

RESOLUTION  
NO. \_\_\_\_\_

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION DESIGNATING PROPERTY LOCATED AT 1717 WEST CERVANTES STREET, PENSACOLA, ESCAMBIA COUNTY, FLORIDA 32501, AND IDENTIFIED BY PARCEL REFERENCE NUMBER 000S009060001105, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION, AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY OF PENSACOLA TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to § 97-277, Laws of Florida, codified at § 376.77 – § 376.86, Florida Statutes, the State of Florida has provided for designation of a “brownfield area” by resolution at the request of the person who owns or controls one or more real estate parcels, to provide for their environmental remediation and redevelopment and promote economic development and revitalization generally; and

WHEREAS, SP Downs, LLC (“SP Downs”), controls one parcel located at 1717 West Cervantes Street, Pensacola, Escambia County, FL 32501, and identified by Parcel Reference Number 000S009060001105 (the “Subject Property”), as depicted in Exhibit “A” attached hereto and more particularly described in Exhibit “B” attached hereto, by virtue of a Purchase and Sale Agreement, dated June 29, 2016, and is developing it for residential use; and has requested designation of the Subject Property as the Delphin Downs Green Reuse Area pursuant to § 376.80(2)(c), Florida Statutes, of Florida’s Brownfields Redevelopment Act; and

WHEREAS, the City has reviewed the relevant criteria that apply in such designations, as specified in § 376.80(2)(c), Florida Statutes, and has determined that the Subject Property qualifies for designation because the following requirements have been satisfied:

1. SP Downs controls Subject Property by virtue of a Purchase and Sale Agreement dated June 29, 2016, and has agreed to rehabilitate and redevelop it;
2. rehabilitation and redevelopment of the Subject Property will result in economic productivity in the area;

3. redevelopment of the Subject Property is consistent with the Comprehensive Plan of the City of Pensacola and is a permissible use under the City's Zoning Code;
4. proper notice of the proposed rehabilitation of the Subject Property has been provided to neighbors and nearby residents, and SP Downs has provided those receiving notice the opportunity to provide comments and suggestions regarding the rehabilitation; and
5. SP Downs has provided reasonable assurance that it has sufficient financial resources to implement and complete a rehabilitation agreement and redevelopment plan; and

WHEREAS, the City desires to notify the Florida Department of Environmental Protection of its resolution designating the Delphin Downs Green Reuse Area a "brownfield area" to further its rehabilitation and redevelopment for purposes of § 376.77 – § 376.86, Florida Statutes; and

WHEREAS, the applicable procedures set forth in § 376.80 and § 166.041, Florida Statutes, have been followed and proper notice has been provided in accordance with § 376.80(1) and § 166.041(3)(c)2, Florida Statutes; and

WHEREAS, such designation shall not render the City of Pensacola liable for costs of site rehabilitation, including remediation, or source removal, as those terms are defined in §§ 376.79(19) and (20), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this Resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

Section 1. Recitals. That the recitals and findings set forth in this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

Section 2. Satisfaction of Applicable Criteria. The City Council finds that SP Downs has satisfied the criteria set forth in § 376.80(2)(c), Florida Statutes.

Section 3. Designation. The City Council designates the Subject Property depicted on Exhibit "A" and described on Exhibit "B" attached hereto and incorporated herein by reference as a "brownfield area" for purposes of § 376.77 – § 376.86, Florida Statutes, under the following terms and conditions:

- a. Such designation shall not render the City of Pensacola liable for costs of site remediation, rehabilitation, and economic development or source removal, or for any other costs that may arise or be incurred.

Section 4. Notification. The City Clerk, or her designee, is hereby authorized to notify the Florida Department of Environmental Protection of the City Council's resolution designating the Delphin Downs Green Reuse Area a "brownfield area" for purposes of § 376.77 – § 376.86, Florida Statutes.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption by City Council.

Adopted:

Approved:

Attest:

City Clerk

Legal in form and valid if adopted:

City Attorney

# Exhibit A

Source: Escambia County Property Appraiser

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<p><b>General Information</b></p> <p><b>Reference:</b> 000S009060001105</p> <p><b>Account:</b> 151033000</p> <p><b>Owners:</b> PATEL THAKORBHAI N &amp; PATEL SAVITABEN T</p> <p><b>Mail:</b> 6111 ENTERPRISE DR APT 604 PENSACOLA, FL 32505</p> <p><b>Situs:</b> 1717 W CERVANTES ST 32501</p> <p><b>Use Code:</b> VACANT COMMERCIAL</p> <p><b>Taxing Authority:</b> PENSACOLA CITY LIMITS</p> <p><b>Schools (Elem/Int/High):</b> GLOBAL LEARNING ACADEMY/WORKMAN/PENSACOLA</p> <p><b>Tax Inquiry:</b> <a href="#">Open Tax Inquiry Window</a></p> <p>Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector</p>	<p><b>Assessments</b></p> <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>\$309,000</td> <td>\$48,533</td> <td>\$357,533</td> <td>\$131,843</td> </tr> <tr> <td>2015</td> <td>\$309,000</td> <td>\$46,842</td> <td>\$355,842</td> <td>\$130,927</td> </tr> <tr> <td>2014</td> <td>\$309,000</td> <td>\$47,091</td> <td>\$356,091</td> <td>\$129,888</td> </tr> </tbody> </table> <p><a href="#">Disclaimer</a></p> <hr/> <p><a href="#">Amendment 1/Portability Calculations</a></p> <p>★ <a href="#">File for New Homestead Exemption Online</a></p>	Year	Land	Imprv	Total	Cap Val	2016	\$309,000	\$48,533	\$357,533	\$131,843	2015	\$309,000	\$46,842	\$355,842	\$130,927	2014	\$309,000	\$47,091	\$356,091	\$129,888				
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**Parcel Information**


**Section Map Id:** [CA116](#)

**Approx. Acreage:** 2.0661

**Zoned:** C-1

**Evacuation & Flood Information**  
[Open Report](#)

[Launch Interactive Map](#)



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

# Exhibit B

### **Legal Description**

All of Block 105, WEST KING TRACT, City of Pensacola, according to map of said City copyrighted by Thomas C. Watson in 1906. Subject to the existing right-of-way of Cervantes Street (U.S. Highway 90), all lying and being situate in Escambia County, Florida.