Application
For Amendment of
Future Land Use Map Designation

Instructions: *Please review the document "Comprehensive Plan Future Land Use Map Amendment Process and Application Information for The City of Tallahassee and Leon County" prior to completing this application.*

A pre-application conference with TLCPD staff must be completed prior to the application deadline.

A. APPLICANT INFORMATION

Applicant Name: RPJ Properties, LLC; and Robert J Livingston and Marilyn W. Livingston

Address: 1761 Old Bainbridge Road; 933, 937, and 939 W Tharpe St.

Tallahassee, FL

Telephone: 850-354-5124

E-mail Address rvolpe@HoltzmanVogel.com

Property located in: X City ____ Unincorporated County

Tax I.D.(s) #: 2126280000020; 0070

Parcel size (acres): 0.52

Current Future Land Use Map designation: Government Operational; Suburban

Requested Future Land Use Map designation: Suburban

B. REQUIRED ATTACHMENTS

The items below are required components of a complete application. Information on preparing these items is included in the document "Comprehensive Plan Future Land Use Map Amendment Process and Application Information for The City of Tallahassee and Leon County." Please include each item as a numbered attachment to your application. Initial each item on this application to indicate that it is complete and attached.

x Attachment 1: Completed pre-application conference form
x Attachment 2: Completed "Affidavit of Ownership & Designation of Agent" form
x Attachment 3: Copy of legal description or deed (acreage should be estimated at end)
x Attachment 4: Completed Rezoning Application necessary to implement the proposed land use change, available at https://www.talgov.com/place/pln-luapps.aspx. The fee for the rezoning application will be collected after the Local Planning Agency Public Hearing.

x Attachment 5: Completed School Impact Analysis Form.
x Attachment 6: Potable Water and Sanitary Sewer capacity and availability letter.
x Attachment 7: Transit service analysis
x Attachment 8: Answers to the questions below regarding the proposed change on a separate page:

1. Why do you want to change the Future Land Use Map?
2. Is your request compatible with adjacent and nearby properties?
3. Are there any existing code violations associated with the subject property?
4. How does your request further the concepts reviewed in the Vision Statement for the Comprehensive Plan? This in an opportunity to explain to citizens and elected officials how the requested change fits into the larger vision provided by the Comprehensive Plan. The Vision Statement is available at the link below.
   https://www.talgov.com/Uploads/Public/Documents/place/comp_plan/tlc-cp00-introd.pdf

C. OPTIONAL ATTACHMENTS

The Planning Department encourages applicants to address the two optional attachments below. Please initial the attachments included in your application.

n/a Attachment 9: Informal Neighborhood Meeting Form
n/a Attachment 10: Sustainable Development Pattern Survey

D. ADDITIONAL APPLICATION REQUIRMENTS

Initial each item on this application to indicate that it is complete.

n/a One (1) signed original of the completed application, attachments, and supporting documentation
x One (1) electronic version of the completed application, attachments, and supporting documentation shall be submitted on a CD, DVD, or USB Flash Drive. The required format for all text documents is MS Word or PDF. The required file format for all maps drawings and graphics is PDF, JPEG, PNG, or TIFF.
x Application fee in the form of a check payable to the City of Tallahassee or Leon County Board of County Commissioners.
x Commitment to pay the rezoning application fee after the Local Planning Agency Public Hearing

APPLICATION DEADLINE:
Friday, September 23, 2022 5:00 PM (EST)

Applicants' signature below certifies that the applicant understands that the Future Land Use Map Amendments may require a rezoning; environmental analysis and other permit approvals before development activity can begin. Call the Land Use Administration Division of the Planning Department at 850-891-6400 for information on the rezoning process.

Received by the Tallahassee-Leon County Planning Department
on the 9th **day of** September**, 20**22

Staff Signature

Signature of Property Owner or Agent

September 23, 2022

Via Electronic Mail

Tallahassee-Leon County Planning Department
Artie White, Planning Director of Comprehensive Planning (Artie.White@talgov.com)
Mindy Mohrman, Urban Forrester (Melinda.Mohrman@talgov.com)

Re: Comprehensive Plan Future Land Use Amendment Application
RPJ Properties, LLC - Parcel Nos.: 2126280000010, 2126280000020, 2126280000030, and 2126280000070

Dear Mr. White:

Enclosed are the following documents regarding the application referenced above:

Attachment 1: A signed copy of the Pre-Application Conference Form.

Attachment 2:

- Applicant's Affidavit of Ownership & Designation of Agent signed by Robert Livingston.
- Applicant's Affidavit of Ownership & Designation of Agent signed by RPJ Properties, LLC.

Attachment 3: A survey has not been completed on the subject property. Enclosed are copies of the deeds for the four parcels identified above.

Attachment 4: A completed Application for Rezoning Review.

Attachment 5: A completed School Impact Analysis Form.

Attachment 6: The application will be supplemented later with the Potable Water and Sanitary Sewer Capacity and Availability Analysis

Attachment 7: A completed Transit Service Analysis Form.

Attachment 8: Applicant Statement.

If you require additional information or if you have questions regarding the enclosed documents, please contact our office.

Sincerely,

Becky Emerson

Becky Emerson

Paralegal

Enclosures

Pre-Application Conference Form
For Amendment of Future Land Use Map Designation

Instructions: This form is to be completed during the required pre-application conference. A signed copy of the completed form must be included with your application.

Deadline for pre-application conferences for this amendment cycle is **Wednesday, September 14, 2022.** Please contact the Planning Department in advance to schedule a pre-application conference by calling (850) 891-6400.

Applicant Name: RPJ Properties, LLC Date: July 8, 2022

Telephone: ( ) _____ E-mail (optional) _____

Property located in: X City ____ Unincorporated County

Tax I.D. #: 2126280000010; 0020; 0030; & 0070 Parcel size (acres): 1.49

Current Future Land Use Map designation: Government Operational; Suburban

Requested Future Land Use Map designation: Suburban

X Small Scale Amendment (10 acres or fewer) or
____ Large Scale Amendment (more than 10 acres)

Maximum development: Residential units: _____ Nonresidential square feet: _____

Conference Review Items

_____ Provide application packet
_____ Review required attachments
_____ Review optional attachments
_____ Review additional application requirements
_____ Review completeness requirement
_____ Application sufficiency determination (Insufficient information may cause application to be continued to the next cycle)
_____ Applicant's responsibility to pay for rezoning after the Local Planning Agency Public Hearing

Notes:

_____
_____
_____
_____
_____
_____

M. Mohrman
Planner

_____ (Agent)
Applicant

TALLAHASSEE - LEON COUNTY PLANNING DEPARTMENT

APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT

I. Ownership.

I, Robert J Livingston, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) 2126280000010; 0020; 0030; & 0070

Location address: 1761 Old Bainbridge Road; 933, 937, and 939 W Tharpe St., Tallahassee, Florida

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of:

LIVINGSTON ROBERT J and LIVINGSTON MARILYN W

Please complete the appropriate section below:

Individual	**Corporation**	**Partnership**
	Provide Names of Officers:	Provide Names of General Partners:
Robert J Livingston		

Dept. of State Registration No.:

Name/Address of Registered Agent:

II. Designation of Applicant's Agent. (Leave blank if not applicable)

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named above to represent me, or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

Applicant's Agent: Holtzman Vogel, PLLC

Address: 119 S. Monroe Street, Suite 500, Tallahassee, FL

Contact Person: Robert Volpe Telephone No.: 850-354-5124

III. Notice to Owner.

A. All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.

B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.) for all land use, zoning, and development permitting purposes.

IV. Acknowledgement.

Individual

Robert J. Livingston
Signature

Print Name: Robert J. Livingston
Address: 4823 Bradfordville Rd
Tallahassee FL.
Phone No.: (850) 893-1453

Corporation

_____
Print Corporation Name

By: _____
Signature

Print Name: _____
Its: _____
Address: _____
_____
Phone No.: _____

Partnership

_____
Print Partnership Name

By: _____
Signature

Print Name: _____
Its: _____
Address: _____
_____
Phone No. : _____

Please use appropriate notary block.

STATE OF FLORIDA
COUNTY OF LEON

Individual

Before me, this 23RD day of SEPTEMBER, 2022, personally appeared ROBERT J. LIVINGSTON who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

Corporation

Before me, this _____ day of _____, 20___, personally appeared _____ of _____, a _____ **corporation**, on behalf of the corporation, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Partnership

Before me, this _____ day of _____, 20___, personally appeared _____, partner/agent on behalf of _____, a **partnership**, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Signature of Notary

EUGENIA FERRELL
MY COMMISSION EXPIRES DECEMBER 13, 2024
#HH 071248
Bonded thru Troy Fain Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Print Name: EUGENIA FERRELL
Notary Public

(NOTARY STAMP)

My commission expires:

Personally known _____; or
Produced identification ✓.
Type of identification produced:
LICENSE

TALLAHASSEE - LEON COUNTY PLANNING DEPARTMENT

APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT

I. Ownership.

I, RPJ Properties, LLC, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) 2126280000010; 0020; 0030; & 0070

Location address: _____

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of:

RPJ Properties, LLC

Please complete the appropriate section below:

☐ **Individual**

☒ **Corporation**

Provide Names of Officers:

Behzad Ghazvini - Manager

Justin Ghazvini - Manager

Dept. of State Registration No.:

L10000132405

Name/Address of Registered Agent:

Robert A. Pierce

123 S. Calhoun Street

Tallahassee, FL 32301

☐ **Partnership**

Provide Names of General Partners:

II. Designation of Applicant's Agent. (Leave blank if not applicable)

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named above to represent me, or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

Applicant's Agent: Holtzman Vogel PLLC

Address: 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301

Contact Person: Robert C. Volpe Telephone No.: 850-354-5124

III. Notice to Owner.

A. All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.

B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.) for all land use, zoning, and development permitting purposes.

IV. Acknowledgement.

☐ **Individual**

_____
Signature
Print
Name:_____
Address:_____
_____
Phone No.:_____

☒ **Corporation**

RPJ Properties, LLC
Print Corporation Name

By:_____
Signature
Print
Name: Behzad Ghazvini
Its: MGR
Address: 4705 Capital Cir NW
_____
Phone No.:_____

☐ **Partnership**

_____
Print Partnership Name

By:_____
Signature
Print
Name:_____
Its:_____
Address:_____
_____
Phone No. :_____

Please use appropriate notary block.

STATE OF _____
COUNTY OF _____

☐ **Individual**

Before me, this _____ day of _____, 20___, personally appeared _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

Personally known ✓; or
Produced identification _____.
Type of identification produced:
_____

☒ **Corporation**

Before me, this 23rd day of September, 2023 personally appeared Behzad Ghazvini of RPJ Properties LLC a Florida **corporation**, on behalf of the corporation, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

EUGENIA FERRELL
MY COMMISSION EXPIRES
DECEMBER 13, 2024
#HH 071248
Bonded thru
Troy Fain Insurance
NOTARY PUBLIC, STATE OF FLORIDA

☐ **Partnership**

Before me, this _____ day of _____, 20___, personally appeared _____, partner/agent on behalf of _____, a **partnership**, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Signature of Notary

Print Name: Eugenia Ferrell
Notary Public

(NOTARY STAMP)

My commission expires:

Attachment #3
Parcel ID. 2126280000010

WARRANTY DEED
INDIVID. TO INDIVID

OFF REC 954 PAGE 1404

This Warranty Deed *Made the* 5th *day of* March, *A. D.* 1980 *by*

FRANCES LETT PAGELS, Personal Representative of the Estate of Annie Ruth Smith Lett, deceased
hereinafter called the grantor, to

ROBERT J. LIVINGSTON and MARILYN W. LIVINGSTON, his wife,

whose postoffice address is 4823 Bradfordville Road, Tallahassee, Florida
hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: *That the grantor, for and in consideration of the sum of* $ 10.00 *and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in* Leon *County, Florida, viz:*

Lot 1 of Gilliam Subdivision, as per plat thereof, recorded in Plat Book 3, Page 7, Public Records of Leon County, Florida.

SUBJECT TO a mortgage to Industrial National Bank dated the 19th day of July, 1979, and recorded in Official Records Book 934, Page 910, Public Records of Leon County, Florida, which Grantees assume and agree to pay.

SUBJECT TO a second mortgage to Sellie Ruth Hill, Elizabeth Lett Jackson and Frances Lett Pagels dated the 6th day of March, 1980, and recorded in Official Records Book 954, Page 1405, Public Records of Leon County, Florida.

Together *with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.*

To Have and to Hold, *the same in fee simple forever.*

And *the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31,* 1980.

STATE OF FLORIDA DOCUMENTARY STAMP TAX DEPT. OF REVENUE MAR-6'80 280.00 PB 10521

In Witness Whereof, *the said grantor has signed and sealed these presents the day and year first above written.*

Signed, sealed and delivered in our presence:

Frances Lett Pagels (L.S.)
FRANCES LETT PAGELS, Personal Representative of the Estate of Annie Ruth Smith Lett, deceased (L.S.)

STATE OF FLORIDA,
COUNTY OF LEON.

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

FRANCES LETT PAGELS, Personal Representative of the Estate of Annie Ruth Smith Lett, deceased.

to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 5th day of March, A. D. 1980.

Notary Public
My Commission Expires: 4-10-83

Notary Public, State of Florida at Large
My Commission Expires April 10, 1983
Bonded Thru General Casualty Company

This Instrument prepared by:
Harry C. Gamble
103 N. Gadsden St.
Tallahassee, FL 32302
Address

SPACE BELOW FOR RECORDERS USE

RECORDED IN THE PUBLIC RECORDS OF LEON CO. FLA. IN THE BOOK & PAGE IND.
MAR 6 12 44 PM 1980
AT THE TIME & DATE NOTED
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

494601

Attachment #3
Parcel ID. 2126280000020

RECORDED IN THE PUBLIC RECORDS OF LEON CO FL
Jul 19 4 48 PM '91
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

10 79322

OR 1505 PG 1407

WARRANTY DEED

THIS INDENTURE, dated July 19, 1991, between W. MIKE WHITE and WILLIAM F. PETERS, whose mailing address is 2451 Centerville Road, Tallahassee, Florida 32308, the "Grantors" herein, and ROBERT J. LIVINGSTON and MARILYN W. LIVINGSTON, husband and wife, whose mailing address is 933-1/2 W. Tharpe Street, Tallahassee, Florida 32303, the "Grantees" herein,

W I T N E S S E T H:

That the Grantors, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration to the Grantors in hand paid by the Grantees, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained and sold to the Grantees, and the Grantee's heirs, successors and assigns forever, the following described land located in Leon County, Florida, to-wit:

Lot 2, GILLIAM SUBDIVISION, as per plat thereof recorded in Plat Book 3, page 7, of the Public Records of Leon County, Florida, EXCEPT, a strip of land 3.08 feet wide on the East end and 3.05 feet wide on the West end of the North side of Lot 2, GILLIAM SUBDIVISION, also EXCEPT that portion deeded to The Department of Transportation in Official Records Book 1298, page 2357, Public Records of Leon County, Florida.

THE GRANTORS HEREBY WARRANT THAT THE ABOVE-DESCRIBED REAL PROPERTY DOES NOT CONSTITUTE HOMESTEADS OF THE GRANTORS UNDER THE LAWS OF THE STATE OF FLORIDA.

TOGETHER WITH any and all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO easements, reservations, and restrictive covenants of record, if any, and to ad valorem taxes for 1991 and subsequent years.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantors covenant that the Grantors are lawfully seized of the premises and have the right to convey the premises to the Grantees; that the premises are free from any encumbrances, except as herein stated; and Grantors do hereby fully warrant the title to such land and will defend the same against the lawful claims of all persons whomsoever, subject to the foregoing exceptions.

Documentary Tax Pd. $ 479.40
$ _____ Intangible Tax Pd.
Paul F. Hartsfield, Clerk, Leon County
By _____ Deputy Clerk

This instrument was prepared in the law office of AUSLEY, McMULLEN, McGEHEE, CAROTHERS & PROCTOR Washington Square Building, Tallahassee, Florida under the supervision of MARGARET AUSLEY HOFFMAN

UNOFFICIAL DOCUMENT

IN WITNESS WHEREOF, the Grantors have executed this Deed on the day and year first above written.

WITNESSES:

Joan M. Lopek
JOAN M. LOPEK
Typed/Printed Name

Margaret A. Hoffman
Margaret A. Hoffman
Typed/Printed Name

W. MIKE WHITE (SEAL)

WILLIAM F. PETERS (SEAL)

STATE OF FLORIDA
COUNTY OF LEON

The foregoing Warranty Deed was acknowledged before me by W. Mike White and William F. Peters, this 19th day of July, 1991.

NOTARY PUBLIC
Margaret Ausley Hoffman
Typed/Printed Name

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. DEC.10,1994
BONDED THRU GENERAL INS. UND.

PARCEL ID #21-26-28-0000-002-0
GRANTEE ID # [redacted]

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
UNOFFICIAL DOCUMENT

Attachment #3
Parcel ID. 2126280000030

OR 1708 PG 1970

1266739
RECORDED IN FR
COUNTY OF LEON
FEB 8 3 48 AM '94
DAVE LANG
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

Prepared under the supervision of:
_____, Legal Counsel
Florida Department of Transportation
Post Office Box 607
Chipley, Florida 32428

COUNTY : LEON
SECTION : 55580-2611
STATE ROAD: CR 158
PARCEL NO.: PART 137.1R & 138.1R

QUITCLAIM DEED

THIS INDENTURE, made this 2nd day of January, 1994, by and between the STATE OF FLORIDA, by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION as the Party of the First Part and ROBERT J. LIVINGSTON AND MARILYN W. LIVINGSTON, whose address is 4823 Bradfordville Road, Tallahassee, Florida 32308, party of the second part.

W I T N E S S E T H

WHEREAS, said land hereinafter described was heretofore acquired for state highway purposes; and

WHEREAS, said land is no longer required for such purposes, and the Party of the First Part, by action of the District Secretary of Transportation pursuant to the provisions of Section 337.25, Florida Statutes has agreed to quitclaim the land hereinafter described to the Parties of the Second Part;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part, for and in consideration of the premises and the sum of One Dollar and other valuable considerations to it paid by the Parties of the Second Part, assigns, forever, all the right, title and interest of the State of Florida and/or the State of Florida Department of Transportation to the property described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises and the appurtenances thereof unto the Parties of the Second Part.

THIS CONVEYANCE IS made subject to any unpaid taxes, assessments liens, or encumbrances.

Documentary Tax Pd. $ 598.50
$ _____ Intangible Tax Pd.
Dave Lang, Clerk, Leon County
By _____ Deputy Clerk

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT COMPTROLLER
GWEN MARSHALL
UNOFFICIAL DOCUMENT

COUNTY : LEON
SECTION : 55580-2611
STATE ROAD: CR 158
PARCEL NO.: PART 137.1R & PART 138.1R

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida and in the name of the State of Florida Department of Transportation by its District Secretary, District 3 and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

Signed, sealed and delivered in our presence as witnesses:

Donna M. Mathis
Donna M. Mathis

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

BY: W. E. Waddell
W. E. Waddell
District Secretary
District Three

ATTEST: Carolyn P. Hayes
Executive Secretary
Carolyn P. Hayes

STATE OF FLORIDA)
COUNTY OF WASHINGTON)

BEFORE ME, the undersigned authority, this day personally appeared, W. E. Waddell District Secretary, District Three and Carolyn Hayes Executive Secretary of the State of Florida Department of Transportation, respectively, to me known to be the persons described in and who executed the foregoing instrument, and they severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned, and that they affixed thereto the official seal of said State of Florida Department of Transportation, and the said instrument is the act and deed of said Department.

WITNESS my hand and official seal this 3rd day of January, 1994.

JERRY OBERT
NOTARIAL SEAL
NOTARY PUBLIC
STATE OF FLORIDA

Jerry Obert
Notary Public in and for the
County and State last [illegible]
My commission expir[illegible]
Serial No., if any CC175787
Jerry Obert

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT
COMPTROLLER
MARSHALL

October 26, 1992

Legal description prepared by,
Mike Sapp

Section: 55580-2611
C.R. : 158
County : Leon

DESCRIPTION OF PROPERTY TO BE SOLD BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AT PUBLIC SALE (BEING A PART OF SRD NUMBERS 137.1R AND 138.1R)

A parcel of land situate, lying and being in Lots 3, 4 and 6 of Gilliam Subdivision as per plat recorded in Plat Book 3, Page 7 of the public records of Leon County, Florida, and being described as follows: Commence on the southerly extension of the west line of Lot 5 of The Gardens, a subdivision in Section 23, Township 1 North, Range 1 West as per plat recorded in Plat Book 2, page 16 of the public records of Leon County, Florida, at a point 652.74 feet South 0°08'25" West of a 4 inch concrete monument marking the northwest corner of said Lot 5 of Gilliam Subdivision; thence run North 82°57'53" West 215.37 feet; thence South 87°28'36" West 162.95 feet; thence South 2°31'24" East 61.45 feet, crossing the south line of said Section 23, and the north line of Section 26, Township 1 North, Range 1 West to the POINT OF BEGINNING of parcel of land to be described herein; thence run North 89°43'33" East 175.58 feet to the east line of said Lot 3; thence South 0°27'19" East 80.70 feet along said east line to the intersection with the northeasterly line of said Lot 6; thence South 50°58'45" East 22.89 feet along said northeasterly line to the intersection with the southeasterly line of said Lot 6; thence South 38°55'27" West 89.79 feet along said line; thence leaving said southeasterly line run North 51°04'38" West 195.46 feet; thence North 19°19'02" East 43.78 feet to the POINT OF BEGINNING of parcel herein described;

Containing 21,109 square feet, more or less.

Subject to all utilities remaining in place and use.

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
UNOFFICIAL DOCUMENT

OR 1587PG0746

Attachment #3
Parcel ID. 2126280000070

THIS INSTRUMENT PREPARED BY:

Margaret B. Ausley, Attorney at Law
Ausley, McMullen, McGehee,
Carothers & Proctor
Post Office Box 391
Tallahassee, Florida 32302

Documentary Tax Pd. $ 311.50
$ — Intangible Tax Pd.
Paul F. Hartsfield, Clerk, Leon County
By MSO Deputy Clerk

WARRANTY DEED

THIS INDENTURE, dated September 10th, 1992, between JEFFREY WYLEY OWEN AND JEANNIE LYNN OWEN, his wife, whose mailing address is 252 Division Street, Newport, Indiana 47966, the "Grantors" herein, and ROBERT J. AND MARILYN W. LIVINGSTON, husband and wife, whose mailing address is 4823 Bradfordville Road, Tallahassee, Florida 32308, the "Grantees" herein,

W I T N E S S E T H:

That the Grantors, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration to the Grantors in hand paid by the Grantees, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained and sold to the Grantees, their heirs, successors and assigns forever, the following described land located in Leon County, Florida, to-wit:

Lot 7, GILLIAM SUBDIVISION, a subdivision as per map or plat thereof as recorded in Plat Book 3, Page 7, of the Public Records of Leon County, Florida, less and except that portion of Lot 7 which is more particularly described in EXHIBIT A, attached hereto and made a part hereof by reference..
PARCEL ID #: 21-26-28-000-007-0

SEP 16 4 23 PM '92
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT
RECORDED IN THE PUBLIC RECORDS OF LEON CO. FLA.

11571235

TOGETHER WITH any and all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO easements, reservations, and restrictive covenants of record, if any, and to ad valorem taxes for 1992 and subsequent years.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantors covenant that the Grantors are lawfully seized of the premises and have the right to convey the premises to the Grantees; that the premises are free from any encumbrances, except as herein stated; and Grantors do hereby fully warrant the title to such land and will defend the same against the lawful claims of all persons whomsoever, subject to the foregoing exceptions.

IN WITNESS WHEREOF, the Grantors have executed this Deed on the day and year first above written.

WITNESSES:

Harold L Pearce
(1st Witness-Signature)

Harold L. Pearce
(1st Witness-Printed Name)

Mary B. Swayze
(2nd Witness-Signature)

Mary B. Swayze
(2nd Witness-Printed Name)

Jeffrey Wyley Owen (SEAL)
JEFFREY WYLEY OWEN

Jeannie Lynn Owen (SEAL)
JEANNIE LYNN OWEN

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT & COMPTROLLER LEON COUNTY FLORIDA
LEON MARSHALL

STATE OF INDIANA
COUNTY OF Vermillion

The foregoing Warranty Deed was acknowledged before me by JEFFREY WYLEY OWEN AND JEANNIE LYNN OWEN, his wife, this ___ day of September, 1992. The Acknowledgers are either (a) personally known to me; or ~~(b) have produced~~ _____ _____ ~~as identification~~. The Acknowledgers did not take an oath.

Mary B. Swayze
NOTARY PUBLIC, State of Indiana
Mary B.Swayze
(Typed/Printed Name)
My Commission Expires: Jan.21,1994
My Commission No.: ---
Resident of:Vermillion County,Ind.

NOTARY PUBLIC SEAL INDIANA

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CLERK OF THE CIRCUIT COURT & COMPTROLLER LEON COUNTY GWEN MARSHALL
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R1338 2351

SECTION 55580-2611 CR 158 LEON COUNTY DESCRIPTION

Fee Simple
Right of Way

PARCEL NO. 139.1 SECTION 55580-2611

That part of:

Lot 7 of Gilliam Subdivision as per plat recorded in Plat Book 3, Page 7 of the Public Records of Leon County, Florida;

lying Northeasterly of and within 45 feet of the centerline of (Old Bainbridge Road), Section 55580-2611, said centerline to be described as follows: Commence on the Southerly extension of the West line of Lot 5 of The Gardens Subdivision as per plat recorded in Plat Book 2, Page 16 of the Public Records of Leon County, Florida at a point 652.74 feet South 0°08'25" West of the Northwest corner of said Lot 5; thence North 82°57'53" West 215.37 feet to a point; thence South 87°29'36" West 362.83 feet to the POINT OF BEGINNING of centerline to be described herein; thence South 51°04'38" East 850.0 feet (crossing the South line of Section 23, Township 1 North, Range 1 West, the North line of Section 26, Township 1 North, Range 1 West) to the end of centerline herein described; thence for the purpose of reference only run North 51°04'38" West 105.16 feet to the Southerly extension of the East line of Lot 9 of Gilliam Subdivision as per plat recorded in Plat Book 3, Page 7 of the Public Records of Leon County, Florida at a point 38.80 feet South 0°00'01" West of the Southeast corner of said Lot 9;

Containing 1501 square feet, more or less, being in Section 26, Township 1 North, Range 1 West.

EXHIBIT A

OR 1587PG0118
748

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LEON COUNTY
GWEN MARSHALL
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PLANNING DEPARTMENT PLACE

City of Tallahassee APPLICATION FOR REZONING REVIEW

The undersigned, owner of the hereinafter-described property, hereby petitions the City of Tallahassee for the following amendment to the Official Zoning Map:

Change in Zoning District Write in the name of the current zoning district(s) in which the property is currently located and the zoning district(s) you are requesting that this property be located within.

From: UP-1

To: C-2

Location: The property is designated by the following Leon County Property Tax identification number(s): 2126280000010; 0020; 0030; & 0070

Project Name: SEC Tharpe & Old Bainbridge **Total Acreage:** 1.49

Legal Description: Attach a legal description of the property requested to be rezoned.

Disclaimer: Granting of requested zoning district does not grant the applicant all development rights prescribed within the zoning district. Subsequent permitting, preliminary site plan and plat review, and final plat review may limit the ability to construct allowable land uses as well as construct allowable land uses to the maximum intensity and/or density of the approved zoning district. All proposed development shall be subject to the applicable land development regulations including, but not limited to the *Tallahassee Land Development Code*, *Environmental Management Ordinance*, and the *Concurrency Management System Policy and Procedures Manual*.

Note: An electronic version of this application and all supporting documentation shall be submitted on a CD or DVD. Also, an original signed copy of the complete application and supporting documentation shall be submitted to the Planning Department.

The required file format for all text documents is Microsoft Word, WordPerfect or Adobe Acrobat PDF.

The required file format for all maps and drawings is either Adobe Acrobat PDF or TIFF.

Submitted By:

Owner's Name(s):

Name: Robert J Livingston and Marilyn W. Livingston Phone: _____
Email: _____ Fax: _____
Street: 1761 Old Bainbridge Road; 933, 937, and 939 W Tharpe St.
City: Tallahassee ST: FL Zip+4: _____

Agent's Name(s):

Name: Holtzman Vogel, PLLC Phone: 850-354-5124
Email: rvolpe@HoltzmanVogel.com Fax: _____
Street: 119 S. Monroe Street, Suite 500
City: Tallahassee ST: FL Zip+4: 32301

Optionee's Name(s):

Name: _____ Phone: _____
Email: _____ Fax: _____
Street: _____
City: _____ ST: ____ Zip+4: _____

Please provide identification of any individual, neighborhood association, or business association with which you have voluntarily met prior to submission of this application.

Letter of Understanding

I Robert J Livingston (print name) as the property owner or authorized property owner representative have read and understand the City of Tallahassee Application for Rezoning Review Information Packet and acknowledge submittal of a rezoning application from UP-1 (district) to C-2 (district).

Robert S. Livingston Signature 9/28/2021 Date
Property Owner/Authorized Representative

Witness 9/28/2021 Date

Witness 9/28/21 Date

SCHOOL IMPACT ANALYSIS FORM

Agent Name: Robert C. Volpe **Applicant Name**: Robert J. Livingston and Marilyn W. Livingston **Address:** Holtzman Vogel PLLC 119 S. Monroe St., Ste. 500, Tallahassee, FL 32301	**Date**: **Telephone:** 850-354-5124 **Fax:** 850-480-7449 **Email:** rvolpe@holtzmanvogel.com

① **Location of the proposed Comprehensive Plan Amendment or Rezoning:**

Tax ID #: 2126280000010; 0020; 0030; & 0070
Property address: 1761 Old Bainbridge Road; 933, 937, and 939 W. Tharpe Street, Tallahassee, FL 32303
Related Application(s):

② **Type of requested change (check one):**

- ☐ Comprehensive plan land use amendment that permits residential development.
- ☐ Rezoning that permits residential development.
- ☐ Nonresidential land use amendment adjacent to existing residential development.
- ☐ Nonresidential rezoning adjacent to existing residential development.

③ **Proposed change in Future Land Use or Zoning classification:**

☒ *Comprehensive plan land use* From: Government Operational To: Suburban

☒ *Zoning* From: UP-1 To: C-2

***Planning Department staff use only*:**

④ **Maximum potential number of dwelling units permitted by the request:**

Number of dwelling units: _____
Type(s) of dwelling units: _____

***Leon County Schools staff use only*:**

⑤ **School concurrency service areas (attendance zones) in which property is located.**

	Elementary:	***Middle:***	***High:***
Present capacity	_____%	_____%	_____%
Post Development capacity	_____%	_____%	_____%

This form is required by §8.3 of the Public School Concurrency and Facility Planning Interlocal Agreement as adopted on September 1, 2006 by the City of Tallahassee, Leon County, and Leon County School Board. Pursuant to §6.4 of the Agreement, the City or County will transmit the School Impact Analysis Form to a designated employee of the School Board for review at the same time the application is submitted to all departments for review.

TLCPD
Tallahassee-Leon County Planning Department

City of Tallahassee
Your Own Utilities℠

#1 Public Utility in America

Underground Utilities & Public Infrastructure | 408 N. Adams St. | Tallahassee | FL | 32301 | 850-891-4968

October 4, 2022

Mr. Robert Volpe
Holtzman, Vogel, Baran, Torchinsky, & Josefiak, PLLC
119 S. Monroe Street, Suite 500
Tallahassee, FL 32301

Re: Availability of Water and Sewer at Parcel ID Nos. 21-26-28-000-001-0, 21-26-28-000-002-0, 21-26-28-000-003-0, 21-26-28-000-007-0, located at the southeast corner of Tharpe Street and Old Bainbridge Road in Tallahassee, FL

Dear Mr. Volpe:

The City of Tallahassee is the provider for water and sewer to serve the parcels listed above. The City owns and maintains the system which is located within the Tharpe Street and Old Bainbridge Road Right of Ways and within the surrounding area.

Should you require any further assistance, please contact me at (850) 891-6191.

Sincerely,

UNDERGROUND UTILITIES & PUBLIC INFRASTRUCTURE

Joshua J. Logan, P.E.
Program Engineer – Water & Sewer Development Review & Inspection

TRANSIT SERVICE ANALYSIS FORM

Agent Name: Robert C. Volpe **Applicant Name:** Robert J. Livingston and Marilyn W. Livingston **Address:** Holtzman Vogel PLLC 119 S. Monroe St., Ste. 500, Tallahassee, FL 32301	**Date**: **Telephone:** 850-354-5124 **Fax:** 850-480-7449 **Email:** rvolpe@holtzmanvogel.com

① **Location of the proposed Comprehensive Plan Amendment or Rezoning:**

Tax ID #: 2126280000010; 0020; 0030; & 0070
Property address: 1761 Old Bainbridge Road; 933, 937, and 939 W. Tharpe Street, Tallahassee, Florida 32303
Related Application(s):

② **The proposed site is located within ¼ mile of a stop for the following bus routes:**

Weekday Routes

- ☐ Azalea
- ☐ Big Bend
- ☐ Dogwood
- ☒ Evergreen
- ☐ Forest
- ☐ Gulf
- ☐ Hartsfield
- ☐ Killearn
- ☐ Live Oak
- ☒ Moss
- ☐ Park
- ☐ Red Hills
- ☐ San Luis
- ☐ Southwood
- ☐ Tall Timbers
- ☐ Trolley

Campus Routes

- ☐ Seminole Express
- ☐ Venom Express

Other Routes

- ☒ Other Bus 5 - Nights, Saturday, Sunday
- ☐ None of the above

Maps and route schedules are available on the StarMetro website at http://www.talgov.com/starmetro/starmetro-routes.aspx

PLANNING DEPARTMENT
a division of PLACE

Attachment #8 – Applicant Statement

This is an application to amend the Comprehensive Plan Future Land Use Map designation and zoning designation for four parcels totaling 1.49 acres located at the intersection of West Tharpe Street and Old Bainbridge Road. The parcel ID numbers 2126280000010; 2126280000020, 2126280000030; and 2126280000070. Currently, two of the parcels are classified as Government Operational and two of the parcels are classified as Suburban. This comprehensive plan future land use map amendment is to align the FLUM designations consistent with the other surrounding properties. This amendment includes rezoning of the properties from UP-1 to C2, consistent with surrounding properties and commercial businesses in the area. This amendment allows for infill redevelopment of under-utilized properties within the Urban Services Area and the Multi-Modal Transportation District of Tallahassee.