



City of Tampa

Jane Castor, Mayor

Contract Administration Department

306 East Jackson Street, 4N
Tampa, FL 33602

Office (813) 274-8116

Fax: (813) 274-7368

ADDENDUM 4

DATE: April 14, 2023

Contract: 22-C-00001; Tampa Multimodal Network and Safety Improvements Project (West River District BUILD)

Item 1 – The Committee meeting conducted on April 13, 2023 certified the “short-list” of The Haskell Company and PCL Construction, Inc.

Item 2 – Attached as additional RFP Attachments are copies of the FHWA NEPA Approvals for Segments 1 and 2.

All parts of the RFQ & RFP not in conflict with this Addendum shall remain in full force and effect.

Questions are to be e-mailed to ContractAdministration@tampagov.net.

Jim Greiner

Jim Greiner, P.E., Contract Management Supervisor

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**TYPE 1 CATEGORICAL EXCLUSION
CHECKLIST**

650-050-12
ENVIRONMENTAL MANAGEMENT
06/17

Financial Management No. 449008-1-54-01

FAP No. Not Available

CE Number: (c) (3) or (d) ___

Title: TAMPA MULTI-MODAL NETWORK & SAFETY IMPROVEMENTS BUILD - PHASE 1

Work Mix: BIKE PATH/TRAIL

District: FDOT District 7

County: Hillsborough County

Project Description:

The City of Tampa is proposing the development of the Multi-Modal Network and Safety Improvement Project (West River District) as part of a Better Utilizing Investments to Leverage Development (BUILD) direct recipient grant awarded by Federal Highway Administration (FHWA). The project as proposed will complete the City of Tampa's remaining segments of a 12.2-mile pedestrian and bicycle facility through important multi-modal and transportation safety network improvements and create a continuous transportation route along the Hillsborough River. The multi-modal path will expand connections and provide a variety of safe mobility options for pedestrians and bicyclists between several neighborhoods and employment centers. The project proposes safer and expanded alternative transportation paths by including new pavement, guardrails, lighting, landscaping, living shorelines, and repair/replacement of seawalls as needed.

The City of Tampa Multi-Modal Network and Safety Improvement Project (West River District) consists of six phase segments of independent utility. The information included within this environmental checklist is for Phase 1: from Platt St to Brorein St.

The City of Tampa has presented to numerous organizations and neighborhoods as part of the community and stakeholder outreach for the West River District BUILD grant project over the last 10+ years. The planning and public involvement process began with The InVision Tampa "Tampa Center City Plan: Connecting Our Neighborhoods and Our River for Our Future".

The InVision Tampa planning team hosted a series of community knowledge exchanges and meetings, neighborhood charettes, one-on-one dialogues, I-town hall meetings, and online and social channels for greater outreach to ensure input from various audiences including traditionally marginalized communities. The most important community issues and topics that were identified included the Hillsborough River and waterfront, Center City neighborhoods, Tampa's Downtown Core, livable streets and community linkages, and transit.

Note: The items below consider the requirements described in 23 CFR § 771.117 (c) and (d) for listed Categorical Exclusions (CEs). The constraints of 23 CFR § 771.117(e) are addressed in this form for CEs identified as 23 CFR § 771.117 (c) (26), (27) and (28) or (d) list projects.

- This action **will not** induce significant impacts to planned growth or land use for the area; travel patterns; involve significant air or water quality impacts; or cause substantial controversy on environmental grounds.

Verified

1. **Right of Way (ROW)**

Within existing ROW

Comments:

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Initial ROW Certification with Exceptions, based on the City Concept Plans, has been submitted to FHWA. The final ROW Certification will be submitted for review and approval during the design.

[\[4 - 449008-1-54-01 Segment 1 SIGNED ROW Cert\]](#)

2. **Wetland impacts that would require a permit from the U.S. Army Corps of Engineers (USACE) under the Clean Water Act, Section 404, 33 U.S.C. § 1344 and/or section 10 of the Rivers and Harbors Act:**

Nationwide permit

Comments:

Per a pre-application meeting with the USACE on November 10, 2022, it is anticipated that the project will require a Nationwide Permit #54 for living shoreline work associated with Segment 1. The USACE will also require either a Standard Permit or Letter of Permission for the underpass work proposed in Segment 1. All permits will be obtained by the design-build contractor prior to construction.

3. **Bridge permits required from the United States Coast Guard (USCG):**

No Waterway Crossing

Comments:

N/A

4. **The project involves a floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths):**

Functionally Dependent Use or Facilitate Open Space Use

Comments:

N/A

- 5a. **Does the project involve a Wild and Scenic River or Study River ?**

No, the project does not involve a river designated as a Wild and Scenic, or Study River

Comments:

N/A

- 5b. **Will the action involve a river on the Nationwide Rivers Inventory (NRI)?**

No, the project will not involve a river on the NRI

Comments:

N/A

6. **Section 7 of the Endangered Species Act (ESA) of 1973, as amended, or Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA):**

ESA listed species and/or Essential Fish Habitat (EFH) present

[X] Determination of No Effect

Names of Species:

Florida grasshopper sparrow, Wood stork, Florida scrub-jay, Adubon's Crested Caracara, Rufa Red Knot, Eastern Black Rail, Piping Plover, Giant Mantaray, Florida golden aster, Florida bonamia, Pigmy fringe-tree.

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[X] Used key, no consultation required

Names of Species:

Eastern indigo snake, Loggerhead Sea Turtle, Leatherback Sea Turtle, Green Sea Turtle, Hawksbill Sea Turtle, Kemp's Ridley Sea Turtle, Gulf Sturgeon, Smalltooth sawfish, West Indian manatee (Florida manatee), Bonnethead Shark EFH, Bull Shark EFH, Blacktip Shark EFH.

Comments:

One Natural Resource Evaluation Report (NRE) was completed for all phases of the project (Phases 1 - 6) and was submitted to FHWA on October 11, 2022. It is anticipated that the project will have no effect on the following federally protected species: Florida grasshopper sparrow, Wood stork, Florida scrub-jay, Audubon's Crested Caracara, Rufa Red Knot, Eastern Black Rail, Piping Plover, Giant Mantaray, Florida golden aster, Florida bonamia, and Pigmy fringe-tree.

It is anticipated that the project may affect, not likely to adversely affect the following federally protected species following commitments outlined within the NRE: Eastern indigo snake, Loggerhead Sea Turtle, Leatherback Sea Turtle, Green Sea Turtle, Hawksbill Sea Turtle, Kemp's Ridley Sea Turtle, Gulf Sturgeon, Smalltooth sawfish, and West Indian manatee (Florida manatee).

Additionally, it is anticipated that the project would have minimal effect to EFH for the Bonnethead Shark EFH, Bull Shark EFH, Blacktip Shark EFH.

Commitments outlined within the NRE include the following.

- The most recent version of the National Marine Fisheries Service (NMFS) Southeast Regional Office (SERO) Pile Driving Noise Calculator will be completed by the design-build contractor to account for planned noise disturbances based on the method of construction and design layout, as required by the U.S. Army Corps of Engineers (USACE), to calculate the potential effects of pile driving noise on species protected under the Endangered Species Act.
- USACE Nationwide Permit 54 will limit living shorelines to < 500 feet lengths and < 30 feet from seawall/shore.
- The City of Tampa will not be seeking water taxi stops, now or in the future, at the pedestrian underpasses or Tony Jannus Park.
- The most recent version of the USFWS *Standard Protection Measures for the Eastern Indigo Snake*, will be implemented to assure that the Eastern indigo snake will not be adversely impacted by the project.
- The nesting/roost location along the western edge of the Hillsborough River, north of Brorein St. will not be impacted. Design of the trail features in this area will be altered to avoid impacting or disturbing wading bird species utilizing this area for nesting and roosting.
- The most recent version of the FWC *Standard Manatee Conditions for In-Water Activities* will be implemented to assure that manatees will not be adversely impacted by the project.
- Water quality impacts from construction will be avoided and minimized through the implementation of Best Management Practices (BMPs) including, but not limited to, construction phasing, sediment barriers, floating turbidity curtains, silt fences, and other techniques identified by the regulatory agencies during permitting.
- The D-B Firm will design the in-water areas of the project in accordance with the Project Design Criteria A2.1, A2.2, and A7.1-A7.24 outlined within the *Jacksonville Biological Opinion*.

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7. **Will the action impact any properties protected by Section 4(f) pursuant to 23 CFR § 774?**

Exception or Exemption (attach description of type and Official with Jurisdiction (OWJ) concurrence) [See 23CFR 774.13]

OEM Coordination Date:

Resource(s):

Columbus Statue Park

Tony Janus Park

Comments:

Exception or Exemption forms were sent to FHWA on October 5, 2022. Improvements of Tony Janus Park is part of this project. This park will be closed for the construction duration and areas may be used for staging and storage purposes.

[Section 4\(f\) Form](#)

8. **Historic and/or Archaeological Resources protected under Section 106 of the National Historic Preservation Act**

Determination of "No Adverse Effect"

Comments:

One Cultural Resource Assessment Survey (CRAS) was completed for all phases of the project (Phases 1 - 6). It was determined that the project will have no adverse effect on historic properties that are listed in or eligible for listing in the NRHP. The project will also not have an adverse effect on any resources within the APE that have insufficient information to determine NRHP eligibility. SHPO concurred with these findings on June 15th, 2022. FDOT sent the CRAS to SHPO on June 7, 2022 and SHPO concurred with the CRAS findings on June 15, 2022

[\[1 - West River District CRAS SHPO Concurrence\]](#)

9. **Noise considerations**

The project does not require a Noise Analysis

Comments:

N/A

10. **Contamination Considerations**

The project was evaluated.

Comments:

One Contamination Screening Evaluation Report (CSER) was completed for all phases of the project (Phases 1 - 6). Within Phase 1, five total sites were rated as having "No" potential for contamination impact.

Prior to the start of construction, the current status of all sites identified during this evaluation will be updated by reviewing the regulatory databases. All sites that currently have active USTs and/or ASTs will be re-examined prior to any land acquisition.

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[\[2 - West River District Technical Memorandum CSER May 2022_Final\]](#)

11. Planning Consistency

This Project was reviewed for fiscal constraint and determined to have committed, available or reasonably available funds for the implementation of all the phase(s) of the Project within the time period anticipated for completion of the Project. [23 CFR Part 450]

FHWA fully obligated BUILD funds for this project in July 2022. In accordance with the Grant Agreement, the remaining funds (local match) have been committed from the City. Therefore the project has been fully funded for construction. The project is also included in the TIP and is attached to the Type 1 CEs. The project is not currently within the LRTP.

[\[3 - TIP\]](#)

12. Project Commitment Record

[\[5 - PCR Phase 1\]](#)

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The following is a list of any supporting activities (e.g., field reviews, as appropriate, etc.), reports, or technical studies that were prepared and are included in the project file that were necessary to support the conclusions reached on the checklist:

Section 4(f) Forms and Signed OWJ Statement of Significance

- 1 - West River District CRAS SHPO Concurrence [44900815401-CE1-D7-West_River_District_CRAS_SHPO_Concurrence-2022-0909.pdf](#)
- 2 - West River District Technical Memorandum CSER May 2022_Final [44900815401-CE1-D7-West_River_District_Technical_Memorandum_CSER_May_2022_Final-2022-0602.pdf](#)
- 3 - TIP [44900815401-CE1-D7-TIP-2022-1116.pdf](#)
- 4 - 449008-1-54-01 Segment 1_SIGNED ROW Cert [44900815401-CE1-D7-449008-1-54-01_Segment_1_SIGNED_ROW_Cert-2022-1116.pdf](#)
- 5 - PCR Phase 1 [44900815401-CE1-D7-PCR_Phase_1-2022-1202.pdf](#)

Based on the information presented in this document and the associated documents provided by the grantee or their designee, and based on FHWA's past experience with similar actions, FHWA has determined that actions described herein do not have a significant effect on the human or natural environment.

Signed: _____

For: Jamie Christian, PE
Division Administrator
FHWA, Florida Division

Section 4(f) Forms and OWJ Signed Statement of Significance Letter

Section 4(f) Resources

Florida Department of Transportation

TAMPA MULTI-MODAL NETWORK & SAFETY IMPROVEMENTS BUILD - PHASE 1

District: FDOT District 7

County: Hillsborough County

ETDM Number: N/A

Financial Management Number: 449008-1-54-01

Federal-Aid Project Number: N/A

Project Manager: Michelle Rutishauser

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022 and executed by the Federal Highway Administration and FDOT. Submitted pursuant 49 U.S.C. § 303.

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DRAFT

Summary and Approval

Resource Name	Facility Type	Property Classification	Owner/Official with Jurisdiction	Recommended Outcome	OEM SME Action
Columbus Statue Park	Urban Relief Park	Park/Rec Area	City of Tampa	Exception/Exemption	Determination Pending
Tony Janus Park	Urban Relief Park	Park/Rec Area	City of Tampa	Exception/Exemption	Determination Pending

DRAFT

Columbus Statue Park

Facility Type: Urban Relief Park

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 300 Bayshore Blvd and Platt, Tampa, FL, 33606, USA

Latitude: 27.94111272 Longitude: -82.45938802

Description of Property:

Columbus Statue Park is a public park with a seating plaza and monument situated among lawns, shrubs, and trees; located on the south side of W. Platt Street, just west of the Platt Street Bridge in Tampa. The park is approximately 0.56 acres in size. The park provides an open space for the public with walking trails that continue out of the park. This park marks the beginning of the scenic Bayshore Boulevard Linear Park.

Owner/Official with Jurisdiction: City of Tampa

Recommended Outcome: Exception/Exemption

Exception/Exemption Type: Transportation enhancement activities, transportation alternatives projects, and mitigation activities that meet the conditions in 23 CFR 774.13(g)(1-2).

Exception/Exemption Justification:

The project proposes to incorporate a new pedestrian bridge under the Platt Street Bridge that connects Columbus Statue Park to Tony Janus Park and to Bayshore Boulevard Linear Park Trail. The project will provide a safer route for pedestrians to cross below W. Platt Street via a pedestrian underpass bridge, separated from motor vehicle traffic. The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection.

OEM SME Determination Date: Pending

Tony Janus Park

Facility Type: Urban Relief Park

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 240 Bayshore Blvd, Tampa, FL, 33606, USA

Latitude: 27.94256428 Longitude: -82.45943435

Description of Property:

Tony Janus Park is a park with walkways, trees and lawn; located on the north side of W. Platt Street, just west of the Platt Street Bridge in Tampa. The park is approximately 1.34 acres in size. The park connects patrons to Columbus Statue Park and Bayshore Linear Park to the south. The park provides an open space for the public with walkways that connect to sidewalks in adjacent rights-of-way.

Owner/Official with Jurisdiction: City of Tampa

Recommended Outcome: Exception/Exemption

Exception/Exemption Type: Transportation enhancement activities, transportation alternatives projects, and mitigation activities that meet the conditions in 23 CFR 774.13(g)(1-2).

Exception/Exemption Justification:

The project proposes to incorporate a new pedestrian bridge under the Platt Street Bridge to provide improved connection between Columbus Statue Park and Tony Janus Park. The project will provide a safer route for pedestrians to cross below W. Platt Street via a pedestrian underpass bridge, separated from motor vehicle traffic. Tony Janus park will be closed to public access for the duration of build improvements. The park will be restored or improved prior to completion of the overall project. The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection.

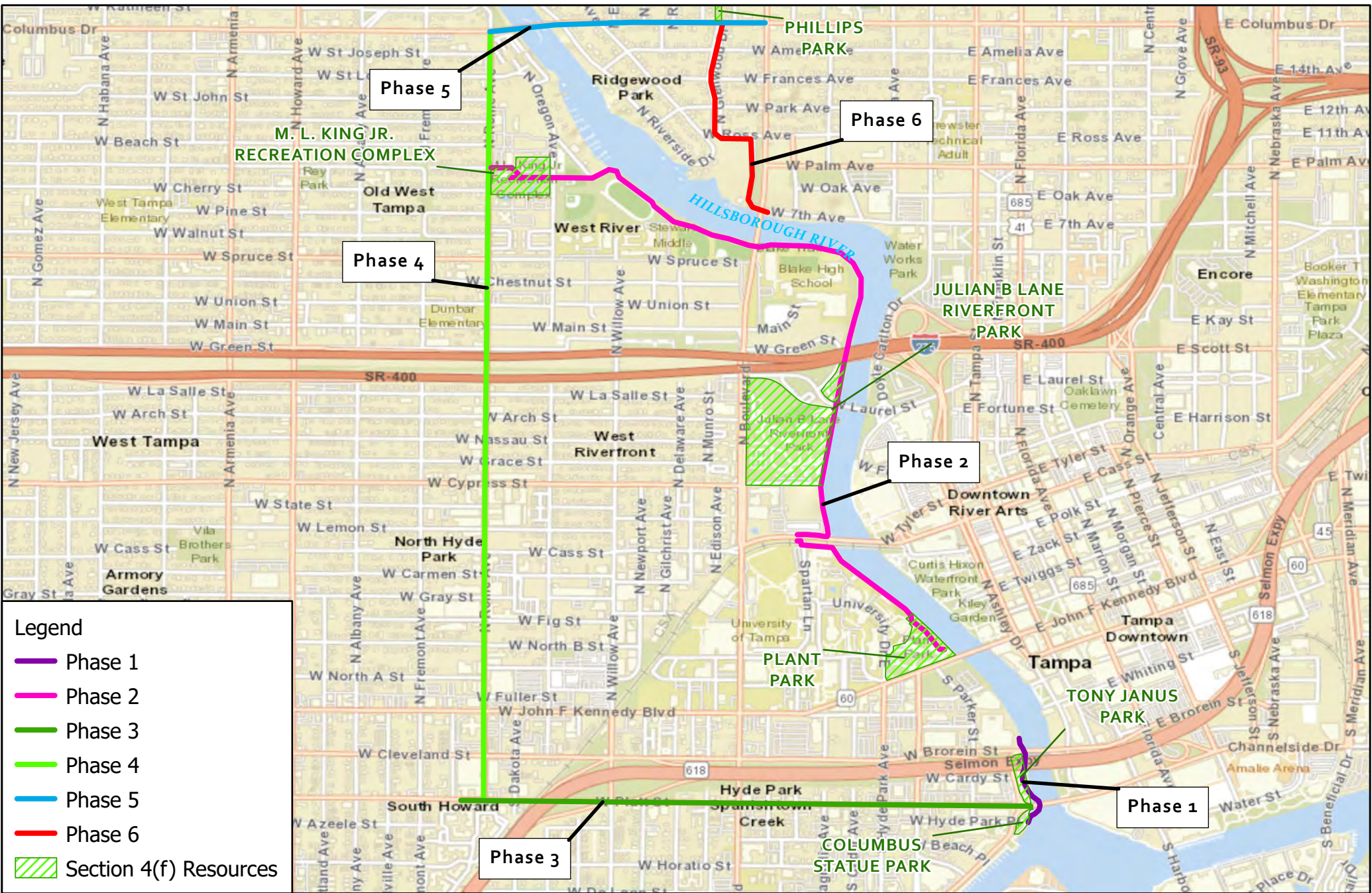
OEM SME Determination Date: Pending

Project-Level Attachments

Section 4f Location

West River District Section 4f OWJ Concurrence Letter

DRAFT



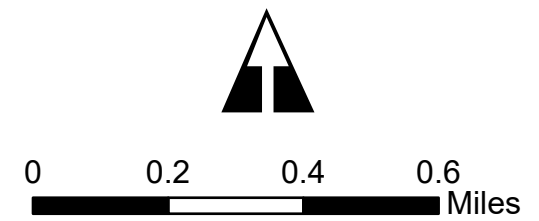
Legend

- Phase 1
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Phase 6
- Section 4(f) Resources



Section 4(f) Resource Location Map

Phase 1-6 (FPID: 449008-1, 449008-2, 449008-3, 449008-4, 449008-5, 449008-6)
 Tampa Multi-Modal Network and Safety Improvements Project
 West River District
 Hillsborough County





CITY OF TAMPA

— OFFICE OF THE MAYOR —

Jane Castor, Mayor

October 10, 2022

Mr. Joseph Sullivan
Environmental Protection Specialist
Federal Highway Administration – Florida Division
Joseph.Sullivan@dot.gov

**RE: Section 4(f) Statement of Significance and Concurrence
Tampa Multi-Modal Network & Safety Improvements (West River District) BUILD
Grant – Segments 1-6
Financial Project ID: 449008-1-54-01, 449008-2-54-01, 449008-3-54-01, 449008-4-54-
01, 449008-5-54-01, 449008-6-54-01**

Dear Mr. Sullivan,

As the Official with Jurisdiction (OWJ), please accept this letter as a formal Statement of Significance for the City of Tampa's Multi-Modal Network & Safety Improvements (West River District) BUILD Grant for Segments 1-6. The following parks and recreation facilities: Columbus Statue Park, Tony Janus Park, Plant Park, Julian B Lane Riverfront Park, M. L. King Jr. Recreation Complex, and Glenwood Drive Neighborhood Park, are located within the limits of the referenced project. For purposes of Section 4(f) (49 U.S.C. § 303), significance means that in comparing the availability and function of the recreation area, park, or wildlife and waterfowl refuge area with the recreational, park, and refuge objectives of the community, the land in question plays an important role in meeting those objectives.

The six resources listed above are considered significant recreational resources within the meaning of Section 4(f) of the U.S. Department of Transportation Act regulations. Please accept this letter as acknowledgement from the City of Tampa regarding work proposed within and adjacent to these resources in conjunction with the proposed Tampa Multi-Modal Network & Safety Improvements (West River District) BUILD Grant Segments 1-6.

The City of Tampa understands that the work within and adjacent to these resources will include various improvements including new paved trails, guardrails, lighting, landscaping, seawall repair/living shoreline installation, and/or elevated over water pedestrian walkways. Additionally, the City of Tampa understands that the work associated with Tony Janus Park will

Letter to Mr. Joseph Sullivan, Federal Highway Administration – Florida Division
October 10, 2022

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involve the closure of the park for the duration of construction and that the park will be restored or improved following completion of work within or adjacent to the park.

The City of Tampa understands that the use of these resources during this project will not include any permanent acquisition of property by FHWA. In addition, the City of Tampa concurs that the following condition will be met by the project:

1. The use of the Section 4(f) properties is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies these properties for Section 4(f) protection.

Should you have any questions or require additional information, please contact Sherisha Hills, Director, Parks and Recreation at (813) 274-8615 or by email at sherisha.hills@tampagov.net.

Sincerely,



Jane Castor

Cc: Sherisha Hills, Director, Parks and Recreation
Brad Suder, Superintendent, Parks and Recreation Planning and Design
Tony Monk, Landscape Architect III, Parks and Recreation Planning and Design
Lenora Roberson, Executive Aide, Parks and Recreation

Resource Attachments

None

DRAFT

Cultural Resources Assessment Survey (CRAS) SHPO Concurrence Letter



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 North McKinley Drive
Tampa, FL 33612

JARED W. PERDUE, P.E.
SECRETARY

June 7, 2022

Timothy A. Parsons, Ph.D., Director
State Historic Preservation Officer
Florida Division of Historical Resources
500 South Bronough Street
Tallahassee, FL 32399-0250

Attention: Alyssa McManus, Transportation Compliance Review Program

**Re: Cultural Resource Assessment Survey (CRAS) for Tampa Multi-modal Network and Safety Improvements (West River District)
Financial Management No. (FMN): 449008-1 through 449008-6
Federal Aid Project No.: Not Listed**

Dear Dr. Parsons:

The City of Tampa, in coordination with Florida Department of Transportation (FDOT), District Seven, is planning the Tampa Multi-modal Network and Safety Improvements, West River District, project in Hillsborough County, Florida. The project is federally funded via a Direct Recipient BUILD Grant. The proposed project will complete the remaining segments of a 12.2-mile pedestrian and bicycle transportation route. The multi-modal path will include new pavement, guard rails, lighting, landscaping, and seawall repair or new seawall installation. All improvements are to be contained within existing right-of-way (ROW) and easements. Time extensions to two expiring existing easements are being finalized with the University of Tampa and the Tampa Hillsborough Expressway Authority.

Enclosed is one copy of the CRAS (June 2022) that was prepared for the above referenced project, two (2) Florida Master Site File (FMSF) forms (8HI11519 and 8HI15273), a Survey Log Sheet, and a CD containing an electronic version of these files.

On behalf of the City of Tampa, HNTB prepared a CRAS for the project. The purpose of the CRAS was to identify the presence of resources listed in or considered eligible for listing in the National Register of Historic Places (NRHP) according to the criteria set forth in 36 CFR 60.4 and if applicable, to apply the Criteria of Adverse Effect, as set forth in 36 CFR 800.5(a)(1) to the project. Principal Investigators meet the *Secretary of the Interior's Professional Qualification Standards* (48 FR 44716).

For the proposed West River Multi-Modal Network and Safety Improvements project the Area of Potential Effects (APE) for the archaeological survey included approximately 1.35 miles of

undeveloped corridor. The width of the survey area varied but in general, a single centrally located transect was required to provide systematic coverage of the APE. Due to the nature of the proposed project and its minimal potential direct and indirect effects to historic resources, the APE for historic resources survey was confined to the existing ROW for the approximately 1.35 miles of proposed multi-modal path.

The archaeological survey identified one new Archaeological Occurrence (AO-1). Archaeological Occurrence-1 (AO1) may contain intact buried deposits since artifacts were recovered below the disturbed Stratum I soils. As an Archaeological Occurrence, this resource was not recorded as a site and is therefore not evaluated for NRHP-eligibility. The location of a portion of previously identified site 8HI86 was revisited, but the portion within the APE is currently built environment, and no evidence of the site was identified.

Background research and the architectural field survey resulted in the identification and evaluation of three NRHP listed resources, one of which is also a locally designated resource; two previously determined eligible historic bridges; and one previously recorded linear resource. The listed resources are the Michigan Avenue Bridge (8HI00672), the Lafayette Street Bridge (8HI00640), and the overlapping NRHP and locally designated Hyde Park Historic Districts (8HI01050). The two previously determined eligible historic bridges are the Platt Street Bridge (8HI0862) and the Brorein Street Bridge (8HI11540). The previously recorded linear resource is the former Atlantic Coast Line Railroad (8HI11519). In addition, one new historic linear resource was identified, Abandoned Rail Segment (8HI5273). The portion of 8HI11519 within the APE has insufficient information to determine NRHP eligibility. The portion of 8HI15273 is considered ineligible for listing in the NRHP.

As a result of background research and the field survey, the project will have no adverse effect on historic properties that are listed in or eligible for listing in the NRHP. The property will also not have an adverse effect on the portion of 8HI11519 within the APE that has insufficient information to determine NRHP eligibility.

I am requesting your concurrence with our evaluation that the **Tampa Multi-modal Network and Safety Improvements (West River District)** project will result in a finding of *no adverse effect*.

This information is being provided in accordance with the provisions of the National Historic Preservation Act of 1966 (as amended), which are implemented by the procedures contained in 36 CFR, Part 800, as well as in accordance with the provisions contained in the revised Chapter 267, *Florida Statutes*.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by the Federal Highway Administration (FHWA) and FDOT.

Timothy A. Parsons, Ph.D., Director
Tampa Multimodal Network and Safety Improvements
Hillsborough County, Florida
FMN.: 449008-1 through 449008-6
June 7, 2022
Page 3 of 4

If you have any questions, or if I may be of assistance, please contact me at (813) 975-6637
or crystal.geiger@dot.state.fl.us.

Sincerely,



Crystal Geiger
Environmental Specialist III
Cultural Resource Coordinator

Enclosures

cc: Robin Rhinesmith, FDOT
Sarah K. Guagnini, Atkins
Nina Mabileau, City of Tampa

Deena Woodward, FDOT OEM
Phillip Quirk, HNTB

The State Historic Preservation Officer finds the attached Cultural Resource Assessment Survey (CRAS) complete and sufficient and concurs / does not concur with the recommendations and findings in this letter for SHPO / FDHR Project File Number 2022-3633. Or, the SHPO finds the attached document contains insufficient information.

In accordance with the Programmatic Agreement among the FHWA, ACHP, FDHR, SHPO, and FDOT Regarding Implementation of the Federal-Aid Highway Program in Florida, if providing concurrence with a finding of No Historic Properties Affected for a project as a whole, or to No Adverse Effect on a specific historic property, SHPO shall proceed with a *de minimis* Section 4(f) finding at its discretion for the use of land from the historic property.

SHPO Comments:

Kelly L. Chase
DSHPO

Digitally signed by Kelly L. Chase, DSHPO
DN: cn=Kelly L. Chase, DSHPO, o, ou,
email=kelly.chase@dos.myflorida.com, c=US
Date: 2022.06.15 09:18:01 -0400

6.15.2022

Timothy A. Parsons, Ph.D., Director
Florida Division of Historical Resources

Date

*Contamination Screening Evaluation Report (CSER) Technical Memorandum
(Provided under separate cover)*

*Hillsborough County Transportation Planning Organization (TPO) Transportation
Improvement Program (TIP) Funding Documentation*

**City of Tampa
5 Year TIP
Hillsborough County, District 7**

City of Tampa

Item Number: **T1001593** Description: West Davis Bridge
 Project Length: Extra Description: This project provides for the replacement of an existing bridge at West Davis Boulevard.
 Type of Work: Bridge replacement
 NON-SIS

Fund	<2023	2023	2024	2025	2026	2027	>2027	All Years
- Managed by City of Tampa								
	\$0	\$0	\$440,000	\$440,000	\$440,000	\$0	\$0	\$1,320,000
Totals:	\$0	\$0	\$440,000	\$440,000	\$440,000	\$0	\$0	\$1,320,000
Item T1001593 Totals:	\$0	\$0	\$440,000	\$440,000	\$440,000	\$0	\$0	\$1,320,000

Item Number: **T1002096** Description: BUILD
 Project Length: Extra Description: This project provides for construction of multi-use paths along the west side of Hillsborough River (btw Platt St and Rome Ave) and through Ridgewood Park, and complete street and safety improvements on Platt St, Rome Ave, and Columbus Dr.).
 Type of Work: Trails and multi use path
 NON-SIS

Fund	<2023	2023	2024	2025	2026	2027	>2027	All Years
- Managed by City of Tampa								
	\$24,885,000	\$1,900,000	\$1,900,000	\$1,315,000	\$0	\$0	\$0	\$30,000,000
Totals:	\$24,885,000	\$1,900,000	\$1,900,000	\$1,315,000	\$0	\$0	\$0	\$30,000,000
Item T1002096 Totals:	\$24,885,000	\$1,900,000	\$1,900,000	\$1,315,000	\$0	\$0	\$0	\$30,000,000

City of Tampa Right of Way (ROW) Certificate

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LAP CERTIFICATION WITH EXCEPTION(S)

575-095-05
RIGHT OF WAY - 01/17
Page 1 of 2

R/W ITEM/SEGMENT NO.: _____
CONSTRUCTION ITEM/SEGMENT NO.: 449008-1-54-01
F.A.P. NO. (Construction): _____
COUNTY: Hillsborough
LETTING DATE: _____

MANAGING DISTRICT: _____
STATE ROAD: _____
DESCRIPTION: TAMPA MULTI-MODAL
NETWORK & SAFETY
IMPROVEMENTS BUILD - SEGMENT 1

The undersigned hereby certifies as follows:

Title to all property and easements needed for the above construction project is vested in the Florida Department of Transportation (Department) or a state or local government. The Department has obtained sufficient authority to construct and maintain the proposed improvements on property and easements owned by state or local governments. Further:

Acquisition

- Right of way was not acquired for this project.
 Right of way was acquired for this project in compliance with applicable state and federal law.

Relocation

- No persons or businesses were required to move or move personal property from the project right of way.
 All persons and businesses that were required to move or move personal property from the project right of way have been provided relocation assistance in compliance with applicable state and federal law.

Demolition

- No structures or improvements, including encroachments, required removal from the project right of way.
 All structures and/or improvements, including encroachments, have been removed from the project right of way in compliance with applicable state and federal law, or will be included in the construction contract.

Asbestos Abatement

- No structures or improvements requiring asbestos abatement were located on the project right of way.
 Asbestos abatement of buildings and/or structures, including those to be removed by the construction contractor, has been completed in compliance with applicable state and federal law, or will be included in the construction contract.

Submitted by Local Agency: *Michelle Van Lee* *Danni Jorgenson* 10-17-22
Title: City Real Estate Director / City Transportation Engineering Manager Date:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LAP CERTIFICATION WITH EXCEPTION(S)

Exception(s) to the above statements and time frame(s) for the exception(s) to be cleared or removed are described as follows:

None.

Certified by FDOT: _____
Title: _____ Date: _____

Director's Comments:

The above exceptions are approved:

Director, Office of Right of Way Date

Return to:
City of Tampa
Real Estate Services Division
306 E. Jackson St., 3N
Tampa, Florida 33602

GRANT OF EASEMENT

THIS GRANT OF EASEMENT (this "Easement") is made as of this ____ day of _____, 2022, by and between Tampa Hillsborough Expressway Authority, a body politic and corporate organized and existing under the laws of the State of Florida, with the address of 1104 E. Twiggs Street, Suite #300, Tampa, Florida 33602 (herein "Grantor") and City of Tampa, a municipal corporation organized and existing under the laws of the State of Florida, with the address of 315 E. Kennedy Boulevard, Tampa, Florida 33602 (herein "Grantee").

WHEREAS, Grantee is building certain improvements and pathways as part of its West River District Project, portions of which will be located on real property owned by Grantor and legally described in Exhibit "A" (the "Easement Property"), which is attached and made a part hereof; and

WHEREAS, Grantor is willing to grant an easement for multi-modal and pedestrian use on Grantor's property to allow the Grantee to construct, own, operate, maintain, inspect, make future improvements, and provide public access to areas of the Easement Property.

NOW THEREFORE Grantor, in consideration of the sum of Ten and 00/100 Dollars (\$10.00), does hereby grant, bargain, sell, assign and convey to Grantee, a perpetual non-exclusive easement for the installation, construction, repair, operation, maintenance, and replacement of multi-modal and pedestrian pathways, a pedestrian underpass bridge, and park facilities, which may include, but shall not be limited to, concrete sidewalks, brick walks, railing, fencing, seawall, lighting, furniture, irrigation, landscaping, drinking fountains, living shoreline and other appurtenant improvements as deemed necessary by Grantee within the Easement Property (the "Easement Rights"), for use by the general public.

IN CONNECTION WITH THIS EASEMENT, the following conditions and representations apply:

1. Grantor shall retain the right to operate, construct, maintain, inspect, improve, and relocate its facilities on, within and over the Easement Property (the "Grantor's Rights"), and Grantee acknowledges and agrees that Grantee's exercise of the Easement Rights provided herein shall be subordinate to Grantor's Rights.

2. Grantee agrees to relocate, remove or abandon any of Grantee's improvements made to the Easement Property which might be impacted by the exercise of Grantor's Rights. Anticipated uses by Grantor include, but are not limited to, future columns or supports for elevated limited-access travel lanes, work space and equipment storage (during construction only), general maintenance and inspection activities.

3. Upon the exercise of Grantor's Rights, Grantee agrees to incur all costs associated with the relocation or removal of its improvements, but shall not be responsible for any costs associated with an abandonment of improvements.

4. Notwithstanding the subordination to Grantor's Rights, Grantor shall ensure that a pedestrian or multi-modal path connection running through the Easement Area (anticipated as part of Grantee's Riverwalk improvement project along the west bank of the Hillsborough River) shall be maintained through the Easement Area, even if this connection must be temporarily or permanently relocated within the Easement Property due to the exercise of Grantor's Rights.

5. Grantor warrants and represents to Grantee that Grantor possesses fee simple title to the Easement Property; and that the grant of this Easement does not violate, breach or create a default on the part of Grantor under any matter affecting title to or ownership of the Easement Property.

6. Grantor represents and warrants that this Easement has been duly authorized by the Grantor and that the person executing this Easement on behalf of the Grantor has the full right and authority to do so on behalf of the Grantor.

7. Grantee assumes all risks incident to the operation of the construction, operation, maintenance, and repair of the multi-modal pathway, pedestrian walkway, and park on the Easement Property and shall indemnify and hold the Grantor harmless from any claim or action arising from the actionably tortious conduct of the Grantee, its officials or employees acting in the course of their employment or function in the exercise of the easement rights granted herein. Nothing in this indemnity provision shall be deemed to be or construed as a waiver of any protection, privilege, immunity or defense available to the Grantee under the doctrine of sovereign immunity or the limitations of liability and procedural requirements in §768.28, Florida Statutes.

8. Grantor acknowledges and agrees that the terms and conditions of this Easement shall be deemed covenants and conditions running with title to the Easement Property and shall be binding upon Grantor and Grantee and their respective successors and assigns.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Grantor has executed this Easement as of the day and year first set forth above.

WITNESSES:

GRANTOR: TAMPA HILLSBOROUGH EXPRESSWAY AUTHORITY

Name: _____
(Print/Type Name)

Greg Slater, Chief Executive Officer

Name: _____
(Print/Type Name)

APPROVED AS TO FORM:

Amy Lettelleir, General Counsel

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

THE FOREGOING INSTRUMENT was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2022, by Greg Slater as Chief Executive Officer of Tampa Hillsborough Expressway Authority, a body politic and corporate organized and existing under the laws of the State of Florida, on behalf of the Tampa Hillsborough Expressway Authority. He/she is personally known to me or has produced _____ as identification.

[AFFIX NOTARY SEAL/STAMP]

Signature of Notary
Name: _____
(Print or Type Name)
Notary Public: State of Florida
My Commission Expires: _____

IN WITNESS WHEREOF, the Grantee has executed this Easement as of the day and year first set forth above.

WITNESSES:

GRANTEE: CITY OF TAMPA

Name: _____
(Print/Type Name)

Jane Castor, Mayor

ATTEST:

Name: _____
(Print/Type Name)

City Clerk/Deputy City Clerk

APPROVED AS TO FORM:

Ron Wigginton, Assistant City Attorney

ACKNOWLEDGMENT

**STATE OF FLORIDA
COUNTY OF HILLSBOROUGH**

THE FOREGOING INSTRUMENT was acknowledged before me by means of physical presence or online notarization this _____ day of _____, 2022, by Jane Castor as Mayor of the City of Tampa, a municipal corporation organized and existing under the laws of the State of Florida, on behalf of the City. She is personally known to me.

[AFFIX NOTARY SEAL/STAMP]

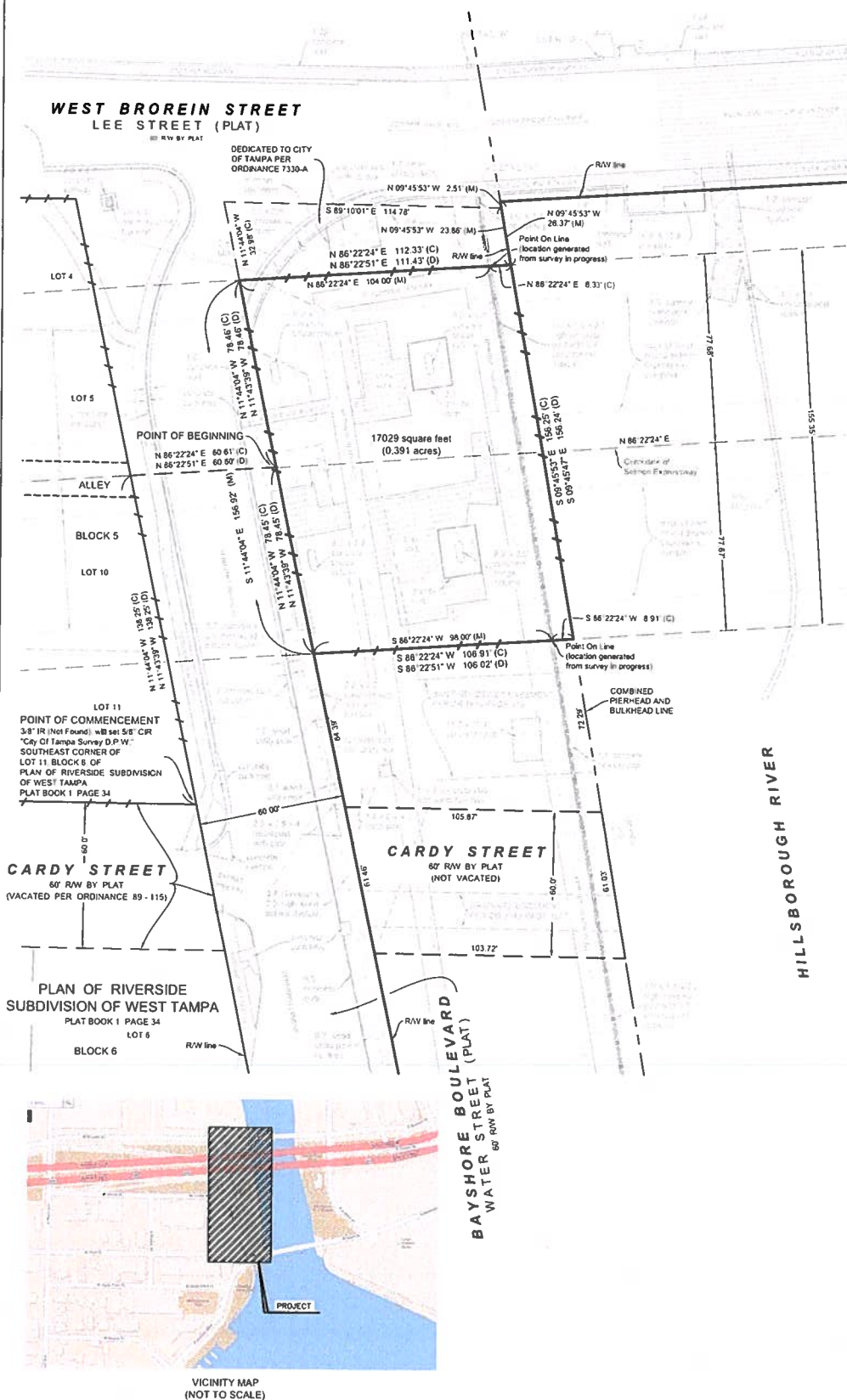
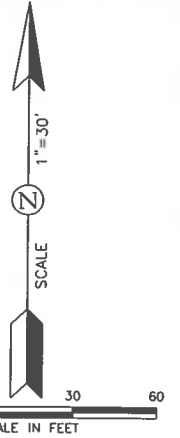
Signature of Notary

Name: _____
(Print or Type Name)

Notary Public: State of Florida

My Commission Expires: _____

Section 24 - Township 29 South - Range 18 East Hillsborough County, Florida



Original RW Parcel Description
(Proposed Easement Area)
That part of:
TONY JANUS PARK, being comprised of those certain lands described as follows:

That certain tract designated "Reserved" as shown on map of RIVERSIDE SUBDIVISION of West Tampa, according to the plat thereof, as recorded in Plat Book 1, Page 34, of the Public Records of Hillsborough County, Florida, bounded on the West by the centerline of Water Street (Bayshore Boulevard) on the North by the centerline of Lee Street and the true project thereof Eastwardly to the Government Channel in the Hillsborough River, on the South by a line formed by the true projection Eastwardly of the centerline of the alley dividing Blocks 4 and 5 of said subdivision to the Government Channel in the Hillsborough River and on the East by Government Channel in the Hillsborough River, together with all riparian and water rights.

ALSO

Reserve Water Lot opposite Block 6 of RIVERSIDE SUBDIVISION, extending from Platt Street North 275 3/10 feet on Bay Street to Cardy Street, thence East to River Channel, thence South to Platt Street, thence West to the corner of Bay Street and Platt Street.

ALSO

Water Lot East of South one-half Block 5 of RIVERSIDE SUBDIVISION, according to the plat thereof, as recorded in Plat Book 1, Page 34 of the Public Records of Hillsborough County, Florida,
Lying within the following described boundaries, to wit:

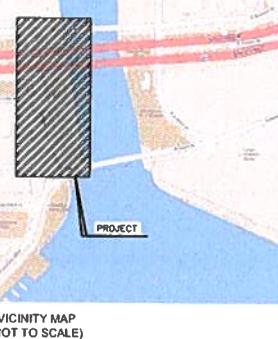
Commence at a three-eighths inch iron rod marking the Southeast corner of Lot 11, Block 5, of RIVERSIDE SUBDIVISION OF WEST TAMPA, according to the plat thereof, as recorded in Plat Book 1, Page 34, thence run North 11°43'39" West (Bearings based on U.S.C. & G.S. Grid Coordinate System) 138.25 feet to a point; thence North 86°22'51" East, 60.60 feet to the POINT OF BEGINNING of the herein described parcel; thence run North 11°43'39" West, 78.46 feet to a point; thence North 86°22'51" East, 111.43 feet to a point; thence South 09°45'47" East, 156.24 feet to a point; thence South 86°22'51" West, 106.02 feet to a point; thence North 11°43'39" West, 78.45 feet to the POINT OF BEGINNING.

Containing 16,888 Square Feet, more or less.

- Notes**
- Bearings shown herein as (M) are based on the Florida State Plane Coordinate System, Transverse Mercator, West Zone NAD 83/90 a bearing of N 11°44'04" W, was held on the Westerly right of way of Bayshore Boulevard, along the Easterly line of Block 5, PLAN OF RIVERSIDE SUBDIVISION OF WEST TAMPA, according to the map or plat thereof as recorded in Plat Book 1, Page 34 in the Public Records of Hillsborough County, Florida.
 - C.O.T. and certifying land surveyor make no representations or guarantees pertaining to easements, rights of way, setback lines, reservations, agreements and other similar matters.
 - All matters of record depicted hereon were within C.O.T. survey section files.
 - C.O.T. and/or certifying land surveyor has not made a search of the Public Records for any titles, deeds, reservations, easements, rights of way, setback lines, agreements or other instruments that may be recorded thereon.
 - Description based on a survey in progress of Tony Janus Park.
 - Neither interior fences, structures, nor improvements, either above or below ground, have been located as part of this survey, except as shown.

Legend

(M)	Measured
(C)	Calculated
(D)	Description
(P)	Plat
CIR	Capped iron rod
IR	Iron rod
FND	Found
R/W	Right-of-way
OR	Official Records book, Public Records of Hillsborough County
ID	Identification
COT	City of Tampa
NTS	Not to scale
---	LA (Limited Access) R/W line



REVISIONS	
DESCRIPTION	DATE
1	
2	
3	
4	
5	
6	

SURVEYOR'S CERTIFICATE

THIS CERTIFIES THAT A SKETCH OF DESCRIPTION OF THE PROPERTY DEPICTED HEREON WAS MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 53-17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES

CLARENCE WADE III
FLORIDA PROFESSIONAL LAND SURVEYOR, CERTIFICATE NO. 4383

CITY OF TAMPA, FLORIDA
MOBILITY DEPARTMENT
SURVEY SECTION
3808 EAST 26TH AVENUE
TAMPA, FLORIDA
(813) 635-3430

SKETCH OF DESCRIPTION

SECTION 24, TOWNSHIP 29 S, RANGE 18 E
HILLSBOROUGH COUNTY, FLORIDA
DATE OF LAST FIELD WORK: 11/15/2021
DRAWN BY: SURVEY SECTION DRAFTING - KJ
FIELD BOOK: 2021 - 4
DRAWING FILE: West River District Phase 1_Brorein_desc.dwg
SHEET NO. 1 OF 1

Project Commitment Record

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PROJECT COMMITMENTS RECORD

PROJECT DEVELOPMENT & ENVIRONMENT

Project Name: TAMPA MULTI-MODAL NETWORK & SAFETY IMPROVEMENTS BUILD - PHASE 1

Project Manager: Nina Mabileau

FM#: 449008-1-54-01

FAP#: N/a

Environmental Document Type: Type 1 CE Type 2 CE EA EIS NMSA SEIR

Environmental Document Approval Date: TBD

Project Segment Number	Commitment	External Stakeholder	Env. Commit. ? (yes/no)	Implementation Phase	Status	Transmittal Date	Completion Date	Comments
1	The most recent version of the National Marine Fisheries Service (NMFS) Southeast Regional Office (SERO) Pile Driving Noise Calculator will be completed by the design-build contractor to account for planned noise disturbances based on the method of construction and design layout, as required by the U.S. Army Corps of Engineers (USACE), to calculate the potential effects of pile driving noise on species protected under the Endangered Species Act.		Yes	Design				
1	USACE Nationwide Permit 54 will limit living shorelines to < 500 feet lengths and < 30 feet from seawall/shore.		Yes	Design				
1	The City of Tampa will not be seeking water taxi stops, now or in the future, at the pedestrian underpasses or Tony Jannus Park.		Yes	Design				
1	The most recent version of the USFWS <i>Standard Protection Measures for the Eastern Indigo Snake</i> , will be implemented to assure that the Eastern indigo snake will not be adversely impacted by the project.		Yes	Construction				
1	The nesting/roost location along the western edge of the Hillsborough River, north of Brorlein St. will not be impacted. Design of the trail features in this area will be altered to avoid impacting or disturbing wading bird species utilizing this area for nesting and roosting.		Yes	Design				
1	The most recent version of the FWC <i>Standard Manatee Conditions for In-Water Activities</i> will be implemented to assure that manatees will not be adversely impacted by the project.		Yes	Construction				
1	Water quality impacts from construction will be avoided and minimized through the implementation of Best Management Practices (BMPs) including, but not limited to, construction phasing, sediment barriers, floating turbidity curtains, silt fences, and other techniques identified by the regulatory agencies during permitting.		Yes	Construction				
1	The D-B Firm will design the in-water areas of the project in accordance with the Project Design Criteria A2.1, A2.2, and A7.1-A7.24 outlined within the <i>Jacksonville Biological Opinion</i> .		Yes	Design				

DESIGN

Project Name: _____

Project Manager: _____

FM#: _____

FAP#: _____

Project Segment Number	Commitment	External Stakeholder	Env. Commitment? (yes/no)	Confirmed no impact to Env. Commit. (yes/no)	Commitment Approval Date	Implementation Phase	Status	Transmittal Date	Completion Date	Comments

RIGHT OF WAY

Project Name: _____

Project Manager: _____

FM#: _____

FAP#: _____

Project Segment Number	Commitment	External Stakeholder	Env. Commitment? (yes/no)	Confirmed no impact to Env. Commit. (yes/no)	Commitment Approval Date	Implementation Phase	Status	Transmittal Date	Completion Date	Comments

CONSTRUCTION

Project Name: _____

Project Manager: _____

FM#: _____

FAP#: _____

Project Segment Number	Commitment	External Stakeholder	Env. Commitment? (yes/no)	Confirmed no impact to Env. Commit. (yes/no)	Commitment Approval Date	Implementation Phase	Status	Transmittal Date	Completion Date	Comments

OPERATION & MAINTENANCE

Project Name: _____

Project Manager: _____

FM#: _____

FAP#: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**TYPE 1 CATEGORICAL EXCLUSION
CHECKLIST**

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Financial Management No. 449008-2-54-01

FAP No. Not Available

CE Number: (c) (3) or (d) ___

Title: TAMPA MULTI-MODAL NETWORK & SAFETY IMPROVEMENTS BUILD - PHASE 2

Work Mix: BIKE PATH/TRAIL

District: FDOT District 7

County: Hillsborough County

Project Description:

The City of Tampa is proposing the development of the Multi-Modal Network and Safety Improvement Project (West River District) as part of a Better Utilizing Investments to Leverage Development (BUILD) direct recipient grant awarded by Federal Highway Administration (FHWA). The project as proposed will complete the City of Tampa's remaining segments of a 12.2-mile pedestrian and bicycle facility through important multi-modal and transportation safety network improvements and create a continuous transportation route along the Hillsborough River. The multi-modal path will expand connections and provide a variety of safe mobility options for pedestrians and bicyclists between several neighborhoods and employment centers. The project proposes safer and expanded alternative transportation paths by including new pavement, guardrails, lighting, landscaping, living shorelines, and repair/replacement of seawalls as needed.

The City of Tampa Multi-Modal Network and Safety Improvement Project (West River District) consists of six phase segments of independent utility. The information included within this environmental checklist is for Phase 2: from Kennedy Blvd to Palmetto St/Rome Ave.

The City of Tampa has presented to numerous organizations and neighborhoods as part of the community and stakeholder outreach for the West River District BUILD grant project over the last 10+ years. The planning and public involvement process began with The InVision Tampa "Tampa Center City Plan: Connecting Our Neighborhoods and Our River for Our Future".

The InVision Tampa planning team hosted a series of community knowledge exchanges and meetings, neighborhood charettes, one-on-one dialogues, I-town hall meetings, and online and social channels for greater outreach to ensure input from various audiences including traditionally marginalized communities. The most important community issues and topics that were identified included the Hillsborough River and waterfront, Center City neighborhoods, Tampa's Downtown Core, livable streets and community linkages, and transit.

Note: The items below consider the requirements described in 23 CFR § 771.117 (c) and (d) for listed Categorical Exclusions (CEs). The constraints of 23 CFR § 771.117(e) are addressed in this form for CEs identified as 23 CFR § 771.117 (c) (26), (27) and (28) or (d) list projects.

- This action **will not** induce significant impacts to planned growth or land use for the area; travel patterns; involve significant air or water quality impacts; or cause substantial controversy on environmental grounds.

Verified

1. **Right of Way (ROW)**
Within existing ROW

Comments:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
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Initial ROW Certification with Exceptions, based on the City Concept Plans, have been submitted to FHWA. The final ROW Certification will be submitted for review and approval during the design.

[\[4 - 449008-2-54-01 Segment 2_SIGNED ROW Cert\]](#)

2. **Wetland impacts that would require a permit from the U.S. Army Corps of Engineers (USACE) under the Clean Water Act, Section 404, 33 U.S.C. § 1344 and/or section 10 of the Rivers and Harbors Act:**
Nationwide permit
- Comments:**
Per a pre-application meeting with the USACE on November 10, 2022, it is anticipated that the project will require a Nationwide Permit #54 for living shoreline work associated with Segment 2. All permits will be obtained by the design-build contractor prior to construction.
3. **Bridge permits required from the United States Coast Guard (USCG):**
No Waterway Crossing
- Comments:**
N/A
4. **The project involves a floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths):**
Functionally Dependent Use or Facilitate Open Space Use
- Comments:**
N/A
- 5a. **Does the project involve a Wild and Scenic River or Study River ?**
No, the project does not involve a river designated as a Wild and Scenic, or Study River
- Comments:**
N/A
- 5b. **Will the action involve a river on the Nationwide Rivers Inventory (NRI)?**
No, the project will not involve a river on the NRI
- Comments:**
N/A
6. **Section 7 of the Endangered Species Act (ESA) of 1973, as amended, or Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA):**
ESA listed species and/or Essential Fish Habitat (EFH) present
- Determination of No Effect
Names of Species:
Florida grasshopper sparrow, Wood stork, Florida scrub-jay, Audubon's Crested Caracara, Rufa Red Knot, Eastern Black Rail, Piping Plover, Giant Mantaray, Florida golden aster, Florida bonamia, Pigmy fringe-tree.
- Used key, no consultation required
Names of Species:
Eastern indigo snake, Loggerhead Sea Turtle, Leatherback Sea Turtle, Green Sea Turtle, Hawksbill Sea Turtle,

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Kemp's Ridley Sea Turtle, Gulf Sturgeon, Smalltooth sawfish, West Indian manatee (Florida manatee), Bonnethead Shark EFH, Bull Shark EFH, Blacktip Shark EFH.

Comments:

One Natural Resource Evaluation Report (NRE) was completed for all phases of the project (Phases 1 - 6) and was submitted to FHWA on October 11, 2022. It is anticipated that the project will have no effect on the following federally protected species: Florida grasshopper sparrow, Wood stork, Florida scrub-jay, Audubon's Crested Caracara, Rufa Red Knot, Eastern Black Rail, Piping Plover, Giant Mantaray, Florida golden aster, Florida bonamia, and Pigmy fringe-tree.

It is anticipated that the project may affect, not likely to adversely affect the following federally protected species following commitments outlined within the NRE: Eastern indigo snake, Loggerhead Sea Turtle, Leatherback Sea Turtle, Green Sea Turtle, Hawksbill Sea Turtle, Kemp's Ridley Sea Turtle, Gulf Sturgeon, Smalltooth sawfish, and West Indian manatee (Florida manatee).

Additionally, it is anticipated that the project would have minimal effect to EFH for the Bonnethead Shark EFH, Bull Shark EFH, Blacktip Shark EFH.

Commitments outlined within the NRE include the following.

- The most recent version of the National Marine Fisheries Service (NMFS) Southeast Regional Office (SERO) Pile Driving Noise Calculator will be completed by the design-build contractor to account for planned noise disturbances based on the method of construction and design layout, as required by the U.S. Army Corps of Engineers (USACE), to calculate the potential effects of pile driving noise on species protected under the Endangered Species Act.
- USACE Nationwide Permit 54 will limit living shorelines to < 500 feet lengths and < 30 feet from seawall/shore.
- The City of Tampa will not be seeking water taxi stops, now or in the future, at the pedestrian underpasses or Tony Jannus Park.
- The most recent version of the USFWS *Standard Protection Measures for the Eastern Indigo Snake*, will be implemented to assure that the Eastern indigo snake will not be adversely impacted by the project.
- The nesting/roost location along the western edge of the Hillsborough River, north of Brorein St. will not be impacted. Design of the trail features in this area will be altered to avoid impacting or disturbing wading bird species utilizing this area for nesting and roosting.
- The most recent version of the FWC *Standard Manatee Conditions for In-Water Activities* will be implemented to assure that manatees will not be adversely impacted by the project.
- Water quality impacts from construction will be avoided and minimized through the implementation of Best Management Practices (BMPs) including, but not limited to, construction phasing, sediment barriers, floating turbidity curtains, silt fences, and other techniques identified by the regulatory agencies during permitting.
- The D-B Firm will design the in-water areas of the project in accordance with the Project Design Criteria A2.1, A2.2, and A7.1-A7.24 outlined within the *Jacksonville Biological Opinion*.

7. Will the action impact any properties protected by Section 4(f) pursuant to 23 CFR § 774?

Exception or Exemption (attach description of type and Official with Jurisdiction (OWJ) concurrence) [See 23CFR 774.13]

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OEM Coordination Date:

Resource(s):

Plant Park

Julian B. Lane Riverfront Park

M. L. King Jr. recreation Complex

Comments:

Exception or Exemption forms were sent to FHWA on October 5, 2022. Improvements of Plant Park and M.L. King Jr. is part of this project. Portions of these parks will be closed for the construction duration and areas may be used for staging and storage purposes. A work area and access route will be developed to minimize disturbance of Plant Park. Undisturbed areas of Plant Park will remain open during construction. The park may be used for staging of work within the park and in the UT easement only.

[Section 4\(f\) Form](#)

8. Historic and/or Archaeological Resources protected under Section 106 of the National Historic Preservation Act

Determination of "No Adverse Effect"

Comments:

One Cultural Resource Assessment Survey (CRAS) was completed for all phases of the project (Phases 1 - 6). It was determined that the project will have no adverse effect on historic properties that are listed in or eligible for listing in the NRHP. The project will also not have an adverse effect on any resources within the APE that have insufficient information to determine NRHP eligibility. FDOT sent the CRAS to SHPO on June 7th, 2022 and SHPO concurred with the CRAS findings on June 15, 2022.

[\[3 - West River District CRAS SHPO Concurrence\]](#)

9. Noise considerations

The project does not require a Noise Analysis

Comments:

N/A

10. Contamination Considerations

The project was evaluated.

Comments:

One Contamination Screening Evaluation Report (CSER) was completed for all phases of the project (Phases 1 - 6). Within Phase 2, one site was rated as having a "High" potential for contamination impact, six were rated as having a "Low" potential for contamination impact, and five were rated as having "No" potential for contamination impact.

The following site was rated High: Site 11 - CSXT Railroad - W Cass St.

Prior to the start of construction, the current status of all sites identified during this evaluation will be updated by

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reviewing the regulatory databases. All sites that currently have active USTs and/or ASTs will be re-examined prior to any land acquisition. In addition, a field reconnaissance will be conducted for the project segments to verify that the site conditions or the land use has not changed. Further environmental investigations will be considered on any site rated "Medium" or "High" if land acquisition or construction that results in soil disturbance is proposed.

Additional testing will be required for the high ranked site listed above as outlined within the CSER document.

[\[2 - West River District Technical Memorandum CSER May 2022_Final\]](#)

11. Planning Consistency

This Project was reviewed for fiscal constraint and determined to have committed, available or reasonably available funds for the implementation of all the phase(s) of the Project within the time period anticipated for completion of the Project. [23 CFR Part 450]

FHWA fully obligated BUILD funds for this project in July 2022. In accordance with the Grant Agreement, the remaining funds (local match) have been committed from the City. Therefore the project has been fully funded for construction. The project is also included in the TIP and is attached to the Type 1 CEs. The project is not currently within the LRTP.

[\[3 - TIP\]](#)

12. Project Commitment Record

[\[5 - PCR Phase 2\]](#)

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The following is a list of any supporting activities (e.g., field reviews, as appropriate, etc.), reports, or technical studies that were prepared and are included in the project file that were necessary to support the conclusions reached on the checklist:

Section 4(f) Forms and Signed OWJ Statement of Significance

- 1 - TIP [44900825401-CE1-D7-TIP-2022-1116.pdf](#)
- 2 - West River District Technical Memorandum CSER May 2022_Final [44900825401-CE1-D7-West_River_District_Technical_Memorandum_CSER_May_2022_Final-2022-0602.pdf](#)
- 3 - West River District CRAS SHPO Concurrence [44900825401-CE1-D7-West_River_District_CRAS_SHPO_Concurrence-2022-0909.pdf](#)
- 4 - 449008-2-54-01 Segment 2_SIGNED ROW Cert [44900825401-CE1-D7-449008-2-54-01_Segment_2_SIGNED_ROW_Cert-2022-1116.pdf](#)
- 5 - PCR Phase 2 [44900825401-CE1-D7-PCR_Phase_2-2022-1202.pdf](#)

Based on the information presented in this document and the associated documents provided by the grantee or their designee, and based on FHWA's past experience with similar actions, FHWA has determined that actions described herein do not have a significant effect on the human or natural environment.

Signed: _____

For: Jamie Christian, PE
Division Administrator
FHWA, Florida Division

Section 4(f) Forms and OWJ Signed Statement of Significance Letter

Section 4(f) Resources

Florida Department of Transportation

TAMPA MULTI-MODAL NETWORK & SAFETY IMPROVEMENTS BUILD - PHASE 2

District: FDOT District 7

County: Hillsborough County

ETDM Number: N/A

Financial Management Number: 449008-2-54-01

Federal-Aid Project Number: N/A

Project Manager: Michelle Rutishauser

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022 and executed by the Federal Highway Administration and FDOT. Submitted pursuant 49 U.S.C. § 303.

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M. L. King Jr. recreation Complex	4
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DRAFT

Summary and Approval

Resource Name	Facility Type	Property Classification	Owner/Official with Jurisdiction	Recommended Outcome	OEM SME Action
Plant Park	NEIGHBORHOOD PARK /WALKING PATH	Park/Rec Area	City of Tampa	Exception/Exemption	Determination Pending
Julian B. Lane Riverfront Park	REGIONAL PARK/ MIXED USED RECREATION	Park/Rec Area	City of Tampa	Exception/Exemption	Determination Pending
M. L. King Jr. recreation Complex	NEIGHBORHOOD PARK / MIXED USE RECREATION	Park/Rec Area	City of Tampa	Exception/Exemption	Determination Pending

DRAFT

Plant Park

Facility Type: NEIGHBORHOOD PARK / WALKING PATH

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 429 W Kennedy Blvd, Tampa, FL, 33606, USA

Latitude: 27.94663815 Longitude: -82.46281659

Description of Property:

Henry B. Plant Park is a public park with walking paths, seating areas, and fountains situated among lawns, shrubs, and trees located on the Hillsborough River just north of W. Kennedy Blvd in Tampa. The park is approximately 5.98 acres in size. The park connects student and the public to areas within the University as well as providing views of the Hillsborough River. The park provides an open space for the public.

Owner/Official with Jurisdiction: City of Tampa

Recommended Outcome: Exception/Exemption

Exception/Exemption Type: Transportation enhancement activities, transportation alternatives projects, and mitigation activities that meet the conditions in 23 CFR 774.13(g)(1-2).

Exception/Exemption Justification:

The project proposes to incorporate an updated trail within the park boundaries which will include a new 12 foot wide trail. The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection.

OEM SME Determination Date: Pending

Julian B. Lane Riverfront Park

Facility Type: REGIONAL PARK/ MIXED USED RECREATION

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 1301 N Boulevard, Tampa, FL, 33607, USA

Latitude: 27.95355126 Longitude: -82.46706946

Description of Property:

Julian B. Lane Riverfront Park is a regional park/ mixed use recreation area on the south side of W Laurel Street, east of N Blvd in Tampa. The park is approximately 21.43 acres in size. The park offers public amenities including sports fields, splash pads, boat docks, walking paths, picnic areas, bathrooms, dog park, boat house, and open space, etc.

Owner/Official with Jurisdiction: City of Tampa

Recommended Outcome: Exception/Exemption

Exception/Exemption Type: Transportation enhancement activities, transportation alternatives projects, and mitigation activities that meet the conditions in 23 CFR 774.13(g)(1-2).

Exception/Exemption Justification:

The project proposes to connect a trail from the south along the Hillsborough River to the southeastern most portion of the Julian B. Lane property at the easternmost part of W Cypress Street. Work within the property would include the connection of the proposed trail to this resource and provide connection for users of the existing and proposed trails. The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection.

OEM SME Determination Date: Pending

M. L. King Jr. recreation Complex

Facility Type: NEIGHBORHOOD PARK / MIXED USE RECREATION

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 2105 N Rome Ave, Tampa, FL, 33607, USA

Latitude: 27.96190615 Longitude: -82.47551631

Description of Property:

M. L. King Jr. Recreation Complex is a public neighborhood park/ mixed use recreation area with amenities including a gymnasium, play courts and playground, shuffleboard, computer lab, pool and art studio. The park is approximately 5.47 acres in size.

Owner/Official with Jurisdiction: City of Tampa

Recommended Outcome: Exception/Exemption

Exception/Exemption Type:

Exception/Exemption Justification:

The project proposes to incorporate a new trail within the MLK Recreation Complex to allow access through to Rome Avenue. The project will provide access to amenities along the trail to the east and west. No existing amenities within the park will be affected. The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection.

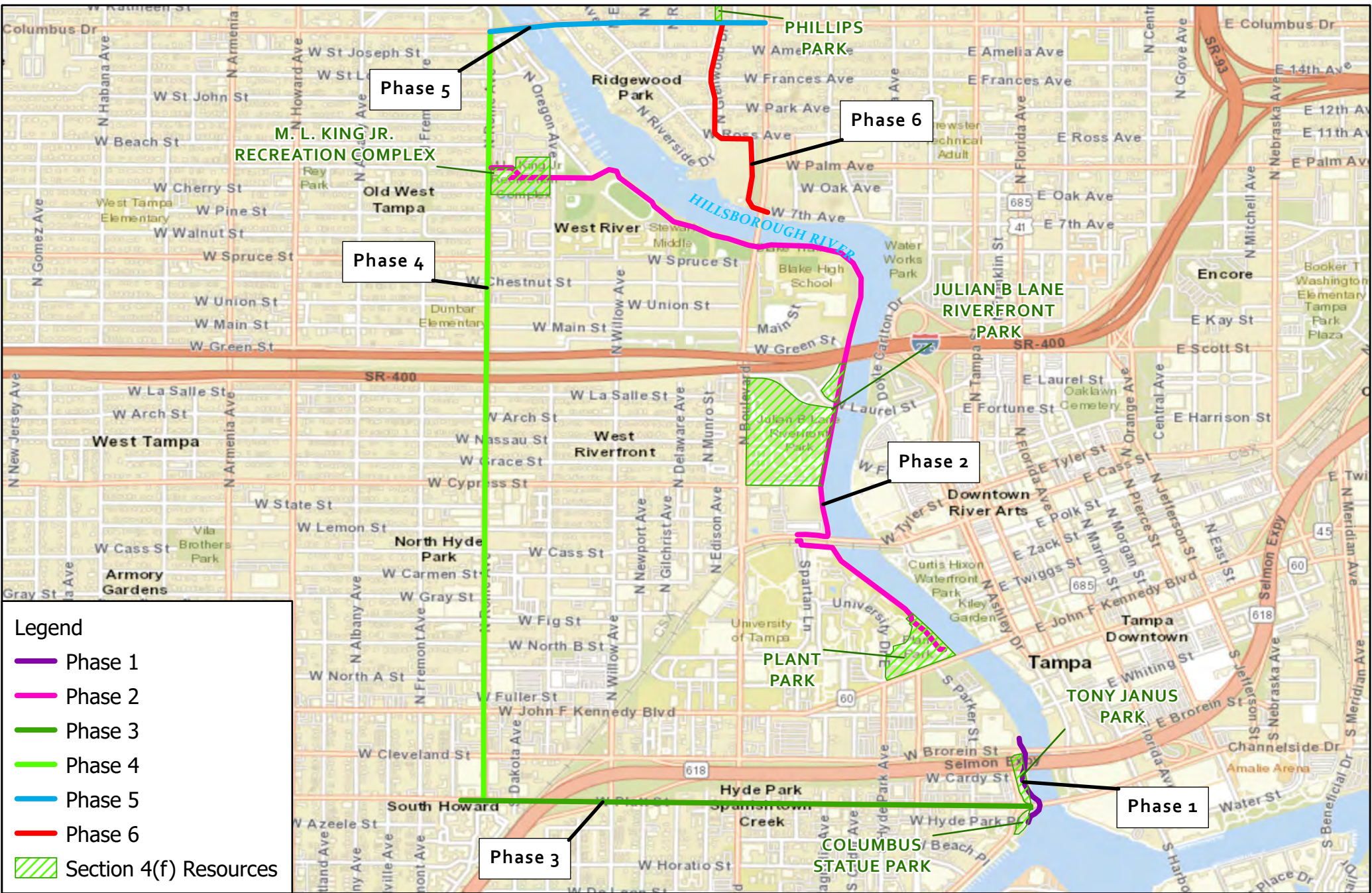
OEM SME Determination Date: Pending

Project-Level Attachments

Section 4f Location

West River District Section 4f OWJ Concurrence Letter

DRAFT



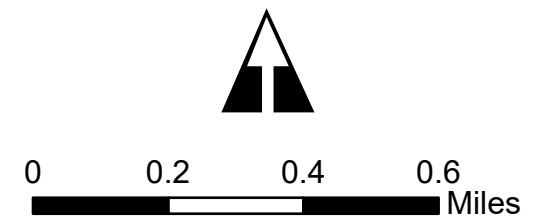
Legend

- Phase 1
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Phase 6
- Section 4(f) Resources



Section 4(f) Resource Location Map

Phase 1-6 (FPID: 449008-1, 449008-2, 449008-3, 449008-4, 449008-5, 449008-6)
 Tampa Multi-Modal Network and Safety Improvements Project
 West River District
 Hillsborough County





CITY OF TAMPA

— OFFICE OF THE MAYOR —

Jane Castor, Mayor

October 10, 2022

Mr. Joseph Sullivan
Environmental Protection Specialist
Federal Highway Administration – Florida Division
Joseph.Sullivan@dot.gov

**RE: Section 4(f) Statement of Significance and Concurrence
Tampa Multi-Modal Network & Safety Improvements (West River District) BUILD
Grant – Segments 1-6
Financial Project ID: 449008-1-54-01, 449008-2-54-01, 449008-3-54-01, 449008-4-54-
01, 449008-5-54-01, 449008-6-54-01**

Dear Mr. Sullivan,

As the Official with Jurisdiction (OWJ), please accept this letter as a formal Statement of Significance for the City of Tampa's Multi-Modal Network & Safety Improvements (West River District) BUILD Grant for Segments 1-6. The following parks and recreation facilities: Columbus Statue Park, Tony Janus Park, Plant Park, Julian B Lane Riverfront Park, M. L. King Jr. Recreation Complex, and Glenwood Drive Neighborhood Park, are located within the limits of the referenced project. For purposes of Section 4(f) (49 U.S.C. § 303), significance means that in comparing the availability and function of the recreation area, park, or wildlife and waterfowl refuge area with the recreational, park, and refuge objectives of the community, the land in question plays an important role in meeting those objectives.

The six resources listed above are considered significant recreational resources within the meaning of Section 4(f) of the U.S. Department of Transportation Act regulations. Please accept this letter as acknowledgement from the City of Tampa regarding work proposed within and adjacent to these resources in conjunction with the proposed Tampa Multi-Modal Network & Safety Improvements (West River District) BUILD Grant Segments 1-6.

The City of Tampa understands that the work within and adjacent to these resources will include various improvements including new paved trails, guardrails, lighting, landscaping, seawall repair/living shoreline installation, and/or elevated over water pedestrian walkways. Additionally, the City of Tampa understands that the work associated with Tony Janus Park will

Letter to Mr. Joseph Sullivan, Federal Highway Administration – Florida Division
October 10, 2022

Page 2

involve the closure of the park for the duration of construction and that the park will be restored or improved following completion of work within or adjacent to the park.

The City of Tampa understands that the use of these resources during this project will not include any permanent acquisition of property by FHWA. In addition, the City of Tampa concurs that the following condition will be met by the project:

1. The use of the Section 4(f) properties is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies these properties for Section 4(f) protection.

Should you have any questions or require additional information, please contact Sherisha Hills, Director, Parks and Recreation at (813) 274-8615 or by email at sherisha.hills@tampagov.net.

Sincerely,



Jane Castor

Cc: Sherisha Hills, Director, Parks and Recreation
Brad Suder, Superintendent, Parks and Recreation Planning and Design
Tony Monk, Landscape Architect III, Parks and Recreation Planning and Design
Lenora Roberson, Executive Aide, Parks and Recreation

Resource Attachments

None

DRAFT

Cultural Resources Assessment Survey (CRAS) SHPO Concurrence Letter



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 North McKinley Drive
Tampa, FL 33612

JARED W. PERDUE, P.E.
SECRETARY

June 7, 2022

Timothy A. Parsons, Ph.D., Director
State Historic Preservation Officer
Florida Division of Historical Resources
500 South Bronough Street
Tallahassee, FL 32399-0250

Attention: Alyssa McManus, Transportation Compliance Review Program

**Re: Cultural Resource Assessment Survey (CRAS) for Tampa Multi-modal Network and Safety Improvements (West River District)
Financial Management No. (FMN): 449008-1 through 449008-6
Federal Aid Project No.: Not Listed**

Dear Dr. Parsons:

The City of Tampa, in coordination with Florida Department of Transportation (FDOT), District Seven, is planning the Tampa Multi-modal Network and Safety Improvements, West River District, project in Hillsborough County, Florida. The project is federally funded via a Direct Recipient BUILD Grant. The proposed project will complete the remaining segments of a 12.2-mile pedestrian and bicycle transportation route. The multi-modal path will include new pavement, guard rails, lighting, landscaping, and seawall repair or new seawall installation. All improvements are to be contained within existing right-of-way (ROW) and easements. Time extensions to two expiring existing easements are being finalized with the University of Tampa and the Tampa Hillsborough Expressway Authority.

Enclosed is one copy of the CRAS (June 2022) that was prepared for the above referenced project, two (2) Florida Master Site File (FMSF) forms (8HI11519 and 8HI15273), a Survey Log Sheet, and a CD containing an electronic version of these files.

On behalf of the City of Tampa, HNTB prepared a CRAS for the project. The purpose of the CRAS was to identify the presence of resources listed in or considered eligible for listing in the National Register of Historic Places (NRHP) according to the criteria set forth in 36 CFR 60.4 and if applicable, to apply the Criteria of Adverse Effect, as set forth in 36 CFR 800.5(a)(1) to the project. Principal Investigators meet the *Secretary of the Interior's Professional Qualification Standards* (48 FR 44716).

For the proposed West River Multi-Modal Network and Safety Improvements project the Area of Potential Effects (APE) for the archaeological survey included approximately 1.35 miles of

undeveloped corridor. The width of the survey area varied but in general, a single centrally located transect was required to provide systematic coverage of the APE. Due to the nature of the proposed project and its minimal potential direct and indirect effects to historic resources, the APE for historic resources survey was confined to the existing ROW for the approximately 1.35 miles of proposed multi-modal path.

The archaeological survey identified one new Archaeological Occurrence (AO-1). Archaeological Occurrence-1 (AO1) may contain intact buried deposits since artifacts were recovered below the disturbed Stratum I soils. As an Archaeological Occurrence, this resource was not recorded as a site and is therefore not evaluated for NRHP-eligibility. The location of a portion of previously identified site 8HI86 was revisited, but the portion within the APE is currently built environment, and no evidence of the site was identified.

Background research and the architectural field survey resulted in the identification and evaluation of three NRHP listed resources, one of which is also a locally designated resource; two previously determined eligible historic bridges; and one previously recorded linear resource. The listed resources are the Michigan Avenue Bridge (8HI00672), the Lafayette Street Bridge (8HI00640), and the overlapping NRHP and locally designated Hyde Park Historic Districts (8HI01050). The two previously determined eligible historic bridges are the Platt Street Bridge (8HI0862) and the Brorein Street Bridge (8HI11540). The previously recorded linear resource is the former Atlantic Coast Line Railroad (8HI11519). In addition, one new historic linear resource was identified, Abandoned Rail Segment (8HI5273). The portion of 8HI11519 within the APE has insufficient information to determine NRHP eligibility. The portion of 8HI15273 is considered ineligible for listing in the NRHP.

As a result of background research and the field survey, the project will have no adverse effect on historic properties that are listed in or eligible for listing in the NRHP. The property will also not have an adverse effect on the portion of 8HI11519 within the APE that has insufficient information to determine NRHP eligibility.

I am requesting your concurrence with our evaluation that the **Tampa Multi-modal Network and Safety Improvements (West River District)** project will result in a finding of *no adverse effect*.

This information is being provided in accordance with the provisions of the National Historic Preservation Act of 1966 (as amended), which are implemented by the procedures contained in 36 CFR, Part 800, as well as in accordance with the provisions contained in the revised Chapter 267, *Florida Statutes*.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by the Federal Highway Administration (FHWA) and FDOT.

Timothy A. Parsons, Ph.D., Director
Tampa Multimodal Network and Safety Improvements
Hillsborough County, Florida
FMN.: 449008-1 through 449008-6
June 7, 2022
Page 3 of 4

If you have any questions, or if I may be of assistance, please contact me at (813) 975-6637
or crystal.geiger@dot.state.fl.us.

Sincerely,



Crystal Geiger
Environmental Specialist III
Cultural Resource Coordinator

Enclosures

cc: Robin Rhinesmith, FDOT
Sarah K. Guagnini, Atkins
Nina Mabileau, City of Tampa

Deena Woodward, FDOT OEM
Phillip Quirk, HNTB

The State Historic Preservation Officer finds the attached Cultural Resource Assessment Survey (CRAS) complete and sufficient and concurs / does not concur with the recommendations and findings in this letter for SHPO / FDHR Project File Number 2022-3633. Or, the SHPO finds the attached document contains insufficient information.

In accordance with the Programmatic Agreement among the FHWA, ACHP, FDHR, SHPO, and FDOT Regarding Implementation of the Federal-Aid Highway Program in Florida, if providing concurrence with a finding of No Historic Properties Affected for a project as a whole, or to No Adverse Effect on a specific historic property, SHPO shall proceed with a *de minimis* Section 4(f) finding at its discretion for the use of land from the historic property.

SHPO Comments:

Kelly L. Chase
DSHPO

Digitally signed by Kelly L. Chase, DSHPO
DN: cn=Kelly L. Chase, DSHPO, o, ou,
email=kelly.chase@dos.myflorida.com, c=US
Date: 2022.06.15 09:18:01 -0400

6.15.2022

Timothy A. Parsons, Ph.D., Director
Florida Division of Historical Resources

Date

*Contamination Screening Evaluation Report (CSER) Technical Memorandum
(Provided under separate cover)*

*Hillsborough County Transportation Planning Organization (TPO) Transportation
Improvement Program (TIP) Funding Documentation*

**City of Tampa
5 Year TIP
Hillsborough County, District 7**

City of Tampa

Item Number: **T1001593** Description: West Davis Bridge
 Project Length: Extra Description: This project provides for the replacement of an existing bridge at West Davis Boulevard.
 Type of Work: Bridge replacement
 NON-SIS

Fund	<2023	2023	2024	2025	2026	2027	>2027	All Years
- Managed by City of Tampa								
	\$0	\$0	\$440,000	\$440,000	\$440,000	\$0	\$0	\$1,320,000
Totals:	\$0	\$0	\$440,000	\$440,000	\$440,000	\$0	\$0	\$1,320,000
Item T1001593 Totals:	\$0	\$0	\$440,000	\$440,000	\$440,000	\$0	\$0	\$1,320,000

Item Number: **T1002096** Description: BUILD
 Project Length: Extra Description: This project provides for construction of multi-use paths along the west side of Hillsborough River (btw Platt St and Rome Ave) and through Ridgewood Park, and complete street and safety improvements on Platt St, Rome Ave, and Columbus Dr.).
 Type of Work: Trails and multi use path
 NON-SIS

Fund	<2023	2023	2024	2025	2026	2027	>2027	All Years
- Managed by City of Tampa								
	\$24,885,000	\$1,900,000	\$1,900,000	\$1,315,000	\$0	\$0	\$0	\$30,000,000
Totals:	\$24,885,000	\$1,900,000	\$1,900,000	\$1,315,000	\$0	\$0	\$0	\$30,000,000
Item T1002096 Totals:	\$24,885,000	\$1,900,000	\$1,900,000	\$1,315,000	\$0	\$0	\$0	\$30,000,000

City of Tampa Right of Way (ROW) Certificate

INITIAL DESIGN BUILD CERTIFICATION WITH EXCEPTION(S)

R/W ITEM/SEGMENT NO.: _____ MANAGING DISTRICT: _____
 CONSTRUCTION ITEM/SEGMENT NO.: 449008-2-54-01
 F.A.P. NO. (Construction): _____ STATE ROAD: N/A (Not Applicable)
 COUNTY: Hillsborough DESCRIPTION: TAMPA MULTI-MODAL NETWORK
 LETTING DATE: _____ AND SAFETY IMPROVEMENTS BUILD - SEGMENT 2

The undersigned hereby certifies as follows:

This is an initial Design Build certification with exception(s). Additional right of way may be required for this project. All right of way to be acquired for this project shall be acquired in compliance with applicable state and federal law. Title to all property and easements needed for the above construction project is vested in the state or local government. The City has obtained sufficient authority to construct and maintain the proposed improvements on property and easements owned by state or local governments.
 Further:

Acquisition

- Right of way was not acquired for this project.
 Right of way was acquired for this project in compliance with applicable state and federal law.

Relocation

- No persons or businesses were required to move or move personal property from the project right of way.
 All persons and businesses that were required to move or move personal property from the project right of way have been provided relocation assistance in compliance with applicable state and federal law.

Demolition

- No structures or improvements, including encroachments, required removal from the project right of way.
 All structures and/or improvements, including encroachments, have been removed from the project right of way in compliance with applicable state and federal law, or will be included in the construction contract.

Asbestos Abatement

- No structures or improvements requiring asbestos abatement were located on the project right of way.
 Asbestos abatement of buildings and/or structures, including those to be removed by the construction contractor, has been completed in compliance with applicable state and federal law, or will be included in the construction contract.

Submitted by Local Agency: Michelle Van Loan, Danni Jorgenson 8/11/22
 Title: City Real Estate Director / City Transportation Engineering Manager Date:

INITIAL DESIGN BUILD CERTIFICATION WITH EXCEPTION(S)

Exception(s) to the above statements and time frame(s) for the exception(s) to be cleared or removed are described as follows:

- 1.) The City's existing "Public Trail Easement" from the University of Tampa is perpetual and non-exclusive. The City is pursuing an amendment to this agreement to enlarge the easement which will allow proposed project improvements to the existing facility. Attached are the Sketch and Legal Description Provided by the Univ. of Tampa. Exception to be cleared/removed by 12/31/2022.
 - City Real Estate currently obtaining title work on the revised easement.
 - Revised Easement document to be drafted by Mobility Dept. Attorney.

- 2.) The City's existing "Easement Agreement" with Tampa Preparatory School is perpetual and non-exclusive. The City intends to either amend or enter into a new agreement to extend certain termination date of easement, currently based on construction (First Amendment) commencement. To be cleared prior to Design-Build contract award ~ 12/31/2022.

- 3.) The City holds a 5/2/2017 fee simple deed, granted by the School Board of Hillsborough County, for the trail corridor adjacent to both Blake and Stewart public schools. The City and the School District of Hillsborough County (SDHC) intend to execute a new agreement to remove certain restrictions, prohibitions, covenants on City use of the deeded property. New SDHC Agreement to be drafted by the Mobility Dept. Attorney. Exception to be cleared/removed prior to construction contract award, March 2023.

Certified by FHWA: _____
 Title: FHWA Division ROW Manager Date: _____

FHWA's Comments:

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Return to:
City of Tampa
Real Estate Division
308 East Jackson Street, 3 North
Tampa, Florida 33602
Attn:

Resolution No.: 2011-647
Grantee's Tax ID#59-1101138

GRANT OF PUBLIC TRAIL EASEMENT

THIS GRANT OF PUBLIC TRAIL EASEMENT ("Grant of Easement") is made this 2nd day of SEPTEMBER, 20 11, by The University of Tampa, Incorporated, a Florida non-profit corporation, whose address is 401 West Kennedy Boulevard, Tampa, Florida 33606 (hereinafter "Grantor") in favor of the City of Tampa, a municipal corporation organized and existing under the laws of the State of Florida, with its office and principal place of business at 315 East Kennedy Boulevard, Tampa, Florida 33602, (hereinafter "Grantee").

WITNESSETH:

WHEREAS, the Grantor either owns in fee or possesses a long term leasehold interest from the Grantee in the land described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Easement Property"); and

WHEREAS, the Grantee desires to install or construct, and thereafter operate and maintain on the Easement Property a "Greenways Trail" for use by members of the general public; and

WHEREAS, in consideration of this Grant of Easement by Grantor to Grantee, the Grantee has simultaneously conveyed its interest in and to certain land to Grantor by way of Quit Claim Deed of even date herewith.

NOW, THEREFORE, in consideration of the foregoing recitals, which are true and correct and are incorporated herein by this reference, the sum of TEN AND NO/100ths (\$10.00) DOLLARS, and other good and valuable considerations received, to it in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey a perpetual, non-exclusive easement over, under and across and through the Easement Property described in Exhibit "A" attached hereto and made a part hereof for the purpose of constructing, operating, maintaining and repairing a portion of the City of Tampa

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"Greenways Trail System" to be constructed thereon ("Trail Easement") subject to the following terms and conditions:

- (1) Prior to the construction, installation or repair of the trail and any appurtenances thereto, including, without limitation lighting, solid waste receptacles, signage, safety devices, gates that can be locked at both end points of the Trail Easement and landscaping but expressly excluding benches, seating or other like improvements (collectively referred to herein as the "Greenways Trail Improvements"), Grantee shall provide Grantor the detailed plans for said Greenways Trails Improvements, including, without limitation, a description of the materials to be used in conjunction with the Greenways Trails Improvements for review and approval, which approval shall not be unreasonably withheld, conditioned, delayed or denied so long as such plans are consistent with the terms hereof. The parties acknowledge and agree that in connection with Grantor's review and approval of the Greenways Trail Improvements, Grantor and Grantee shall reasonably cooperate with each other in connection with the location of such Greenways Trail Improvements so that the location of the same shall not conflict with then existing property conditions or other improvements located within the Easement Property. In addition, prior to the construction installation or repair of the Greenways Trail Improvements, simultaneously with Grantee's submission to Grantor of the foregoing detailed plans for said Greenways Trail Improvements, Grantee shall provide Grantor with evidence satisfactory to Grantor that the southern Greenways Trail Improvements terminus is located south of Kennedy Boulevard consistently with the Greenways and Trails Master Plan adopted by the Grantee's City Council in 2001.**
- (2) Prior to commencing the construction or repair of the Greenways Trail Improvements, Grantee shall cause its contractor to include the Grantor as an "additional insured" on all casualty, liability, workers' compensation, contractors or other insurance required by Grantee in connection with the construction or repair of the Greenways Trail Improvements. Builder's risk coverage shall be no less than \$1,000,000.00 bodily injury/property damage combined, single-limit for each occurrence and general liability coverage shall be no less than \$2,000,000.00 each occurrence and aggregate covering bodily injury, death and property damage. Further, all of the required insurance shall contain a severability of interest provision and provide a minimum of thirty (30) days prior written notice in the event of any proposed termination or change in the terms of coverage. Finally, such insurance shall be primary to any insurance carried by Grantor or any self-insurance program of Grantor;**
- (3) Grantee shall be solely responsible for the construction of the Greenways Trail Improvements, which shall include a trail approximately 10 feet in width, lighting, signage and landscaping within the Trail Easement at the**

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Grantee's sole cost and expense, and in substantial compliance with the plans provided to and approved by Grantor. This Trail Easement shall only be effective upon the commencement of construction of the Greenways Trail Improvements;

- (4) By accepting this Grant of Easement, Grantee agrees that it shall exercise its rights hereunder in a manner that will not result in any damage to or removal of any existing improvements, pavement, utilities, facilities, trees or landscaping located in, on or in proximity to the Easement Property (collectively "Existing Improvements"), without the consent of Grantor, which consent shall not be unreasonably denied. In the event that any damage is caused by Grantee to any Existing Improvements in connection with the exercise of its rights hereunder, Grantee shall promptly repair any such damage at Grantee's sole cost and expense;
- (5) After construction, the Greenways Trail Improvements located on or in the Easement Property, Grantee shall be solely responsible for the maintenance and repair of the Trail Easement and the Greenways Trail Improvements;
- (6) After construction, it is understood and agreed that the Trail Easement shall be used by the public as a pedestrian, biking, jogging, hiking and public recreation trail, solely and for no other purpose, whatsoever;
- (7) The Trail Easement shall only be open for public use from dawn to dusk on a daily basis. When the Trail Easement is not open for use by the public, Grantor may secure the gates at either end of the Easement Property so that the public is physically unable to use the Trail Easement from dusk to dawn. In addition, Grantor may provide additional security measures as deemed mutually acceptable to Grantor and Grantee.
- (8) Grantee shall undertake to include the Trail Easement as part of the "Florida Greenways and Trails System" as that term is defined in the "Florida Greenways and Trails Act", Sections 260.011-260.021, Florida Statutes, which requires designation thereof by the State of Florida Department of Environmental Protection, thereby affording Grantor the protections from liability contained in Section 260.0125, Florida Statutes;
- (9) Notwithstanding any other provision contained herein to the contrary, Grantor retains the right, but not the responsibility, to patrol and secure the Easement Property as may be reasonably necessary in connection with securing the remainder of the University campus located adjacent to or near the Easement Property. During the term of the Grant of Easement, Grantee, at its own cost and expense, shall provide reasonable security measures that are at least equal to security provided at similarly located greenway trails. Grantee acknowledges that Grantor shall have no obligation

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to provide any security whatsoever for the Easement Property during the term of the Grant of Easement or in connection with Grantee's activities thereon.

- (10) Notwithstanding any other provision contained herein to the contrary, Grantor reserves the right to use the Easement Property, including, without limitation, the Trail Easement, provided that such use by Grantor does not unreasonably interfere with Grantee's use and rights under this Grant of Easement;
- (11) City shall indemnify, defend, and hold the University harmless from any claims, suits, demands, judgments, damages, costs or expenses caused or alleged to be caused by the negligence of City employees, officials or agents acting in the course of their employment in the installation, operation or maintenance of the Easement. Nothing in this indemnity provision shall be deemed a waiver of or estop the City from asserting any defense, privilege or immunity available to the City under the doctrine of sovereign immunity or Section 768.28, Florida Statutes, including the limits on liability contained therein. All claims arising under this indemnity provision shall comply with the pre-suit procedures contained in Section 768.28, Florida Statutes; and
- (12) This Grant of Easement shall be interpreted, construed and enforced in accordance with the laws of Florida and shall be binding upon and shall inure to the benefit of the heirs, personal representatives, successors and assigns of the parties hereto.

THIS IS NOT A CERTIFIED COPY

IN WITNESS WHEREOF, the said Grantor, has caused these presents to be executed in its name by its proper officers and its corporate seal to be hereto affixed the day and year first above written.

Signed, sealed, and delivered
In the presence of:

Witness: *Kevin LaSack*
Kevin LaSack
Witness: *Carol Zimmerman*
Carol Zimmerman
(Print or type name beneath signature)

THE UNIVERSITY OF TAMPA,
INCORPORATED,
a Florida non-profit corporation

By: *Richard W. Ogorek*
Name: Richard W. Ogorek
(Print or type name)
Its: Vice President for
Administration and Finance

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH



The foregoing instrument was acknowledged before me this 2nd day of September, 20 11, by Richard W. Ogorek as V.P. for Administration* (title) of The University of Tampa, Incorporated, a Florida non-profit corporation, on behalf of the corporation, and who is either (mark one) personally known to me or produced _____ as identification.

* and Finance

Kathy Cooper
Signature of Acknowledger

KATHY COOPER
Name typed, printed or stamped
NOTARY PUBLIC
State of Florida at Large
Serial No. (if any)



JUNE 26, 2014
My Commission Expires:

THIS IS NOT A CERTIFIED COPY

Hillsborough River Greenway – Blake Trail (U.T. Parcel 1)

Legal Description

Commence at the Southeast corner of Block 12 of HAYDENS SUBDIVISION, as recorded in Plat Book 1, Page 44, of the Public Records of Hillsborough County, Florida; thence, N.66°55'31"E., (ASSUMED), 506.09 feet along the Northerly right-of-way line of West Kennedy Boulevard and extension thereof, thence leave said Northerly right-of-way line, N.00°00'00"W., 708.07 feet; thence S.44°08'18"E., 328.09 feet; thence N.44°44'39"E., 228.04 feet; to the POINT OF BEGINNING of easement herein described; thence from said Point of Beginning N.48°36'47"W., 46.45 feet to the beginning of a curve said curve having a radius of 81.00 feet, delta angle of 47°34'57", chord bearing and distance of N.24°49'18"W., 65.35 feet, thence along the arc of said curve to the right 67.27 feet to the point of a reverse curve, said reverse curve having for its elements a radius of 66.00 feet, delta angle of 45°17'01", chord bearing and distance of N.23°40'21"W., 50.05 feet, thence along the arc of said curve to the left, 51.37 feet to a point of tangency; thence N.46°18'51"W., 55.50 feet; thence N.49°25'15"W., 178.49 feet; thence N.50°30'09"W., 122.17 feet; thence N.51°36'38"W., 123.36 feet; thence N.50°54'20"W., 169.96 feet; thence N.48°57'51"W., 100.73 feet; thence N.52°04'55"W., 169.52 feet; thence N.30°57'23"W., 18.51 feet to a point on the Southerly boundary line of that parcel described in Official Record Book 4506, Page 1681, of the Public records of Hillsborough County, Florida; thence S.89°55'23"E., along said Southerly boundary, 32.67 feet to a 1st (first) point on the extension North of an existing back of seawall bulkhead; thence from said 1st (first) point Southeasterly along said existing back of seawall bulkhead and extension thereof, 923.18 feet to a 2nd (second) point on the back of existing seawall bulkhead line, said 2nd (second) point lies S.49°37'32"E., 922.41 feet from said 1st (first) point; thence from said 2nd (second) point lying on the back of existing seawall bulkhead line and also being the point of a NON-tangent curve, said curve having for its elements a radius of 81.00 feet, delta angle of 38°30'15", chord bearing and distance of S.20°16'58"E., 53.41 feet, thence along the arc of said curve to the right, 54.43 feet to a point of reverse curve, said reverse curve having for its elements a radius of 66.00 feet, delta angle of 47°34'57", chord bearing and distance of S.24°49'18"E., 52.44 feet, thence along the arc of said curve to the left, 53.98 feet to a point of tangency; thence S.48°36'47"E., 47.39 feet; thence S.44°44'39"W., 16.03 feet to the Point of Beginning

Easement area contains 0.4192 Acres more or less.

SUBJECT TO: that part of a City of Tampa Master Sanitary Sewer Easement per Resolution 8136-C lying over the above described parcel.

City of Tampa
Right of Way & Mapping Section
LEGAL DESCRIPTION APPROVED

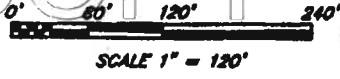
Date: 08/11/11 File No. 2344

Attest: L-12 By *J.H. Cook*

Exhibit "A"

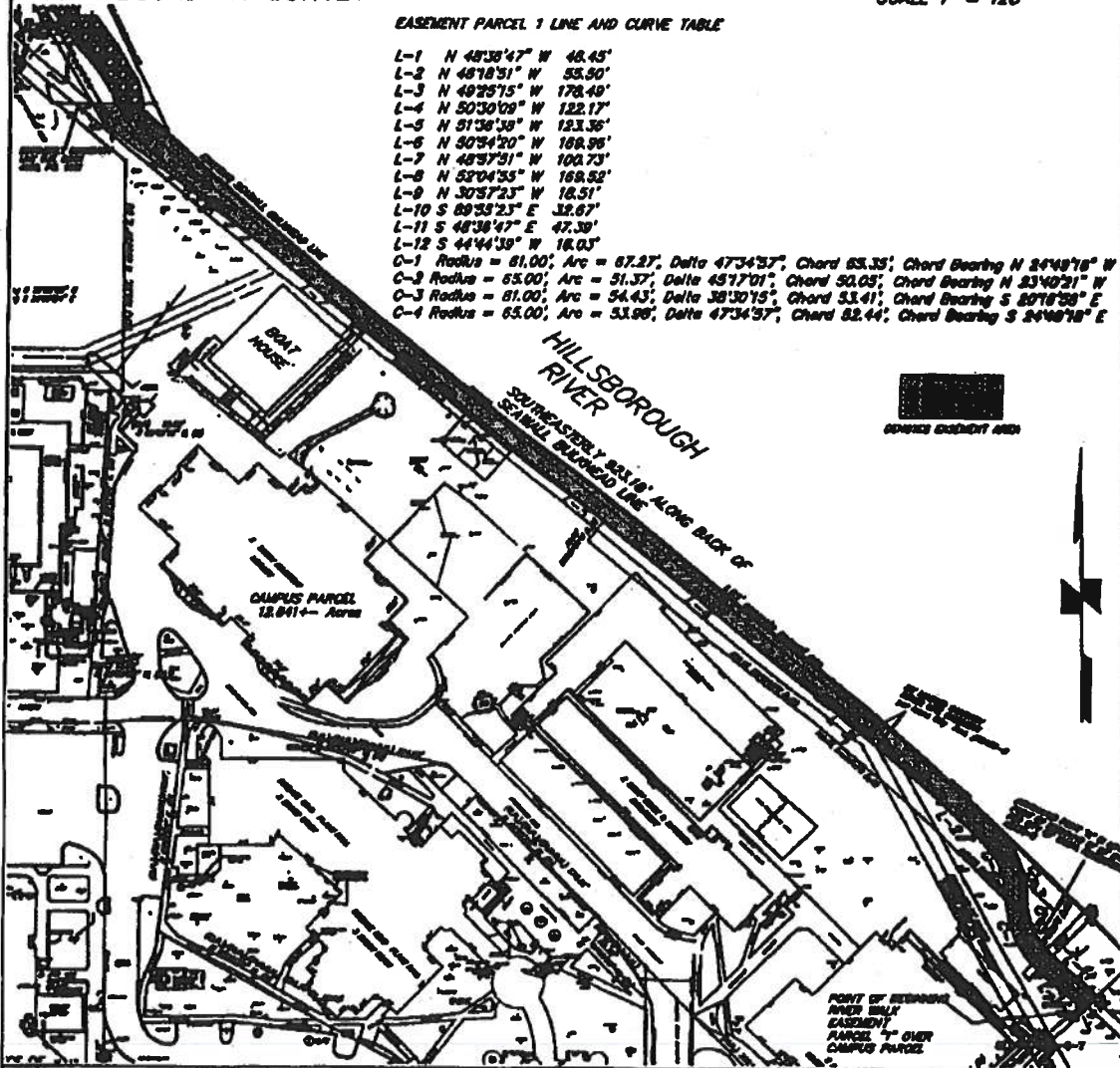
THIS IS NOT A
CERTIFIED COPY

Project: HILLSBOROUGH RIVER GREENWAY - BLAKE TRAIL
SPECIAL PURPOSE DESCRIPTION SKETCH ONLY:
NOT A BOUNDARY SURVEY



EASEMENT PARCEL 1 LINE AND CURVE TABLE

- L-1 N 48°38'47" W 48.45'
- L-2 N 48°18'51" W 55.50'
- L-3 N 49°25'15" W 178.49'
- L-4 N 50°30'08" W 122.17'
- L-5 N 51°36'39" W 123.36'
- L-6 N 50°34'20" W 168.96'
- L-7 N 48°57'51" W 100.73'
- L-8 N 52°04'55" W 169.52'
- L-9 N 30°57'23" E 18.51'
- L-10 S 89°33'23" E 32.67'
- L-11 S 48°38'47" E 47.39'
- L-12 S 44°44'39" W 18.03'
- C-1 Radius = 81.00'; Arc = 87.27'; Delta 47°34'57"; Chord 65.35'; Chord Bearing N 24°48'18" W
- C-2 Radius = 65.00'; Arc = 51.37'; Delta 48°17'01"; Chord 50.65'; Chord Bearing N 23°40'21" W
- C-3 Radius = 81.00'; Arc = 54.43'; Delta 38°30'15"; Chord 53.41'; Chord Bearing S 20°18'58" E
- C-4 Radius = 65.00'; Arc = 53.98'; Delta 47°34'57"; Chord 52.44'; Chord Bearing S 24°48'18" E



This Sketch prepared for: University of Tampa & The City of Tampa

DATE	REVISIONS:	SURVEYORS CERTIFICATE	
		This certifies that the sketch and description shown herein, was prepared under my supervision and meets the Minimum Required Standards set forth by the Florida Board of Land Surveyors, Section 61-67-5.001, pursuant to Section 472.027 of the Florida Statutes.	
		LAWRENCE E. MILLS P.E. NO. 22284 - E.S. NO. 3960 P.L.S. NO. 3141 - L.S. NO. 3968 STATE OF FLORIDA	
Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.		MILLS and ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 3342 HENDERSON BLVD. • SUITE 300 TAMPA, FLORIDA 33606-3066 TELEPHONE: (813) 878-6888	
Drawn: RFS		Checked: LEM	Date: 6/21/11
		SHEET 2 OF 3	
		Order # 04-001.013	

THIS IS NOT A CERTIFIED COPY

Hillsborough River Greenway – Blake Trail (U.T. Parcel 2)

Legal Description

Commence at the Southeast corner of Block 12 of HAYDENS SUBDIVISION, as recorded in Plat Book 1, Page 44, of the Public Records of Hillsborough County, Florida; thence, N.66°56'31"E., (ASSUMED), 606.09 feet along the Northerly right-of-way line of West Kennedy Boulevard and extension thereof, thence leave said Northerly right-of-way line, N.00°00'00"W., 708.07 feet; thence S.44°08'18"E., 328.09 feet; thence N.44°44'39"E., 228.04 feet; thence N.48°36'47"W., 46.45 feet to the beginning of a curve said curve having a radius of 81.00 feet, delta angle of 47°34'57", chord bearing and distance of N.24°49'18"W., 65.35 feet, thence along the arc of said curve to the right 67.27 feet to the point of a reverse curve, said reverse curve having for its elements a radius of 65.00 feet, delta angle of 45°17'01", chord bearing and distance of N.23°40'21"W., 50.05 feet, thence along the arc of said curve to the left, 51.37 feet to a point of tangency; thence N.48°18'51"W., 55.50 feet; thence N.49°26'15"W., 178.49 feet; thence N.50°30'09"W., 122.17 feet; thence N.51°36'38"W., 123.36 feet; thence N.50°54'20"W., 169.96 feet; thence N.48°57'51"W., 100.73 feet; thence N.52°04'55"W., 169.52 feet; thence N.30°57'23"W., 18.51 feet to a point on the Southerly boundary line of that parcel described in Official Record Book 4506, Page 1681, of the Public records of Hillsborough County, Florida and POINT OF BEGINNING of easement herein described; thence from said Point of Beginning, N.30°57'23"W., 137.76 feet; thence N.27°05'06"W., 28.77 feet; thence N.84°41'50"W., 72.60 feet; thence N.84°19'38"W., 24.08 feet; thence N.85°24'57"W., 100.84 feet; thence S.89°51'28"W., 44.06 feet; thence S.37°14'38"W., 30.77 feet; thence S.00°00'00"E., 5.30 feet; thence N.90°00'00"W., 11.92 feet to the point of a NON-tangent curve, said curve having for its elements a radius of 81.66 feet, delta angle of 16°32'46" and chord bearing and distance of N.35°53'03"W., 23.50 feet, thence along the arc of said curve to the right, 23.58 feet to its end; thence N.02°50'34"E., 22.94 feet to the South right-of-way line of an existing CSX Railroad Right-of-way, said right-of-way line lying 18.50 feet South of existing centerline of main track; thence S.67°09'26"E., along said South right-of-way line, 6.31 feet; thence leave said South right-of-way line, S.02°50'34"W., 15.09 feet to the point of a NON-tangent curve, said curve having for its elements a radius of 25.00 feet, delta angle of 51°47'15", chord bearing and distance of S.28°59'24"E., 21.84 feet, thence along the arc of said curve to the left, 22.60 feet to its end; thence N.90°00'00"E., 3.78 feet; thence N.37°14'38"E., 37.68 feet; thence S.86°59'44"E., 146.11 feet; thence S.84°19'38"E., 23.95 feet; thence S.84°41'50"E., 76.99 feet; thence S.27°05'06"E., 33.17 feet; thence S.36°08'12"E., 85.11 feet; thence S.41°02'33"E., 70.39 feet; thence N.89°56'23"W., 32.67 feet to the Point of Beginning.

Easement area contains 0.1102 acres more or less.

SUBJECT TO: that part of a City of Tampa Master Sanitary Sewer Easement per Resolution 2589-C lying over the above described parcel.

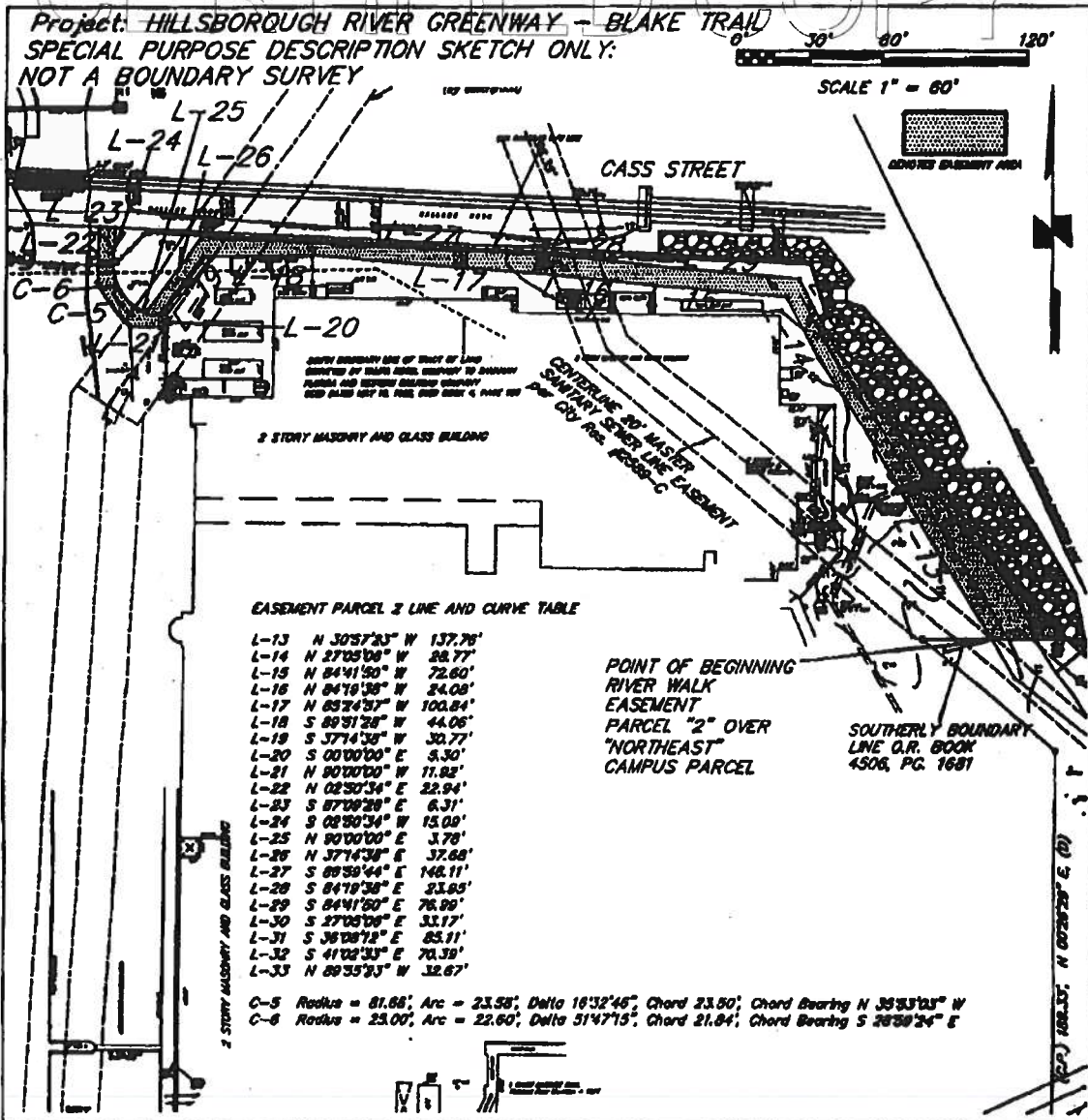
Exhibit "A"

City of Tampa
Right of Way & Mapping Section
LEGAL DESCRIPTION APPROVED

Date: 02/11/11 File No. 2344.1

By: *J.H. Cook*

THIS IS NOT A
CERTIFIED COPY



This Sketch prepared for: University of Tampa & The City of Tampa

DATE	REVISIONS:	SURVEYORS CERTIFICATE I do certify that the sketch and description shown herein was prepared under my supervision and meets the Minimum Technical Standards set forth by the Florida Board of Land Surveyors, Section 61-617-6.006, pursuant to Section 422.027 of the Florida Statutes.	MILLS and ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 3242 HENDERSON BLVD. • SUITE 300 TAMPA, FLORIDA 33609-3008 TELEPHONE: (813) 878-8800

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

LAWRENCE E. MILLS
 P.E. NO. 22324 - E.B. NO. 3860
 P.L.S. NO. 3141 - L.B. NO. 3868
 STATE OF FLORIDA

Drawn: RFS Checked: LEM Date: 6/24/10 Order # 04-001.013

SHEET 4 OF 5



LEGEND

- 1. Proposed Building
- 2. Proposed Parking
- 3. Proposed Walkway
- 4. Proposed Landscaping
- 5. Proposed Utility
- 6. Proposed Fencing
- 7. Proposed Signage
- 8. Proposed Site Light
- 9. Proposed Storm Drain
- 10. Proposed Sewer
- 11. Proposed Water
- 12. Proposed Gas
- 13. Proposed Electric
- 14. Proposed Telephone
- 15. Proposed Cable
- 16. Proposed Fiber Optic
- 17. Proposed Data
- 18. Proposed Video
- 19. Proposed Audio
- 20. Proposed Other

CONVENTION LINE AND CURVE DATA

1. 100.00' 0.00' 90.00° 00' 00" 100.00' 0.00'

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LEGAL DESCRIPTION

ALLIANCE GROUP, INC. (AS PART OF THE UNIVERSITY OF TAMPA)

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NOTES

1. All dimensions are in feet and inches.
2. All bearings are in degrees, minutes, and seconds.
3. All distances are in feet and inches.
4. All curves are in feet and inches.
5. All areas are in square feet.
6. All volumes are in cubic feet.
7. All weights are in pounds.
8. All lengths are in feet.
9. All widths are in feet.
10. All heights are in feet.
11. All depths are in feet.
12. All diameters are in feet.
13. All radii are in feet.
14. All angles are in degrees.
15. All slopes are in percent.
16. All elevations are in feet above sea level.
17. All bearings are true bearings.
18. All distances are horizontal distances.
19. All curves are circular curves.
20. All areas are net areas.

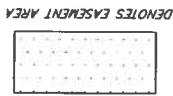
PROJECT: HILLSBOROUGH RIVER GREENWAY - BLAKE TRAIL SPECIAL PURPOSE: DESIGN/CONSTRUCTION NOT A BOUNDARY SURVEY		HILLS AND ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 3142 HENDERSON BOULEVARD - SUITE 300 TAMPA, FLORIDA 33609-3008 TELEPHONE: (813) 676-5069		UNIVERSITY OF TAMPA AND CITY OF TAMPA		SCALE: 1"=60' This site without the signature and the original stamp and of a Florida Licensed Surveyor and Mapper	
DRAWN BY: DFE DATE: 12/22/02 CHECKED BY: LCM DATE:	DATE: 12/22/02 DATE:	Digitally signed by Lawrence Hills Date: 2002.12.28 11:11:11		SCALE: 1"=60' This site without the signature and the original stamp and of a Florida Licensed Surveyor and Mapper		PROJECT NO.: 02-001 SHEET NO.: 1 OF 1	

Project: HILLSBOROUGH RIVER GREENWAY - BLAKE TRAIL
 SPECIAL PURPOSE DESCRIPTION SKETCH ONLY
 NOT A BOUNDARY SURVEY



EASEMENT LINE AND CURVE TABLE

L-1	N 49.3647° W	48.20'
L-2	N 49.7851° W	55.42'
L-3	N 49.2515° W	178.38'
L-4	N 50.3029° W	122.11'
L-5	N 51.3638° W	123.35'
L-6	N 49.2520° W	170.03'
L-7	N 49.2521° W	100.70'
L-8	N 52.0455° W	170.01'
L-9	N 30.5723° W	156.92'
L-10	N 27.0508° W	29.54'
L-11	N 87.0535° W	28.23'
L-12	N 02.5014° E	18.00'
L-13	S 87.0935° E	302.41'
L-14	S 30.0134° E	7.74'
L-15	S 24.2145° E	18.16'
L-16	S 36.4030° E	24.85'
L-17	S 31.521° E	40.83'
L-18	S 37.5146° E	16.39'
L-19	S 44.0335° E	23.23'
L-20	S 38.4010° E	25.23'
L-21	S 28.5835° E	22.41'
L-22	S 10.2546° E	14.20'
L-23	S 48.3647° E	42.30'
L-24	S 44.4439° W	18.03'
C-1	Radius = 84.00', Arc = 69.761', Delta 47.3457°, Chord Bearing N 24.9218° W	84.00'
C-2	Radius = 62.00', Arc = 48.001', Delta 45.7101°, Chord Bearing N 23.9218° W	62.00'
C-3	Radius = 81.00', Arc = 54.431', Delta 38.3015°, Chord Bearing S 20.1838° E	81.00'
C-4	Radius = 65.00', Arc = 51.901', Delta 47.3457°, Chord Bearing S 24.9218° E	65.00'



This sketch prepared for University of Tampa, in Tampa, Florida.

SURVEYOR: Digitally signed by

This certifies that the sketch and description shown herein, was prepared under my supervision and meets the minimum requirements of the Florida Board of Land Surveyors, Section 119.07, F.S., and the Florida State Board of Professional Engineers, Section 473.07, F.S.

Date: 2022.07.18
 Mills
 13:50:32
 -04:00



MILLS and ASSOCIATES, INC.
 CONSULTING ENGINEERS & LAND SURVEYORS
 3242 HENDERSON BLVD. • SUITE 300
 TAMPA, FLORIDA 33604-3938
 TELEPHONE: (813) 879-9888

DATE: 5/15/21

PROJECT: TR

SHEET 2 OF 3

Drawn by: [illegible]

Not valid without the signature and the original stamp of a Florida Licensed Surveyor and Engineer.

DATE: 7/15/22
 REVISIONS: Revise Easement Area

Project: HILLSBOROUGH RIVER GREENWAY - BLAKE TRAIL
 SPECIAL PURPOSE DESCRIPTION SKETCH ONLY:
 NOT A BOUNDARY SURVEY

LEGAL DESCRIPTION: HILLSBOROUGH RIVER GREENWAY - BLAKE TRAIL
 EASEMENT PARCEL OVER THE CHAMPUS PARCELS

A strip of land being a part of Section 24, Township 29 South, Range 15 East, a part of Lots 2 and 3 of SMITH'S SUB-DIVISION as recorded in Plat Book 1, Page 16 and part of Lot 7 of HAYDEN'S SUBDIVISION as recorded in Plat Book 1, Page 44, all lying and being in Hillsborough County, Florida; said strip being more particularly described as follows:

Commence at the Southeast corner of Block 12 of HAYDEN'S SUBDIVISION, as recorded in Plat Book 1, Page 44, of the Public Records of Hillsborough County, Florida; thence N 66°55'31"E, (ASSUMED), 506.09 feet along the Northernly right-of-way line of West Kennedy Boulevard and extension thereof, thence leave said Northernly right-of-way line, N 0°00'00"W, 708.07 feet; thence S 44°03'18"E, 328.09 feet; thence N 44°44'32"E, 215.03 feet to the POINT OF BEGINNING of easement herein described; thence from said Point of Beginning N 45°38'47"W, 46.25 feet to the beginning of a curve said curve having a radius of 54.00 feet, delta angle of 47°34'57", chord bearing and distance of N 24°42'18"W, 67.77 feet, thence along the arc of said curve to the right 68.76 feet to the point of a reverse curve, said reverse curve having for its elements a radius of 62.00 feet, delta angle of 45°17'01", chord bearing and distance of N 27°40'21"W, 47.74 feet, thence along the arc of said curve to the left 49.00 feet to a point of tangency; thence N 46°15'51"W, 55.42 feet; thence N 49°25'16"W, 178.35 feet; thence N 52°30'09"W, 122.11 feet; thence N 51°36'38"W, 153.35 feet; thence N 50°54'20"W, 170.05 feet; thence N 48°57'51"W, 100.70 feet; thence N 52°04'35"W, 170.01 feet; thence N 50°57'23"W, 156.22 feet; thence N 27°05'06"W, 28.54 feet; thence N 57°09'36"W, 267.33 feet; thence N 02°50'34"E, 16.00 feet to a point on the South right-of-way line of the US Railroad as it now exists, said point lying 18.50 feet South of the centerline of said track measured at right angle to said centerline, thence S 87°09'35"E, parallel with and 18.50 feet South of said centerline of said line of track, S 87°41' to a point on the Mean High Water Elevation of 4.53 feet, relative to the National Geodetic Vertical Datum of 1929 as located February 18, 2003, per the Department of Environmental Protection Mean High Water Procedure Approach; thence the following (9) nine courses and distances along said Mean High Water Line: S 30°01'34"E, 7.74 feet; thence S 24°21'45"E, 48.16 feet; thence S 39°45'36"E, 24.56 feet; thence S 31°15'21"E, 40.23 feet; thence S 37°31'46"E, 16.34 feet; thence S 44°03'35"E, 27.23 feet; thence S 38°40'10"E, 25.93 feet; thence S 28°55'55"E, 22.41 feet; thence S 30°25'40"E, 14.20 feet to a point on the back of an existing Seaport Bulkhead; thence Southeasternly along the back of said existing meandering curved Seaport Bulkhead, 216.29 feet to the point of a non-tangent curve to the right; said point of non-tangent curve lying S 49°35'35"E, 216.33 feet from the said previous point on back of existing Seaport Bulkhead, said non-tangent curve having for its elements a radius of 61.00 feet, delta angle of 38°30'15", chord bearing and distance of S 20°16'58"E, 57.41 feet; thence along the arc of said non-tangent curve to the right, 54.43 feet to a point of reverse curve, said reverse curve having for its elements a radius of 65.00 feet, delta angle of 47°34'57", chord bearing and distance of S 24°42'18"E, 62.44 feet to a point of tangency; thence S 48°36'4"E, 47.39 feet; thence S 44°44'39"W, 78.03 feet to the Point of Beginning.

Parcel contains 2.734 Acres more or less.

SUBJECT TO that part of a City of Tampa Master Sanitary Sewer Easement per Resolution 5136-C lying over the above described parcel.

This Sketch prepared for University of Tampa & The City of Tampa

DATE	REVISIONS	SURVEYOR'S STATEMENT This certifies that the sketch and description shown hereon, was prepared under my supervision in accordance with the Minimum Technical Requirements of the Florida Board of Land Surveyors per Subchapter 160, Section 472.027 of the Florida Statutes. 	Mills and ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 3240 HENDERSON BLVD. - SUITE 300 TAMPA, FLORIDA 33609-3056 TELEPHONE: (813) 878-5359
07-18-22	Revise Easement Area		
Not valid without the signature and the original notes and plat of a Florida Licensed Surveyor and Mapper.			
Drawn: RCS	Checked: LEM	Date: 8/15/22	Order #: 04-001013

GROUND LEASE

Ex 170
Coff.

THIS LEASE AGREEMENT, made and entered into this 24th day of October, 1972, by and between the City of Tampa, a Municipal Corporation, organized and existing under the Laws of the State of Florida, hereinafter called "Landlord", and University of Tampa, a non-profit corporation, organized and existing under the Laws of the State of Florida, hereinafter called "Tenant", both of the City of Tampa, County of Hillsborough, State of Florida,

W I T N E S S E T H T H A T:

1. Premises. Landlord, for and in consideration of the rents herein reserved and of the covenants and agreements herein contained on the part of Tenant to be kept, observed and performed, does by these presents demise and lease to Tenant, and Tenant hereby hires and lets from Landlord the property in Hillsborough County, Florida described in Exhibit "A" less the lands comprising the McKay Auditorium property described in Exhibit "B" attached hereto and by reference made a part hereof, subject to any existing utility easements of record, hereinafter called "the premises", together with all tenements or hereditaments and appurtenances therunto belonging.

TO HAVE AND TO HOLD under the terms, conditions and covenants herein set forth.

2. Term. The term of this lease shall be for fifty (50) years commencing on the above date.

3. Use of the Premises. The Premises shall be used as part of the campus of Tenant, Tenant being a non-profit corporation organized and existing for educational purposes and operating a university on adjoining property. Access to the premises shall be permitted by Tenant to residents of the City of Tampa during daylight hours for recreational purposes under reasonable conditions to be imposed by Tenant. It is recognized that the premises, which heretofore were operated by Landlord as a public park known as "Plant Park", have

presented serious social and law enforcement problems for both the Landlord and Tenant, and also for the public, vagrants and persons under the influence of drugs and alcohol having at times tended to congregate there. It is the mutual desire of Landlord and Tenant that such persons be excluded from the premises, to the end that law-abiding residents of the City of Tampa and students of the University of Tampa desiring to avail themselves of the park-like atmosphere of the premises may do so, provided they conduct themselves in a lawful and appropriate manner; Tenant is specifically authorized to exclude from the premises any person under the influence of drugs or alcoholic beverages, or carrying same on their person, as well as anyone utilizing or attempting to utilize the premises for sleeping or for lavatory purposes, or for immoral conduct, and anyone utilizing loud, obnoxious, abusive or indecent language, or conducting himself in a disorderly or disturbing manner.

4. Maintenance; Structures. Tenant may remove the restroom facilities presently situated on the premises. Tenant shall care for and maintain the shrubs, walkways, trees and plants, as well as grassy areas of the premises, but shall have the right to replace and relocate same for time to time, in order to promote an attractive appearance for the premises. The Tenant may place such structures on the land as are consistent with the purposes for which the property is herein leased, but shall not erect any substantial permanent buildings without the prior written consent of Landlord.

5. Non-profit Purposes. The premises shall not be used for any but non-profit, quasi-public purposes related to its educational functions and programs by the Tenant.

6. Security Arrangements. Tenant will provide security for the demised premises.

7. Rent. Landlord shall be paid by Tenant as rent for the demised premises, the sum of TEN DOLLARS (\$10.00) per year, which

shall be due and payable on the first day of each lease year during the term.

8. Utilities. Tenant shall pay for all utilities applied to the demised premises, including electricity and water.

9. Public Liability. Neither party hereto shall be liable for any death or injury to any person or damage to any property occurring on the demised premises, and arising out of use of same by the members of the public pursuant to this Agreement, unless such damage is attributable to the act or negligence of that party, its agents or employees. Tenant shall nevertheless provide public liability and property damage insurance in amounts of not less than \$100,000, \$300,000, \$50,000 with the Landlord being designated as an additional insured.

10. Default. In the event of any default on the part of the Tenant hereunder, or in the event Tenant ceases to operate a college or university on adjoining or nearby land, which occurrence shall constitute a default, Landlord shall give Tenant written notice setting forth the nature of the default and the curative action to be taken. In the event Tenant, within thirty (30) days after receipt of said written notice, cures the default, or in the event that the default cannot be cured by reasonable diligence within said thirty (30) day period and Tenant thereafter pursues same with reasonable diligence, the default or defaults of Tenant shall be deemed to have been cured and Landlord shall have no further right of action against Tenant by reason of such defaults and the lease shall continue in full force and effect. In the event of the failure to Tenant to cure such default after notice, Landlord may terminate this lease and re-enter the premises and repossess the same.

11. Miscellaneous. So long as Tenant is not in default under the terms of this lease, Tenant's quiet and peaceful enjoyment of the land shall not be disturbed or interrupted by the Landlord or by any person or party claiming by, through or under Landlord.

All agreements, terms, provisions and conditions in this lease shall extend to and inure to and be binding upon the heirs, devisees, legal representatives, successors and assigns of the parties hereto. The captions of this lease are for convenience only and shall not be construed as defining or limiting the scope or intent of the provisions hereof. If any provision of this lease shall be held invalid or unenforceable, the validity of remaining provisions shall not be affected thereby. This lease shall be construed in accordance with the Laws of the State of Florida.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the date aforesaid.

CITY OF TAMPA,
a Municipal Corporation

BY: _____

Mayor

ATTEST:

City Clerk

UNIVERSITY OF TAMPA

BY: _____

Vice-President

ATTEST:

McKAY AUDITORIUM PARCEL

LEGAL DESCRIPTION

That tract of land lying within the following described boundaries, to wit:

Commence at the Northeast corner of Lot 2 of Block 9 of HAYDEN'S SUBDIVISION, as recorded in Plat Book 1, Page 44, Public Records, of Hillsborough County, Florida; run thence Northerly 76.25 feet along the prolongation of the East boundary thereof to a point; thence turn an angle to the right of 90°02'40" and go 61.76 feet on a bearing assumed for the purposes of this description to be South 89°50'45" East to Point of Beginning; (subsequent bearings in this description are derived from the above bearing); thence run South 36°25'45" West 35.41 feet; thence North 02°24'45" West 101.88 feet; thence North 04°56'45" West 105.0 feet; thence North 00°02'45" West 106.0 feet; thence Northwesterly along a curve to the left for 70.02 feet, (having a radius of 46.72 feet, a chord length of 63.09 feet, and a chord bearing of North 44°53'19" West); thence run North 89°44'49" West for approximately 222.6 feet to an Easterly boundary of property described in deed from the City of Tampa to the University of Tampa, recorded in O.R. Book 2488, Page 252, Public Records of Hillsborough County, Florida; thence run Southerly along said boundary for approximately 385.8 feet to the North right of way line of North "B" Street; thence Easterly along said right of way line for approximately 301.9 feet to Point of Beginning.

Containing 104,938 square feet (2.41 acres), more or less.

By: H.M.S. 9-19-72
Chkd: R.W.Jr. 9-19-72

EXHIBIT "B"

UNIVERSITY OF TAMPA
LEASED PROPERTIES (1972)

LEGAL DESCRIPTION

From the Northeast corner of Lot 2 of Block 9 of HAYDEN'S SUBDIVISION, as recorded in Plat Book 1, Page 44, of the Public Records of Hillsborough County, Florida, run Northerly 76.25 feet along the prolongation of the East boundary thereof to a point; thence turn a deflection angle to the right of 90°02'40" and run 16.96 feet to a point; thence turn a deflection angle to the left of 90°11'00" and run 613.56 feet to a point of beginning; thence turn a deflection angle of 3°27'55" to the right and run Northerly 490.75 feet, more or less, to a point on the back edge of the sea wall on the West side of the Hillsborough River; run thence in a South-easterly direction along the West edge of the Hillsborough River to the Northerly right of way line of Kennedy Boulevard; thence run in a Southwesterly direction along said right of way line to the center line of Crescent Place, (said Crescent Place having been vacated by the City of Tampa, Ordinance No. 4264-A); run thence Northerly along the center line of Crescent Place, and a Northerly projection thereof, to the North right of way line of North "B" Street; thence Westerly along said right of way line to a point 747.40 feet Easterly of the East boundary line of North Boulevard, said point being a corner of the property described in deed from the City of Tampa to the University of Tampa, recorded in O.R. Book 2406, Page 252, Public Records of Hillsborough County, Florida; run thence Northerly along an Easterly boundary of said property 621.33 feet to an intersection with a Southerly boundary of said property; thence run Easterly approximately 254 feet to Point of Beginning.

LESS

Any part thereof which may lie within the boundaries of the property described in said deed from the City of Tampa to the University of Tampa recorded in O.R. Book 2408, Page 252, Public Records of Hillsborough County, Florida.

Dy: H.M.S. 7-5-72
Chkd: J.T.C. 8-14-72

EXHIBIT "A"

THIS IS NOT
CERTIFIED COPY

1 INCL. ...

INSTR # 2005077602
BK 14718 PG 0102

Pgs 0102, 107: (6pgs)
RECORDED 02/25/2005 09:17:04 AM
CLERK OF COURT
HILLSBOROUGH COUNTY
DOC TAX PD(F.S.201.02) 0.70
DEPUTY CLERK A Scott

Prepared by:
Morris C. Massey, Assistant City Attorney
City of Tampa, Legal Division
315 E. Kennedy Boulevard, 8th Floor
Tampa, Florida 33602

Return to:
City of Tampa, Real Estate Division
Attention: Margene Fales
306 E. Jackson St., 3N
Tampa, FL 33602

COT Fln No. 59-1101138
Folio No. 192455.5000

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, (hereinafter "Agreement"), is made and entered into as of the 4th day of January, 2004, by and between the **CITY OF TAMPA**, a municipal corporation, organized and existing under the laws of the State of Florida, hereinafter called the "City", whose address, for purposes of this Agreement, is 306 East Jackson Street, Tampa, Florida 33602, Attention: Manager, Real Estate Division and **TAMPA PREPARATORY SCHOOL, INC.**, a Florida not-for-profit Corporation, hereinafter called "TPS", the address of which is 727 West Cass St., Tampa, Florida 33606.

WITNESSETH:

WHEREAS, the TPS, is the fee simple owner of the following described real property situate, lying and being in Hillsborough County, Florida, to-wit:

As set forth in Exhibit "A" attached hereto and made a part hereof

said described real property is hereinafter sometimes referred to as "Easement Property"; and

WHEREAS, the City desires to design, construct, operate and maintain the Blake Trail Project consisting of a recreational trail or walkway and/or sidewalk/boardwalk, drainage system, fencing, lighting, landscaping, irrigation and other amenities for use by the general public for recreational purposes and for access by pedestrians and bicyclists (hereinafter called the "Project"), along the Hillsborough River; and

WHEREAS, TPS desires to participate in the Project by donating an easement which will allow the construction, operation and maintenance of the Project on TPS's property.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) in hand paid by the City to TPS, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, and other good and valuable consideration and the mutual covenants and promises of the parties hereto, it is thereupon understood and agreed as follows:

RE99-102-005-01
Tampa Preparatory School

Certified as true
and correct copy

THIS IS NOT A

1. **RECITALS.** All of the foregoing recitals contained in this Agreement are true and correct and are made a part hereof as if set forth herein in full.

CERTIFIED COPY

2. **EASEMENT.**

A. TPS, hereby grants and conveys to the City and its successors and assigns a non-exclusive, perpetual easement on, over, across, under and through the Easement Property for the general purpose of the Project, including but not limited to the following:

i. Construction of the Project, consisting of the installation of recreational trails and walkways, and/or sidewalk, boardwalk, drainage system, fencing, lightning, landscape and irrigation and any other appurtenances or amenities deemed solely by the City to be necessary to the operation of the Project. Any damage to TPS facilities shall be repaired by the City at the City's expense;

ii. Operation of the Project, including but not limited to the passage of vehicles through the Easement Property, and the passage of the general public as pedestrians and cyclists, and those involved in other recreational activities, appropriate for the trail; and

iii. Maintenance of the Project, both during and after construction, for the entire Easement Property to the river water's edge, shall be the responsibility of the City. TPS shall report any condition requiring maintenance or repair to the City, and such maintenance and/or repair shall be undertaken and completed promptly by the City.

B. It is understood and agreed that the TPS, shall not: (a) construct any structures, buildings or objects within the Easement Property without notifying the City and working with the City to accommodate the continuance of the trail, and (b) excavate or disturb the earth within the Easement Property without first obtaining a written agreement with the City which defines and limits such activities. It is understood and agreed that the TPS, shall not block any access point to the Easement Property, nor otherwise interface with the operation of the Project within the Easement Property.

C. It is understood and agreed that the City, will (a) include TPS in the design process and allow TPS, or their representative, to review and approve, which approval shall not be unreasonably nor untimely withheld, all design and construction documents, (b) install fencing, approved by TPS, between the Easement Property and TPS property for the purpose of securing TPS property as required, and (c) permit TPS to construct such other facilities within the Easement Property, that are consistent with, and which do not impede or interfere with, the City's use of the Easement Property.

3. **CITY'S INDEMNITY.** To the extent allowed by law and subject to the limitations of 768.28, Florida Statute, the City shall indemnify TPS, for any property damage or personal injury arising solely and directly out of the City's construction upon, maintenance and use of the Easement Property.

4. **TPS'S INDEMNITY.** To the extent allowed by law, TPS shall indemnify the City for any personal injury or property damage arising from TPS's use of the Easement Property.

5. **ATTORNEY'S FEES, PARALEGAL FEES AND COSTS.** In the event of any legal proceeding arising out of this Agreement, the prevailing party shall be entitled to recover

RE99-102-005-01
Tampa Preparatory School

Certified as true
and correct copy

THIS IS NOT A

(a) all expenses and costs incurred in connection with such legal proceeding, including reasonable attorneys' fees and reasonable paralegal fees, (b) all expenses and costs, including reasonable attorneys' fees and reasonable paralegal fees, for any and all appellate proceedings, and (c) all expenses and costs, including reasonable attorneys' fees and reasonable paralegal fees, in connection with the collection of any judgment.

6. **NOTICE.** Any notice or demand to be given or that may be given hereunder shall be in writing and shall be (a) delivered by hand with written acknowledgement of receipt, or (b) delivered through the United States mail, postage prepaid, certified, return receipt requested, or (c) delivered through or by Federal Express, Express Mail, Airborne, Emery, Purolator or other expedited mail or package service, addressed to the parties as follows:

Mail to: Tampa Preparatory School, Inc.
727 West Cass Street
Tampa, Florida 33606

Mail to: City of Tampa
Manager, Real Estate Department
306 E. Jackson Street, 3N
Tampa, Florida 33602

Copy to: City of Tampa
Legal Division
315 E. Kennedy Blvd., 8 th Floor
Tampa, Florida 33602

Any notice or demand to be given or that may be given hereunder shall be deemed complete three [3] days after depositing any such notice or demand in the United States mail with proper postage affixed thereto, certified, return receipt requested; or one [1] day after depositing any such notice or demand with Federal Express, Express Mail, Airborne, Emery, Purolator or other expedited mail or package delivery; or upon hand-delivery to the appropriate address as herein provided. Either party hereto may change said address by notice in writing to the other party in the manner herein provided. Either party hereto may change said address by notice in writing to the other party in the manner herein provided.

7. **TERMINATION OF EASEMENT.** The City agrees that the Easement herein granted by TPS to the City shall terminate if one or more of the following conditions occur: The City, its assigns, or its joint project participants fail to construct any part of the Project upon, under, or over the Easement Property within a five (5) year period beginning on the effective date of this Easement Agreement; or the City, its assigns, or its joint project participants permanently remove or abandon the trail system and all other elements of the Project from the Easement Property.

8. **BINDING EFFECT.** This Agreement shall be binding upon and its benefits and advantages shall inure to the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the TPS and the City have caused these presents to be executed in its name by its proper officers and its corporate seal to be hereto affixed the day and year first above written.

RE99-102-005-01
Tampa Preparatory School

Certified as true
and correct copy

THIS IS NOT A

Signed, sealed and delivered
in the presence of:

Witness: *Stephen F. Garrett*

STEPHEN F. GARRETT
(Type or print name beneath signature)

Witness: *Joseph R. Fenlon*

JOSEPH R. FENLON
(Type or print name beneath signature)

TAMPA PREPARATORY SCHOOL, INC.,
a Florida not-for-profit corporation

By: *D. Gordon Macleod*

Name: D. GORDON MACLEOD

Its: Head of School

Signed, sealed and delivered
in the presence of:

Witness: *Conchi I. T. Ho*

Conchi I. T. Ho
(Type or print name beneath signature)

Witness: *Melissa Thomason*

Melissa Thomason
(Type or print name beneath signature)

CITY OF TAMPA, FLORIDA

By: *Pam Iorio*

Name: Pam Iorio

Its: Mayor

ATTEST:

Shirley Ann Krondes
City Clerk/Deputy City Clerk

APPROVED AS TO FORM:

Morris C. Massey
Morris C. Massey
Assistant City Attorney

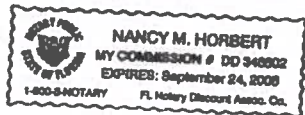
The execution of this document was authorized
by Resolution No. RF 2005-0037
[Signature]
 City Attorney
 Assistant City Attorney

Certified as true
and correct copy

THIS IS NOT A
ACKNOWLEDGEMENT
CERTIFIED COPY

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 4th day of Jan, 2005, by D. Gordon Meeleed as ~~Chairman of the Board of~~ ^{Head of} Tampa Preparatory School, Inc., a Florida not-for-profit Corporation, on behalf of said Corporation and who is personally known to me or has produced as identification.



[AFFIX NOTARY SEAL OR STAMP]

Nancy M. Horbert
Notary Public, State of Florida
(Print or type Notary Name)
My Commission Expires:
Name typed, printed or stamped
Commission No.

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 2nd day of February, 2005, by Pam Iorto, as Mayor of the City of Tampa, a municipal corporation, organized and existing under the laws of the State of Florida, on behalf of the City, and who is personally known to me.



[AFFIX NOTARY SEAL OR STAMP]

Sherry Crawford
Notary Public, State of Florida
(Print or type Notary Name)
My Commission Expires:
Name typed, printed or stamped
Commission No.

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Agreement 2005-37 on file on my office

Witness my hand and official seal this 21st day

of February 2005
Shirley Jane Knowles
CITY CLERK / DEPUTY CITY CLERK

RE99-102-005-01
Tampa Preparatory School

THIS IS NOT A CERTIFIED COPY

EXHIBIT "A"

A 20 foot easement over and across the following described land:

A parcel of land lying in Section 24, Township 29 South, range 18 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence S.89°15'30"E., along the North boundary of said Section 24, a distance of 810.67 feet to the **POINT OF BEGINNING**; thence from the **POINT OF BEGINNING**, continue S.89°15'30"E., along said North boundary of said Section 24, a distance of 20.11 feet; thence Southerly along a line 12.00 feet Westerly of and parallel with the water's edge of the Hillsborough River as shown on boundary survey prepared by Hamilton Engineering & Surveying, dated July 25, 2002, the following two courses: (1) S.05°07'00"E., a distance of 313.01 feet; thence (2) S.10°54'36"E., a distance of 276.25 feet to the intersection with the Northerly right of way line of Cass Street; thence N.81°52'29"W., along said Northerly right of way line, a distance of 41.50 feet; thence N.14°38'41"E., a distance of 44.58 feet; thence N.10°54'36"W., a distance of 223.50 feet; thence N.05°07'00"W., a distance of 316.07 feet to the intersection with the aforesaid North boundary of said Section 24 and the **POINT OF BEGINNING**.

This parcel contains 12,207 square feet or 0.28 acres, more or less

City of Tampa
Right of Way & Mapping Section
LEGAL DESCRIPTION APPROVED

Date: 11/22/04 File No. 1706.7

Atlas: I-11 By: M. J. [Signature]

Certified as true
and correct copy

RE99-102-005-01
Tampa Preparatory School

FIRST AMENDMENT TO EASEMENT AGREEMENT

THIS FIRST AMENDMENT TO EASEMENT AGREEMENT, (hereinafter the "Amendment") is made this 2nd day of February, 2011, by and between the CITY OF TAMPA, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 315 E. Kennedy Boulevard, Tampa, Florida 33602 (hereinafter "City"), and TAMPA PREPARATORY SCHOOL, INC, a Florida not-for-profit corporation, whose address is 727 West Cass Street, Tampa Florida 33606 (hereinafter "TPS").

WITNESSETH

WHEREAS, the City and TPS entered into an Easement Agreement ("Original Agreement") on January 6, 2005, allowing the City to design, construct, operate and maintain a pedestrian pathway on real property owned by TPS along the Hillsborough River, the location of which is shown on Exhibit "A" to the Original Easement and depicted on the map attached hereto (the "Easement"); and

WHEREAS, the City and TPS desire to amend the Original Agreement to extend certain deadlines and revise the indemnity provision thereof.

NOW, THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which is acknowledged herein, the Parties agree as follows:

1. **Section 3** of the Original Agreement is hereby amended in its entirety to read as follows:

"3") CITY'S INDEMNITY. City agrees to indemnify and hold TPS harmless from any claims, actions or demands asserted against TPS, caused or allegedly caused by the negligence of the City, its governing body or employees and officials acting in the regular scope of their employment or office while in the exercise of the easement rights granted in the Original Agreement and this Amendment. This indemnity provision shall not be construed as a waiver of, or estop the City from asserting, any defense, privilege or immunity available to the City under the doctrine of sovereign immunity and the provisions of §768.28, Florida Statutes, including but not limited to the limitations of liability thereof. Any claim made under this Section shall meet the notice and pre-suit conditions and procedures set forth at §768.28, Florida Statutes.

2. **Section 7** of the Original Agreement is hereby amended in its entirety to read as follows:

"7") TERMINATION OF EASEMENT: The Easement is a perpetual, non-exclusive easement in favor of the City, but may be terminated by TPS upon prior delivery of a six (6) month written notice of termination if the City, fails to begin construction of the pedestrian pathway on the Easement within ten (10) years after the date of this Amendment.

3. Except as amended hereby, all of the terms of the Original Agreement shall remain in full force and effect and are hereby ratified and confirmed by the City and TPS as if fully set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment on the day and year first above written.

Signed, sealed and delivered
In the presence of:

Conchi L. Tilton
Witness: Conchi S. Tilton
Michele Phillips
Witness: Michele Phillips
(Print or Type Name Below Signature)

CITY OF TAMPA

Pam Iorio
By: Pam Iorio
Its: Mayor

APPROVED AS TO FORM:

Ronald Wigginton
Ronald Wigginton
Assistant City Attorney

ATTEST:

Shirley Fox-Knowles
City Clerk/Deputy City Clerk

Signed, sealed and delivered
In the presence of:

Stephen G. Garret
Witness: STEPHEN G. GARRET
Nancy M. Herbert
Witness: Nancy M. Herbert
(Print or Type Name Below Signature)

TAMPA PREPARATORY
SCHOOL, INC.

Kevin M. Plummer
By: KEVIN M. PLUMMER
Its: HEAD OF SCHOOL

EXHIBIT "A"

A 20 foot easement over and across the following described land:

A parcel of land lying in Section 24, Township 29 South, range 18 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence S.89°15'30"E., along the North boundary of said Section 24, a distance of 810.67 feet to the **POINT OF BEGINNING**; thence from the **POINT OF BEGINNING**, continue S.89°15'30"E, along said North boundary of said Section 24, a distance of 20.11 feet; thence Southerly along a line 12.00 feet Westerly of and parallel with the water's edge of the Hillsborough River as shown on boundary survey prepared by Hamilton Engineering & Surveying, dated July 25, 2002, the following two courses: (1) S.05° 07'00"E., a distance of 313.01 feet; thence (2) S.10°54'36"E., a distance of 276.25 feet to the intersection with the Northerly right of way line of Cass Street; thence N.81°52'29"W., along said Northerly right of way line, a distance of 41.50 feet; thence N.14° 38'41"E., a distance of 44.58 feet; thence N.10°54'36"W., a distance of 223.50 feet; thence N.05°07'00"W., a distance of 316.07 feet to the intersection with the aforesaid North boundary of said Section 24 and the **POINT OF BEGINNING**.

This parcel contains 12,207 square feet or 0.28 acres, more or less

City of Tampa
Right of Way & Mapping Section
LEGAL DESCRIPTION APPROVED

Date: 1/22/04 File No. 1706.7

Atlas: I-11 By: Mike Z

**Certified as true
and correct copy**

R.E.D.

SECOND AMENDMENT TO EASEMENT AND IMPROVEMENT AGREEMENT

THIS SECOND AMENDMENT TO EASEMENT AND IMPROVEMENT AGREEMENT ("Second Amendment") is made and entered into this 26th day of OCTOBER, 2017, by and between the CITY OF TAMPA, a municipal corporation organized and existing under the laws of the State of Florida, with an address of 315 East Kennedy Boulevard, Tampa, Florida 33602, ("City") and TAMPA PREPARATORY SCHOOL, INC., a Florida not-for-profit corporation, whose address is 727 West Cass Street, Tampa, Florida 33606 (hereinafter "TPS").

WITNESSETH:

WHEREAS, the City and TPS entered into an Easement Agreement ("Original Agreement") on January 4, 2005, allowing the City to design, construct, operate and maintain a pedestrian pathway on real property owned by TPS along the Hillsborough River, the location of which is shown on Exhibit "A" to the Original Easement and depicted on the map attached hereto (the "Easement"), and

WHEREAS, the City and TPS entered into a First Amendment To Easement Agreement ("First Amendment") on February 2nd, 2011, to extend certain deadlines and revise the indemnity provision thereof; and

WHEREAS, the City and TPS desire to amend the Original Agreement, as amended by the First Amendment, to include additional areas that will allow the reconstruction and stabilization of a portion of the adjacent southern shoreline of the Hillsborough River Exhibit "B" hereto ("Additional Easement Area"), and

WHEREAS, the City and TPS have agreed to construct improvements and contribute toward the stabilization of the shoreline with supplementation from a grant from the Southwest Florida Water Management District ("SWFWMD").

NOW, THEREFORE, in consideration of the mutual covenants, representations and other good and valuable considerations, the receipt and sufficiency of which is acknowledged herein, the Parties agree as follows:

1. Exhibit "A" to the Original Agreement is hereby substituted by Amended Exhibit "A"
2. Section 2(A)(i) of the Original Agreement is hereby amended and supplemented to provide that, conditioned upon the award and receipt by the City of a grant from SWFWMD ("Grant") to pay for half the costs incident to the reconstruction and stabilization of 285 linear feet of the TPS southern shoreline to the Hillsborough River (as depicted in Exhibit "B" hereto and hereafter referred to as the "Shoreline Restoration", City agrees to construct or perform such

improvements as are necessary to complete the Shoreline Restoration which shall be deemed part of the definition of Project in the Original Agreement. City agrees to commence construction on the Shoreline Restoration within fifteen (15) days from receipt of all permits, approvals or authorizations required for shoreline restoration and the construction of trail improvements. In addition to the Shoreline Restoration, City agrees to erect metal fencing (to match existing TPS wrought iron-look fencing) at a mutually agreeable location between the TPS campus grounds and the Easement with a gate that may be secured by TPS. City agrees to include TPS as an additional insured under any insurance required from contractors or subcontractors in connection with the Project. Additionally, City contractors and subcontractors shall comply with the Jessica Lunsford Act. Upon completion of the Shoreline Restoration, City shall be responsible for continued maintenance, repair and reconstruction of the 285 linear feet of the TPS southern shoreline improvements.

A. Conditioned upon receipt of the SWFWMD grant by the City, TPS agrees to pay for a portion of the Shoreline Restoration in the amount of \$125,000.00; such sum to be paid upon completion of the Shoreline Restoration. TPS further agrees to cooperate with City in the execution or completion of any application, petition or other documentation required from TPS as an owner (or in any other capacity) in connection with the -SWFWMD grant, permits or authorizations that may be required by any local government, agency or entity having jurisdiction over the Project.

3. Section 2(A)(ii) of the Original Agreement is hereby amended to limit the uses of the trail amenities to recreational pedestrian use, including but not limited to hiking, jogging, running or walking and light, non-motorized wheeled vehicles such as bicycles or skates, but motorized vehicular transit shall be permitted for maintenance, repair or emergency purposes. Detailed plans for the trail shall be provided to TPS for its approval, which approval shall not be unreasonably delayed or denied. The City shall continuously maintain the trail and shall indemnify defend and hold TPS harmless from any claim, suit or action for personal or property loss, judgments, damages, costs or expenses, including attorneys' fees, caused or alleged to be caused by the action, omission or negligence of the City's employees officials or agents acting in the scope of their employment in the installation, construction, use, operation, repair or maintenance of the Easement. Nothing in this indemnity shall be deemed a waiver of any right, defense, immunity or privilege available to City under the doctrine of sovereign immunity or the limitations of liability and procedural protections afforded by Section 768.28, Florida Statutes.

4. Section 2(8) of the Original Agreement is hereby amended to allow TPS the right to temporarily bar public access to the Easement in the case of emergencies (in which case TPS shall promptly notify City of the emergency and the circumstances of closure), or for other cause with the written permission of the City upon 48 hours written notice of the request and cause therefor. Permission for such closure shall be at the City's sole discretion. In addition, TPS may secure gateway(s) leading in and out of the trail along the Easement but, upon exercising such a right, shall ensure that the trail is open to the public at all hours during which City Parks and Recreation Department facilities of a similar nature are open to the public (currently dawn to dusk). TPS shall have the right to erect within the Easement such monuments, plaques or other ornamentation that acknowledges and celebrates TPS, its history and its participation in the development of the Easement improvements, subject to the City's review and approval to assure conformance with use restrictions and public safety.

5. To the extent allowed by law, City will attempt to have the Easement Project included in the Florida Greenways and Trails system.

6. To the extent allowed by law, TPS may claim the Easement (or any qualifying portion thereof) as "open space" for development and land use purposes.

7. The City shall prohibit the serving and/or selling of alcoholic beverages within the Easement.

8. Except as amended hereby, all of the terms of the Original Easement Agreement and First Amendment shall remain in full force and effect and are hereby ratified and confirmed by City and TPS as if fully set forth herein.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first above written.

CITY OF TAMPA

Bob Buckhorn

Bob Buckhorn, Mayor

Date:

Shirley Foxx-Knowles
ATTEST:

Shirley Foxx-Knowles
City Clerk

Jorge I. Martin
APPROVED AS TO FORM:

Jorge I. Martin
Sr. Assistant City Attorney

Signed, sealed and delivered in the presence of:

Witness:

James B. Soole
(print or type name)

Witness:

Susana Cooner
(print or type name)

Susana Cooner
October 13, 2017

TAMPA PREPARATORY SCHOOL, INC.

Kevin M. Plummer
By: Kevin M. Plummer

Its: HEAD OF SCHOOL

Date: OCTOBER 11, 2017

AMENDED EXHIBIT "A"

LEGAL DESCRIPTION

Exhibit "A"

A 20 foot easement over and across the following described land:

A parcel of land lying in Section 24, Township 29 South, range 18 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence S.89°15'30"E., along the North boundary of said Section 24, a distance of 810.67 feet to the POINT OF BEGINNING; thence from the POINT OF BEGINNING, continue S.89°15'30"E., along said North boundary of said Section 24, a distance of 20.11 feet; thence Southerly along a line 12.00 feet Westerly of and parallel with the water's edge of the Hillsborough River as shown on boundary survey prepared by Hamilton Engineering & Surveying, dated July 25, 2002, the following two courses: (1) S.05°07'00"E., a distance of 313.01 feet; thence (2) S.10°54'38"E., a distance of 276.25 feet to the intersection with the Northerly right of way line of Cass Street; thence N.81°52'29"W., along said Northerly right of way line, a distance of 41.50 feet; thence N.14°38'41"E., a distance of 44.58 feet; thence N.10°54'36"W., a distance of 223.50 feet, thence N.05°07'00"W., a distance of 316.07 feet to the intersection with the aforesaid North boundary of said Section 24 and the POINT OF BEGINNING.

This parcel contains 12,207 square feet or 0.28 acres, more or less

COMPOSITE EXHIBIT "B"


Easement Description:

The Southerly 280.00 feet of the Easterly 12.00 feet of the following described property:

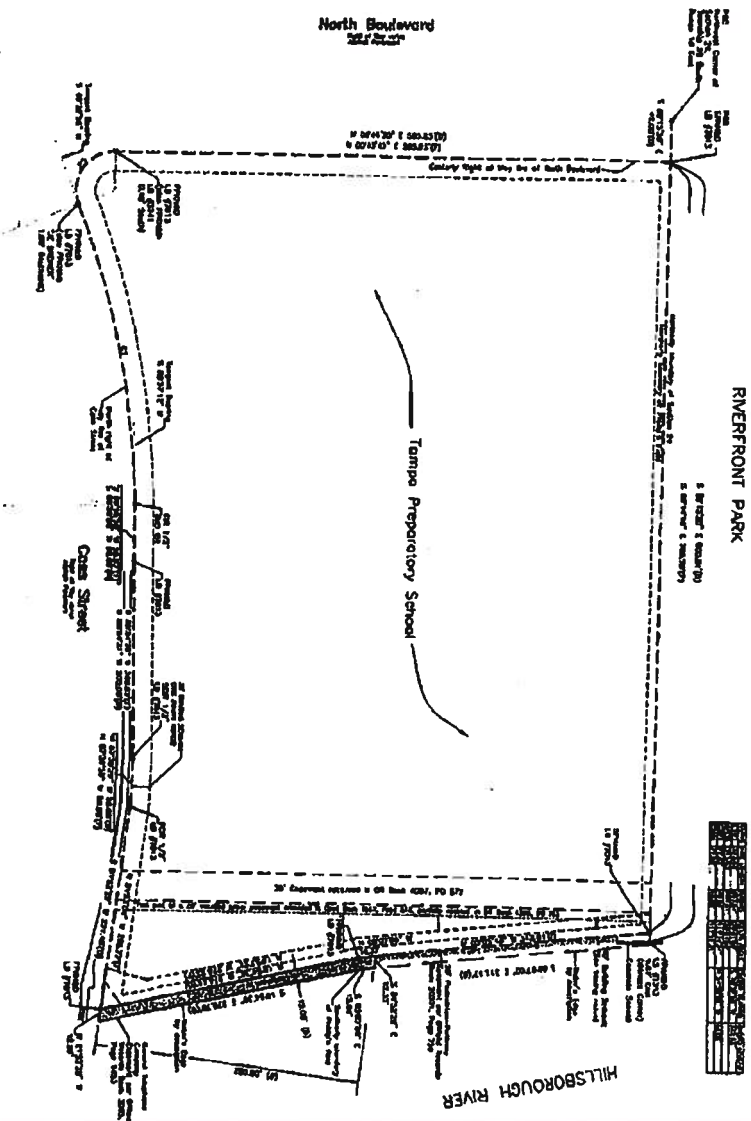
A portion of Section 24, Township 29 South, Range 18 East, Hillsborough County, Florida, lying within the following described boundaries, to wit:

Commence at the Northwest corner of Section 24, Township 29 South, Range 18 East; thence run South 89°15'30" East, 42.00 feet, along the Northerly boundary of said Section 24, to a point on the Easterly right of way line of North Boulevard and the POINT OF BEGINNING; continue thence South 89°15'30" East, 800.84 feet, along the Northerly boundary of said Section 24, and the Northerly boundary of Phillip's Field, to a point on the face of an existing seawall at the water's edge of the Hillsborough River; thence run South 05°07'00" East, 311.17 feet, along the water's edge of the Hillsborough River, to a point on the Southerly boundary of Phillip's Field; thence South 10°54'38" East, 279.78 feet, along said water's edge to a point on the North right of way line of Cass Street; thence along said right of way line the following courses; North 81°52'29" West, 221.40 feet; thence North 87°39'29" West, 50.00 feet; thence South 89°54'31" West, 200.00 feet; thence South 89°50'08" West, 80.06 feet, to a point on a curve concave to the Southeast, having a radius of 897.61 feet; thence from a tangent bearing South 88°37'12" West, run Southwesterly, 313.63 feet, along the arc of said curve through a central angle of 20°01'09", to a point of intersection with a curve concave to the Northeast, having a radius of 40.00 feet; thence from a tangent bearing South 69°32'56" West, run Northwesterly, 77.63 feet, along the arc of said curve, through a central angle of 111°11'34" to the end of said curve; thence run North 00°44'30" East, 585.85 feet, along the Easterly right of way line of North Boulevard, and to the POINT OF BEGINNING.

Containing: 3548± square feet (0.0814 acres) more or less

	City of Tampa
	Right of Way & Mapping Section
LEGAL DESCRIPTION APPROVED	
File #:	RE18-124-001-01 Atlas: I-12
By:	<i>Jummy Cook</i> Date: 11/01/2017

Section 24 - Township 29 South - Range 18 East
 Hillsborough County, Florida
 Composite Exhibit "B" - Page 2



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REVISIONS

NO.	DATE	DESCRIPTION

OFF OF SOUTH FLORIDA
 DIVISION OF TRANSPORTATION
 AND SAFETY DIVISION
 TRUCK LOADS DIVISION
 (813) 833-4320

SECTION TITLE: ...

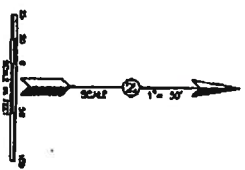
SCALE: ...

DATE: ...

DRAWN BY: ...

CHECKED BY: ...

APPROVED BY: ...



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This instrument was prepared by
and should be returned to:
Thomas N. Henderson, III, Esq., of
Hill Ward Henderson
Bank of America Plaza, Suite 3700
101 East Kennedy Boulevard
Tampa, Florida 33602

INSTRUMENT#: 2017367176, O BK 25239
PG 1358-1363 09/19/2017 at 03:05:55 PM, DOC
TAX PD(F.S.201.02) \$0.70 DEPUTY CLERK:
LLEBERTE Pat Frank, Clerk of the Circuit
Court Hillsborough County

Consideration: \$10.00
Documentary Stamp Tax: \$0.70 (minimum)

FEE SIMPLE DEED

THIS INDENTURE is made and entered into to be effective as of the 2nd day of May, 2017, by and between **THE SCHOOL BOARD OF HILLSBOROUGH COUNTY, FLORIDA**, a body corporate, whose mailing address is 901 East Kennedy Boulevard, Tampa, Florida 33602 (the "**Grantor**"), and **THE CITY OF TAMPA**, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is 315 East Kennedy Boulevard, Tampa, Florida 33602 (the "**Grantee**").

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) to it in hand paid by the Grantee at or before the ensembling and delivery of these presents and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, convey and confirm unto the Grantee, and to its successors and assigns forever, all the following piece, parcel, lot or tract of land, situate, lying and being in Hillsborough County, Florida, and described as follows, to-wit:

That certain land described on Exhibit A attached hereto and incorporated by reference as if fully set forth herein.

A portion of Property Appraiser's Property Identification Number(s):
192441-0000 and 177353-0000

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and every right, title or interest, legal or equitable, of the Grantor of, in and to the same.

TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns, to their proper use, benefit and behoof forever.

By accepting this deed of conveyance, the Grantee expressly acknowledges, covenants and agrees that (1) to insure that the Property will be retained in its restored condition (2) to prevent any use of that Property that will impair or interfere with the environmental value of the

Note to Recorder: The transfer of unencumbered real property evidenced by this Fee Simple Deed has been given for nominal consideration and evidences a conveyance from one state instrumentality to another state instrumentality. Pursuant to F.A.C. 12B-4.014(2)(b) and F.A.C. 12B-4.014(10), only minimum documentary stamps are being paid.

Property and (3) to insure that the use of the Property will be compatible with the Grantor's use of its adjacent property, the following activities and uses are expressly prohibited on, in or under the Property, to wit:

A. Constructing or replacing buildings, roads, billboards or other advertising signs, utilities or other structures on or above the ground except (i) those that may be a part of the improvements located on the Property as of the date hereof; and (ii) any surfacing, seating and lighting that may be required incident to the Property being used as part of the Greenways Project Trail of the City of Tampa.

B. Dumping or placing soil or other substances or materials as landfill or dumping or placing of trash, waste or unsightly or offensive materials;

C. Removing or destroying trees, shrubs or other vegetation, except for the removal of nuisance or exotic vegetation in accordance with a plan approved by the Grantor, it being expressly understood that any permitted plan shall not impair the ecological integrity of the Property;

D. Excavating or dredging;

E. Surface use except for purposes that permit the Property to remain predominantly in its natural condition;

F. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation or fish and wildlife habitat preservation;

G. Acts or uses detrimental to the retention of land or water areas in a natural state;

H. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites of properties of historical, architectural, archeological or cultural significance; and

I. Selling, distributing or consuming alcoholic beverages.

J. Any access to the Property by the general public prior to sunrise or after sunset, it being understood that the access by the public to the Property from sunrise to sunset must be for use solely as a pedestrian, biking, jogging, hiking and public recreational trail and for no other purpose whatsoever and shall in no way be in violation of the prohibited uses of the Property heretofore stated.

The covenants, terms, conditions and restrictions imposed herein shall be binding upon the Grantee, its successors and assigns, and shall continue as a servitude running in perpetuity with the Property.


Remainder of this page intentionally left blank.

Signature page follows

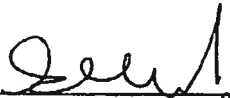
IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal to be effective the day and year first above written.

Signed, sealed and delivered
in the presence of:

THE SCHOOL BOARD OF
HILLSBOROUGH COUNTY,
FLORIDA, a body corporate organized and
existing under the laws of the State of
Florida


Name: KANDEE KING
(Type or Print Name)

By: 
Cindy Stuart, Chair

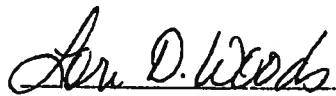


Name: Aida L. Farrell
(Type or Print Name)

By: 
Jeff Eakins, Superintendent

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 2 day of May, 2017, by
Cindy Stuart and Jeff Eakins, as Chair and Superintendent, respectively, of The School Board of
Hillsborough County, Florida, a body corporate, on behalf of the body corporate. They are
personally known to me.

[AFFIX NOTARY SEAL]


Notary Public

(Type, Print of Stamp Name)

My Commission Expires:

Parcel I

Blake High School Greenway Acquisition

Description:

A strip of land 48.5 feet in width lying within Section 13, Township 29 South, Range 18 East, Hillsborough County, Florida; said strip lying 48.5 feet South and West of the Combined Pierhead and Bulkhead Line, as established by the US Army Corps of Engineers in June 1952, and depicted on map of US Harbor Lines, Tampa Harbor, Florida, Hillsboro River and Hillsboro Bay, on the South and West side of the Hillsborough River, said Pierhead and Bulkhead line being described as follows:

Begin at the intersection of said Pierhead and Bulkhead line and the Easterly Right of Way line of North Boulevard; thence along said Pierhead and Bulkhead line the following courses and distances;

South 86°15'07" East, 627.73 feet;

thence South 70°27'24" East, 282.02 feet;

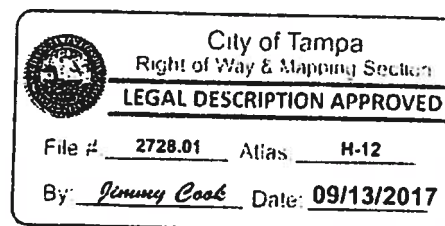
thence South 37°12'32" East, 262.72 feet;

thence South 04°29'49" East, 262.40 feet;

thence South 11°35'01" West, 330.16 feet, to the Southerly line of the Blake High School property and the end of said strip.

The side lines of said strip are to be extended or shortened to intersect the aforementioned Easterly Right of Way line of North Boulevard and the Southerly line of the Blake High School property.

Containing: 83,717 square feet (1.92 acres) more or less.



Parcel II

Greenways Trail now known as the West River Walk (Stewart Middle School and Just Elementary School)

Description:

That part of Garland V. Stewart Middle School and Ernest E. Just Elementary School properties lying and being a portion of the vacated alley between Blocks 20 and 22 (said alley vacated per City of Tampa Ordinance 8212-A), and a portion Blocks 22 and 24, **BENJAMIN'S 7TH ADDITION TO TAMPA**, according to the map or plat thereof as recorded in Plat Book 26, Page 24, in the Public Records of Hillsborough County, Florida, and being a portion of Blocks 1 and 5, **ACTIVE SUBDIVISION NO. 1**, according to the map or plat thereof as recorded in Plat Book 11, Page 60, in the Public Records of Hillsborough County, Florida, and being a portion of the vacated right of way for North Boulevard abutting the aforementioned Block 1, **ACTIVE SUBDIVISION NO. 1** (said right of way vacated per City of Tampa Ordinance 94-52), and being in the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 29 South, Range 18 East, Hillsborough County, Florida, lying South of the Hillsborough River, all of which being described as follows:

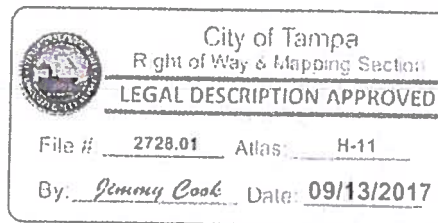
Commence at the Northernmost corner of Block 21, **A RESUBDIVISION OF BLOCK 21 OF BENJAMIN'S 7TH ADDITION TO TAMPA**, according to the map or plat thereof as recorded in Plat Book 26, Page 38, in the Public Records of Hillsborough County, Florida, and run South $36^{\circ}54'48''$ East, along the Westerly right of way of Willow Avenue (formerly Dron Street) and its Southeasterly projection, 492.03 feet, to the Southerly right of way of Cherry Street (now vacated); thence South $88^{\circ}47'04''$ East, along said Southerly right of way of Cherry Street (now vacated), 76.01 feet, to a Point of Intersection with the Easterly right of way of Willow Avenue (formerly Dron Street); thence North $53^{\circ}03'47''$ East, along the Northerly line of Block 22 of the aforementioned **BENJAMIN'S 7TH ADDITION TO TAMPA**, 45.92 feet, to the **POINT OF BEGINNING**; thence departing said Northerly line of Block 22, North $36^{\circ}56'13''$ West, 10.18 feet, to the Northerly line of the South 1/2 of a vacated alley lying between Block 22, and Block 20 of said **BENJAMIN'S 7TH ADDITION TO TAMPA** (said alley vacated per City of Tampa Ordinance 8212-A); thence along said Northerly line of the South 1/2 of alley, North $53^{\circ}03'47''$ East, 284.01 feet to the Combined Pierhead and Bulkhead Line, as established by the US Army Corps of Engineers in June 1952, and depicted on map of US Harbor Lines, Tampa Harbor, Florida, Hillsboro River and Hillsboro Bay; thence along said Combined Pierhead and Bulkhead line the following courses and distances:

South 33°42'59" East, 262.53 feet;

thence South 48°18'29" East 778.57 feet;

thence South 71°35'33" East, 637.69 feet, to the Easterly line of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 29 South, Range 18 East, Hillsborough County, Florida, lying South of the Hillsborough River, said Easterly boundary of the Southeast 1/4 of the Northeast 1/4 of Section 14, also being a portion of the vacated right of way for North Boulevard abutting the aforementioned Block 1, **ACTIVE SUBDIVISION NO. 1** (said right of way vacated per City of Tampa Ordinance 94-52); thence South 00°51'04" West, along said Easterly line of the Northeast 1/4 of Section 14 and Easterly line of the vacated right of way for North Boulevard, 75.54 feet; thence departing said Easterly line of the Northeast 1/4 of Section 14 and Easterly line of the vacated right of way for North Boulevard, North 73°13'38" West, 150.27 feet; thence North 63°00'44" West, 84.01 feet; thence North 73°35'56" West, 91.29 feet; thence North 78°56'32" West, 76.29 feet; thence North 57°30'42" West, 97.90 feet; thence North 67°55'39" West, 79.81 feet; thence North 76°40'19" West, 222.24 feet; thence North 19°48'43" West, 51.88 feet; thence North 56°09'26" West, 214.00 feet; thence North 16°54'09" West, 95.14 feet; thence North 48°30'34" West, 394.75 feet; thence North 65°55'52" West, 71.14 feet; thence South 73°17'03" West, 113.28 feet; thence South 42°22'48" West, 161.44 feet, to the Easterly line of a City of Tampa tract of land, (as recorded in Official Record Book 7828, Page 1547, in the Public Records of Hillsborough County, Florida); thence North 00°56'43" East, along said City of Tampa tract of land, 180.91 feet, to the **POINT OF BEGINNING**.

Containing 168,839 square feet (3.88 acres), more or less.



Project Commitment Record

