



**RESOLUTION NO. 2023-04**

**A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA, REQUESTING THE CITY OF ATLANTIC BEACH TO PERMIT CONNECTION FOR FIRE SUPPRESSION PURPOSES; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Neptune Beach (the "City") previously entered into that certain Development Agreement dated March 1, 2021 and recorded at Official Records Book 19662, Page 1438 of the current public records of Duval County, Florida with Neptune Beach, FL Realty, LLC ("Owner") regarding that real property described on Exhibit A to such agreement (the "Property"); and

**WHEREAS**, on April 3, 2023, the City adopted that certain First Amendment to Development Agreement, creating a provision with regard to fire suppression at the Property; and

**WHEREAS**, the First Amendment to Development Agreement contemplates that, if an extension of water service from the City of Atlantic Beach is constructed in the future, an additional connection be requested and, if approved, installed to such extension by Neptune Beach, FL Realty, LLC solely for purposes of fire suppression in the building located on the Property.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, THAT:**

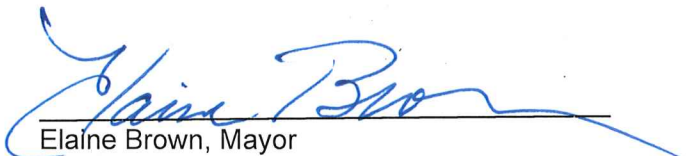
**SECTION 1.** The foregoing recitals are deemed true and material parts of this resolution and are fully incorporated herein by reference.

**SECTION 2.** The City requests that the City of Atlantic Beach permit a connection by the Owner solely for purposes of fire suppression to any future extension of water service constructed to the southerly portion of the Atlantic Boulevard right-of-way.

**SECTION 3.** All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

**SECTION 4.** This resolution shall become effective immediately upon passage and adoption by City Council.

This Resolution adopted by the City Council of Neptune Beach, Florida, at the Special Council Meeting held this 17th day of April, 2023.

  
Elaine Brown, Mayor

ATTEST:  
  
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Catherine Ponson, CMC  
City Clerk

