DISTANCE OF 3.71 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 580.47 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 118.31 FEET, MAKING A CENTRAL ANGLE OF 11°40'40" AND HAVING A CHORD BEARING OF NORTH 31°58'05" EAST AND A CHORD DISTANCE OF 118.10 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 580.47 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 80.74 FEET, MAKING A CENTRAL ANGLE OF 07°58'11" AND HAVING A CHORD BEARING OF NORTH 41°22'57" EAST AND A CHORD DISTANCE OF 80.68 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 638.01 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 177.66 FEET, MAKING A CENTRAL ANGLE OF 15°57'15" AND HAVING A CHORD BEARING OF NORTH 52'30'48" EAST AND A CHORD DISTANCE OF 177.08 FEET TO THE EAST LINE OF SAID LOT 5, BLOCK B, EVANS SUBDIVISION; THENCE SOUTH 01°02'15" WEST, ALONG LAST SAID LINE, A DISTANCE OF 40.51 FEET TO THE POINT OF BEGINNING.

PARCEL C (TO BE DEEDED TO BERMAN)

A PART OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, TOGETHER WITH A PART OF BLOCK A, AND PART OF LOTS I THROUGH 5, BLOCK B, EVANS SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 52 OF THE FORMER PUBLIC RECORDS OF SAID DUVAL COUNTY, AND TOGETHER WITH PART OF LOT 7, EVANS ADDITION, AS RECORDED IN PLAT BOOK 5, PAGE 61, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, AND ALSO TOGETHER WITH PARTS OF 18th STREET (FORMERLY KNOWN LULA STREET) AND EVANS AVENUE, BOTH AS NOW CLOSED, VACATED AND ABANDONED BY ORDINANCE No. FF-606, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID BLOCK A, EVANS SUBDIVISION; THENCE NORTH 85°54'11" WEST, ALONG THE SOUTH LINE OF SAID BLOCK A, A DISTANCE OF 123.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH LINE OF BLOCK A, NORTH 85°54'11" WEST, A DISTANCE OF 15.32 FEET; THENCE NORTH 00°24'45" WEST. A DISTANCE OF 650.09 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 589.31 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 522.26 FEET, MAKING A CENTRAL ANGLE OF 50°46'38" AND HAVING A CHORD BEARING OF SOUTH 54°52'15" EAST AND A CHORD DISTANCE OF 505.34 FEET TO A POINT OF CUSP LYING ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 688.01 FEET: THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 309.00 FEET, MAKING A CENTRAL ANGLE OF 25°43'58" AND HAVING A CHORD BEARING OF SOUTH 57°24'09" WEST AND A CHORD DISTANCE OF 306.41 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 630.47 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 86,79 FEET, MAKING A CENTRAL ANGLE OF 07°53'15" AND HAVING A CHORD BEARING OF SOUTH 41°21'27" WEST AND A CHORD DISTANCE OF 86.72 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 630.47 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 128.40 FEET, MAKING A CENTRAL ANGLE OF 11°40'08" AND HAVING A CHORD BEARING OF SOUTH 31°57'23" WEST AND A CHORD DISTANCE OF 128.18 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 777.98 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 23.70 FEET, MAKING A CENTRAL ANGLE OF 01°44'43" AND HAVING A CHORD BEARING OF SOUTH 25°04'38" WEST AND A CHORD DISTANCE OF 23.70 FEET TO THE POINT OF BEGINNING.

PARCEL D (TO BE DEEDED TO BERMAN)

A PART OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, TOGETHER WITH A PART OF LOT I, BLOCK B, EVANS SUBDIVISION, AS RECORDED IN PLAT BOOK I, PAGE 52 OF THE FORMER PUBLIC RECORDS OF SAID DUVAL COUNTY, AND ALSO TOGETHER WITH PARTS OF 18th STREET (FORMERLY KNOWN LULA STREET) AND EVANS AVENUE, BOTH AS NOW CLOSED, VACATED AND ABANDONED BY ORDINANCE No. FF-606, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF LOT 16, BLOCK B OF SAID EVANS SUBDIVISION; THENCE NORTH 00°28'19" EAST, ALONG THE WEST RIGHT OF WAY LINE OF EVERGREEN AVENUE (A RIGHT OF WAY OF VARIABLE WIDTH), A DISTANCE OF 138.31 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 539.31 FEET AND THE POINT OF BEGINNING FOR THE LANDS HEREIN DESCRIBED; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 595.06 FEET, MAKING A CENTRAL ANGLE OF 63°13'08" AND HAVING A CHORD BEARING OF NORTH 54°42'26" WEST AND A CHORD DISTANCE OF 565.33 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 661.78 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 81.99 FEET, MAKING A CENTRAL ANGLE OF 07°05'54" AND HAVING A CHORD BEARING OF NORTH 12°44'07" WEST AND A CHORD DISTANCE OF 81.93 FEET; THENCE NORTH 00°24'45" WEST, A DISTANCE OF 78.18 FEET TO A POINT ON A LINE PARALLEL TO AND 25 FEET DISTANT FROM THE CENTERLINE OF THE MUNICIPAL DOCKS RAILROAD TRACK; THENCE SOUTH 10°09'48" EAST, ALONG LAST SAID LINE, A DISTANCE OF 11.74 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 578.12 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE. A DISTANCE OF 419.43 FEET, MAKING A CENTRAL ANGLE OF 41°04'06" AND HAVING A CHORD BEARING OF SOUTH 30°56'50" EAST AND A CHORD DISTANCE OF 410.29 FEET TO AN INTERSECTION WITH THE NORTH LINE OF AFOREMENTIONED 18th STREET; THENCE SOUTH 45°27'18" WEST, A DISTANCE OF 19,96 FEET TO THE INTERSECTION OF A NORTHERLY PROJECTION OF THE EAST LINE OF AFOREMENTIONED EVANS AVENUE WITH THE CENTERLINE OF SAID 18th STREET; THENCE SOUTH 85°49'41" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 282.68 FEET TO A NORTHERLY PROJECTION OF SAID WEST RIGHT OF WAY LINE OF EVERGREEN AVENUE; THENCE SOUTH 00°28'19" WEST, ALONG SAID NORTHERLY PROJECTION AND ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 101.75 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT PARCELS ENCUMBERED BY FDOT EASEMENTS:

PART A

A PORTION OF A RAILROAD FLOAT OF WAY (RIGHT OF WAY VARIES) IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST. DUVAL COUNTY, FLORIDA, BEING MORE FARTICULARLY DESCRIBED AS FULLOW:

COMMENCE AT A RECOVERED IRON PIPE, NO 19) LOCATED AT THE SOUTHEAST CORNER OF LOT 18, BLOCK 10, HARTRIDGE'S ADDITION OF EAST SPRINGFIELD, ACCORDING TO

EXHIBIT 1 SHEET 10 OF 13

THE PLAT THEREOF, AS RECORDED IN PLAT 800'2, PAGE 8, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; HENC RUN SOUTH 89°28'31" WEST, ALONG THE SOUTH LINES OF LOTS 18 AND 15, A DISTANCE OF 53.94 FEET; THENCE DEPARTING SAID SOUTH LOT LINES, RUN SOUTH 00°46'40" EAST, A DISTANCE OF 65.82 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°46'40" FAST, A DISTANCE OF 1.92 FEET TO A POIN" LYING IN A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 659.15 FEET, A CHORD BEARING OF SOUTH 43°32'33" EAST AND A CHORD DISTANCE OF 44.47 FEET: THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°51'59", A DISTANCE OF 44.48 FEET TO A POINT ON THE SOUTH LINE OF LOT 17, SAID BLOCK 10; THENCE RUN SOUTH 89°28'43" WEST ALONG THE SOUTH LOT LINES OF LOTS 17 AND 15, SAID BLOCK 10, A DISTANCE OF 40.63 FEET TO A POINT LYING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 629.09 FEET, A CHORD BEARING OF NORTH 44°57'20" WEST AND A CHORD DISTANCE OF | 0.06 FEET; THENCE DEPARTING SAID SOUTH LOT LINE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°49'36", A DISTANCE OF 20.06 FEET; THENCE RUN SOUTH 89°,13'20" WEST, A DISTANCE OF 1.59 FEET; THENCE RUN NORTH 00°46'40" WEST, A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 89°13'20" EAST, A DISTANCE OF 26.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,272 SQUARE FEET, MORE OR LESS PART B

A PORTION OF A RAILROAD RIGIT OF WAY (RIGHT OF WAY VARIES) IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RECOVERED IRON PIPE, NO ID: LOCATED AT THE SOUTHWEST CORNER OF LOT 20, BLOCK 10, HARTRIDGE'S ADDITION OF EAST SPRINGFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 8, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA: THENCE RUN NORTH 89°28'31" EAST, ALONG THE SOUTH LINE OF LOT 20, A DISTANCE OF 4.13 FEET; THENCE DEPARTING SAID SOUTH LOT LINE, RUN SOUTH 00°15'00" EAST, A DISTANCE OF 69.10 FEET FOR A POINT OF BEGINNING: THENCE RUN NORTH 39°45'00" EAST, A DISTANCE OF 120.00 FEET; THENCE RUN SOUTH 00°15'00" EAST, A DISTANCE OF 10.00 FEET: THENCE RUN SOUTH 89°45'00" WEST, A DISTANCE OF 11.55 FEET TO A POINT LYING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1188.46 FEET, A CHORD BEARING OF SOUTH 22"24'23" EAST AND A CHORD DISTANCE OF 22.25 FEET; THENCE RUN SOUTHEASTERLY ALONG THE AFC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°04'22", A DISTANCE OF 22.25 FEET TO A POINT ON THE SOUTH LINE OF LOT 23, SAID BLOCK 10; THENCE RUN SOUTH 89"26'43" WEST ALONG THE SOUTH LINE OF LOTS 23, 21, AND 19, SAID BLOCK 10, A DISTANCE OF 98.47 FEET TO A POINT LYING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1090.75 FEET, A CHORD BEARING OF NORTH 26°45'44" WEST AND A CHORD DISTANCE OF 23.55 FEET; THENCE DEPARTING THE SOUTH LINE OF LOT 19, SAID BLOCK 10, RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°14'13", A DISTANCE OF 23.55 FEET; THENCE RUN SOUTH 89°45'00" WEST, A DISTANCE OF 7.86 FEET; THENCE RUN NORTH 00°15'00" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING ..

CONTAINING 3,276 SQUARE FEET. MOFE OR LESS.

PART C

A PORTION OF A RAILROAD RIGHT OF WAY (RIGHT OF WAY VARIES) IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RECOVERED IRON PIPE, (NO II) LOCATED AT THE SOUTHWEST CORNER OF LOT 20, BLOCK 10, HARTRIDGE'S ADDITION OF EAST SPRINGFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOF 2, PAGE 8, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN NORTH 89°28'31" EAST, ALONG THE SOUTH LINE OF LOTS 20, 22, 24, AND AM EASTERLY PROLONGATION THEREOF, A DISTANCE OF 151.91 FEET; THENCE DEPARTING SAID EASTERLY PROLONGATION OF THE SAID SOUTH LOT LINE, RUN SOUTH 00°34'39" EAST, A DISTANCE OF 70.45 FEET FOR A POINT OF BEGINNING: THENCE RUN NORTH 89°25'21" EAST, A DISTANCE OF 50.00 FEET; THENGE RUN SOUTH 00°34'39" EAST, A DISTANCE OF 10.00 FEET; THENCE RUN SOUTH 89°25'21" WEST, A DISTANCE OF 5.25 FEET TO A POINT LYING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A PADIUS OF 2872.35 FEET, A CHORD BEARING OF SOUTH 02°19'42" EAST AND A CHORD DISTANCE OF 19.86 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°23'46", A DISTANCE OF 19.86 FEE! TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH LINE OF SAID BLOCK 10; THENCE RUN SOUTH 89°28'43" WEST ALONG THE SAID EASTERLY PROLONGATION OF THE SOUTH LINE OF BLOCK 10, A DISTANCE OF 30.11 FEET TO A POINT LYING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2842.25 FEET, A CHORD BEARING OF NORTH 02°20'49" WEST AND A CHORD DISTANCE OF 19.83 FEET; THENCE DEPARTING THE SAID EASTERLY PROLONGATION OF THE SOUTH LINE OF BLOCK 10 RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°23'59", A DISTANCE OF 19.83 FEET; THENCE RUN SOUTH 89°25'21" WEST, A DISTANCE OF 14.63 FEET: THENCE RUN NORTH 00°34'39" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,097 SQUARE FEEF, MORE OR LESS.

A PORTION OF A RAILROAD RIGHT OF WAY (RIGHT OF WAY VARIES) IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT AN IRON PIPE (NO ID) LOCATED AT THE SOUTHEAST CORNER OF LOT 18, BLOCK 10, HARTRIDGE'S ADDITION OF EAST SPRINGFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 8, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN SOUTH 89°28'31" WEST, ALONG THE SOUTH LINES OF LOTS 18, 16 AND 14, SAID BLOCK 10, A DISTANCE OF 122.89 FEET FOR A POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LOT LINE, RUN SOUTH 46°11'18" EAST, A DISTANCE OF 88.67 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 659.15 FEET, A CHORD BEARING OF SOUTH 45°56'58" EAST AND A CHORD DISTANCE OF 5.50 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF

EXHIBIT 1 SHEET 12 OF 13

00°28'40", A DISTANCE OF 5.50 PLET; THENCE DEPARTING SAID CURVE, RUN SOUTH 89°13'20" WEST, A DISTANCE OF 24.10 FEET; THENCE RUN SOUTH 00°46'40" EAST, A DISTANCE OF 18.43 FEET TO A PLINT ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 629.09 FEET, A CHORD BEARING OF NORTH 46°07'50" WEST AND A CHORD DISTANCE OF 1.27 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°06'57", A DISTANCE OF 1.27 FEET TO THE POINT OF TANGENCY; THENCE RUN N RTH 46°11'18" WEST, A DISTANCE OF 119.44 FEET TO THE SOUTH LINE OF LOT 12, SAID BLOCK 10; THENCE RUN NORTH 89°28'31" EAST, ALONG THE SOUTH LINE OF LOTS 12 AND 14, SAID BLOCK 10, A DISTANCE OF 43.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,008 SQUARE FEET, MORL OR LESS.

SAID EASEMENT SHALL HAVE A BOTTOM PLANE NOT LESS THAN 27.58 FEET ABOVE THE SAID RAILROAD TRACKS AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 72090, 1.P. 209545-1.

ELEVATIONS ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION BENCH MARK 7209002BM10, LOCATED ON THE SOUTH SIDE OF THE RAILROAD TRACKS, 200' EAST OF THE CENTERLINE OF 20TH STREET/HAINES STREET EXPRESSWAY, HAVING AN ELEVATION OF 15.736 FEET (NATIONAL GLODETIC VERTICAL DATUM (NGVD) 1929).

A PORTION OF A RAILROAD RIGHT OF WAY (RIGHT OF WAY VARIES) IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT AN IRON PIPE (NO ID LOCATED AT THE SOUTHEAST CORNER OF LOT 18, BLOCK 10, HARTRIDGE'S ADDITION OF EAST SPRINGFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 8, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN NORTH 89°28'31" EAST, ALONG THE SOUTH LINE OF LOTS 20 AND 22, SAID BLOCK 10, A DISTANCE OF 75.88 FEET TO A POINT ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1188.46 FEET, A CHORD BEARING OF SOUTH 25°18'52" EAST AND A CHORD DISTANCE OF 76.66 FEET; THENCE DEPARTING SAID SOUTH LOT LINE FUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°41'47", A DISTANCE OF 76.67 FEET; THENCE DEPARTING SAID CURVE, RUN SOUTH 89'45'00" WEST, A DISTANCE OF 101.54 FEET TO A POINT ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1090.75 FEET, A CHORD BEARING OF NORTH 30°03'33" WEST AND A CHORD DISTANCE OF 79.43 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°10'24", A DISTANCE OF 79.45 FEET TO THE SOUTH LINE OF THE AFOREMENTIONED LOT 18, BLOCK 10; THENCE DEPARTING SAID CURVE, RUN NORTH 89°28'31" EAST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 32.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,270 SQUARE FEET, MORE OR LESS.

"REVISED EXHIBIT A" DEPICTION OF REVISED MOARC BOUNDARY



JAXPORT PROPERTY – TALLEYRAND MARINE TERMINAL				
City of Jacksonville Real Estate Parcel Nos.	Street Number	Street Name	Туре	
1153270000	2813	Talleyrand	Avenue	
1153270500	0	Talleyrand	Avenue	
1153270510	0	Talleyrand	Avenue	
1153271000	1851	Talleyrand	Avenue	
1153272000	0	Talleyrand	Avenue	
1153273000	0	Talleyrand	Avenue	
1153273100	2085	Talleyrand	Avenue	
1153273200	0	Talleyrand	Avenue	
1153273300	0	Talleyrand	Avenue	
1153273400	2701	Talleyrand	Avenue	
1153273500	2085	Talleyrand	Avenue	
1153274000	2831	Talleyrand	Avenue	
1153275000	3001	Talleyrand	Avenue	
1156590000	1945	Thelma	Street	
1319450000	2700	Talleyrand	Avenue	
1318750000	0	Buckman	Street	
1135860000	0	17th	Street East	
1135720000	0	17th	Street East	
1329640000	0	Preston	Street	
1329800000	0	Preston	Street	
1138620000	0	Evergreen	Avenue	
1138520000	0	Evergreen	Avenue	
1138540000	2500	Evergreen	Avenue	