

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
May 5, 2015–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Quasi-judicial Process Explanation.
5. Public Hearings.
 - A. Case #: Z-2015-09
Applicant: Fred R. Thompson, Agent for Emerald Bay Land Co., Owner
Address: 9900 Rebel Road
Property Size: 8.45 (+/-) acres
From: RMU, Rural Mixed-Use district (two du/acre)
To: LDR, Low Density Residential district (four du/acre)
 - B. Case #: Z-2015-10
Applicant: Mark Lydon, Agent for Escambia Gulf Coast Pits, LLC, Owner
Address: 7320 Hayward Avenue
Property Size: 13.45 (+/-) acres
From: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)
To: C-1, Retail Commercial District (cumulative) (25 du/acre)
6. Adjournment.

Planning Board-Rezoning

5. A.

Meeting Date: 05/05/2015

CASE : Z-2015-09

APPLICANT: Fred R. Thompson, Agent for Emerald Bay Land Co., Owner

ADDRESS: 9900 Rebel Road

PROPERTY REF. NO.: 06-1S-31-2403-000-000

FUTURE LAND USE: MU-S, Mixed-Use Suburban

DISTRICT: 1

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 06/02/2015

SUBMISSION DATA:

REQUESTED REZONING:

FROM: RMU, Rural Mixed-use district (two du/acre) [formerly existing R-R]

TO: LDR, Low Density Residential district (four du/acre) [formerly requested as R-1]

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with Comprehensive Plan, LDC Sec. 2-7.2(b)(4)a.

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan's provisions.

CP Policy FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County will be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CP Policy FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) future land use (FLU) category is intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. The range of allowable uses includes: residential, retail and services, professional office, recreational facilities, public and civic. The minimum residential density is two dwelling units per acre and the maximum residential density is

25 dwelling units per acre.

CP Policy FLU 2.1.2 Compact Development. To promote compact development, FLUM amendments and residential rezoning to allow higher residential densities may be allowed in the Mixed-Use Urban (MU-U) and Mixed-Use Suburban (MU-S) future land use categories.

FINDINGS

The proposed amendment **is consistent** with the Comprehensive Plan and the FLUM, and not in conflict with any of its provisions. The permitted uses of LDR are consistent with the stated intent and purpose of the MU-S future land use category. The increase in maximum residential density is consistent with that allowed by MU-S and with the allowance of higher residential densities to promote compact development. Consistency with other applicable policies of the Comprehensive Plan would be confirmed during review of development for compliance with implementing Land Development Code regulations.

CRITERION (2)

Consistent with Land Development Code, LDC Sec. 2-7.2(b)(4)b.

Whether the proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

Sec. 3-2.4 Rural Mixed-Use District (RMU).

(a) Purpose. The Rural Mixed-Use (RMU) district establishes appropriate areas and land use regulations for a mix of low density residential uses and compatible non-residential uses within areas that have historically developed as rural or semi-rural communities. The primary intent of the district is to sustain these communities by allowing greater residential density, smaller residential lots, and a more diverse mix of non-residential uses than the Agricultural or Rural Residential districts, but continue to support the preservation of agriculturally productive lands. The RMU district allows public facilities and services necessary for the health, safety, and welfare of the rural mixed-use community, and other non-residential uses that are compact, traditionally neighborhood supportive, and compatible with rural community character. District communities are often anchored by arterial and collector streets, but they are not characterized by urban or suburban infrastructure. Residential uses are generally limited to detached single-family dwellings, consistent with existing rural communities and limited infrastructure.

Sec. 3-2.5 Low Density Residential District (LDR).

(a) Purpose. The Low Density Residential (LDR) district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the Rural Residential district. Residential uses within the LDR district are predominantly detached single-family dwellings. Clustering dwellings on smaller residential lots may occur where needed to protect prime farmland from non-agricultural use or to conserve and protect

environmentally sensitive areas. The district allows non-residential uses that are compatible with suburban residential neighborhoods and the natural resources of the area.

(f) Rezoning to LDR. Low Density Residential zoning may be established only within the Mixed-Use Suburban (MU-S) future land use category. The district is suitable for suburban areas with or without central water and sewer. The district is appropriate to provide transitions between areas zoned or used for rural residential or rural mixed-use and areas zoned or used for low density mixed-use or medium density residential.

FINDINGS

The proposed amendment **is consistent** with the stated purposes and intent of the LDC and **not in conflict** with any of its provisions. The subject property is within the required future land use category. LDR zoning, with a maximum four dwelling units per acre, retains the low density character of the area and provides the smallest increase in density by rezoning from the two dwelling units per acre of existing RMU.

CRITERION (3)

Compatible with surrounding uses, LDC Sec. 2-7.2(b)(4)c.

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

FINDINGS

The primary intent of the LDR district for large-lot single-family residential development at low density **is compatible** with existing land uses surrounding the subject property. The existing RMU zoning of the subject parcel and surrounding lands is largely uninterrupted from Nine Mile Road northward to Frank Reeder Road, but significant areas of LDR exist east and west of the subject parcel along both Bridlewood Road and Beulah Road.

CRITERION (4)

Changed conditions, LDC Sec. 2-7.2(b)(4)d.

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

FINDINGS

The subject parcel of the proposed amendment is near the west end of Nine Mile Road, within an area that **is changing** in response to increasing nonresidential development and employment opportunities to a degree that it would be in the public interest to encourage a modest increase in available residential density.

CRITERION (5)

Effect on natural environment, LDC Sec. 2-7.2(b)(4)f.

Whether the proposed rezoning would increase the probability of any significant adverse impacts on the natural environment.

FINDINGS

The proposed rezoning **would not** increase the probability of any significant adverse impacts on the natural environment. Wetlands and hydric soils are **not** indicated on the subject property according to the National Wetlands Inventory Map. The presence and extent of adverse impacts from future development on the parcel would be limited through review of the development for compliance with applicable Land Development Code regulations.

CRITERION (6)

Development patterns, LDC Sec. 2-7.2(b)(4)e.

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

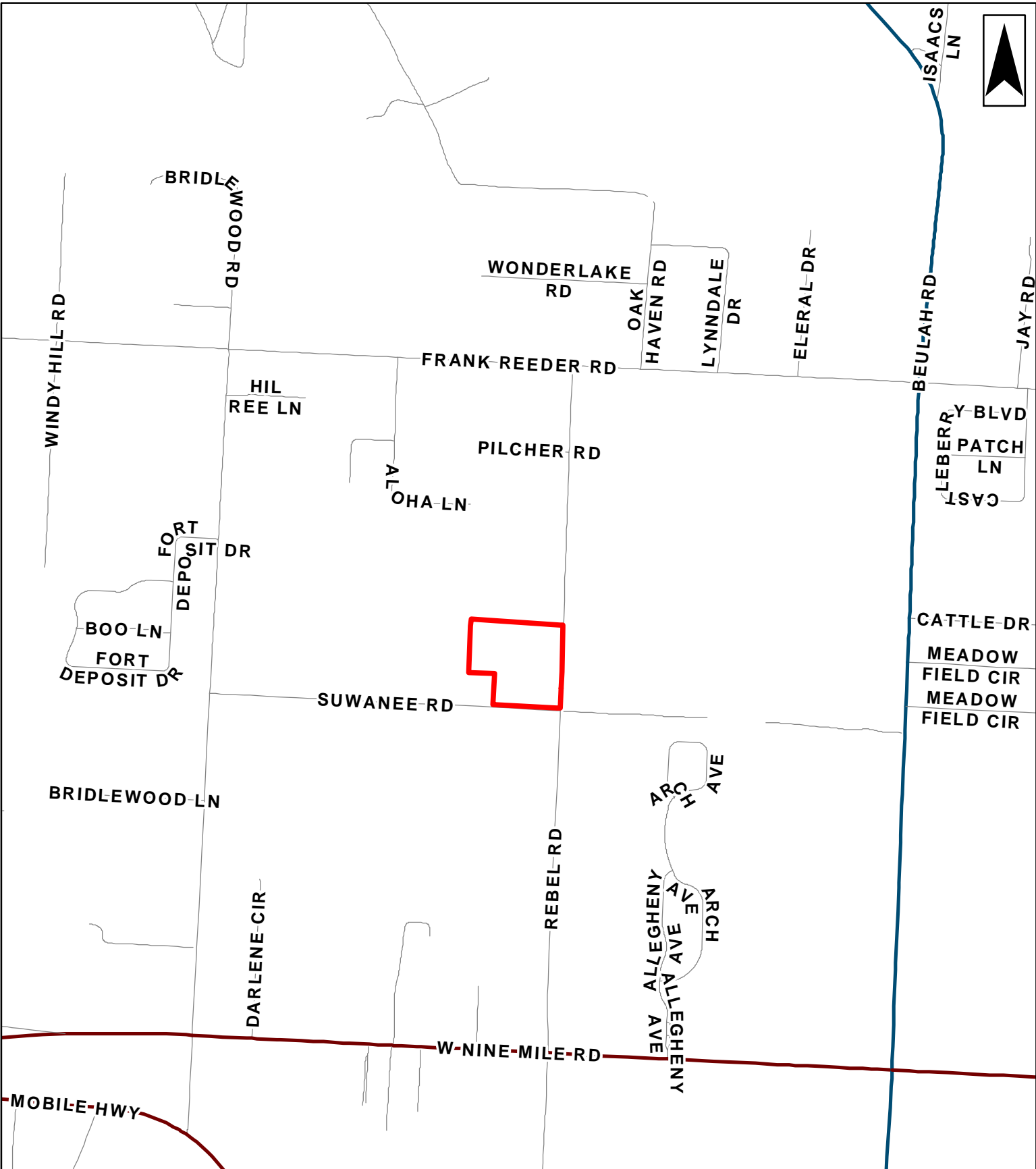
FINDINGS

The proposed rezoning **would** contribute to or result in a logical and orderly development pattern.

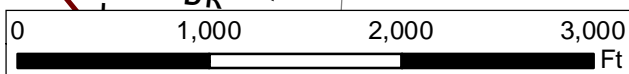
Attachments





Z-2015-09


Z-2015-09



Z-2015-09 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



ALOHA LN

LDR

LDR

LDR

REBEL RD

LDR

SUWANEE RD

LDR

REBEL RD

LDR

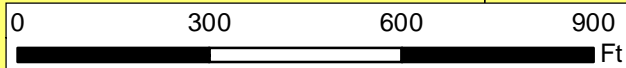
ARCH AVE



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2015-09 500' RADIUS ZONING



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



ALOHA LN

MU-S

MU-S

MU-S

REBEL RD

MU-S

SUWANEE RD

MU-S

REBEL RD

MU-S

ARCH AVE



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Andrew Holmer
Planning and Zoning Dept.

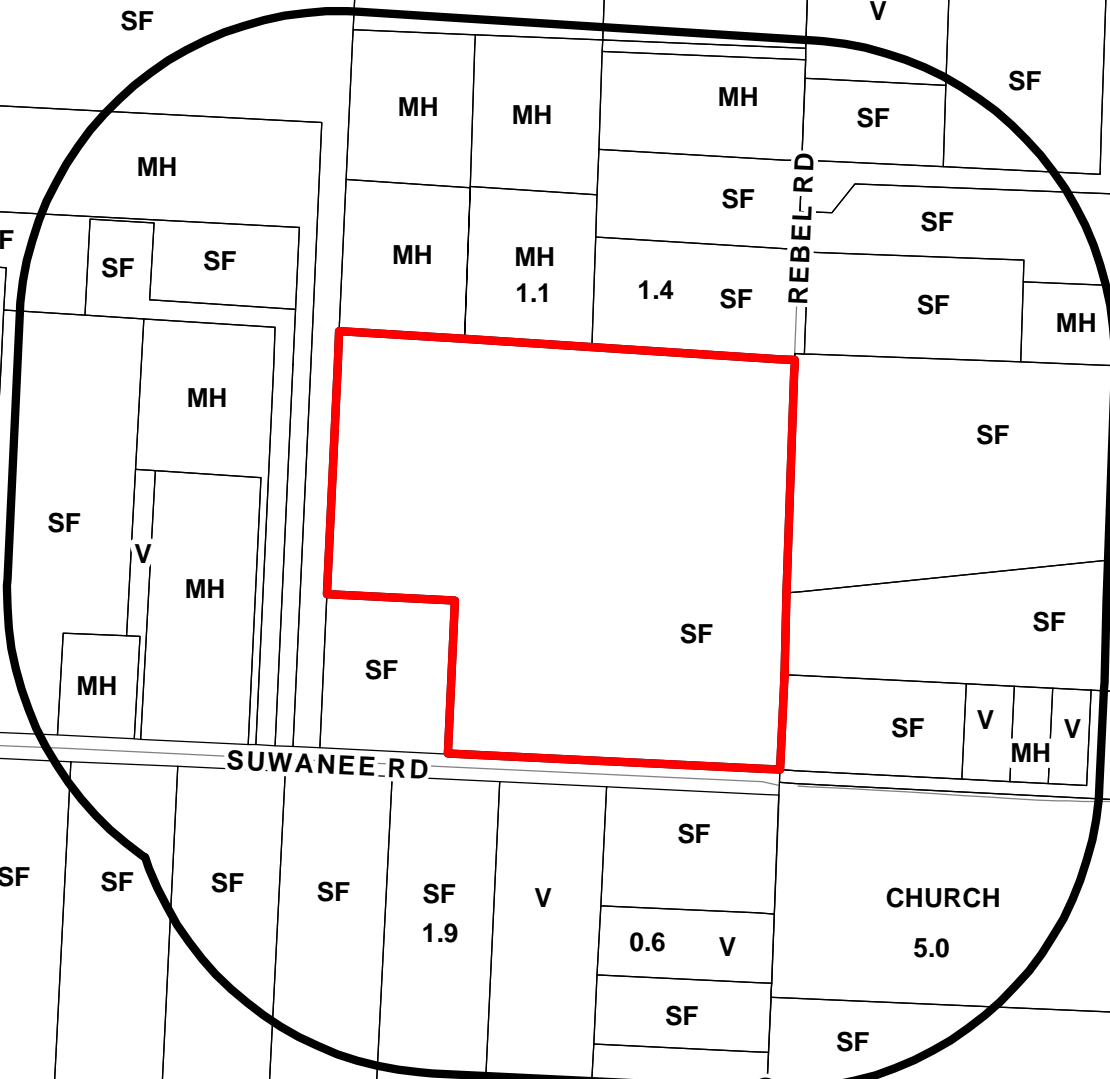
Z-2015-09 FUTURE LAND USE



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD








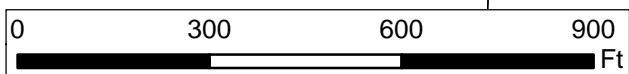
ALOHA LN



Z-2015-09

EXISTING LAND USE

-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



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Andrew Holmer
Planning and Zoning Dept.



SUWANEE RD

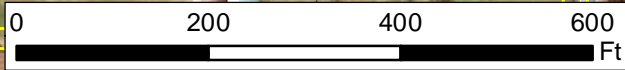
REBEL RD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2015-09 AERIAL MAP



-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



**NOTICE OF
PUBLIC HEARING
REZONING**

CASE NO.: Z-2015-09
CURRENT ZONING: R-R **PROPOSED ZONING:** R-1

PLANNING BOARD

DATE: 05/05/15 **TIME:** 8:30 AM

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 06/02/15 **TIME:** 5:45 PM

LOCATION OF HEARING

ESCAMBIA COUNTY GOVERNMENT CENTER
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 585-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

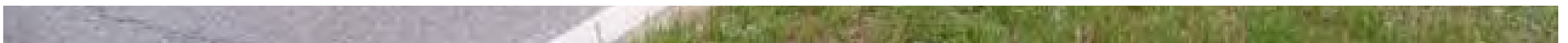
Public hearing sign on Rebel Road at Suwanee Road



Northeast into subject parcel from Rebel Road at Suwanee Rd



West along Suwanee Road near SE corner of subject parcel





West along Suwanee Road near SW corner of subject parcel



North into SW corner of subject parcel from Suwanee Road



East along Suwanee Road from SW corner of subject parcel





South along Rebel Road from SE corner of subject parcel



Southeast across Rebel Road from SE corner of subject parcel



North along Rebel Road near SE corner of subject parcel



North along Rebel Road near NE corner of subject parcel



East across Rebel Road from NE corner of subject parcel



Southwest across Rebel Road into subject parcel





NORTHWEST FLORIDA LAND SURVEYING, INC.
A PROFESSIONAL SERVICE ORGANIZATION
7142 Belgium Circle, Pensacola, Fl. 32526
850-432-1052

February 3, 2015

Escambia County Planning Board
3363 West Park Place
Pensacola, Fl. 32505

**Re: Beulah Garden Estates-9900 Rebel Road, Pensacola, Fl.
32526- Rezoning Application**

Dear Planning Board Members:

I represent Mrs. Deborah Mabire of Emerald Bay and Land Company with respect to this request to rezone 9900 Rebel Road, Pensacola, Fl. 32526 from R-R (Rural Residential District, Low density) to R-1 (Single Family District, Low-Medium density). The Escambia County Property Appraiser tax ID number is 061S312403000000. The site measures approximately 8.45 acres more or less. And the deed for the parcel is attached as Exhibit A. Also, attached please find a boundary survey, Escambia County Property Appraiser aerial map, a narrative, and a preliminary site plan.

I have reviewed maps from the County GIS web site to determine the zoning and future land use designation. As we understand the County staff will provide the appropriate maps as part of the standard rezoning package.

Under the current R-R zoning we are allowed only 2 units per acre. R-1 zoning we are allowed up to 4 units per acre and this will give us more efficient use of the land & provide more housing. Water and sewer are both available thru Escambia County Utility Authority. This is a growing area especially with Navy Federal Credit Unions expansion. The site is approximately 3 1/2 miles from Beulah elementary, 8 miles from the VA center and less than 3 miles from Navy Federal Credit union.

I will address the six criteria at issue for a rezoning application.

Consistency with the Comprehensive Plan:

The proposed zoning change is consistent with the Comprehensive Plan. The property is located in the MU-S (mixed-use suburban) future land use category. This category is intended for an intense use of residential and non-residential uses while promoting compatible infill development. We intent to use 4 units per acre with the R-2 zoning.

Consistency with the Code:

This development is intended to be a single-family residential area with low-medium density. The proposed zoning change from R-R to R-1 is consistent and not in conflict with the Land Development Code.

As stated in Section 6.00.01, LDC, provided the legislative intent for residential districts. This rezoning application satisfies and complies with the eight general goals listed in Section 6.00.01.

The R-1 zoning for the property will provide efficient use of the land with seven unit per acre this will maintain a low density.

Compatibility with Surrounding Uses:

The existing uses around this site are a mixture of low density residential homes. R-1 zoning is compatible with the surrounding area.

Changed Conditions:

The significant change in this area is due to the requirement for affordable housing. This area is growing, especially with Navy Federal Credit Union's expansion.

Effect on Natural Environment:

There are no obvious wetland areas on the property. There is no indication of any natural environmental issues relating to the property.

Development Patterns:

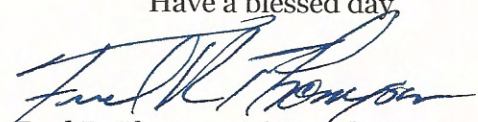
Our request for R-1 zoning will implement and complement the MU-S future land use category for this growing area. The land use category promotes development in this area.

Summary:

For the reasons stated, we have demonstrated compliance with each of the six criteria to be evaluated by the Escambia County Planning Board. Therefore, we request that the application to rezone this property to R-1 be approved.

I greatly appreciate your time. Please contact me if you should have any questions or concerns.

Have a blessed day,



Fred R. Thompson / President
NORTHWEST FLORIDA LAND SURVEYING, INC.
850-432-1052
frt@nwfls.com

BEULAH GARDEN ESTATES

The proposed parcel for development is located in the Northwest quadrant of Section 6, Township 1 South, Range 31 West at the intersection of Suwanee Road and Rebel Road in unincorporated Escambia County, Florida. The site measures some 8.45 acres ± and has never been developed. Currently the zoning is Rural Residential (R-R) with low density, 2 units per acre. Beulah Elementary School is approximately 3 1/2 miles and Tate High School is 8 miles away. The future land use is zoned as Mixed use- suburban (MU-S) which may need to be updated, due to growth in the area. Navy Federal Credit Union is approximately 3 miles away from our site and NAS Pensacola is 10 miles away. This area is growing and the need for affordable housing is increasing especially with Navy Federal Credit Union's expansion. Navy Federal plans to add an additional 2000 employees within the next two years. We will offer affordable single family residential homes with a nice size lots. This development will provide Navy Federal Credit Union employees quick and easy access to the Navy Federal site and shall reduce the traffic burden on our road system. This site will not impact any wetlands

We request the zoning be changed from R-R rural residential at 2 units per acre to R-1 Single family district with 4 units per acre. The change from R-R to R-1 should not affect the zoning in the area and would not be considered spot zoning.

This site is located near Schools, Workplace, in a growing neighborhood, with water and sewer available and not harmful impact on the Environment.



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: R-R to: R-21 FRI

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Debra S. Mabire/ Emerald Bay Land Co. Phone: 850-324-8860

Address: 9900 Rebel Rd, Pensacola, Fl. 32526 Email: dsmabire@hotmail.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 9900 Rebel Rd, Pensacola, Fl. 32526

Property Reference Number(s)/Legal Description: 061S312403000000/legal description attached

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

x Debra S Mabire
Signature of Property Owner

Debra S. Mabire
Printed Name of Property Owner

10/7/14
Date

Emerald Bay Land Co.
Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF FLORIDA

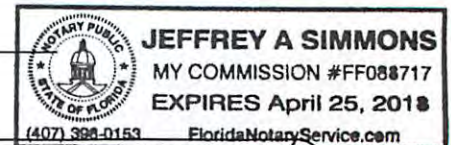
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 7TH day of OCTOBER 20 14,
by DEBRA S. MABIRE

Personally Known OR Produced Identification . Type of Identification Produced: _____

Jeffrey Alan Simmons
Signature of Notary
(notary seal must be affixed)

JEFFREY ALAN SIMMONS
Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: _____

Meeting Date(s): _____ Accepted/Verified by: _____ Date: _____

Fees Paid: \$ _____ Receipt #: _____ Permit #: _____



AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 9900 Rebel Rd, Pensacola, Fl. 32526,
Florida, property reference number(s) 061S312403000000

I hereby designate Fred R. Thompson/Northwest Florida Land Surveying for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this _____ day of _____ the year of, _____, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: Fred R. Thompson Email: firt@nwfls.com

Address: 7142 Belgium Circle, Pensacola, Fl. 32526 Phone: 850-432-1052/850-232-9614

x Debra S. Mabire
Signature of Property Owner

Debra S. Mabire
Printed Name of Property Owner

10/7/14
Date

Emerald Bayland Co.
Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF FLORIDA COUNTY OF ESCAMBIA

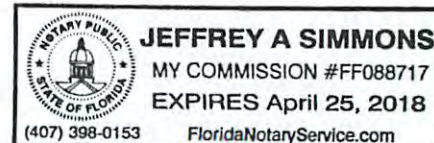
The foregoing instrument was acknowledged before me this 7TH day of OCTOBER 20 14,
by DEBRA S. MABIRE

Personally Known OR Produced Identification . Type of Identification Produced: _____

Jeffrey Alan Simmons
Signature of Notary

JEFFREY ALAN SIMMONS
Printed Name of Notary

(Notary Seal)





Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 061S312403000000

Property Address: 9900 Rebel Rd, Pensacola, Fl. 32526

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 7TH DAY OF OCTOBER, YEAR OF 2014.

x Debra S. Mabire
Signature of Property Owner

Debra S. Mabire
Printed Name of Property Owner

10/7/14
Date

Emerald Bay Land Co.
Signature of Property Owner

Printed Name of Property Owner

Date

Source: Escambia County Property Appraiser

Navigate Mode
 Account
 Reference

[Restore Full Page Version](#)

General Information Reference: 061S312403000000 Account: 090270000 Owners: EMERALD BAY LAND COMPANY Mail: 9900 REBEL RD PENSACOLA, FL 32526 Situs: 9900 REBEL RD 32526 Use Code: SINGLE FAMILY RESID Taxing Authority: COUNTY MSTU Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Janet Holley Escambia County Tax Collector	2014 Certified Roll Assessment Improvements: \$28,754 Land: \$79,705 Total: \$108,459 <u>Non-Homestead Cap:</u> \$108,459 <p style="text-align: center;">Disclaimer</p> <p style="text-align: center;">Amendment 1/Portability Calculations</p>
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Sales Data <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>07/2005</td> <td>5705</td> <td>569</td> <td>\$223,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>06/1981</td> <td>1560</td> <td>259</td> <td>\$100</td> <td>QC</td> <td>View Instr</td> </tr> </tbody> </table> Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller	Sale Date	Book	Page	Value	Type	Official Records (New Window)	07/2005	5705	569	\$223,000	WD	View Instr	06/1981	1560	259	\$100	QC	View Instr	2014 Certified Roll Exemptions None Legal Description SE1/4 OF SE1/4 OF NW1/4 LESS S 260 FT OF W 200 FT LESS OR 27 82 P 405 RD R/W OR 5705 P 569 Extra Features CARPORT UTILITY BLDG
Sale Date	Book	Page	Value	Type	Official Records (New Window)														
07/2005	5705	569	\$223,000	WD	View Instr														
06/1981	1560	259	\$100	QC	View Instr														

Parcel Information

Section Map Id:
[06-1S-31](#)

Approx. Acreage:
8.3900

Zoned:
R-R

Evacuation & Flood Information
[Open Report](#)

[Launch Interactive Map](#)

[View Florida Department of Environmental Protection\(DEP\) Data](#)

Buildings

Address:9900 REBEL RD, Year Built: 1957, Effective Year: 1957

<p>Structural Elements</p> <p>DECOR/MILLWORK-AVERAGE DWELLING UNITS-1 EXTERIOR WALL-SIDING-SHT.AVG. FLOOR COVER-PINE/SOFTWOOD FOUNDATION-WOOD/NO SUB FLR HEAT/AIR-WALL/FLOOR FURN INTERIOR WALL-DRYWALL-PLASTER NO. PLUMBING FIXTURES-3 NO. STORIES-1 ROOF COVER-COMPOSITION SHG ROOF FRAMING-GABLE STORY HEIGHT-0 STRUCTURAL FRAME-WOOD FRAME</p>	
<p>Areas - 1305 Total SF</p> <p>BASE AREA - 1053 OPEN PORCH FIN - 144 UTILITY UNF - 108</p>	

Images

None

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Prepared by and return to:
WILLIAM E. FARRINGTON, II
Wilson, Harrell, Farrington & Ford, P.A.
307 South Palafox Street
Pensacola, Florida 32502
WHSB&F# 1-40141

Parcel I.D. Number: 06-1S-31-2403-000-000

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Annie Cobb, an unmarried woman, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt whereof is hereby acknowledged, do/does hereby grant, bargain, sell, convey and warrant unto Emerald Bay Land Company, whose address is 404 N , Pensacola, FL 32505; Grantees, Grantee's heirs, executors, administrators and assigns, forever, the following described property, situated in the County of Escambia, State of Florida, to-wit:

See Attached Exhibit "A"

and the Grantor does hereby fully warrant the title to said land and will defend the same against lawful claims of all persons whomsoever. Subject to taxes for current year and to valid easements and restrictions of record affecting the above property, if any, which are not hereby reimposed. Subject also to oil, gas and mineral reservations of record.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27th Day of July, 2005.

Signed, Sealed and Delivered in the presence of:

Sign: *Randy Craft*
Print: RANDY CRAFT
Sign: *Wendy White*
Print: WENDY WHITE

Annie Cobb by Doris Smith as
Annie Cobb by Doris Smith as Attorney-in-Fact
Attorney in - fact

STATE OF Florida
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 27th Day of July, 2005, by **Annie Cobb, an unmarried woman**, by Doris Smith as Attorney-in-Fact who is/are personally known to me or who produced *DRIVERS LICENSE* identification and did not take an oath.



Wendy R. White
Commission #DD270100
Expires: Dec 15, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Sign: *Wendy White*
Print: _____
NOTARY PUBLIC
My Commission Expires: _____
My Commission Number: _____

EXHIBIT "A"

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA. THENCE GO SOUTH 00 DEGREES 44 MINUTES 36 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION A DISTANCE OF 2004.70 FEET; THENCE DEPARTING SAID EAST LINE OF THE NORTHWEST QUARTER OF SECTION 6 GO SOUTH 89 DEGREES 48 MINUTES 38 SECONDS WEST A DISTANCE OF 20.00 FEET TO THE MONUMENTED WEST RIGHT OF WAY LINE OF REBEL ROAD (R/W UNDETERMINED) AND THE POINT OF BEGINNING; THENCE GO SOUTH 89 DEGREES 48 MINUTES 38 SECONDS WEST A DISTANCE OF 652.30 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE GO SOUTH 00 DEGREES 44 MINUTES 36 SECONDS EAST A DISTANCE OF 394.46 FEET; THENCE GO NORTH 89 DEGREES 41 MINUTES 13 SECONDS EAST A DISTANCE OF 200.01 FEET; THENCE GO SOUTH 00 DEGREES 44 MINUTES 36 SECONDS WEST A DISTANCE OF 239.47 FEET TO THE FIELD MONUMENTED NORTH RIGHT OF WAY LINE OF SWANEE ROAD (R/W WIDTH UNDETERMINED); THENCE GO NORTH 89 DEGREES 48 MINUTES 38 SECONDS EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 452.29 FEET TO THE FIELD MONUMENTED WEST RIGHT OF WAY LINE OF SAID REBEL ROAD; THENCE GO NORTH 00 DEGREES 44 MINUTES 36 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 633.50 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

**RESIDENTIAL SALES ABUTTING ROADWAY
MAINTENANCE DISCLOSURE**

ATTENTION: Pursuant to Escambia County Code of Ordinances Chapter 1-29.2, Article V, sellers of residential lots are required to disclose to buyers whether abutting roadways will be maintained by Escambia County. The disclosure must additionally provide that Escambia County does not accept roads for maintenance that have not been built or improved to meet county standards. Escambia County Code of Ordinances, Chapter 1-29.2, Article V, requires that this disclosure be attached, along with other attachments to the deed or other method of conveyance required to be made part of the public records of Escambia County, Florida. **NOTE:** Acceptance for filing by County employees of this disclosure shall in no way be construed as an acknowledgment by the county of the veracity of any disclosure statement.

NAME OF ROADWAY: Rebel Rd

LEGAL ADDRESS OF: 9900 Rebel Rd,
Pensacola, FL 32526

The County (X) has accepted () has not accepted the abutting roadway for maintenance.

This form completed by: **WILSON, HARRELL, SMITH, BOLES &
FARRINGTON, P.A.**
307 South Palafox Street
Pensacola, Florida 32501

AS TO SELLER(S):

WITNESSES TO SELLER(S):

Annie Cobb by Doris Smith
Annie Cobb by Doris Smith as *as*
Attorney-in-Fact *Attorney-in-fact*

Randy Craft
Printed Name: RANDY CRAFT
Wendy White
Printed Name: Wendy White

AS TO BUYER(S):

WITNESSES TO BUYER(S):

Emerald Bay Land Company
Debra S. Mabire, Pres.
Debra S. Mabire, President
Jonathan B. Mabire
Jonathan B. Mabire, Vice President

Margaret F. Robertson
Printed Name: MARGARET F. ROBERTSON
Wendy White
Printed Name: Wendy White

JUL-14-2005 16:18

ESC CO ENVIRON HEALTH

8505956777

P.02

ESCAMBIA COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES
 1300 WEST GREGORY STREET
 PENSACOLA, FL 32501



July 7, 2005

Annie Cobb
 c/o Randy Craft
 Hawkins & Associates
 290 Muscogee Road
 Cantonment, FL 32533

Debra Maline

Jonathan B. Maline

RE: Three Bedroom
 Single Family Residence
 9800 Rebel Road
 Pensacola, FL 32526
 Parcel ID: 06-1S-31-2403-000-000

Dear Ms. Cobb:

Environmental Health conducted an inspection of the Onsite Sewage Treatment and Disposal System (OSTDS) at the above referenced location on July 1, 2005. Two Onsite Sewage Treatment and Disposal Systems (one septic tank and one grease trap) were located at the above referenced property. The condition(s) stated below outline the department's assessment of the OSTDS:

Status of Property:

The premise has been occupied and no overflows were observed at the time of the inspection.

Septic Tank Compartment:

The condition of the internal structure of the tank compartments could not be determined because the tanks were not opened for a visual inspection. However, a limited external inspection of each tank was conducted.

- The septic tank appeared to be constructed of concrete block material. No structural deficiencies were noted.
- Our inspection revealed that the grease trap appeared to be deteriorated. The condition of the internal structure of the tank compartment could not be determined because the tank was not opened for a visual inspection. The structural integrity of the tank compartment is questionable. See below for recommendations.

Drainfield System:

The drainfield systems were probed and the soil adjacent to the drainfield was augured to assess the systems' functionality.

- The drainfield servicing the septic tank was found to be constructed of cradle drain and gravel material, which indicates that the system may be at least 25 years old.
- It was determined that the drainfield for the septic system does not have the proper separation from the seasonal high water table based on Florida Administrative Code 64E-6. In the event a repair to the OSTDS is warranted in the future, the drainfield may need to be modified to meet the code requirements.
- It appeared that the ground over the septic tank and drainfield area had been compacted by vehicular traffic. A portion of the drainfield area was obstructed by the driveway.

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P.02

07/15/2005 15:04 9049561674

HAWKINS AND ASSOCIAT

PAGE 03

JUL-14-2005 16:18

ESC CO ENVIRON HEALTH

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P.03

Page 2 of 2
July 7, 2005
9900 Rebel Road

Vehicular traffic and parking over a drainfield should be restricted to avoid compaction and potential failure of the system.

Conclusion:

- No action is required at this time regarding the septic tank compartment. The septic system appeared to be operating properly at the time of our inspection.
- We recommend that a licensed septic tank contractor pump the grease trap and determine if it is in use. If the tank cannot be certified, it should be properly abandoned and the discharge connected to the existing septic tank.

This inspection will be honored for a period of nine months. If we can be of further assistance, please do not hesitate to call us at (850) 595-6788.

Sincerely,



Mary M. Beverly, REHS
Environmental Supervisor I

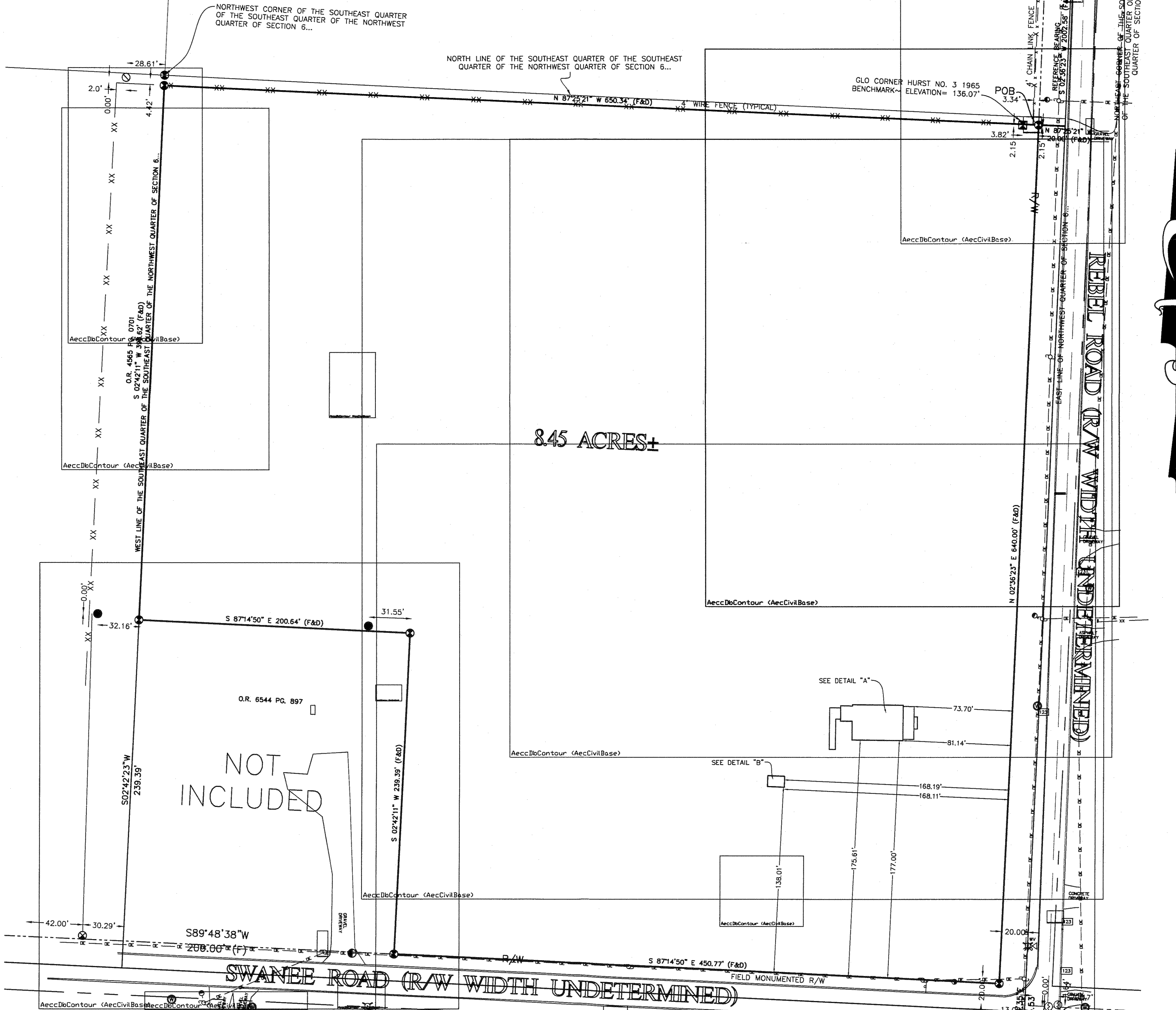
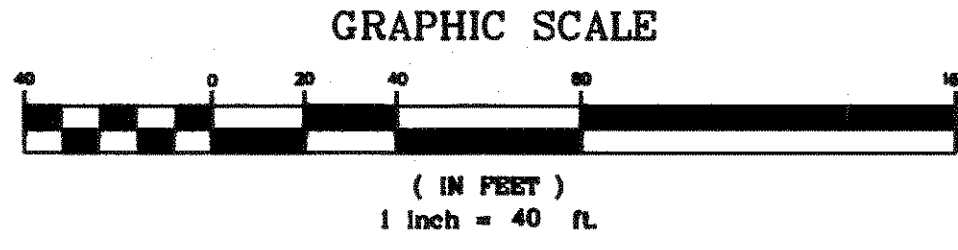
MMB/sf/ms
OSTDS #05-9910
Fax To: Randy Craft, (850) 968-1674

8505956777

P.03

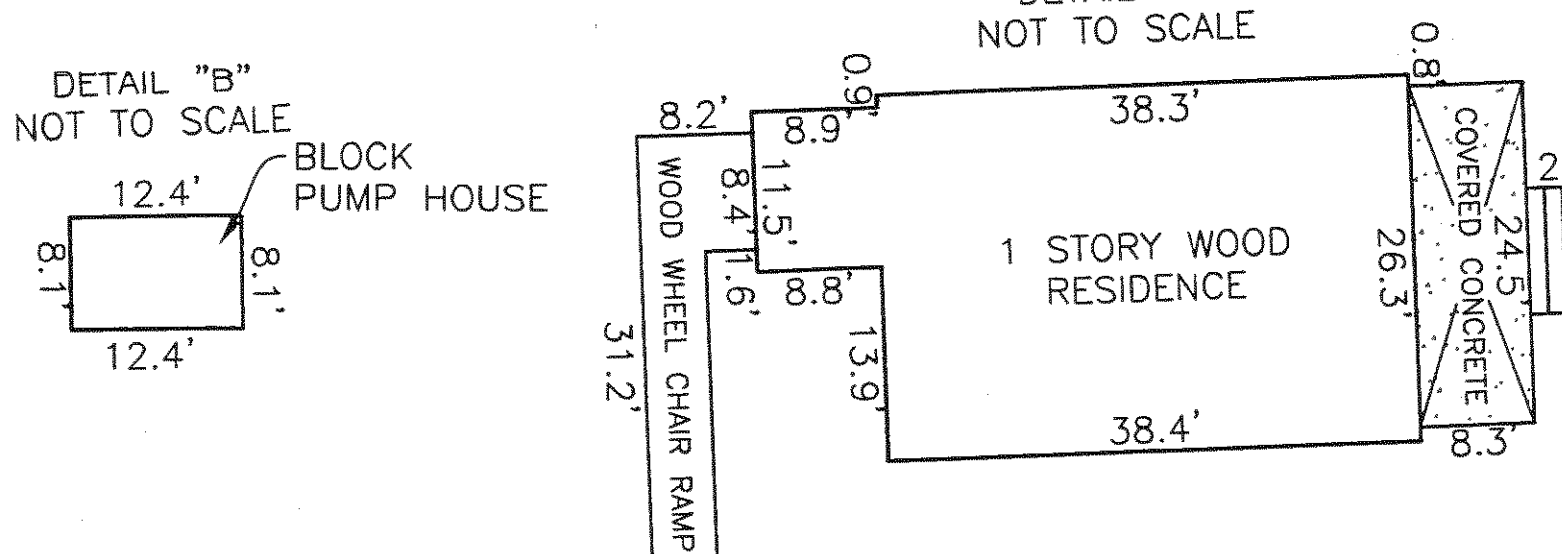
BOUNDARY AND TOPOGRAPHIC SURVEY OF A PORTION OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

FRANK READER ROAD (R/W WIDTH UNDETERMINED)



GENERAL NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF SOUTH 02 DEGREES 36 MINUTES 23 SECONDS WEST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO DEEDS OF RECORDS AND TO EXISTING FIELD MONUMENTATION.
3. NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY NORTHWEST FLORIDA LAND SURVEYING, INC., FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
4. THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", BASE FLOOD ELEVATION N/A, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0270 G, REVISED SEPTEMBER 29, 2006.
5. THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
6. THIS SURVEY MEETS MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5-1-17.050 - 5-1-17.173052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
7. THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
8. THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988, FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT STAMPED "ESC 4075" HAVING A PUBLISHED ELEVATION OF 108.92 FEET.
9. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
10. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES.
11. FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM, WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, FRED R. THOMPSON, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
12. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
13. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
14. ENCROACHMENTS ARE AS SHOWN.



DESCRIPTION AS PREPARED BY NORTHWEST FLORIDA LAND SURVEYING, INC.

NEW PARCEL CREATED AT THE CLIENT'S REQUEST

DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 02 DEGREES 36 MINUTES 23 SECONDS WEST ALONG THE EAST LINE THEREOF FOR A DISTANCE OF 2002.36 FEET; THENCE GO NORTH 87 DEGREES 25 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF REBEL ROAD (R/W WIDTH UNDETERMINED) SAID POINT BEING THE POINT OF BEGINNING; THENCE GO NORTH 87 DEGREES 25 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 650.34 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6 SAID POINT ALSO BEING A POINT ON THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4565 AT PAGE 0701 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 02 DEGREES 42 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6 FOR A DISTANCE OF 398.62 FEET TO THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6544 AT PAGE 897 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 87 DEGREES 14 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6544 AT PAGE 897 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA FOR A DISTANCE OF 200.64 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6544 AT PAGE 897 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 02 DEGREES 42 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6 FOR A DISTANCE OF 239.39 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SWANEE ROAD (R/W WIDTH UNDETERMINED); THENCE GO SOUTH 87 DEGREES 14 MINUTES 50 SECONDS EAST ALONG SAID NORTH RIGHT OF WAY LINE OF SWANEE ROAD FOR A DISTANCE OF 450.77 FEET TO A POINT OF INTERSECTION OF SAID NORTH RIGHT OF WAY LINE OF SWANEE ROAD (R/W WIDTH UNDETERMINED) WITH THE WEST RIGHT OF WAY LINE OF REBEL ROAD (R/W WIDTH UNDETERMINED); THENCE GO NORTH 02 DEGREES 36 MINUTES 23 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE OF REBEL ROAD FOR A DISTANCE OF 640.00 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA AND CONTAINS 8.45 ACRES MORE OR LESS.

DENOTES:

- ~ 1/2" CAPPED IRON ROD, NUMBERED 7277 (PLACED)
- ~ 1/2" CAPPED IRON ROD, NUMBERED 4860 (FOUND)
- ~ 1/2" CAPPED IRON ROD, NUMBERED 7250 (FOUND)
- ~ 1/2" CAPPED IRON ROD, NUMBERED 6212 (FOUND)
- ~ 4" SQUARE CONCRETE MONUMENT, UNNUMBERED (FOUND)
- ~ 1" IRON ROD, UNNUMBERED (FOUND)
- ~ NAIL AND DISK, UNNUMBERED (FOUND)
- ~ CAPPED IRON ROD, ILLEGIBLE (FOUND)
- (D) ~ DEED INFORMATION
- (F) ~ FIELD INFORMATION
- R/W ~ RIGHT OF WAY
- P.O.B. ~ POINT OF BEGINNING

NORTHWEST FLORIDA LAND SURVEYING, INC.
7142 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32506
FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3027 CORP. NUMBER 7277
STATE OF FLORIDA

INDEX	10	PROJECT NO.	16439	NO.	1	OF	1	SHEETS
BOUNDARY AND TOPOGRAPHIC SURVEY OF A PORTION OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA								
PREPARED FOR: EMERALD BAY AND LAND COMPANY REQUESTED BY: DEBBIE MABRIE								

NW

NORTHWEST FLORIDA LAND SURVEYING, INC.
A PROFESSIONAL SERVICE ORGANIZATION
7142 BELGIUM CIRCLE
PENSACOLA, FL 32506
(850) 432-1062

SCALE	1" = 40'	DRAWN	JAS	CHECKED	FRT	DATE	1-28-14
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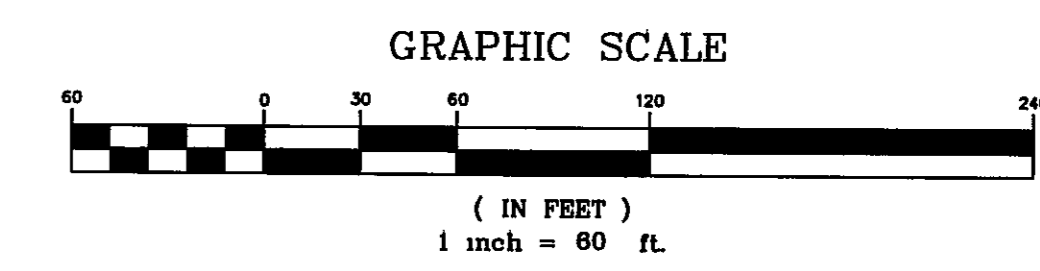
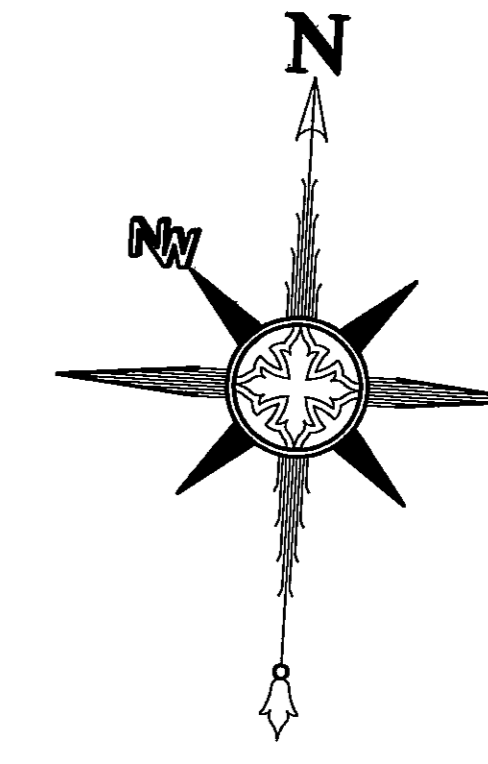
NO.	DATE	APPR.	REVISIONS

NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR

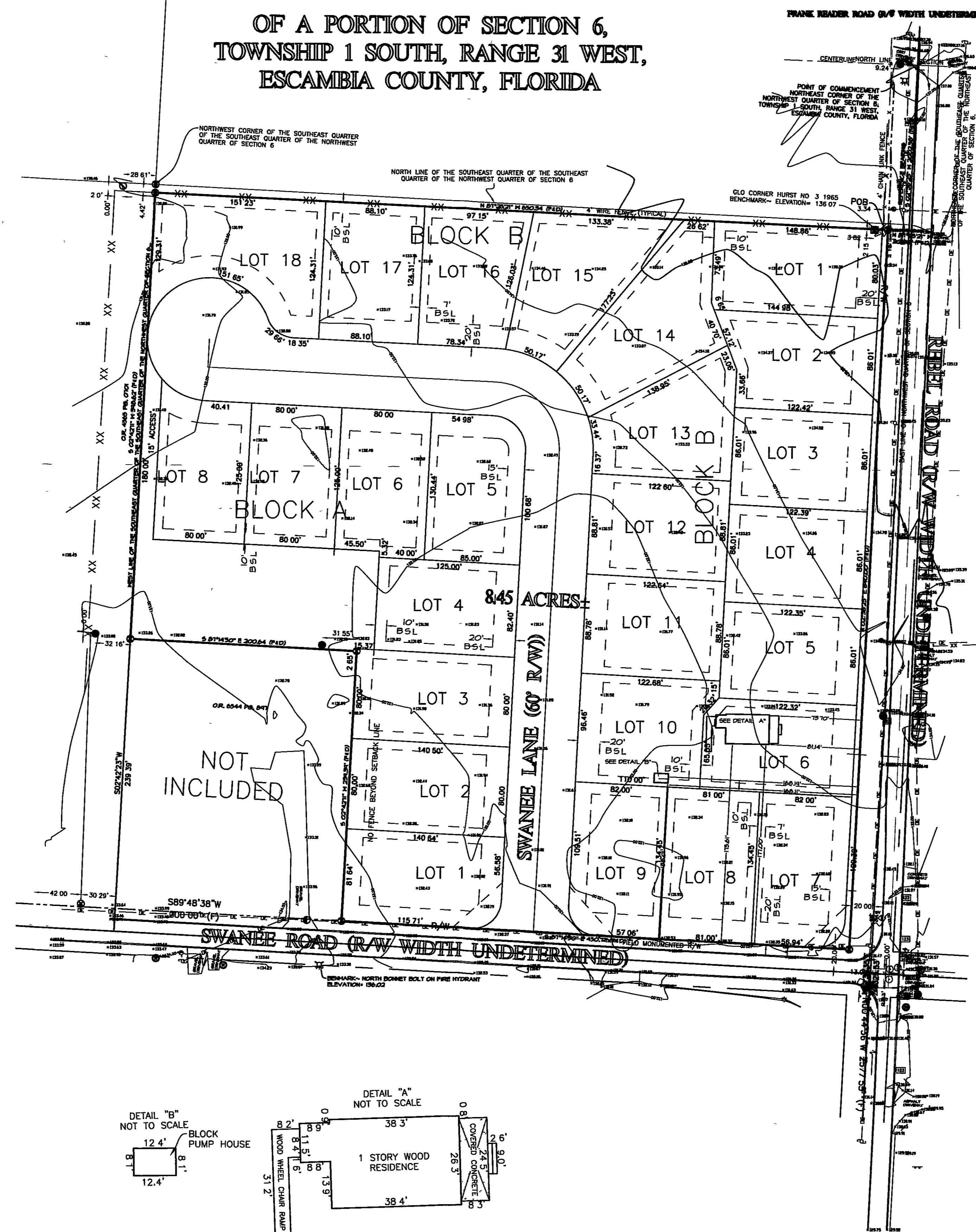
This drawing is the property of Northwest Florida Land Surveying, Inc. and is not to be reproduced in whole or in part, or to be used for any other project and to be returned upon request.

BEULAH GARDEN ESTATES A PROPOSED SUBDIVISION

OF A PORTION OF SECTION 6,
TOWNSHIP 1 SOUTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA



ROAD
DETAIL



DESCRIPTION PREPARED BY NORTHWEST FLORIDA LAND SURVEYING, INC (NEW PARCEL)

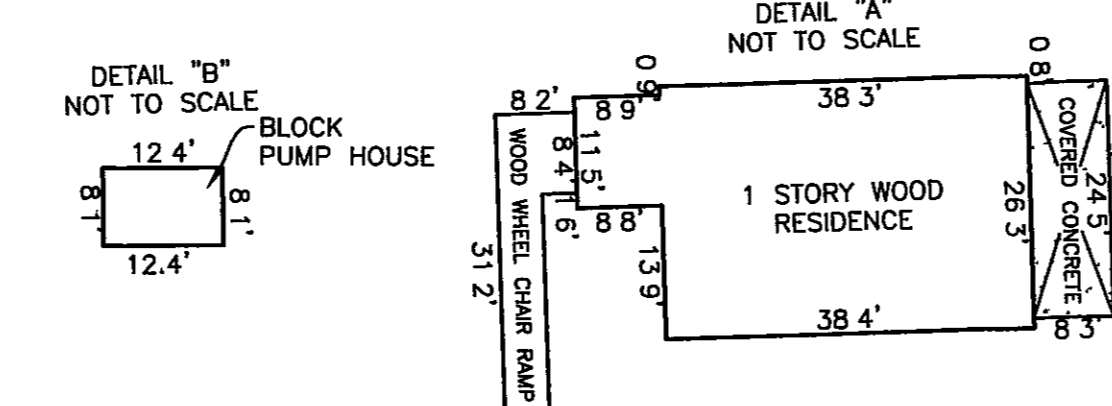
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DEFINITIONS:

- ⊙ - 1/2" CAPPED IRON ROD, NUMBERED 7277 (PLACED)
- ⊙ - 1/2" CAPPED IRON ROD, NUMBERED 4880 (FOUND)
- ⊙ - 1/2" CAPPED IRON ROD, NUMBERED 7250 (FOUND)
- ⊙ - 1/2" CAPPED IRON ROD, NUMBERED 8212 (FOUND)
- ⊙ - 1" SQUARE CONCRETE MONUMENT, UNNUMBERED (FOUND)
- ⊙ - 1" IRON ROD, UNNUMBERED (FOUND)
- ⊙ - NAIL AND DISC, UNNUMBERED (FOUND)
- ⊙ - CAPPED IRON ROD, ILLISIBLE (FOUND)
- ⊙ - DEED INFORMATION
- (F) - FIELD INFORMATION
- ⊙ - POINT OF BEGINNING



NOTICE:
- THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA



Development Services Department

Building Inspections Division

3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **632377**

Date Issued. : 03/31/2015

Cashier ID : TMCOOEY

Application No. : PRZ150300007

Project Name : Z-2015-09

Address : 9900 Rebel Road
Pensacola, FL, 32526

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	1055	\$1,270.50	App ID : PRZ150300007
		\$1,270.50	Total Check

Received From : EMERALD BAY LAND COMPANY, INC

Total Receipt Amount : **\$1,270.50**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ150300007	723269	1,270.50	\$0.00	9900 REBEL RD, PENSACOLA, 32526

Total Amount : **1,270.50**

\$0.00 Balance Due on this/these
Application(s) as of 3/31/2015

Planning Board-Rezoning

5. B.

Meeting Date: 05/05/2015

CASE : Z-2015-10

APPLICANT: Mark Lydon, Agent for Escambia Gulf Coast Pits, LLC, Owner

ADDRESS: 7320 Hayward Ave

PROPERTY REF. NO.: 37-2S-31-1301-001-005

FUTURE LAND USE: MU-S, Mixed Use Suburban

DISTRICT: 1

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 06/02/2015

SUBMISSION DATA:

REQUESTED REZONING:

FROM: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)

TO: C-1, Retail Commercial District (cumulative) (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan (CPP) FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County will be consistent with the Plan and the FLUM.

CPP FLU 1.3.1 Future Land Use Categories. FLUM Mixed-Use Suburban (MU-S) General Description: Intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of Allowable Uses: Residential, retail services, professional office, recreational facilities, public and civic.

CPP FLU 1.5.1 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

FINDINGS

The proposed amendment to C-1 is **consistent** with the intent and purpose of Future Land Use (FLU) category MU-S, as stated in CPP FLU 1.3.1. The MU-S range of uses allows Retail and Services, Professional Office, Recreational Facilities, Public and Civic uses, while promoting the use of roads, public services and existing infrastructure, as stated in FLU 1.5.1.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

6.05.12. R-5 urban residential/limited office district, (cumulative) high density.

A. Intent and purpose of district. This district is intended to provide for high density urban residential uses and compatible professional office development, and designed to encourage the establishment and maintenance of a suitable higher density residential environment and low intensity services. These uses form a transition area between lower density residential and commercial development. Maximum density is 20 dwelling units per acre except in the low density residential (LDR) future land use category where the maximum density is 18 dwelling units per acre. Refer to article 11 for uses, heights and densities allowed in R-5, urban residential/limited office areas located in the Airport/Airfield Environs.

6.05.14. C-1 retail commercial district (cumulative).

A. Intent and purpose of district. This district is composed of lands and structures used primarily to provide for the retailing of commodities and the furnishing of selected services. The district provides for various commercial operations where all such operations are within the confines of the building and do not produce undesirable effects on nearby property. New residential uses located in a commercial FLU category are only permitted as part of a predominantly commercial development in accordance with Policy FLU 1.3.1 of the Comprehensive Plan. The maximum density for residential uses is 25 dwelling units per acre, except in the Low Density Residential (LDR) future land use category where the maximum density is 18 dwelling units per acre. Refer to article 11 for uses, heights and densities allowed in C-1, retail commercial areas located in the Airport/Airfield Environs. Refer to the overlay districts within section 6.07.00 for additional regulations imposed on individual parcels with C-1 zoning located in the C-3(OL) Warrington Commercial Overlay District, Scenic Highway Overlay District, C-4(OL) Brownsville-Mobile Highway and "T" Street Commercial Overlay District, or RA-1(OL) Barrancas Redevelopment Area Overlay District.

7.20.00. Locational criteria.

7.20.01. Intent and purpose.

It is the intent of this section to establish locational criteria for all new nonresidential uses that are not part of a predominantly residential development or planned unit development (PUD) in order to ensure the appropriate location of commercial and industrial uses and compatibility with adjacent land uses. Locational criteria is necessary to prevent ribbon commercial development, prevent/minimize negative or blighting influences on adjacent residential neighborhoods, and provide for smooth transitions in commercial intensity from major intersections.

7.20.02. Waivers. Waivers to the roadway requirements of the locational criteria may be approved by the development review committee (DRC) and the planning board, as indicated below:

A. The DRC may waive the roadway requirements for developments based on compatibility of the proposed uses with the surrounding area. In order to determine if unique circumstances exist that allow compatibility between uses, a compatibility analysis shall be submitted that provides competent and substantial evidence that the proposed use will be able to achieve long-term compatibility with surrounding uses as described in Comprehensive Plan Policy OBJ FLU 2.3. Infill development would be an example of when a waiver could be recommended. A waiver may only be granted when one or more of the following criteria are met:

1. The property has the original commercial or industrial zoning assigned by the county. However, if a rezoning has occurred, the property must meet all of the applicable standards for the zoning district; or

B. The planning board (PB) may waive the roadway requirements when determining consistency with the Comprehensive Plan and Land Development Code for a rezoning request when unique circumstances exist. In order to determine if unique circumstances exist, a compatibility analysis shall be submitted that provides competent and substantial evidence that the proposed use will be able to achieve long-term compatibility with surrounding uses as described in Comprehensive Plan Policy OBJ FLU 2.3. Infill development would be an example of when a waiver could be recommended. The (PB) may also waive the roadway requirements if the property is located within one of the county's approved redevelopment areas and the proposed use is consistent with the redevelopment plan adopted by the board of county commissioners and it has been recommended by the community redevelopment agency (CRA). Although a waiver to the roadway requirement is granted, the property will still be required to meet all of the other performance standards for the zoning district as indicated below. The additional landscaping, buffering, and site development standards cannot be waived without obtaining a variance from the board of adjustment.

7.20.05. Retail commercial locational criteria (AMU-2, C-1, VM-2). A. Retail commercial land uses shall be located at collector/arterial or arterial/arterial intersections or along an arterial or collector roadway within one-quarter mile of the intersection.

B. They may be located along an arterial or collector roadway up to one-half mile from a collector/arterial or arterial/arterial intersection may be allowed provided all of the following criteria are met:

1. Does not abut a single-family residential zoning district (R-1, R-2, V-1, V-2, V-2A or

V-3);

2. Includes a six-foot privacy fence as part of any required buffer and develops the required landscaping and buffering to ensure long-term compatibility with adjoining uses as described in Policy FLU 1.1.9 and article 7;

3. Negative impacts of these land uses on surrounding residential areas shall be minimized by placing the lower intensity uses on the site (such as stormwater ponds and parking) next to abutting residential dwelling units and placing the higher intensity uses (such as truck loading zones and dumpsters) next to the roadway or adjacent commercial properties;

4. Intrusions into recorded subdivisions shall be limited to 300 feet along the collector or arterial roadway and only the corner lots in the subdivision.

5. A system of service roads or shared access facilities shall be required, to the maximum extent feasible, where permitted by lot size, shape, ownership patterns, and site and roadway characteristics.

C. They may be located along an arterial or collector roadway more than one-half mile from a collector/arterial or arterial/arterial intersection without meeting the above additional requirements when one or more of the following conditions exists:

1. The property is located within one-quarter mile of a traffic generator or collector, such as commercial airports, medium to high density apartments, military installations, colleges and universities, hospitals/clinics, or other similar uses generating more than 600 daily trips; or 2. The property is located in areas where existing commercial or other intensive development is established and the proposed development would constitute infill development. The intensity of the use must be of a comparable intensity of the zoning and development on the surrounding parcels and must promote compact development and not promote ribbon or strip commercial development.

FINDINGS

The proposed amendment **is not consistent** with the retail commercial uses and requirements for C-1 zoning. The surrounding uses are all residential, with no commercial like uses. The C-1 district is composed of lands and structures used primarily to provide for the retailing of commodities and the furnishing of selected services. The parcel **is not consistent** with the Locational Criteria, it is located on a local street Hayward Avenue. The Planning Board may waive the roadway requirements as 7.20.02.B stated. If the owner decides to develop this parcel at a later time, all of the requirements under the Land Development Code will apply. All other requirements of the Land Development Code will be evaluated for consistency during the Site Plan Review process.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment is **not compatible** with surrounding existing uses in the area.

Within the 500' radius impact area, staff observed properties with zoning districts R-2, R-5 and R-6. Staff observed four multi-family structures, 102 single-family residences, one church, one mobile home park, six mobile homes and nine vacant parcels. The subject parcel is heavily surrounded by residential uses. A rezoning to C-1 **would be inconsistent** with the surrounding uses that are currently allowed.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

Staff found **no changed** conditions that would impact the amendment or property(s). Rezoning case Z-2002-18 at 7420 Hayward Ave, from R-2 to R-5 by the BCC, on June 6, 2002.

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

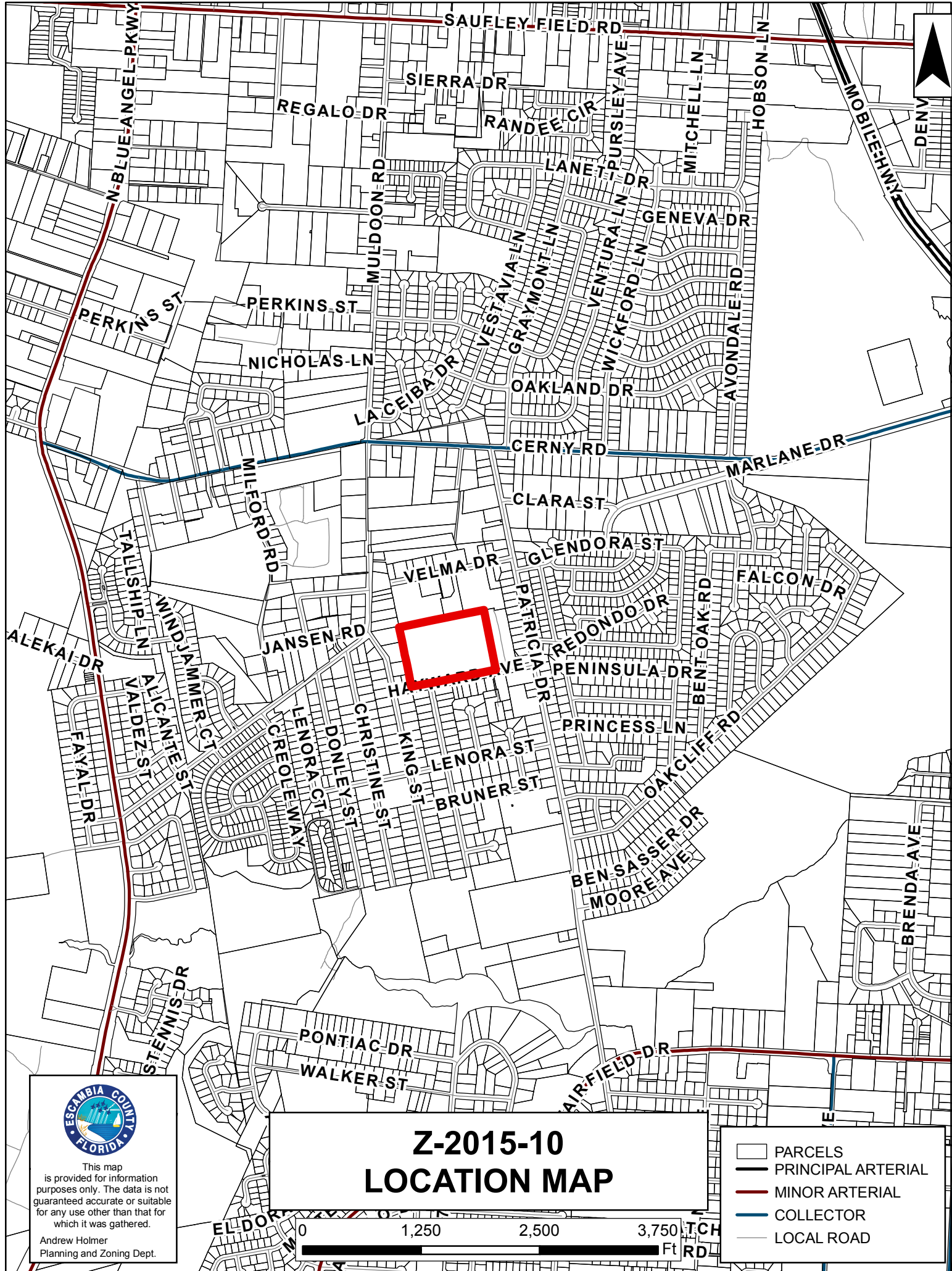
FINDINGS


The proposed amendment **would not result** in a logical and orderly development pattern. The predominant surrounding uses are residential. Allowing a C-1 rezoning change would allow for a more intense uses on a local street which is surrounding fully by residential neighborhoods. Within the surrounding area there are **no commercial uses** that have developed in the area and as well in close proximity of the subject property.

Attachments






Z-2015-10

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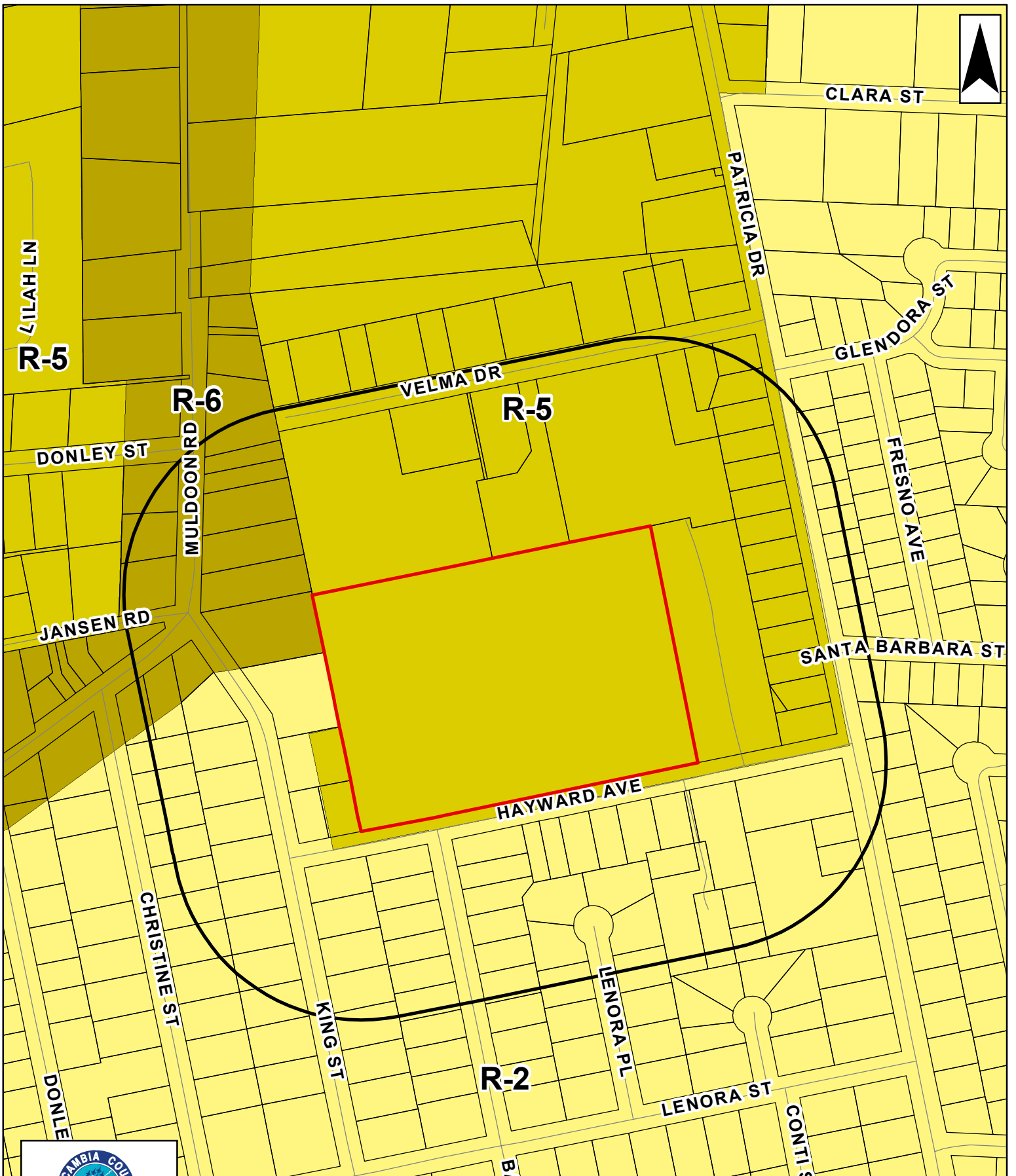




 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

Z-2015-10 LOCATION MAP

-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

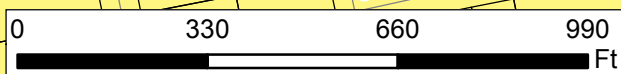











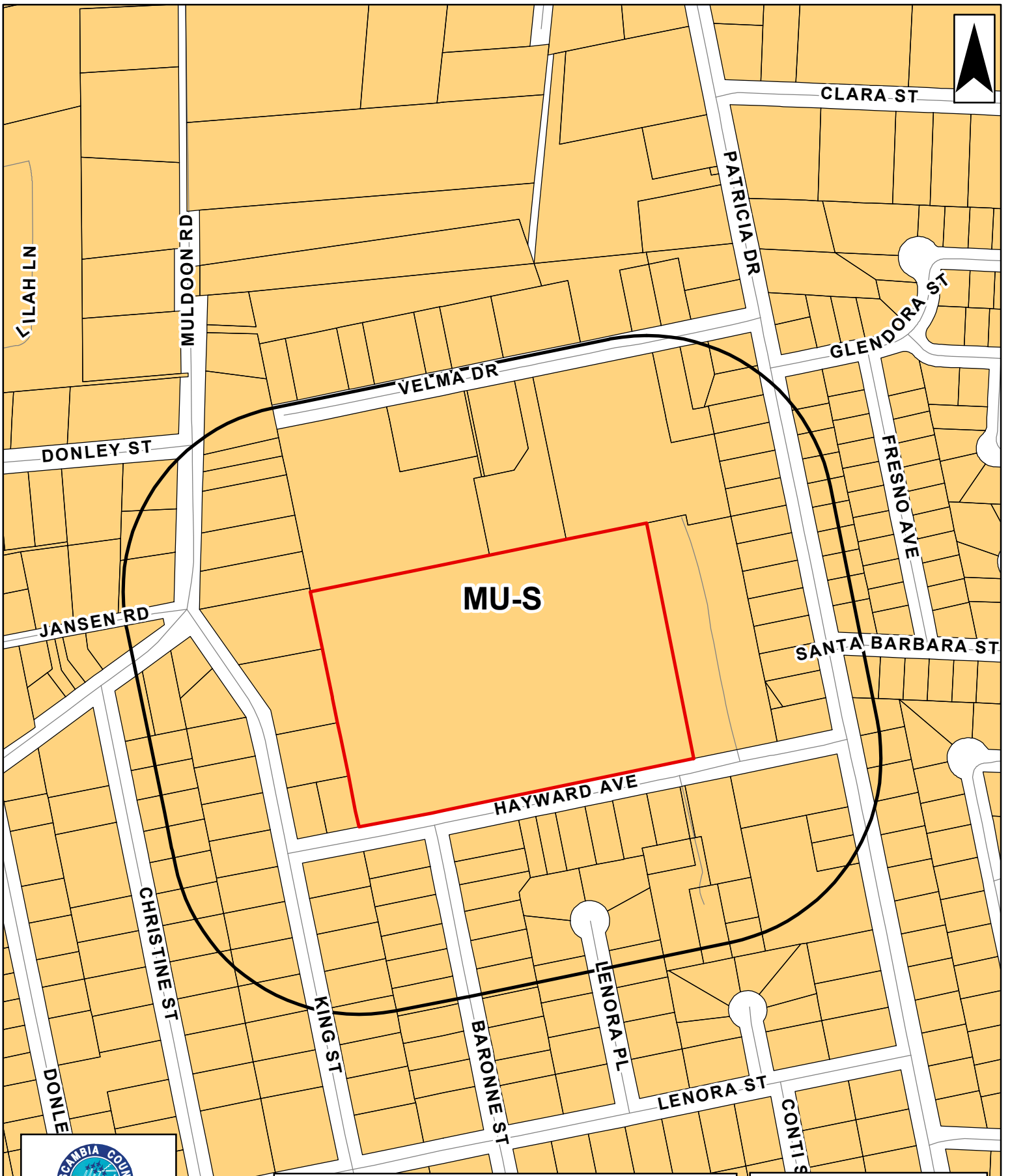
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.


Andrew Holmer
Planning and Zoning Dept.

Z-2015-010 ZONING MAP









-  parcel_cama_Buffer28
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

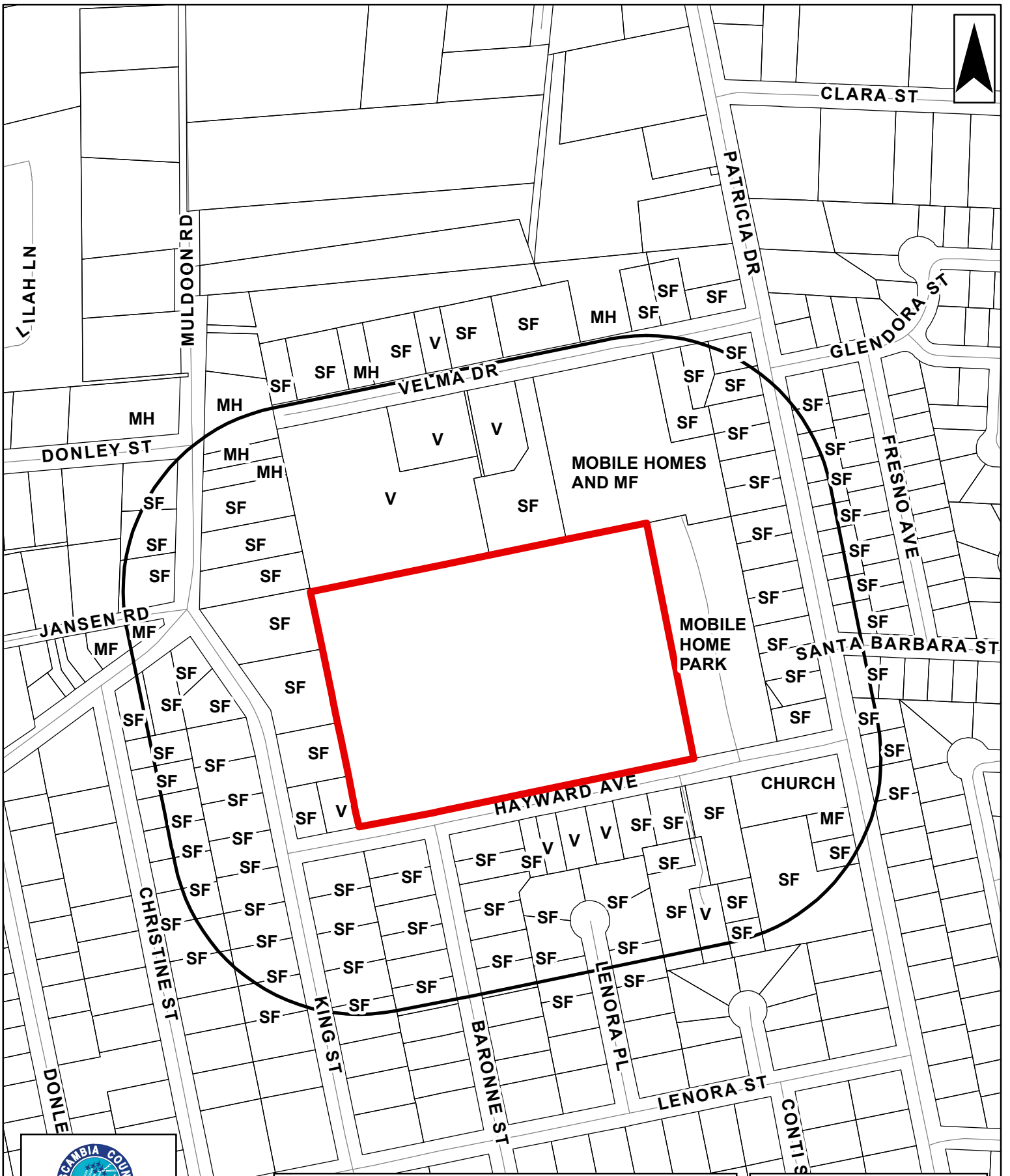




 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

Z-2015-10 FUTURE LAND USE MAP



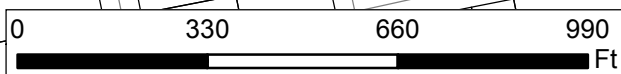
-  parcel_cama_Buffer28
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD










This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2015-10 EXISTING LAND USE MAP



-  parcel_cama_Buffer28
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



VELMA DR

HAYWARD AVE

KING ST

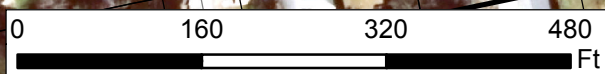
BARON









This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2015-10 AERIAL MAP



-  parcel_cama_Buffer28
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



PUBLIC HEARING SIGN



LOOKING EAST ALONG HAYWARD AVE



LOOKING SOUTHEAST ALONG HAYWARD AVE



LOOKING SOUTH FORM SUBJECT PROPERTY



LOOKING SOUTHWEST FROM SUBJECT PROPERTY



LOOKING WEST ALONG HAYWARD AVE



LOOKING NORTH ONTO THE SUBJECT PROPERTY



LOOKING NORTHEAST ONTO THE SUBJECT PROPERTY



LOOKING EAST ALONG HAYWARD



LOOKING NORTHEAST ONTO THE SUBJECT PROPERTY

REAL ESTATE SERVICES

1880 Montclair Lane Suite 204
Birmingham, AL 35216
205-515-2054
mtlydon@msn.com

March 31, 2015

Allyson Cain
Development Services Department
3363 West Park Place
Escambia County, FL 32505

RE: Request for an application (attached) for rezoning parcel reference #372S311301001005, address 7320 Hayward Ave Pensacola, FL 32526 from R-5 to C-1.

Dear Allyson Cain:

Eco-Site, Inc. has the subject parcel, owned by Escambia Gulf Coast Pits, LLC under contract for lease. This site for years has/is being used as a paving contractor's HQ, including office, trucking facilities as evidenced by the above ground storage tanks, a 100' existing commercial communication tower and paving refuse throughout the 13.45 acres site. We plan to apply for rezoning from R-5 to C-1 to accommodate a 150' commercial communications tower in the NE corner of the site and appropriate for the existing use. (10 sets of 11"x17" site plans signed by a Florida Engineer attached)

The access to the proposed cell site will be onto Hayward Ave., from the southeast corner of the property and tracking north to the cell site. The proposed cell site will be 100' x 100' and shall be set back 150' from all property lines. The tower proposed shall be a 150' monopole. There is an existing 100' commercial communications tower on the site adjacent to the truck repair shop and existing office building. This tower is not structurally adequate to modify for a present day cellular tower. The owners will remove this tower if our tower is approved. This project will not require sewer use and traffic generation shall be minimal. The cell site shall be landscaped as shown on the attached site plan.

The applicant believes that the application is consistent with **the (1) Comprehensive Plan**, has **(2) Consistency with the LDC**, is **(3) Compatible with surrounding uses** by lowering the intensity from Industrial use to Commercial use, the **(4) Conditions have changed over the years**, the positive **(5) Effect of this proposed change would have on the environment** by removing the above ground storage tanks (by owner) and would be an orderly **(6) Development pattern** especially with the possibility of Escambia County acquiring the remaining parcel to join the County's parcel on the north property line.

The applicant is also asking for an exception to the roadway requirements.

Sincerely,
REAL ESTATE SERVICES for Eco-Site/T-Mobile



Mark T. Lydon
Owner

MTL/mm

W/Attachments

2-2015-10



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: R-5 to: C-1

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Escambia Gulf Coast Pits LLC Phone: 864-934-0026

Address: 9655 Beulah Rd Pensacola, FL 32526 Email: benjaminr7828@att.net

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 7320 Hayward Ave Pensacola, FL 32526

Property Reference Number(s)/Legal Description: 372S311301001005

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request, and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application, and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable, and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff, and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Patricia A Mills
Signature of Owner/Agent

Patricia A Mills
Printed Name Owner/Agent

3/1/2015
Date

Signature of Owner: ~~_____~~

Printed Name of Owner: _____

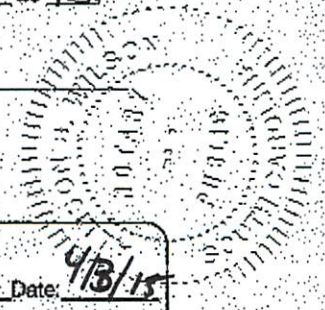
Date: _____

STATE OF South Carolina COUNTY OF Pichens

The foregoing instrument was acknowledged before me this 31 day of March 20 15,
by Patricia A Mills

Personally Known OR Produced Identification Type of Identification Produced:
Allison B Wilson
Signature of Notary
(notary seal must be affixed)

Allison Wilson
Printed Name of Notary
My Commission Expires
February 27, 2018



FOR OFFICE USE ONLY

Meeting Date(s): 5/5/15 Accepted/Verified by: ACA Date: 4/3/15

Fees Paid: \$ _____ Receipt #: _____ Permit #: PR2 15040008



Development Services Department

Escambia County, Florida

FOR OFFICE USE

CASE #

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 37S311301001005

Property Address: 7320 Hayward Ave Pensacola, FL 32526

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 360, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 31 DAY OF MARCH YEAR OF 2015.

[Signature]
Signature of Property Owner

Patricia A. Mills
Printed Name of Property Owner

3/31/2015
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE

CASE # 2-2015-10

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 7320 Hayward Ave Pensacola, FL 32526
Florida, property reference number(s) 372S311301001005

I hereby designate Mark Lydon for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this 30 day of March the year of, 2015 and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: Mark Lydon Email: mtlydon@msn.com
Address: 1880 Montclair LN Birmingham, AL 35216 Phone: 205-515-2054

Patricia A Mills
Signature of Property Owner

Patricia A Mills
Printed Name of Property Owner

3/31/2015
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF South Carolina COUNTY OF Pickens

The foregoing instrument was acknowledged before me this 31 day of March 2015
by Patricia A Mills

Personally Known OR Produced Identification . Type of Identification Produced: _____

Allison B Wilson
Signature of Notary

Allison B Wilson
Printed Name of Notary

(Notary Seal)

My Commission Expires
February 27, 2018



PREPARED BY AND RETURN TO:
CHARLES L. HOFFMAN, JR. OF
SHELL, FLEMING, DAVIS & MENGE, P.A.
226 SOUTH PALAFOX PLACE
SEVILLE TOWER - NINTH FLOOR
PENSACOLA, FLORIDA 32501
SFD&M FILE NO.: H4900

**STATE OF FLORIDA
COUNTY OF ESCAMBIA**

CORRECTIVE WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That **Patricia A. Mills**, an unremarried widow, whose address is P.O. Box 1431, Pensacola, Florida 32591-1431, hereafter called Grantor, for and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, does bargain, sell, convey and grant unto **Escambia Gulf Coast Pits, LLC**, a Florida limited liability company, whose address is P.O. Box 1431, Pensacola, Florida 32591-1431, hereafter called Grantee (but which word Grantee herein shall be construed in the plural as well as the singular if the context so permits or requires), and the heirs, successors and assigns of Grantee, forever, the following described real property in Escambia County:

Escambia County Parcel ID: 231S30-1201-001-067

Lot 67, Section 23, Township 1 South, Range 30 West, Escambia County, Florida, according to plat of the National Land Sales Company's Subdivision of Section 23, Township 1 South, Range 30 West as recorded in Deed Book 128 at Page 541 of the public records of said county; less ½ right of way for roadway according to said plat recorded by National Land Sales Company and subject to the reservation therefrom of 50 per cent of all oil and mineral rights in said property by Fred B. Ensley and Ada R. Ensley, his wife, in the deed dated July 17, 1936 and recorded in Deed Book 145, at Page 45 of the public records of said County on July 20, 1936; and less the portion of said lot lying within the right-of-way of State Road No. 8.

Escambia County Parcel ID: 231S30-1201-001-068

LOT 68, SUBDIVISION OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO PLAT OF NATIONAL LAND SALES COMPANY FILED FOR RECORD IN DEED BOOK 128 PAGE 541 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

LESS AND EXCEPT the East 165 Feet of the South 300 Feet of the above described parcel.

Escambia County Parcel ID: 301N31-2301-000-001

SAND CLAY PIT NUMBER 1

A parcel of land, situate, lying and being in the Northeast one quarter of Southwest one quarter of Northwest one quarter of Section 30, Township 1 North, Range 31 West, being more particularly described as follows:

Commence on the North boundary of Section 30, Township 1 North, Range 31 West at a point 1338.10 feet West of the Northeast corner of said Section 30 and run thence South 01°06' West 1407.80 feet; thence South 89°41' West 2788.26 feet to the POINT OF BEGINNING; thence continue South 89°41' West 200.00 feet; thence run South 0°19' East 400.0 feet; thence run North 89°41' East 200.0 feet; thence run North 0°19' West 400.0 feet to the POINT OF BEGINNING; containing 1.84 acres, more or less.

AND ALSO:

SAND CLAY PIT NUMBER 1-A

A parcel of land situate, lying and being, in the Northeast one quarter of the Southwest one quarter of the Northwest one quarter of Section 30, Township 1 North, Range 31 West, more particularly described as follows:

Commence on the North boundary of said Section 30, at a point 1338.10 feet West of the Northeast corner of said Section 30, thence run South 1°06' West 1407.80 feet; thence run South 89°41'00" West 2788.26 feet to the POINT OF BEGINNING; thence run South 0°19'00" East 400.0 feet; thence run South 89°41'00" West 200.0 feet; thence run South 0°19'00" East 61.82 feet; thence run South 88°54'50" East 329.01 feet; thence run North 1°05'10" East 470.02 feet; thence run South 89°41'00" West 140.42 feet to the POINT OF BEGINNING; containing 1.99 acres, more or less.

Escambia County Parcel ID: 372S31-1301-001-005

Begin at a point on the East line of the Joseph Pol Grant, being Section 37, Township 2 South, Range 31 West, Escambia County, Florida, 1997 feet South of the Northeast corner of said Grant and 703.9 feet South of the point of intersection of the North line of Section 10 with said East line of the Joseph Pol Grant; thence Westerly at an angle of 90° a distance of 300 feet for the Point of Beginning; thence continue the same course a distance of 1020 feet; thence Southerly at an angle of 90° 645 feet; thence Easterly at an angle of 90° 1020 feet; thence Northerly at an angle of 90° 645 feet to the Point of Beginning.

LESS AND EXCEPT the real property described in Official Records Book 1362 at page 876 of the public records of Escambia County, Florida.

Escambia County Parcel ID: 372S31-1305-000-001

Commencing at the Northeast corner of Section 37, Township 2 South, Range 31 West, thence South 14° East a distance of 1930 feet; thence South 76° West a distance of 2780 feet, thence South 14° East a distance of 48.5 feet for Point of Beginning thence South 76° West a distance of 200 feet, thence North 41°25' West a distance of 723.30 feet; thence South 75°16' East a distance of 535.28 feet, thence South 14° West a distance of 100 feet, thence South 75°16' East a distance of 157.23 feet, thence South 9°57' East a distance of 177.50 feet to point of beginning.

And

Commencing at the Northeast corner of Section 37, Township 2 South, Range 31 West, Escambia County, Florida, thence South 14 degrees East a distance of 1930 feet, thence South 76 degrees West a distance of 2780 feet, thence South 14 degrees East a distance of 528.5 feet, thence South 76 degrees West a distance of 52 feet,

thence North 42 degrees 40 minutes West a distance of 200.85 feet, thence North 40 degrees 10 minutes West a distance of 865.08 feet to point of beginning, thence continuing North 40 degrees 19 minutes West a distance of 40 feet, thence South 77 degrees 44 minutes West a distance of 180 feet, thence North 12 degrees 18 minutes West a distance of 359 feet, thence South 75 degrees 16 minutes East a distance of 100 feet, thence South 41 degrees 25 minutes East a distance of 398 feet, thence South 77 degrees 44 minutes West a distance of 105 feet back to point of beginning.

And

Begin at the Northeast corner of Section 37, Township 2 South, Range 31 West, thence run South 14 degrees East 1930 feet; thence South 76 degrees West 2780 feet; thence North 14 degrees West 287.7 feet to a cement corner for the Point of Beginning. Thence North 76 deg West 110 feet; thence South 4 degrees West 100 feet; thence South 76 degrees East 130 feet; thence North 2 degrees 42 minutes West 104.4 feet to the POB. All lying and being in the County of Escambia, Florida. Less and except any road right of ways of record.

This Corrective Warranty Deed is being filed to correct the legal descriptions in that certain Warranty Deed recorded in O.R. Book 6673, Page 1699, public records of Escambia County, Florida, to add the less and excepts bolded herein and to add the new legals included herein in bold.

The preparer of this deed represents that: this deed has been prepared at the express direction of the grantor and grantee solely from the legal descriptions provided to the preparer by the grantor and grantee; that no title search, or inspection of the above-described property has been performed by the preparer with regard to this deed; that the title to the above-described property has not been examined by the preparer; and that the preparer makes no representations, warranties or guarantees whatsoever as to the status of the title to or ownership of said property.

Subject to taxes for the current year and later years and all valid easements and restrictions of record, if any, which are not hereby reimposed; and also subject to any claim, right, title, or interest arising from any recorded instrument reserving, conveying, leasing, or otherwise alienating any interest in the oil, gas, or other minerals.

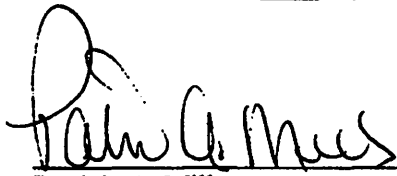
And Grantor does hereby fully warrant title to said land and will defend the same against the lawful claims of all persons whomsoever, subject only to any exceptions set forth herein.

IN WITNESS WHEREOF, she has executed this instrument this 12 day of March, 2012.

*Signed, sealed and delivered
in the presence of:*



Charles L. Hoffman, Jr.




Patricia A. Mills

Charlene C. Mabire
Charlene C. Mabire

**STATE OF FLORIDA
COUNTY OF ESCAMBIA**

The foregoing instrument was acknowledged before me this 12 day of March, 2012, by Patricia A. Mills who is personally known to me.

 NOTARY PUBLIC - STATE OF FLORIDA
Charles L. Hoffman, Jr.
Commission # DD838896
Expires: Feb. 28, 2013
Bonded Thru Old Republic Surety Company

[Signature]
NOTARY PUBLIC-STATE OF FLORIDA
Name: Charles L. Hoffman, Jr.

Acceptance of Deed

Escambia Gulf Coast Pits, LLC, a Florida limited liability company, accepts the corrective warranty deed and confirms that the corrective warranty deed is the correct legal.

Executed this 12 day of March, 2012

Signed, sealed and delivered in the presence of:

[Signature]
Charles L. Hoffman, Jr.


Escambia Gulf Coast Pits, LLC, a Florida limited liability company

Charlene C. Mabire
Charlene C. Mabire

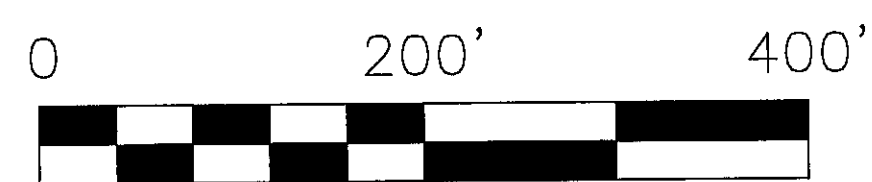
[Signature]
By: Patricia A. Mills
Its: Managing Member

**STATE OF FLORIDA
COUNTY OF ESCAMBIA**

The foregoing instrument was acknowledged before me this 12 day of March, 2012, by Patricia A. Mills as Managing Member of Escambia Gulf Coast Pits, LLC, a Florida limited liability company on behalf of said company who is personally known to me.

 NOTARY PUBLIC - STATE OF FLORIDA
Charles L. Hoffman, Jr.
Commission # DD838896
Expires: Feb. 28, 2013
Bonded Thru Old Republic Surety Company

[Signature]
NOTARY PUBLIC-STATE OF FLORIDA
Name: Charles L. Hoffman, Jr.



11 x 17 PRINT SCALE 1" = 200'
 24 x 36 PRINT SCALE 1" = 100'



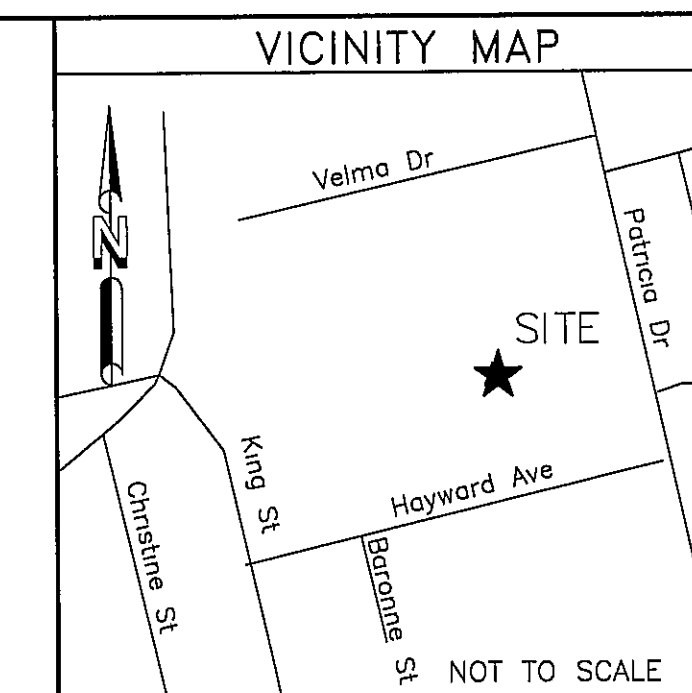
FLOOD NOTE

By graphic plotting only, the subject property appears to lie in Zone "X" of the Flood Insurance Rate Map Community Panel No 1203300355G, which bears an effective date of September 29, 2006 and IS NOT in a special flood hazard area. Zone 'X' Areas determined to be outside the 0.2% annual chance floodplain.

PLOTTABLE EXCEPTIONS

Fidelity National Title Insurance Company, Commitment No 19961290

Exception No.	Instrument	Comment
(8)	Deed Book 808, Page 346	Affects as shown



NO.	REVISION	DATE	BY

PROJECT NO
15-0259

DRAWN BY IS
CHECKED BY AKK
FILED BY WHE
APPROVED BY WHS
DATE 04/20/15
SCALE 200'
SHEET 1 OF 1

SURVEYOR'S NOTES

- This is a Boundary Survey, made on the ground under the supervision of a Florida Registered Land Surveyor. Date of field survey is April 7, 2015.
- The following surveying instruments were used at time of field visit: Nikon NPL-352, Total Station, Reflectorless and Hiper + Legacy E RTK, GD 1HZ.
- Bearings are based on Florida North State Plane Coordinates NAD 83 by GPS observation.
- No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
- Benchmark used is a GPS Continuously Operating Reference Station, PID AA5548. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
- This survey was conducted for the purpose of a Boundary Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
- Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
- This Survey was conducted with the benefit of an Abstract Title search by Fidelity National Title Insurance Company, Commitment No 19961290, dated December 30, 2014.
- Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
- Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1' 15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.

BOUNDARY SURVEY
 STATE OF FLORIDA
 COUNTY OF ESCAMBIA

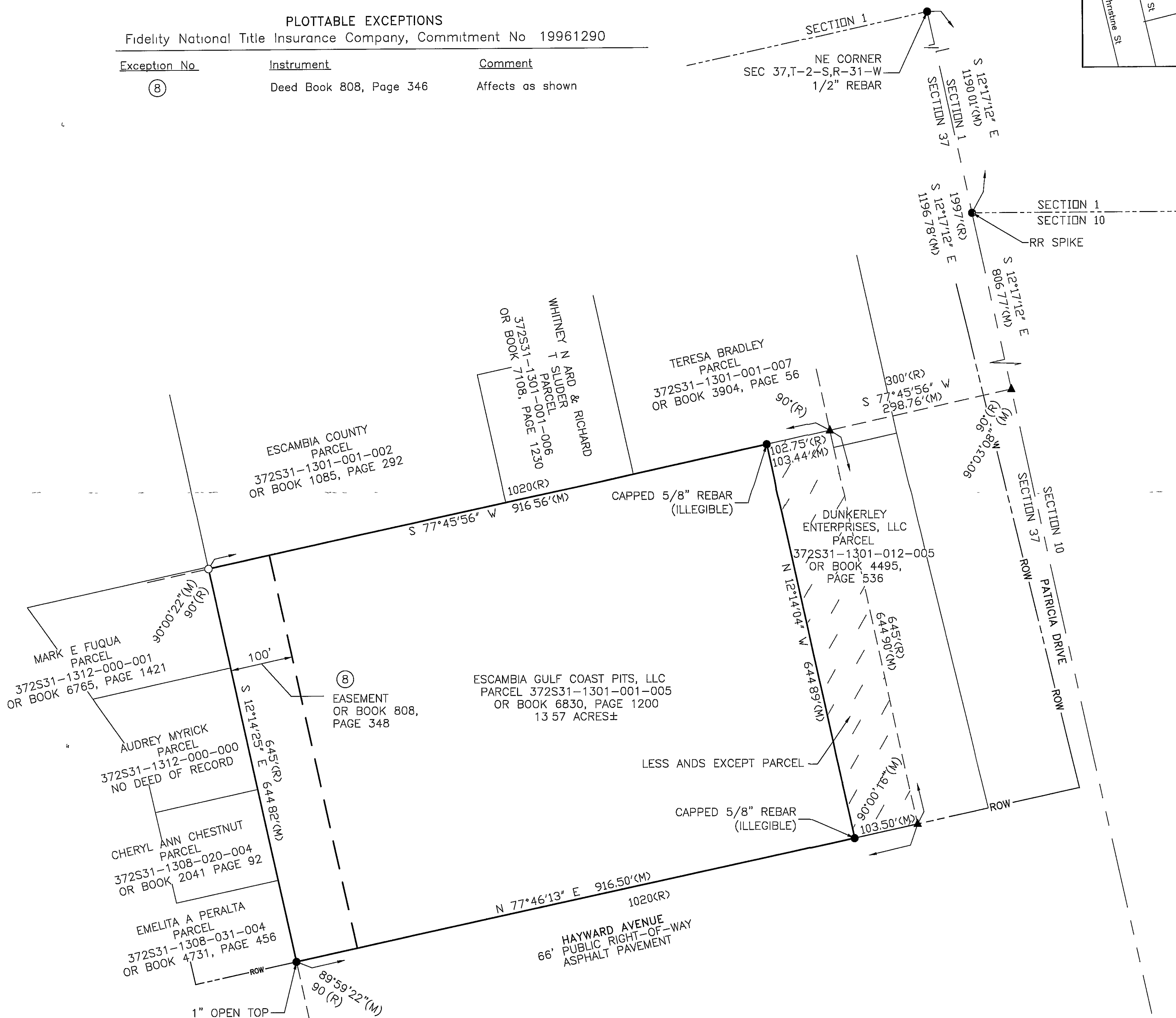
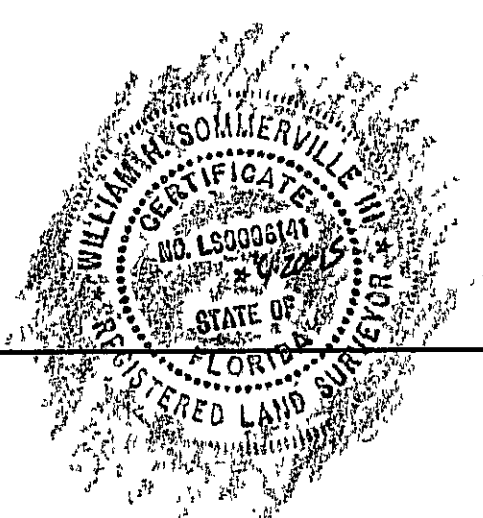
I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Florida to the best of my knowledge, information, and belief.

OR BOOK 6830, PAGE 1200

Begin at a point on the East line of the Joseph Pol Grant, being Section 37, Township 2 South, Range 31 West, Escambia County, Florida, 1997 feet South of the Northeast corner of said Grant and 703.9 feet South of the point of intersection of the North line of Section 10 with said East line of the Joseph Pol Grant, thence Westerly at an angle of 90° a distance of 300 feet for the Point of Beginning, thence continue the same course a distance of 1020 feet, thence Southerly at an angle of 90° 645 feet, thence Easterly at an angle of 90° 1020 feet, thence Northerly at an angle of 90° 645 feet to the Point of Beginning.

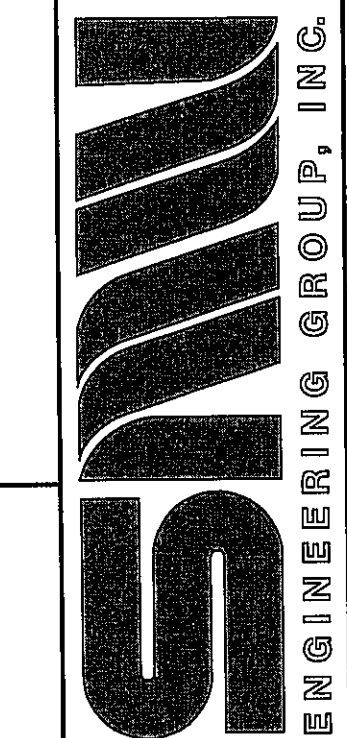
LESS AND EXCEPT the real property described in Official Records Book 1362 at page 876 of the public records of Escambia County, Florida.

William H. Sommerville, III
 William H. Sommerville, III
 Florida License No. 0006141



BOUNDARY SURVEY
 ECO-SITE
 240 LEIGH FARM ROAD SUITE 415
 DURHAM, NC 27707

FOR
SMW Engineering Group, Inc.
 158 Business Center Drive
 Birmingham, Alabama 35244
 Ph 205-252-6985
 www.smweng.com



CERNEY HEIGHTS
 9EF0238
 N 1/2, SEC. 37, T-2-S, R-31-W
 ESCAMBIA COUNTY, FLORIDA