

**PORT TAMPA BAY
NOTICE OF PUBLIC HEARING**

Notice is hereby given of a public hearing to be held at 2:00 p.m., January 6, 2022, before the Tampa Port Authority, d/b/a Port Tampa Bay at its offices located at 1101 Channelside Drive, Tampa, Florida 33602, to hear public comments regarding the following:

MOSAIC CROP NUTRITION, LLC - LEASE AGREEMENT

Additional information is available online at www.tampaport.com. All written comments and objections directed toward the foregoing matter should be filed with Port Tampa Bay, Real Estate Department, at 1101 Channelside Drive, Tampa, Florida 33602 by 12:00 noon on January 5, 2022. Oral comments and objections may be presented at the hearing.

In accordance with the federal Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities requiring reasonable accommodation to participate in this hearing should call (813) 905-5031 or fax (813) 905-5029 not later than 48 hours prior to the hearing.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE PORT TAMPA BAY WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH A PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

To be published Wednesday, December 15, 2021
In the Tampa Bay Times

**BACKGROUND INFORMATION FOR PUBLIC HEARING
JANUARY 6, 2022 AT 2:00 P.M.**

MOSAIC CROP NUTRITION, LLC - LEASE AGREEMENT

Port Tampa Bay (PTB) leases approximately seventeen (17) acres of land at Berth 204 on Hookers Point to Mosaic Crop Nutrition, LLC (Mosaic) for a phosphate terminal (Lease). Mosaic and its predecessors have leased the Berth 204 terminal since 1972 and the lease term and all extension options will otherwise expire on May 31, 2022. PTB and Mosaic have agreed to the following terms for a new lease agreement.

Premises at Berth 204:

The Premises would consist of approximately Seventeen and twenty-four hundredths (17.24) acres of land, as outlined on Exhibit "A".

Use: The Premises would be used solely for terminal operations of dry fertilizer and phosphate commodities.

Lease Term at Berth 204 Leasehold:

The Initial Term would be twenty (20) years commencing June 1, 2022 and ending May 31, 2042, and would have two (2), ten (10) year Lease Extension Options based on the same terms and conditions, except as set forth in this notice.

Land Rent at Berth 204 Leasehold:

Rent for the Lease Term would be as follows:

<u>Lease Year</u>	<u>Proposed Rent Per Acre</u>	<u>Annual Amount</u>
6/1/2022 - 5/31/2023	\$5,000	\$86,200
6/1/2023 - 5/31/2024	\$10,000	\$172,400
6/1/2024 - 5/31/2025	\$15,000	\$258,600
6/1/2025 - 5/31/2026	\$20,000	\$344,800
6/1/2026 - 5/31/2027	\$25,000	\$431,000

CPI Adjusted Annually for
the remainder of the term.

Extension Options: Rent would be based upon the fair market value as determined by an agreed upon appraisal process.

Wharfage and Guarantee at Berth 204:

The minimum Annual Tonnage Guarantee (ATG) would be 350,000 tons per lease year.

Environmental Conditions:

Mosaic would continue full environmental responsibilities as previously applied to the Premises in all respects. All appropriate environmental restrictions would be applied to the Lease, including, without limitation, odor and emissions control as required in the vicinity of the Premises.

Mosaic Improvements:

Mosaic would be responsible for all improvements to the Premises and agrees to take the Premises and all existing improvements "AS-IS", "WHERE-IS" and Mosaic acknowledges that PTB disclaims and makes no representations or warranties, express or implied, including, without limitation, suitability or fitness for a particular purpose or otherwise. In addition, Mosaic would have the right to construct other improvements, subject to prior review and acceptance by PTB. Mosaic would be responsible for the management and cost of all maintenance and repair of the facilities including the dock and berth 204.

Financial Review:

Mosaic would provide prior to PTB's staff recommendation to the Board of Commissioners of the actual leasehold entity.

Other:

MOSAIC would be responsible for all utilities, real estate taxes, site improvements, insurance, maintenance of the Premises, and compliance with all seaport security laws and regulations, environmental laws and regulations and all other applicable regulations and laws.

EXHIBIT "A"
Premises at Berth 204

