

# CITY OF TAMPA

Frances Henriquez, City Clerk

OFFICE OF CITY CLERK

February 9, 1993

Tampa Bay Regional Planning Council  
9455 Koger Boulevard  
St. Petersburg FL 33702 --

RE: Petition No. DZ87-219  
Ordinance No. 93-10

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,

  
(Mrs.) Frances Henriquez  
City Clerk

FH/gg

Enclosure: Ordinance

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

mailed 2/9/93  
received 2/10/93

Exhibit "A" - ADA Sufficiency Response,  
with Project Files

TDRK  
with  
copy

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING A SUBSTANTIAL DEVIATION AMENDMENT TO THE DEVELOPMENT ORDER (ORDINANCE NO. 88-385) FOR THE GATX TAMPA TERMINAL. PURSUANT TO CHAPTER 380, FLORIDA STATUTES, BASED ON AN APPLICATION FOR DEVELOPMENT APPROVAL FILED BY GATX TERMINALS CORPORATION, TAMPA TERMINAL, FOR THE CONSTRUCTION OF ADDITIONAL PETROLEUM STORAGE, A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, on June 11, 1992, GATX Terminals Corporation, Tampa Terminal, ("GATX") filed an Application for Development Approval (which together with a Sufficiency Response filed on September 25, 1992, and the various plans, as hereafter amended, identified in Exhibit "B" [incorporated by reference, as if fully set forth herein], hereafter referred to as the "ADA") of a Development of Regional Impact ("DRI"), with the City of Tampa, City of Tampa Department of Housing and Development Coordination ("HDC"), Department of Community Affairs ("DCA"), Department of Environmental Regulation ("FDER"), Department of Natural Resources ("FDNR"), Florida Department of Transportation, Department of Wildlife & Range Sciences, Bureau of Historic Preservation, Florida Department of Commerce, Florida Game and Fresh Water Fish Commission, Florida Natural Area Inventory, Hillsborough County Environmental Protection Commission ("HCEPC"), Marine Fisheries Commission, Southwest Florida Water Management District, Tampa Bay Regional Planning Council ("TBRPC"), Tampa Port Authority, United States Army Corps of Engineers, United States Department of Agriculture, United States Fish & Wildlife Service, United States Coast Guard, Department of Environmental Research, United States Environmental Protection Agency ("EPA"), and the West Coast Regional Water Supply pursuant to the provisions of Chapter 380, Florida Statutes (1991), as amended ("Chapter 380"), and the City of Tampa Code; and

WHEREAS, the ADA proposes the expansion of the petroleum storage facility which will consist of an additional 2,040,000 barrels of petroleum/hydrocarbon product storage including tanks, piping, and pumping systems, and two additional truck loading bays (the "Project"); the storage facilities will be situated on up to 33.42 acres of currently vacant land to be leased from the Tampa Port Authority; and

WHEREAS, the City Council is the governing body of the local government having jurisdiction pursuant to Chapter 380 and is authorized and empowered to consider ADAs for DRI; and

WHEREAS, the public notice requirements of Chapter 380, and Section 27-418, City of Tampa Code, have been satisfied; and

WHEREAS, on January 21, 1993, the City Council held a duly noticed public hearing on the ADA and heard and considered testimony and documents received thereon; and

WHEREAS, all interested parties and members of the public were afforded an opportunity to participate in the City Council application hearing on the subject DRI; and

WHEREAS, the City Council has reviewed the above-referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

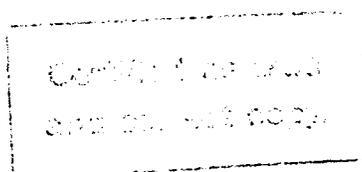
Section 1. That this Ordinance shall constitute a Substantial Deviation Amendment (the "Amendment") to Development Order Number 88-385 (the "Order") of the City Council issued in response to the ADA filed by GATX for the new construction of additional petroleum/hydrocarbon product storage facilities on

Certified as true and correct copy.

Hookers Point in the City of Tampa. The scope of development to be permitted pursuant to this Amendment includes the land use, operations, and activities described in the ADA and the supporting documents, which are attached to this Amendment as Exhibit "A," subject to any modifications or conditions thereto as set forth in this Amendment.

Section 2. That the City Council, having received the documents referenced above, and having received all related comments, testimony, and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The development entitlements under the existing development order for GATX Terminals Corporation, Tampa Terminal, DRI No. 176, Ordinance No. 88-385, have been fully built and completed. Any operation or modification of the existing facilities shall comply with the requirements of Ordinance No. 88-385.
- B. GATX submitted to the City of Tampa an ADA, which is attached to this Amendment as Exhibit "A", and which is incorporated by reference in this Amendment to the extent that it is not inconsistent with the terms and conditions of this Amendment (including, but not limited to, commitments made by GATX as summarized in attached Exhibit "B", which is incorporated by reference in this Amendment).
- C. Pursuant to the ADA, GATX proposes to construct an additional 2,040,000 barrels of petroleum storage facilities on 33.42 acres of land to be leased from the Tampa Port Authority along with the tanks, piping and pumping systems and two additional truck loading bays (the "Project") which constitutes a substantial deviation to DRI No. 176. The terms of this Amendment shall apply and govern the construction of the Project. The terms of this Amendment shall not apply to the development entitlements under the existing development order for GATX Terminals Corporation, Tampa Terminal, DRI No. 176, Ordinance No. 88-385.
- D. The ADA proposal is not based upon any transportation methods other than by ship, Central Florida Pipeline or tanker trucks. The ADA did not include any analysis of the impacts of any pipeline. Any direct or indirect reference to a pipeline in the ADA, other than the Central Florida Pipeline, was included as supplemental information, and the adoption of this Amendment does not indicate acceptance, acknowledgement or approval of any direct or indirect information regarding a pipeline. This DRI Amendment for the GATX Tampa Terminal cannot be relied upon to grant or deny any permit applications for another pipeline.
- E. GATX has demonstrated the demand for product storage and adequacy of approved transportation.
- F. The real property, which is the subject of the ADA, is legally described as set forth in attached Exhibit "C", which is incorporated by reference in this Amendment and will be leased from the Tampa Port Authority in acreages and geographic locations as necessary to accommodate the staged development of the Project.
- G. The proposed DRI will be located at Hookers Point in the City of Tampa.
- H. The proposed DRI is consistent with the adopted local comprehensive plan and land development regulations.



- I. The proposed DRI is in accordance with the applicable zoning district regulations.
- J. The proposed DRI will not interfere with the achievement or the objectives of the adopted state land development plan applicable to the area.
- K. The proposed DRI will not create a material adverse impact on soils, groundwater, vegetation, air quality, water quality, transportation, animal life, wastewater management, or solid or hazardous waste management or disposal.
- L. TBRPC and the City of Tampa's departments have conducted a comprehensive review of the impacts that the proposed DRI will generate.
- M. This project has been found to be consistent with the Metropolitan Planning Organization Long Range Transportation Plan, City of Tampa Comprehensive Plan adopted pursuant to the Local Government Comprehensive Planning Act, Chapter 163, F.S., and the goals and policies of the Comprehensive Regional Policy Plan, the State Comprehensive Plan, the Florida Coastal Management Program and Tampa Port Authority plans.
- N. This Amendment is consistent with the report and recommendations of TBRPC and satisfies the provisions of Section 380.06(15).

Section 3. That the City Council, having made the above findings of fact, reaches the following conclusions of law:

- A. These proceedings have been duly conducted in accordance with applicable law and regulations and, based upon the record in these proceedings, GATX is authorized to conduct its development as described in this Amendment, subject to the conditions, restrictions, and limitations set forth below.
- B. The review by TBRPC, the City of Tampa, and other participating agencies and interested citizens reveals that the terms and conditions of this Amendment and the ADA adequately address the impacts of the subject DRI in accordance with the requirements of Chapter 380. To the extent that the ADA is inconsistent with the terms and conditions of this Amendment, the terms and conditions of this Amendment shall prevail.

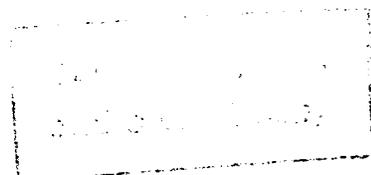
Section 4. That, having made the above findings of fact and drawn the above conclusions of law, it is ordered that the Project, as defined in Section 4.A. below is hereby approved, subject to the following conditions, restrictions, and limitations:

- A. Specific approval is hereby accorded the Project, consisting of: (1) construction of 2,040,000 barrels of storage volume including piping and pumping systems; (2) two additional truck loading bays; and (3) build-out date of November, 2011. Approval of additional truck loading bays shall be subject to Condition Y.1. herein.
- B. Substantial Deviations. Further review, pursuant to Chapter 380, shall be required, if a substantial deviation, as defined in Section 380.06(19), Florida Statutes occurs. In addition to the criteria set forth in Section 380.06(19), Fla. Stat., a substantial deviation may occur by failure to comply with the commitments contained in Exhibit "B" (to the extent that such commitments are consistent with this Amendment), or by activities which are not commenced until after the

expiration of the period of effectiveness of this Amendment. All changes in the Amendment and substantial deviation determination shall be consistent with subsection 380.06(19) F.S. GATX shall be given due notice of, and an opportunity to be heard at any hearing to determine whether or not a proposed change to the development is a substantial deviation. A proposed change which, either individually or, if there were previous changes, cumulatively with those changes, is less than 40 percent of any numerical criterion set forth in Section 380.06(19)(b) 1.-16. applicable to the project and does not exceed any other criterion, or which involves an extension of the buildout date by less than three years shall not be a substantial deviation and shall not be subject to a public hearing or substantial deviation determination.

C. Annual Reports. GATX shall submit an annual report on the progress of the proposed terminal expansion to the City of Tampa, the TBRPC, and the Department of Community Affairs, and other agencies as may be appropriate on July 1, 1994 and on July 1 of each following year until such times as all terms and conditions of this Amendment are satisfied. The City Council shall review the report for compliance with the terms and conditions of this Amendment and may issue further orders to insure compliance with the terms and conditions of this Amendment. GATX shall be notified of any City Council hearing wherein such report is to be reviewed. The annual report shall contain the following information:

1. Changes in the plan of development, or representations contained in the ADA.
2. A list of significant local, state and federal permits which have been obtained, or which are pending, with respect to the report year, by agency, type of permit, permit number and purpose of each as required by subsection 380.06(18) Florida Statutes.
3. Certification that each new tank foundation was designed, constructed and completed in compliance with American Petroleum Institute ("API"), Standard 650 and Appendix B of API-650, together with copies of guarantees issued by the manufacturer or installer that the requirements for welding procedures and welder qualifications contained in Section IX of the American Society of Mechanical Engineers ("ASME") Code have been adhered to for each tank.
4. A certification that all conversion and nonvested tanks (excluding new tanks) have received ultrasonic testing of the tank side walls and bottoms for thickness (unless documentation of previous testing or a commitment for such testing is submitted to the City of Tampa and FDER).
5. A calculated total of the volatile organic compound ("VOC") emissions generated from the terminal facility for the previous year.
6. A statement certifying the specific amount (in tons per year) of volatile organic compounds ("VOC") emitted from the terminal facility for the previous year, and the FDER permitted tons per year of VOC's for that year.



7. A statement that all persons have been sent copies of the annual report in conformance with subsections 380.065(15) and (18), Fla. Stat. (1991 Supp.)
  8. A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the GATX pursuant to subsection 380.06(15)(f)(1), Fla. Stat. (1991).
  9. A summary comparison of development activity proposed and actually conducted for the reporting year;
  10. Undeveloped tracts of land that have been sold or leased to a separate entity or GATX during the reporting year;
  11. Identification of, and intended use of, lands purchased, leased, or optioned by GATX adjacent to the original DRI site during the reporting year;
  12. An assessment of the development's and local governments' compliance with conditions of approval contained in this Amendment, and the commitments contained in the ADA;
  13. Any known incremental DRI applications for development approval or request for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;
  14. An indication of a change, if any, in local government jurisdiction for any portion of the development during the reporting year.
- D. Tank Construction/Conversion. GATX shall design, construct and maintain the petroleum/hydrocarbon product storage tanks, and associated structures/areas in accordance with the following standards:
1. Construction or conversion of tanks shall commence only after the issuance of a valid written permit from the City of Tampa and valid air permits, from FDER.
  2. All tank construction or conversion plans shall be signed by a registered professional engineer prior to submission to the manufacturer/installer and the permitting agencies.
  3. A qualified GATX supervisor shall oversee all construction, conversion of the tanks and the testing of non-vested tanks. Written reports thereon shall be maintained and made available for inspection by the City of Tampa, upon request.
  4. Each new tank foundation shall be designed and constructed in conformance with API Standards 650 Construction Standards for Welded Steel Tanks for Oil Storage (including Appendix B). The Contractor shall certify that the tank foundations have been constructed pursuant to the above-referenced standards.
  5. All GATX tanks, product piping, containment areas and berms shall be designed, constructed, tested and certified in conformity with the following:



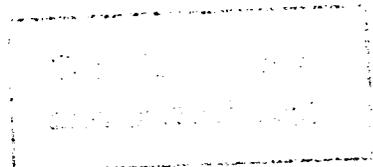
- Chapter 17-762, F.A.C., Above Ground Storage Tank Systems;
  - API 650, Construction Standards for Welded Steel Tanks for Oil Storage (including Appendix B);
  - API 2000, Venting Atmospheric and Low Pressure Storage Tanks;
  - National Fire Protection Association Standard 30; and
  - Chapter 1-12, Storage Tanks - Rules of the HCEPC.
6. GATX shall require from the manufacturer/installer a written guarantee that the requirements for welding procedures and welder qualifications contained in Section IX of the ASME Code have been adhered to for each tank.
  7. Prior to the utilization of the new tanks, GATX shall provide the City of Tampa, FDER and the TBRPC with a written certification from the manufacturer/installer that the tanks were designed, constructed and tested in accordance with API-650. This certification shall be provided following completion and testing of each new tank in order to obtain approval to utilize the tanks.
  8. Conversion of DRI tanks to store products other than those reviewed for the GATX Tampa Terminal Expansion Substantial Deviation or a change from one grade of petroleum/hydrocarbon product to another, shall comply with API 650, NFPA Standards, and Chapter 17-762, F.A.C. Above-ground Storage Tank Systems. The construction and nature of the tank shall be appropriate for the product to be stored, and incompatible materials shall not be stored within the particular containment area. Any such conversion shall require a Notice of Proposed Change to be submitted and approved.
  9. Prior to the operation of any tanks converted in the future, GATX shall provide the City of Tampa, FDER and TBRPC with written certification (or other evidentiary proof) that the tanks have been ultrasonically tested in accordance with API 650 Standards, and that the re-welds were completed and inspected where necessary.
  10. All non-vested tanks shall, at minimum, be fitted, with float type overflow warning systems. A qualified GATX supervisor shall oversee all transloading operations and visual inspection of the tank shall be required for all topping off operations.
  11. All additional tanks at the GATX terminal shall be newly constructed and not relocated tanks.
- E. Transmission System. All new pipes carrying petroleum products shall be cathodically protected and hydrostatically tested prior to operation in accordance with the City of Tampa, API and ANSI-B 31.4 Codes. Annual visual inspections shall be conducted by GATX, and results shall be reported in the annual report.

F. Testing Procedures. All new, converted and nonvested tanks shall be tested as follows:

1. Each newly completed tank shall be tested pursuant to the requirements set out in API 650. Prior to conducting any hydrostatic tests for the new tanks GATX will consult with the City of Tampa for purposes of determining the source of water and method for filling their tanks, together with the procedure to be followed for the discharge of the water once the test is complete.
2. To conserve water during the hydrostatic testing of the new storage tanks, the water used to fill one of the new storage tanks should be transferred to the other new tanks, as feasible, for use in testing those tanks. All water discharged as a result of the hydrostatic testing shall meet Class III water quality standards.
3. Each new tank shall receive radiographic (x-ray) testing during construction of the tank in accordance with the specifications of the edition of API-650 which is in effect at the time of the testing. The x-ray film shall be submitted to a radiographic technician, certified at the highest level, for evaluation of the welds and shall be accompanied by a roll-out sheet showing the locations of the x-rays. All defective welds shall be removed, rewelded and reinspected prior to the weldment being accepted.
4. Prior to conversion of any tank, such tank (excluding the new tanks and changes from one grade of petroleum hydrocarbon product to another) shall receive ultrasonic testing of the tank side walls and bottoms for thickness unless documentation of the previous testing, or a commitment for such testing is provided to the City of Tampa and FDER during the same period and is determined to be acceptable by both the City and FDER. All such acceptances by the City of Tampa and FDER shall be documented in the Annual Report and shall identify the particular tank by its number.
5. All non-vested tanks shall be taken out of service, ultrasonically checked for shell thickness, inspected for leaks, and cleaned inside and out at a minimum of once every ten (10) years.
6. Prior to being placed in service, all new tanks shall receive hydrostatic testing (filling the tank with water to the fullest level it could be filled with product) in accordance with API-650. Prior to the hydrotest, foundation elevation readings shall be taken again at full loading of the hydrotest to determine potential settlement problems.

G. Containment Areas. The containment area shall comply with the following criteria.

The tank area shall be surrounded on all four sides by a dike. The containment systems of all non-vested tanks shall, at minimum, conform to the requirements of the National Fire Protection Association (NFPA) Standard 30 and the tops of the containment berms shall be constructed above the 100-year base flood elevation (11 feet). Intermediate dikes surrounding individual tanks shall be constructed if tank capacity is greater than 10,000 barrels. The drainage of stormwater from within



the diked area shall be controlled in accordance with the applicable National Pollutant Discharge Elimination System (NPDES) and SWFWMD permits.

- H. Berms. The design of all new containment berms shall be signed and sealed by a registered professional engineer. The installer shall certify to the City of Tampa that the berms have been constructed in accordance with the certified plans prior to the operation of the tanks.
- I. Spill Prevention Control and Counter-measure Plan ("SPCC"). GATX shall submit to the City of Tampa, HCEPC, FDER, EPA, DNR, the U.S. Coast Guard and TBRPC an updated version of its existing SPCC prior to its submission of the first annual report. The revised plan shall include basic information on the facility; a schematic of the facility showing tanks, buildings, other structures, roads, ditches, direction of flow and distance to the nearest water body; certification by professional engineers; evaluation of any past spills and their causes regulatory action taken and potential causes of future spills; listing of actual measures to prevent oil from being spilled and reaching U.S. waters; and a contingency plan including actions to be taken to control and cleanup any spill. The SPCC plan must also conform to the requirements set out in 40 C.F.R. Part 112. The SPCC plan shall be exercised at least once a year in coordination with Hillsborough County Emergency Management Agency as recommended by DCA or as frequently as required by DNR.
- J. Best Management Practices ("BMP") Plan. GATX shall maintain a BMP Plan consistent with the recommendations of the EPA's National Pollutant Discharge Elimination System, Best Management Practices Guidance Document. The plan shall be submitted to FDER for review and comment prior to placing any newly constructed tanks into operation and shall include the following items:
1. Risk identification and assessment, including toxic and hazardous materials inventory;
  2. written reporting of BMP incidents (i.e. spills or other improper discharges);
  3. assessment of materials compatibility including compatibility of the product stored with the construction material of the tank, compatibility of different storage products upon mixing and compatibility of the tank to the environment;
  4. a preventative maintenance program;
  5. records of inspection;
  6. employee training program; and
  7. a program for monitoring water quality from the existing NPDES outfall point.
- K. Evacuation Plan. GATX shall prepare an evacuation plan for the terminal consistent with the Tampa Port Authority evacuation plan. The evacuation plan shall include provisions for securing the terminal, implementing hurricane "heels" for all tanks on the GATX Terminal site (partial filling to prevent floating of tanks), providing emergency medical care, delineating what route is to be followed in case evacuation is necessary, and ensuring coordination with disaster preparedness officials. A

copy of the evacuation plan shall be made available for inspection upon request.

L. Floodplains/Disaster Preparedness.

1. All elevations for dikes (top of berm), new tank foundations, loading racks and habitable structures shall be at or above the 100-year base flood elevation (11 feet).
2. Upon issuance of any hurricane evacuation order, GATX shall coordinate the appropriate securing of loading docks and tank farm areas, etc., the closing of all buildings on the site and shall take all necessary measures to ensure the safe necessary measures to ensure the safe evacuation of employees.
3. GATX shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to issue a hurricane evacuation order.
4. Cooperate with the Port of Tampa in any studies undertaken to review the potential for damage resulting from flying scrap metal.

M. Dredging. GATX shall not access dredge or maintenance dredge beyond that approved by the Tampa Port Authority 25-year permit to reach navigable waters.

N. Wildlife.

1. In the event that any species listed in Sections 39-27.03-.05 F.A.C. are observed frequenting the site for nesting, or breeding, proper mitigation measures shall be employed in cooperation with the Florida Game and Fresh Water Fish Commission.
2. GATX shall cooperate with FDNR to increase manatee awareness in the Cut "D" Channel area and shall cooperate with the Port of Tampa in any efforts to require prop guards or modified Kort nozzles on attendant vessels.

O. Cleanup of Spills.

1. In the event of a spill of bulk products, GATX shall immediately notify the National Response Center, the United States Coast Guard and the City of Tampa Fire Department, and shall cooperate fully in the cleanup efforts and, proportionate to its responsibility, shall reimburse spill cleanup costs, costs associated with administration of the cleanup and associated investigation costs.
2. GATX shall have on-site, or otherwise available for its use, the equipment necessary and standard within the industry for handling first-response spills of oils and other environmentally hazardous materials, along with the capacity to employ that equipment. GATX's participation in a spill-prevention cooperative, which operates within the vicinity of the terminal and which provides equipment and manpower sufficient to satisfy the requirements of this paragraph, will satisfy its obligations under this paragraph.

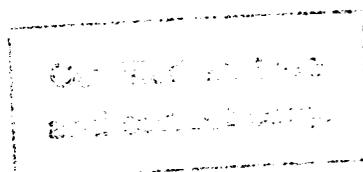


P. Waste Water.

1. GATX shall provide assurance that it possesses adequate industrial waste water treatment and disposal capacity for the proposed development, as set forth in the ADA. No industrial waste water generated by this development will be sent to the City of Tampa sanitary sewer system.
2. If on-site treatment of industrial wastewater or contaminated stormwater is desired by GATX, the proposal shall be subject to a substantial deviation determination and the Amendment shall be amended to include the appropriate conditions. On-site treatment required by FDER, HCEPC or EPA, shall be presumed not to create a substantial deviation, pursuant to Subsection 380.06(19)(d), F.S. Connection fees, installation charges, and, if applicable, grants-in-aid-of construction for construction of off-site improvements to the wastewater system necessitated by this development will be assumed by GATX, when assessed by the City as project plans become final, all in accordance with established City policies and regulations. GATX is responsible for all on-site internal wastewater systems.

Q. Drainage and Water Quality.

1. Prior to the issuance of any construction permits, final drainage plans for any new construction shall be submitted to the City of Tampa and the SWFWMD for review and approval. The project drainage system shall be designed to meet the following standards:
  - (i) Chapter 17-25 and 40D-4, F.A.C.; as well as outside the containment and loading areas, the first flush (the first one-half inch) of the storm water run-off generated from the site during the 25-year, 24 hour design storm shall be retained in the vegetated retention areas;
  - (ii) For the area inside the covered loading racks, all waste water petroleum accumulations must be routed to the waste water collection system and regularly transported off-site and treated prior to discharge by a properly-permitted waste disposal company;
  - (iii) The existing NPDES permit shall be maintained as necessary. Any new, renewed or modified NPDES permit issued for the Project must contain conditions and/or parameters at least as stringent as those for the existing NPDES discharge point. Water quality of the discharge shall be consistent with Class III water standards. GATX shall maintain and manage stormwater in compliance with all applicable sections and criteria of 40 CFR 122 and Chapter 17-302, F.A.C.
2. The groundwater monitoring program shall be approved by FDER and continued for the life of the facility in accordance with the guidelines set forth in Chapters 17-762 and 17-522 F.A.C. The parameters to be monitored and the frequency of sampling shall be as set forth by FDER. In the event GATX violates Chapters 17-762 and 17-522

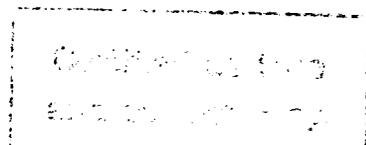


F.A.C., GATX shall agree with FDER to implement corrective measures.

3. In order to protect the water quality in Tampa Bay, there shall be no degradation of water quality by stormwater exiting the site. In the event that GATX violates 17-302 F.A.C. GATX shall agree with FDER to implement corrective measures.
4. In conjunction with the SWFWMD water management permit, GATX shall establish a surface water monitoring program. No development or site alteration should be permitted to commence until the monitoring methodologies have been reviewed by the SWFWMD and approved by the City of Tampa.
5. If any storage facility component is found to be directly contributing to a discharge violation to Hillsborough Bay or to ground water, that component shall be taken out of operation until the problem is found and corrected in accordance with appropriate local and state law.
6. In order to protect water quality in the Tampa Bay Estuary (a Surface Water Improvement Management Program priority water body), GATX shall provide a description of any soil and groundwater contamination within the area to be leased and provide a remediation or management program for any contaminated areas consistent with local, state and federal laws and regulations. If the site contains contaminated soils or groundwater, the following commitment shall be included in any application for an NPDES permit for a discharge point serving the area to be leased.

During the first NPDES discharge from any new or modified discharge point, GATX will, in addition to the required NPDES monitoring test the waters at a point no more than ten feet from Cut "D" Channel to verify that NPDES discharge-water entering the channel from the ditch does not contain petroleum contaminants in excess of surface water quality standards. If the water contains petroleum contaminants in excess of surface water quality standards, the NPDES discharge point will not be used until the contamination and its source have been corrected and the correction has been verified via sufficient monitoring.

7. Annual inspections of the surface water management system on the project site shall be conducted to ensure that the system is being properly maintained in keeping with its design, and is capable of accomplishing the level of stormwater storage/treatment for which it was designed and intended.
8. GATX shall provide assurance that the oil/water separators and the wastewater storage tanks are of adequate capacity for the expanded terminal facility and that GATX shall continue to operate and maintain its internal industrial wastewater collection system (for the purposes of this report industrial wastewater is defined as liquid waste product which may contain visibly oily wastewater or contaminated wastewater).
9. In addition, GATX shall comply with all City of Tampa Stormwater Department rules and regulations.



To the extent these requirements are inconsistent with other regulations or the provisions of this Amendment, the most stringent shall apply.

- R. Water Supply. The total daily water requirements from the commencement of construction through the build-out of the project as referenced in the ADA will be supplied by the City at the standard charges for water service.

Connection fees, installation charges, and if applicable, grants-in-aid-of construction for off-site improvements to the water system necessitated by this development shall be assumed by GATX, its successors or assigns, when assessed by the City as project plans become final, all in accordance with established City policies and regulations. GATX is responsible for all on site internal water systems.

- S. Solid Waste/Hazardous Waste. The total daily generation of solid waste will be accepted by City of Tampa or as otherwise directed by the City. No solid waste shall be permanently stored or disposed of on site. GATX shall comply with all federal and state hazardous waste regulations relating the storage, transportation and disposal of hazardous wastes. All sludge removed from the tanks shall be disposed of at an authorized facility permitted to accept such material.

- T. Energy. GATX will provide assurance that adequate electrical service is available. GATX will also observe energy conservation measures wherever feasible.

- U. Emergency Medical Service. GATX shall provide assurance of adequate emergency medical service.

- V. Fire.

1. GATX shall comply with all State of Florida and City of Tampa fire codes. In order to adequately assure that adequate fire protection equipment is available, GATX shall arrange for an inspection by the city of Tampa's Fire Department for purposes of verifying via site inspection the availability of adequate on-site supply of fire fighting apparatus and foam and water supplies appropriate for the magnitude and nature of the development. GATX shall submit confirmation to the City of Tampa, DCA, and TBRPC that the tank farm is in compliance with NFPA-11, NFPA-16 and NFPA-30 prior to the operation of the terminal expansion. Compliance with the above shall include utilization of self-actuating or automatic equipment appropriate for each fire protection/suppression task consistent with the City of Tampa Fire Code. GATX shall also continue conducting fire drills every six (6) months for the life of the facility. The dates on which the fire drills are conducted shall be identified in the annual report.
2. The City of Tampa Fire Department shall be responsible for assuring that adequate fire protection equipment and manpower is available to serve the expanded terminal facility and that the inside tanks on the expansion site are accessible for fire-fighting purposes. (NFPA-30 requires that when tanks are compacted in three or more rows or in an irregular pattern, greater spacing or other means shall be provided at the discretion of the City and State Fire Marshall so that inside tanks are accessible for fire fighting purposes.)

- W. Pavement Deterioration Due to Construction Impacts. Where construction impacts cause pavement deterioration in excess of the normal rate, GATX agrees to assume a fair portion of the required rehabilitation costs. The pavement management section of the transportation division shall perform evaluations of street conditions prior to, during and upon completion of construction. The pavement condition indices, determined by these evaluations shall form the basis for determining GATX's proportionate share of the street rehabilitation costs.
- X. Air Quality. The total GATX volatile organic compounds (VOC) emissions shall not exceed the tons per year (tpy) of VOC emissions permitted by FDER and shall comply with the pertinent requirements of EPA (40 CFR 60, Standards of Performance for New Stationary Sources) and FDER (Chapter 17-2, F.A.C., Air Pollution). Any proposed increase in VOC emissions beyond that currently permitted by FDER shall require amendment of the FDER permits, with notice provided to the City of Tampa, HCEPC, and TBRPC. As long as GATX operates within permit requirements, it shall be deemed in compliance with this requirement. Copies of the FDER monitoring reports shall also be provided to the City of Tampa, HCEPC, and TBRPC.
- Y. Transportation.
1. Any proposal to increase the number of truck loading racks or bays above the number analyzed in the ADAs for DRI #176 and DRI #224 shall require a substantial deviation determination, or further DRI review pursuant to Subsection 308.06(19)(b)15, F.S.
  2. Before utilizing any pipeline (other than the Central Florida Pipeline), the City of Tampa shall provide copies of any applications for City of Tampa permits to the TBRPC for review and comment.
  3. GATX shall pay the Transportation Impact Fees specified in the City of Tampa Transportation Impact Fee Ordinance. Offsets shall be afforded for non-roadway transport as provided by City ordinance, and documented by an independent impact fee calculation.

Section 5. Definitions. That, unless the context indicates otherwise, the definitions contained in Chapter 380 shall control the interpretation and construction of any terms of this Amendment. All section references contained in this Amendment shall refer to Florida Statutes (1991), as amended, unless otherwise indicated.

Section 6. Commencement of Development. That development of the subject DRI shall commence by December 31, 1996 unless the City of Tampa extends the time period for commencement.

Section 7. Expiration of Amendment. That this Amendment shall remain in effect for a period of 20 years from the date it becomes final and the appeal period has ended. The City Council may extend this Amendment on the finding of excusable delay.

Section 8. Expiration of Development Activity. If approved, any development activity may be completed for which plans have been submitted to the City of Tampa for its review and approval, if such plans are submitted before the buildout date of November, 2011 for this Amendment. Such development shall be substantially completed (60%) within one year of expiration of the buildout date.

Section 9. Down-zoning/Intensity Reduction. That the City of Tampa may not down-zone or reduce the intensity or unit density permitted by this Amendment for 20 years from the date upon which this Amendment becomes final and the appeal period has ended, unless the City of Tampa can demonstrate that:

- A. Substantial changes in the conditions underlying the approval of this Amendment have occurred; or
- B. This Amendment was based upon substantially inaccurate information provided by GATX; or
- C. The changes clearly established by the City of Tampa to be essential to the public health, safety, or welfare.

Any down-zoning or reduction of intensity shall be effected only through the usual and customary procedures required by statute and/or ordinance for changes in local land development regulations.

For purposes of this Amendment, the term "down-zone" shall refer only to changes in zoning or development regulations that decrease the development rights approved by this Amendment, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to GATX pursuant to this Amendment. The inclusion of this Section 9 is not to be construed as evidencing any present foreseeable intent on the part of the City of Tampa to down-zone or alter density or intensity of the subject DRI, but is included in this Amendment to comply with Section 380.06(15)(c)(3)

Section 10. Effect of Amendment on Successors and Assigns. That this Amendment shall be binding upon GATX, and their respective assigns and successors-in-interest.

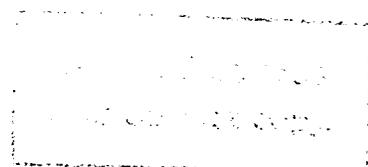
Section 11. Compliance with Law. That except to the extent that the requirements set forth in this Amendment that are more stringent than the requirements otherwise provided by applicable law, all development undertaken pursuant to this Amendment shall be in accordance with applicable state laws, local codes, and ordinances in effect at the time of permitting.

Section 12. Responsibility for Monitoring. That the Director of HDC will be responsible for ensuring compliance with this Amendment. Monitoring shall be accomplished by review of the Annual Report, Building Permits, Certificates of Occupancy, Plats, if applicable, and by on-site observations. For any condition which cannot be reasonably monitored as part of the City of Tampa's permitting and inspection process, GATX shall submit a notarized affidavit regarding compliance with the Amendment conditions and that affidavit shall be included as part of the annual report required by Section 380.06(18).

Section 13. Reference to Governmental Agencies. That any reference in this Amendment to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor-in-interest to, or which otherwise possesses any of the powers and duties of, any referenced governmental agency in existence on the effective date of this Amendment.

Section 14. Development Order, As Amended. This Amendment constitutes a First Amendment to the Order, and all of the provisions of the Order shall remain in full force and effect.

Section 15. Severability. That in the event any portion or section of this Amendment is deemed to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or



sections of this Amendment which shall remain in full force and effect.

Section 16. Transmittals. That the City Clerk shall forward certified copies of this Amendment to DCA, the Owner (Tampa Port Authority, Real Estate Department, P.O. Box 2192, Tampa, Florida 33601), and the TBRPC within five (5) days of its becoming law.

Section 17. Future Development Fees. That GATX shall pay the TBRPC in accordance with the DRI fee schedule for any future activities of the TBRPC with regard to the subject DRI, including but not limited to monitoring or enforcement actions.

Section 18. Compliance with Development Order. That in the event GATX violates any of the conditions of the Order or otherwise fails to act in compliance with the Order, the effectiveness of this Amendment shall be stayed as to all of the DRI property and all further development permits, approvals, and services for the development shall be withheld.

Section 19. Rendering of Amendment to the Development Order. That this Amendment shall be deemed rendered upon transmittal of copies of this Amendment to the recipients specified in Chapter 380.

Section 20. Recordation of Notice of Adoption. That GATX shall record a notice of adoption of this Amendment as required pursuant to Chapter 380 and shall furnish the City Clerk a copy of the recorded notice.

Section 21. Effective Date. That this Amendment shall become a law as provided in the City of Tampa Home Rule Charter, and shall take effect upon transmittal to the parties specified in Section 16 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON FEB 04 1993.

ATTEST:

Frances Henriquez  
CITY CLERK

Joe Grues  
CHAIRMAN CITY COUNCIL

APPROVED by me on FEB 05 1993

Lambert W. Friedman  
MAYOR

Prepared and Approved By:

Lina K. Currier  
CITY ATTORNEY

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State of Florida  
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance no 93-10 on file in my office.

Witness my hand and official seal this 9th day of Feb 1993  
Frances Henriquez, CITY CLERK  
By: [Signature]  
Deputy City Clerk  
CITY CLERK

List of Exhibits

- Exhibit "A": Application for Development Approval and Sufficiency Response
- Exhibit "B": Developer Commitments
- Exhibit "C": Legal Property Description

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Certified as true  
and correct copy.

EXHIBIT "B"

DRI #224 - DEVELOPER COMMITMENTS

The following are developer commitments set forth in the Application for Development Approval (ADA), the Spill prevention, Control and Countermeasures Plan (SPCCP), Best Management Practices Plan (BMPP), the Fire Prevention and Protection Plan (FPPP), the Hurricane Contingency Plan (HCP) and the Sufficiency Response (SR), which shall be honored by the developer, except as they may be superseded by specific terms of the Development Order.

Project Description

All construction will meet the requirements of Chapter 163, F.S. (Coastal Construction Standards). (ADA, 10-2)

No petroleum processing will be performed at the terminal. (ADA, 10-2)

Construction and development of the site will be carried out in conformity with applicable federal, state and local laws and regulations. (ADA, 10-6)

This project does not require the expenditure of additional public facility capital funds. Public facilities to serve the general area and the site are in place, planned and adequate to meet project demands. (ADA, 10-7)

Petroleum Storage Facilities

In accordance with the National Fire Protection Association standards, there will be a minimum space of one-sixth of the sum of adjacent tank diameters for tanks less than 150 feet in diameter. (ADA, 36-2)

The new tanks will be used for petroleum product storage. (ADA, 36-2)

GATX assumes all responsibilities for tank maintenance. (ADA, 36-3)

All tanks will be fitted with high level beacons as a visual warning to prevent tank overflow. (ADA, 36-4)

GATX personnel will continue to be properly trained in the operation and maintenance of all equipment. Periodic briefings to ensure an adequate understanding of the Spill Prevention and Countermeasures Control Plan (SPCCP) shall be continued. The terminal engineer shall continue to review the spill potential of all work performed by any contractor working on the storage tanks. (ADA, 36-4)

All tanks will be enclosed by primary dike walls (berms) composed of earth and/or concrete. These dikes will be capable of containing the volume of the largest tank within the primary dike area. Intermediate dikes will be employed to separate tanks within the same primary dike. (ADA, 36-4)

Flow from diked tank areas and undiked areas will be directed through an in-plant drainage system. In the event of a significant spill the product will be retained entirely on-site. (ADA, 36-5)

GATX operators directly monitor all product transfer operations throughout the terminal. (SPCCP, 4-1)

All storage tanks are inspected when cleaned. In addition, all tanks built in 1973 or later shall be taken out of service, ultrasonically tested for shell thickness, inspected for leaks, and cleaned inside and out at least once every ten years. (SPCCP, 4-3)

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and correct copy.

All tanks are cathodically protected to reduce corrosion potential. New petroleum storage tanks are constructed with an internal Corrocote Petroleum liner on the tank bottom for additional protection between the tank and the stored product and the concrete foundations of the new tanks are underlined with high density polyethylene to reduce the potential of leakage to surface waters. Caustic soda is stored in tanks which have been lined to reduce the corrosiveness of the product on the steel tank. Phosphoric acid is stored in rubber or fiberglass lined steel tanks. Chemicals in liquid form are stored in steel tanks. Prior to storage of any new product, GATX performs an engineering analysis of the product and determines the necessary storage and handling requirements. (BMPP, 5-1)

All materials stored at the GATX Tampa terminal are segregated from other chemicals which are not compatible. (BMPP, 5-2)

Operators are trained on an annual basis in the appropriate manner of loading and unloading chemicals, practices for preventing discharges, awareness of safety hazards and procedures for cleanup of any spilled materials including toxic and hazardous spill events. (BMPP, 6-1 & 9-1)

Drip pans are used at each of the rail-car loading positions to capture any dripping which might occur during product transfer. Drip pan wash water is directed to the wastewater collection system. (BMPP, 6-1)

Records of all tank inspections are maintained by the Engineering Department for a minimum of three years from the date of inspection. (BMPP, 7-2)

#### Port Facilities

All dike walls will be designed and constructed in accordance with the requirements and specifications set forth in NFPA Code 30, Flammable and Combustible Liquids Code. (ADA, 37-4)

All tanks, pipelines, pumps, valves, fittings and other parts of the liquid handling system are suitable for the products handled. (SPCCP, Appendix B, Dock Operations Manual, 1)

A Walkie-Talkie receiver/transmitter is issued to all terminal personnel directly involved in the transfer operation, which enables the person-in-charge to maintain a constant check on any conditions which would necessitate curtailment of the loading operation. (SPCCP, Appendix B, Dock Operations Manual, 3)

The person-in-charge on the dock shall not start, or if started shall stop oil transfer operations under any of the following conditions: sever electrical storms, fire occurring on the facility or in the vicinity, a break in the cargo handling system, oil on the water or shoreline, or request by the person-in-charge of the vessel. (SPCCP, Appendix B, Dock Operations Manual, 6)

#### Wetlands

Thirty-five percent of the stormwater ponds will be littoral shelves. These shallow areas will not be planted, but any colonizing vegetation will not be removed. There will be approximately 0.75 acres of littoral shelf acreage on the site after development. (ADA, 13-2)

#### Water Quality

Dike drains are discharged only after visual inspections have been conducted and recorded, which verify the absence of visible oil or any iridescent qualities in the stormwater. If visible oil is present, it is removed prior to stormwater discharge. (SPCCP, 4-3)

Operation of the drainage system is assigned to operators trained in the proper inspection, discharge and record keeping procedures. A log of all discharges is kept at the site by the Terminal Superintendent and will be made available to the environmental regulatory agencies at their request. (BMPP, 10-1)

All spills or leaks are reported immediately to the appropriate GATX management personnel in accordance with the Emergency Response Procedures of the SPCCP. Written reports of such incidents are prepared in accordance with the SPCCP using the Spill Event Emergency Response form. (BMPP, 4-1)

#### Soils

No additional fill is necessary. The existing fill will be graded and leveled prior to construction. (ADA, 15-2)

All necessary and prudent measures will be utilized to prevent erosion during construction. Such measures will include staked hay bales or silt screens at the limits of construction and the seeding or sodding of bare ground immediately after construction. (ADA, 15-2)

#### Floodplains

All elevations for dikes, new tank foundations, loading racks and habitable structures will be above the 100-year flood elevation. (ADA, 16-1)

No off-site flooding will occur due to this project. (ADA, 16-1)

#### Water Supply

The proposed development will not include any wells. (ADA, 17-1)

#### Wastewater

The project will not have any additional domestic wastewater generated and will not include any septic tanks. (ADA, 18-1 and 18-2)

#### Stormwater Management

The proposed stormwater facilities will utilize retention/detention basins to effectively provide water quality treatment for the project area. Design criteria will include water quality treatment per Chapters 17-25 and 40D-4, FAC. (ADA, 19-1)

The existing NPDES permit shall be maintained as necessary. (ADA, 14-1)

The proposed drainage infrastructure for the GATX site will be constructed under a single phase of construction, however, the proposed tanks will be constructed under several phases. (ADA, 19-2)

The stormwater management system design will provide a total volume of 3.5 acre-feet. GATX will be responsible for operation and maintenance of the stormwater management system. (ADA, 19-3)

#### Solid Waste/Hazardous Waste

Solid waste generated by the proposed expansion is limited to an industrial residue which accumulates on the bottom of the petroleum storage tanks. (ADA, 20-1)

Contaminated rainwater from tank water accumulations, loading rack run-off, dock loading operations, and any spills or leaks collected at the site will be passed through an oil/water separator and

stored in an on-site tank prior to being shipped off-site for disposal. (ADA, 20-2)

Companies contracted to perform the construction work will be responsible for the removal and disposal of all construction debris. (ADA, 20-2)

All drums containing hazardous or nonhazardous waste will be sealed, labeled, logged in, inspected weekly for leaks or corrosion and appropriately stored in the drum storage area for not more than 90 days. (SPCC Plan, 5-6 & 5-8)

### Air

Fugitive dust will be contained during site preparation and construction by moistening exposed soil. (ADA, 22-1)

GATX will meet all air quality regulations required by federal, state and local agencies with technology approved by the U.S. Environmental Protection Agency (EPA) and the API. (ADA, 22-2)

### Disaster Preparedness

All tanks, including the new tanks, will be managed under the GATX Hurricane Contingency Plan (HCP). (ADA, 23-2)

If possible, all tanks will be at sufficient product levels (storm heel in place) to withstand predicted surges no later than 12 hours prior to expected landfall of the storm. Water will be utilized as a substitute for product if necessary. (HCP, 1 & 2)

Customers who have operations in process at the time of the storm will be advised in advance of the possibility of shutdown so that they may prepare for the consequences. (HCP, 3)

The terminal shall maintain a supply of plywood, rope and visqueen dedicated to storm preparation in the maintenance building at all times. Buildings will be secured 48 hours prior to the storm's arrival. All office and terminal equipment, vehicles and various materials will be secured or moved to a safe area. (HCP, 4)

### Police and Fire Protection

In the event of an emergency situation at the terminal, a subsequent briefing will be held with appropriate personnel to discuss the cause, emergency actions taken, and appropriate and necessary actions to be taken to prevent recurrences. (SPCCP, 4-5)

Mandatory response training including fire extinguisher, first aid, hurricane/emergency evacuation, Scott air pak and Lifeair is provided to GATX employees annually and equipment inspections are required on a regular basis. (Fire Prevention and Protection Plan (FPPP), 1)

GATX'S Safety Rules and Regulations apply to all employees and contractors. GATX's Hot Work Permits and Fire Watch Responsibilities and Duties apply to all contractors conducting hot work operations within GATX facilities. (FPPP, 2)

### FACILITY DESIGN COMMITMENTS (SR, 1-1 THROUGH 1-3)

#### High-Level Alarms/Tank Gauging

All tanks will be equipped with a gauge which will accurately show the level of the product in the tank. The gauge will be visible to the terminal operator who is monitoring the tank during filling. This type gauge will meet requirements of API RP 2350 and DER 17-762.500(3)(f)(2)a, FAC.

- All tanks will be fitted with a high-level warning beacon. The beacon will meet requirements of DER 17-762.500(3)(f)(2)b, FAC.

#### Fire-Fighting System

- All tanks will be equipped with foam injection equipment for use by the City of Tampa Fire Department in the event of a tank fire.
- Fire Monitors and hydrants will be provided for tank cooling water and fighting fires inside the diked containment areas.
- Fire fighting systems will meet NFPA 11 (foam and combined agent systems) and NFPA 30 (Flammable and Combustible Liquids Code), as adopted by the City of Tampa.

#### Tank Dikes/Secondary Containment

- Diked secondary containment areas for new storage tanks will be capable of containing 110 percent of the volume of the largest tank.
- Impervious liner systems will be provided for all new tanks pursuant to the requirements of NFPA 30 and DER 17-762.500(6), FAC.
- Containment floor area will have a one-percent slope to drain water away from tank chime.
- Dike walls will be designed to withstand full hydrostatic head.
- Dikes/secondary containment will be constructed to NFPA 30 (Flammable and Combustible Liquids Code) and DER 17-762.500(6), FAC.

#### Piping

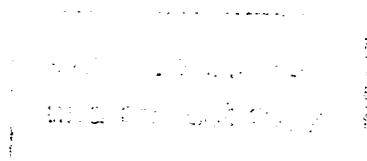
- New piping systems will be constructed aboveground on supports and coated for corrosion protection.
- All piping containing product will be steel with wall thickness suitable for the maximum working pressure.
- Fittings, flanges and valves used in petroleum service will be suitable for maximum working pressure.
- Any piping installed below grade will be coated and cathodically protected.
- All new piping systems will meet requirements of NFPA 30, Chapter 3, ASME B31.3 and B31.4 codes for pressure piping, and DER 17-762.500(4), FAC. All new piping systems will be pressure tested as required by DER 17-762.700, FAC.

#### Pumps

- ANSI process pumps will be used to feed truck rack systems and pipeline pumps.
- Pumps will be positioned in concrete containments with top of concrete wall at or above City of Tampa floodplain datum and fitted with mechanical seals suitable for petroleum service.

#### Wastewater Collection

- Tank water drawdown piping for new tanks will be constructed from pipe and fittings, suitable for pressure service.



- Piping will be located aboveground and supported on pipe supports along with product piping where possible.
- Wastewater will be processed through an API oil/water separator. Product will be returned to an appropriate petroleum storage tank and water will be collected, sampled and tested, and hauled off site for appropriate disposal by an approved/permitted waste disposal company.
- Piping systems for wastewater collection and processing will meet requirements of ASME B31.1 (Code for pressure piping).

#### Tank Construction

- New tanks will be constructed to meet API 650 requirements.
- Impervious liners will be installed under new tanks to meet requirements of DER 17-762.500, FAC.
- Floors and the lower 18 inches of tank shell will be coated to reduce corrosion.
- Where appropriate, tank bottoms will be cathodically protected.

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Certified as true  
and correct 07/21

**EXHIBIT "C"**

**DRI #224 - LEGAL DESCRIPTION**

A parcel of land lying in theoretical Section 32, Township 29 South, Range 19 East, Hillsborough County, Florida described as follows:

Commencing at the intersection of the Center Line of Guy N. Verger Boulevard with the Center Line of Delmar B. Drawdy Drive, said point being 7410.97 feet South and 890.90 feet East of the Northeast corner of Section 30, Township 29 South, Range 19 East, Hillsborough County, Florida; thence S 87° 45' 33" W along the center line of Delmar B. Drawdy Drive for the Point of Beginning; thence N 87° 45' 33" E along the Southerly Right of Way line of Delmar B. Drawdy Drive a distance of 1492.22 feet; thence S 00° 13' 00" W a distance of 210.00 feet; thence N 87° 45' 33" E a distance of 210.00 feet to the Westerly Right of Line of Guy N. Verger Boulevard a distance of 855.32 feet; thence N 88° 56' 17" W a distance of 1228.51 feet; thence N 25° 38' 47" W a distance of 1082.65 feet to the Point of Beginning.

Containing 33.423 Acres more or less.

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