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**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE 1153

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT 19-6, KL WATERSIDE, LLC, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE GROWTH MANAGEMENT PLAN, MARTIN COUNTY CODE; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, AND AN EFFECTIVE DATE.

WHEREAS, Section 1.11, Comprehensive Growth Management Plan, and Section 163.3184, Florida Statutes, permit amendments to the Comprehensive Growth Management Plan and provide for amendment procedures; and

WHEREAS, on September 17, 2020, the Local Planning Agency considered the proposed Comprehensive Plan Amendment at a duly advertised public hearing; and

WHEREAS, on October 27, 2020, at a duly advertised public hearing, this Board considered the amendment and approved such amendment for transmittal to the Division of Community Planning and Development; and

WHEREAS, on January 12, 2021, at a duly advertised public hearing, this Board considered and addressed the comments of the various reviewing agencies; and

WHEREAS, this Board has provided for full public participation in the comprehensive planning and amendment process and has considered and responded to public comments.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

**PART I. COMPREHENSIVE GROWTH MANAGEMENT PLAN AMENDMENT
CPA 19-6, KL WATERSIDE, LLC, FLUM**

Comprehensive Growth Management Plan Amendment CPA 19-6, KL Waterside, is hereby adopted as follows: The Future Land Use Map is hereby changed from Agricultural, Industrial and Marine Waterfront Commercial to Industrial and Agricultural, on a ±499 acre property located south of SW 96th Street and west of SW Kanner Highway (SR76), as depicted on Exhibits A and B, attached hereto and incorporated by reference.

PART II. CONFLICTING PROVISIONS.

To the extent that this ordinance conflicts with special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, and other parts of the Martin County Comprehensive Growth Management Plan, the more restrictive requirement shall govern.

PART III. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART IV. APPLICABILITY OF ORDINANCE.

This Ordinance shall be applicable throughout the unincorporated area of Martin County.

PART V. FILING WITH DEPARTMENT OF STATE.

The Clerk be and hereby is directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART VI. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the

Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

DULY PASSED AND ADOPTED THIS 12th DAY OF JANUARY, 2021.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**


**CAROLYN TIMMANN,
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

BY:  **V.E. Fon**
STACEY HETHERINGTON, CHAIR

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**


BY: 
**SARAH W. WOODS,
COUNTY ATTORNEY**

EXHIBIT A INDUSTRIAL

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 11, 14, AND 16, ALL OF LOTS 9, 10, AND 15, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD NO. 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

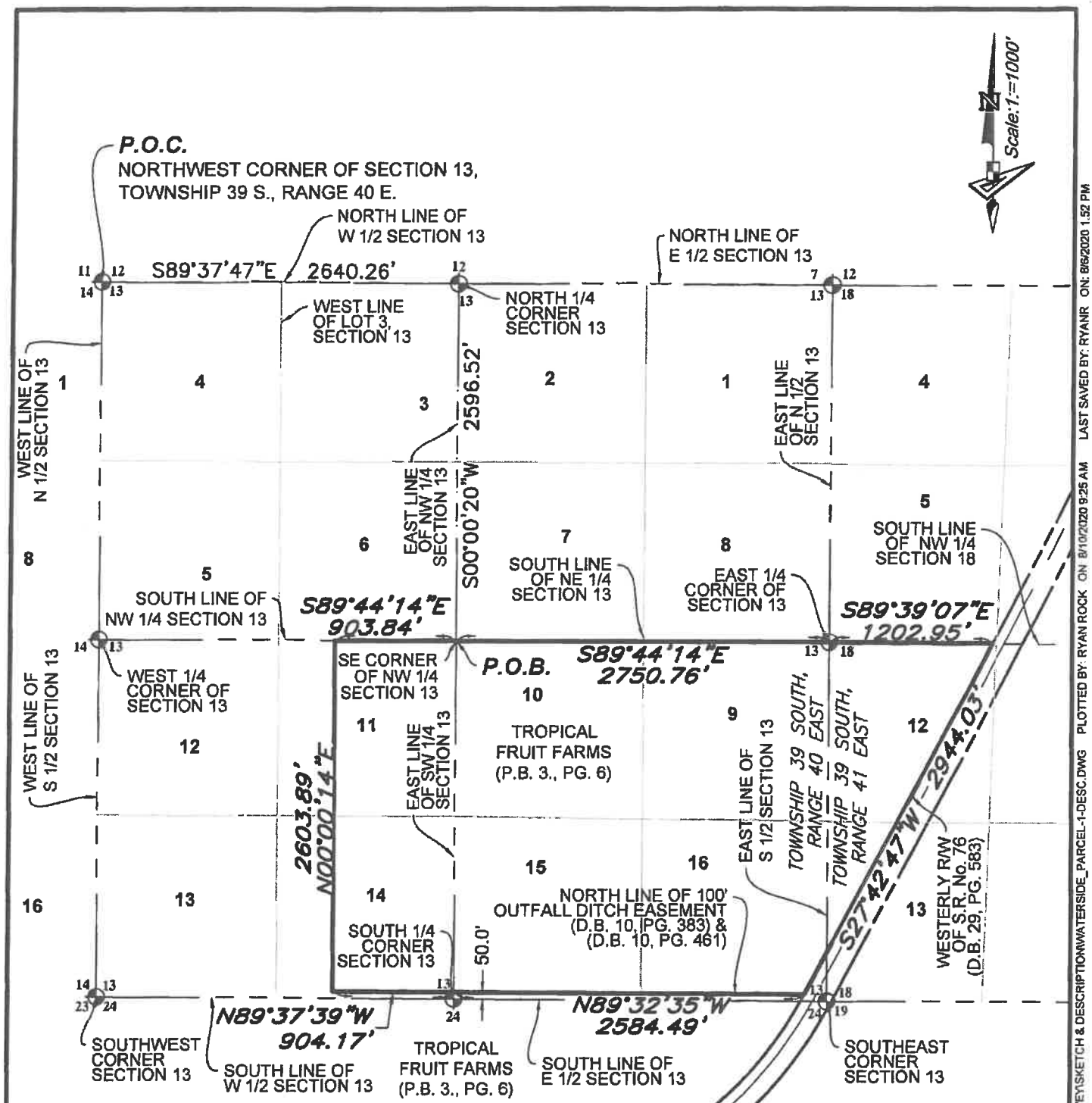
COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'47"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.26 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°00'20"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2596.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTHEAST CORNER OF LOT 11, SECTION 13 OF SAID PLAT, SAID CORNER BEING THE POINT OF BEGINNING; THENCE S.89°44'14"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10, SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.76 FEET TO THE EAST (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.89°39'07"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1202.95 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2944.03 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383 AND DEED BOOK 10, PAGE 461, SAID LINE ALSO BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, A DISTANCE OF 2584.49 FEET; THENCE N.89°37'39"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, SAID LINE ALSO BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 904.17 FEET; THENCE N.00°00'14"E., A DISTANCE OF 2603.89 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 11, SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 903.84 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10,890,034 SQUARE FEET OR 250.000 ACRES, MORE OR LESS.

WATERSIDE - PARCEL 1 SKETCH AND DESCRIPTION

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey: 03/27/2020	
				SURVEYOR'S CERTIFICATE	
				This certifies that a survey of the herein described property was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.	
				Digitally signed by Gary A. Rager DN: cn=Gary A. Rager, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, email=Gary.Rager@geopointsurvey.com, c=US	
				Gary A. Rager	
				Gary A. Rager FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS4828	
				NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	
Sheet No. 1 of 2 Sheets				 <p>4152 W. Blue Heron Blvd. Suite 105 Riviera Beach, FL 33404 Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768</p> <p>Drawn: SWM Date: 07/22/20 Data File: waterside_NAVD88_8 03-23-20 Check: GAR P.C.: DC-8 Field Book: 2020 11w/28-30, 40 Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc1</p>	

DWG NAME: W\KOLTER-WATERSIDE\WATERSIDE\SKETCH & DESCRIPTION\WATERSIDE_PARCEL-1-DESC.DWG PLOTTED BY: RYAN ROCK ON: 8/10/2020 9:25 AM LAST SAVED BY: RYANR ON: 8/8/2020 1:52 PM



WATERSIDE - PARCEL 1 SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

Last Date of Field Survey: 03/27/2020

LEGEND

P.O.B. --- POINT OF BEGINNING

P.B. --- PLAT BOOK

P.O.C. --- POINT OF COMMENCEMENT

D.B. - - - DEED BOOK

PG./PG(s) - - - PAGE(s)

S.R. --- STATE ROAD

13-39-40 --- SECTION-TOWNSHIP-RANGE

R/W --- RIGHT-OF-WAY

GeoPoint
Surveying, Inc.

Surveying, Inc.

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: SWM	Date: 07/22/20	Data File: waterside_NAVDB8_8 03-23-20
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Check: GAR	P.C.: PC-8	Field Book: 2020 11w/26-30, 40
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Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc1

Sheet No. 2 of 2 Sheets

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DWG NAME: W\KOLIER-WATERSIDE\WATERSIDE_PARCEL-1-DESC.DWG
PLOTTED BY: RYAN ROCK ON 8/10/2020 9:25 AM
LAST SAVED BY: RYANR ON: 8/6/2020 1:52 PM

EXHIBIT B AGRICULTURAL

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOT 3, THE SOUTH (1/2) HALF OF LOT 4, ALL OF LOTS 5, 6, 12, 13, A PORTION OF LOTS 11 AND 14, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.00°00'53"W. ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 662.87 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°39'23"E. ALONG THE NORTH LINE OF THE SOUTH HALF OF LOT 4, SECTION 13 OF SAID PLAT, A DISTANCE OF 1320.18 FEET TO A POINT ON THE WEST LINE OF LOT 3, SECTION 13 OF SAID PLAT; THENCE N.00°00'36"E., ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 496.31 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89002-2601, REVISED FEBRUARY 13, 1989; THENCE N.81°27'37"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 40.01 FEET; THENCE N.08°32'23"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 FEET; THENCE N.81°27'47"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 549.22 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89531-2601, DATED OCTOBER, 1958; THENCE S.89°37'47"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 741.15 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13; THENCE S.00°00'20"W., ALONG SAID EAST LINE OF THE NORTHWEST (1/4) QUARTER AND THE EAST LINE OF SAID LOT 3 AND LOT 6, SECTION 13 OF SAID PLAT, A DISTANCE OF 2596.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF SAID LOT 6; THENCE S.89°44'14"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 903.84 FEET; THENCE S.00°00'14"W., A DISTANCE OF 2603.89 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383, AND DEED BOOK 10, PAGE 461, SAID LINE ALSO BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13; THENCE N.89°37'39"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT AND 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 1736.79 FEET TO A POINT ON THE WEST LINE OF THE SOUTH (1/2) HALF OF SAID SECTION 13; THENCE N.00°00'14"E., ALONG THE WEST LINE OF THE SOUTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 12 AND LOT 13, SECTION 13 OF SAID PLAT, A DISTANCE OF 2600.56 FEET TO THE WEST (1/4) QUARTER CORNER OF SAID SECTION 13;

DESCRIPTION: CONTINUED ON PAGE 2

WATERSIDE - PARCEL 2 SKETCH AND DESCRIPTION

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey: 03/27/2020	
				SURVEYOR'S CERTIFICATE This certifies that a survey of the hereon described property was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Gary Rager <small>Digitally signed by Gary Rager DN: cn=GAR, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, email=Gary@geopointsurvey.com, c=US</small> Gary A. Rager FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS4828 <small>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER</small>	
Sheet No. 1 of 3 Sheets				 GeoPoint Surveying, Inc. 4152 W. Blue Heron Blvd Suite 105 Riviera Beach, FL 33404 Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768 Drawn: SWM Date: 07/22/20 Data File: waterside_NAVD88_8 03-23-20 Check: GAR P.C.: DC-8 Field Book: 2020 11w/26-30, 40 Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc2	


DWG NAME: W:\KOLTER-WATERSIDE\SURVEY\SKETCH & DESCRIPTION\WATERSIDE_PARCEL-2-DESC.DWG PLOTTED BY: RYAN ROCK ON: 8/10/2020 9:27 AM LAST SAVED BY: RYANR ON: 8/8/2020 8:58 AM

DESCRIPTION: CONTINUED FROM PAGE 1

THENCE N.00°00'53"E., ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 5, SECTION 13 OF SAID PLAT, A DISTANCE OF 1325.74 FEET TO A POINT ON THE SOUTHERLY LINE OF PARCEL NO. 131, AS DESCRIBED IN DEED BOOK 12, PAGE 451 AND THE SOUTHEAST CORNER OF LOT 1, SECTION 14 OF SAID PLAT; THENCE N.89°37'34"W., ALONG SAID SOUTHERLY LINE OF PARCEL NO. 131 AND THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 260.85 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL NO. 131, ALSO THE EASTERLY LINE OF ST. LUCIE CANAL RIGHT-OF-WAY, AS DESCRIBED IN DEED BOOK 10, PAGES 395 THROUGH 397 AND THE NORTHWESTERLY LINE OF PARCEL NO. 131, AS SHOWN ON THE MAP SHOWING LOCATION AND RIGHT-OF-WAY FOR ST. LUCIE CANAL IMPROVEMENTS PREPARED FOR THE U.S. ENGINEER OFFICE - JACKSONVILLE, FLORIDA, 1939 WITH A FILE NUMBER OF 302-12,260 AND RECORDED IN PLAT BOOK 2, PAGE 35 OF SAID PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.31°13'13"E., ALONG SAID NORTHWESTERLY LINE OF PARCEL NO. 131 AND SAID EASTERLY LINE OF ST. LUCIE CANAL RIGHT-OF-WAY, A DISTANCE OF 503.46 FEET TO A POINT ON THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13; THENCE N.00°00'53"E., ALONG SAID WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 4, SECTION 13, A DISTANCE OF 230.62 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10,602,079 SQUARE FEET OR 243.390 ACRES, MORE OR LESS.

**WATERSIDE - PARCEL 2
SKETCH AND DESCRIPTION**

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey: 03/27/2020	
				 <p>GeoPoint Surveying, Inc.</p> <p>4152 W. Blue Heron Blvd. Suite 105 Riviera Beach, FL 33404</p> <p>Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768</p> <p>Drawn: SWM Date: 07/22/20 Data File: waterside_NAVD88_8 03-23-20</p> <p>Check: GAR P.C.: DC-8 Field Book: 2020 11w/26-30, 40</p> <p>Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc2</p>	
Sheet No. 2 of 3 Sheets				NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	

LAST SAVED BY: RYAN ROCK ON: 8/10/2020 9:27 AM PLOTTED BY: RYAN ROCK ON: 8/10/2020 9:27 AM
 DWG NAME: W:\KOLTER-WATERSIDE\WATERSIDE\SKETCH & DESCRIPTION\WATERSIDE_PARCEL-2-DESC.DWG



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

January 20, 2021

Ms. Carolyn Timmann
Clerk of the Circuit Court
Martin County
Post Office Box 9016
Stuart, Florida 34995

Attention: Mary K. Vettel, Deputy Clerk

Dear Ms. Timmann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1153, which was filed in this office on January 20, 2021.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb