

RESOLUTION NO. 91-130

A RESOLUTION AND DEVELOPMENT ORDER OF THE
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA,
APPROVING THE APPLICATION FOR DEVELOPMENT
APPROVAL OF SJH PARTNERSHIP, LTD. AND
DUNAVANT ENTERPRISES, INC. FOR
SAINT JOHNS, A SUBSTANTIAL DEVIATION OF
ST. JOHNS HARBOUR AND A DEVELOPMENT OF
REGIONAL IMPACT

LET IT BE KNOWN, THAT, PURSUANT TO SECTION 380.06, OF THE FLORIDA STATUTES, THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, HAS HEARD, AT A PUBLIC HEARING CONVENED ON AUGUST 27, 1991, THE APPLICATION FOR DEVELOPMENT APPROVAL FOR SAINT JOHNS SUBMITTED OCTOBER 16, 1990 (THE "ADA") WHICH CONSISTS OF APPROXIMATELY 6299.5 ACRES AS MORE PARTICULARLY DESCRIBED IN APPENDIX A OF THE ADA TO BE DEVELOPED IN THE MANNER DESCRIBED IN THE APPLICATION FILED BY SJH PARTNERSHIP, LTD. AND DUNAVANT ENTERPRISES, INC. (COLLECTIVELY, THE "APPLICANT" OR "DEVELOPER"), FOR SAID DEVELOPMENT.

WHEREAS, the Board of County Commissioners of St. Johns County has considered the report and recommendations of the Northeast Florida Regional Planning Council (the "NEFRPC Report"), the St. Johns County staff, the documents and comments upon the record made before the Board of County Commissioners of St. Johns County, hereby makes the following Findings of Fact and Conclusion of Law:

FINDINGS OF FACT

1. The legal description of the property comprising the proposed Saint Johns DRI is set forth on Exhibit A which is attached hereto and incorporated herein by reference (the "Property").

2. When developed in accordance with the conditions imposed by this development order, the Saint Johns DRI (the "Development"):

a. Will not have a significant negative impact on the environment and natural resources of the region;

b. Will have a favorable economic impact on the economy of the region by providing new employment and business opportunities for the residents of the region;

c. Will efficiently use water, sewer, solid waste disposal, public schools, and other necessary public facilities;

d. Will efficiently use public transportation facilities;

e. Will favorably affect the ability of people to find adequate housing reasonably accessible to their places of employment;

f. Will not create an unreasonable additional demand for, or additional use of, energy.

CONCLUSIONS OF LAW

1. The proposed Development is not in an area designated as an Area of Critical State Concern pursuant to the provisions of Section 380.05, Florida Statutes.

2. The Development does not unreasonably interfere with the achievement of the objectives of an adopted state land development plan applicable to the area.

3. The Development is consistent with the local comprehensive plan and local land development regulations.

4. The Development is consistent with the report and recommendations of the Northeast Florida Regional Planning Council submitted pursuant to Subsection 380.06(11), Florida Statutes.

5. The Development is consistent with the State Comprehensive Plan.

6. This resolution constitutes the Development Order pursuant to Section 380.06, Florida Statutes, for the Saint Johns DRI (the "SJ/DO"). The ADA, Response to Request for Additional Information submitted January 30, 1991, and Response to Second Request for Additional Information submitted March 18, 1991, by the Applicant are attached hereto as Exhibit B and incorporated herein by reference and the proposed development shall be carried out substantially in conformance with the ADA and this resolution. The ADA is amended by any inconsistent terms of this resolution and the attachments incorporated herein by reference. In the event of conflict between the ADA and this resolution and the attachments incorporated herein (other than the ADA), the terms of this resolution and attachments shall prevail.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, in public meeting, duly constituted and assembled on August 27, 1991, that the Development of Regional Impact Application for development Approval submitted by SJH Partnership, Ltd. and Dunavant Enterprises, Inc., is hereby ordered Approved subject to the conditions, restrictions, and limitations set forth on the attached Exhibit C (the "Conditions of DO Approval") and the developer commitments set forth on the attached Exhibit D (the "Developer Commitments") which are hereby incorporated by reference and made a part hereof.

BE IT FURTHER RESOLVED, by the Board of County Commission, St. Johns County, that:

1. The commitments and impact mitigating actions provided by the Applicant in the ADA and supplemental documents and enumerated on the attached Exhibit D that are not in conflict with conditions or stipulations specifically enumerated in the Conditions of DO Approval are hereby adopted to the SJ/DO by reference and made a part hereof.

2. The Director of the Planning Department shall be the local official responsible for monitoring the development to assure compliance with the SJ/DO.

3. The Applicant or their successor(s) in title to the Property shall submit a report annually on or before January 15, commencing January 15, 1992, to the Director of Planning of St. Johns County, the Northeast Florida Regional Planning Council, the Department of Community Affairs, the Florida Department of Environmental Regulation, the St. Johns River Water Management District, and the Florida Department of Transportation. This report will contain the information specified on the attached Exhibit E which is hereby incorporated by reference and made a part hereof. Failure to submit the annual report shall be governed by Subsection 380.06(17), Florida Statutes.

4. Subsequent requests for development permits shall not require further review pursuant to Section 380.06, Florida Statutes, unless it is found by the Board of County Commissioners of St. Johns County, after due notice and hearing, that one or more of the following is present:

a. A substantial deviation from the terms or conditions of the SJ/DO as defined in Section 380.06(19), Florida Statutes, or other changes to the approved development plans which create a reasonable likelihood of adverse regional impacts or other regional impacts which were not evaluated in the review by the Northeast Florida Regional Planning Council; or

b. An expiration of the period of effectiveness of the SJ/DO as provided herein.

5. The SJ/DO for Saint Johns shall remain in effect until August 27, 2015 subject to the terms of Section 380.06(19)(c), Florida Statutes, unless sooner terminated in accordance with its terms or pursuant to law and, Saint Johns shall not be subject to downzoning, unit density reduction, or intensity reduction, unless it is demonstrated that substantial changes in the conditions underlying the approval of the SJ/DO have occurred or the SJ/DO was based upon substantially inaccurate information provided by the Developer, or the change is clearly established to be essential to the public health, safety or welfare of the citizens of St. Johns County.

6. The Developer shall be eligible to apply for credit towards any present and/or future impact fees that may be adopted by St. Johns County for any contributions of land or money made by the Developer for public facilities pursuant to the guidelines stipulated in Section 380.06(16) of the Florida Statutes and St. Johns County Impact Fee Ordinances 87-57, 87-58, 87-59 and 87-60. Impact fee credit shall not be allowed for expenditures made by the Developer in connection with acquisition of right of way or construction of improvements for the interchange at I-95 and Nine Mile Road within the right of way to be dedicated to the FDOT (which includes a part of Nine Mile Road) unless St. Johns County uses impact fees for improvements to I-95.

7. The Applicant has elected, pursuant to Section 380.06(5)(c), Florida Statutes, to be bound by the rules adopted pursuant to chapters 403 and 373 in effect when the development order is issued subject to the terms, conditions and limitations stated in Section 380.06(5)(c) Florida Statutes.

The approval granted by this resolution is limited. Such approval shall not be construed to obviate the duty of the applicant to comply with other applicable local or state permitting procedures.

PASSED AND ADOPTED THIS 27th DAY OF August, 1991.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

By: *Donald H. Arnold*
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Carl "Bud" Markel*
Deputy Clerk

SJH117
DRAFT #4, 8/21/91

EXHIBIT A

LEGAL DESCRIPTION

Interchange Northeast

A part of Sections 2 and 3, together with a part of Government Lot 1, Section 11, together with all of Section 10, lying East of Interstate 95 right-of-way, together with all of Section 11 less and except the East 1/2 of and the Southeast 1/4 of the Southwest 1/4 and that part lying in and West of Interstate 95 right-of-way, and part of Section 14 lying East of Interstate 95 right-of-way and Northwesterly of the Northwesterly right-of-way line of old Nine Mile Road, all lying in Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a Point of Reference, Commence at the Southeast corner of said Section 11; thence South $89^{\circ}02'10''$ West along the South line of said Section 11 and along the center line of Nine Mile Road, County Road S13A (a 66 foot right-of-way as now established) a distance of 1915.72 feet; thence North $00^{\circ}27'50''$ West a distance of 33.00 feet to a point on the Northerly right-of-way line of said Nine Mile Road and the POINT OF BEGINNING; thence along said Northerly right-of-way line of Nine Mile Road run the following five courses; Course No. 1 - thence South $89^{\circ}32'10''$ West a distance of 1043.00 feet; Course No. 2 - thence North $00^{\circ}27'50''$ West a distance of 17.00 feet; Course No. 3 - thence South $89^{\circ}32'10''$ West along said Northerly right-of-way line of Nine Mile Road (a 100 foot right-of-way as now established) a distance of 205.04 feet to the point of curve of a curve concave Southeasterly having a radius of 1195.92 feet; Course No. 4 - thence Southwesterly along the arc of said curve an arc distance of 347.04 feet, said arc being subtended by a chord bearing of South $81^{\circ}13'23''$ West and a chord distance of 345.82 feet; thence leaving said Northerly right-of-way line of Nine Mile Road, South $89^{\circ}32'10''$ West along the aforementioned Southerly line of Section 11, a distance of 468.92 feet to the Southwest corner of aforementioned Government Lot 1; thence continue South $89^{\circ}32'10''$ West along the aforementioned Southerly line of Section 11 a distance of 589.15 feet; thence South $44^{\circ}35'20''$ West a distance of 252.80 feet to a point on the Northeasterly right-of-way line of said Interstate 95 (a 300 foot right-of-way as now established); thence North $27^{\circ}32'59''$ West along said Northeasterly right-of-way line a distance of 6210.81 feet; thence North $89^{\circ}18'55''$ East leaving said Northeasterly right-of-way line a distance of 4946.39 feet; thence South $00^{\circ}11'37''$ East along the West line of said East 1/2 of Section 11 and a Northerly projection thereof a distance of

4057.34 feet; thence South $89^{\circ}11'13''$ West along the North line of said Southeast $1/4$ of the Southwest $1/4$ of Section 11 a distance of 1311.89 feet; thence South $00^{\circ}23'04''$ West along the West line of said Southeast $1/4$ of the Southwest $1/4$ of Section 11, said west line also being the Westerly line of said Government Lot 1, Section 11, a distance of 988.89 feet to a point on a curve, said curve being concave Northerly having a radius of 625.00 feet; thence Easterly along the arc of said curve an arc distance of 610.60 feet, said arc being subtended by a chord bearing of North $88^{\circ}27'18''$ East and a chord distance of 586.60 feet to the point of tangency of said curve; thence North $60^{\circ}28'02''$ East a distance of 415.00 feet to the point of curve of a curve concave Southwesterly having a radius of 375.00 feet; thence along the arc of said curve an arc distance of 715.92 feet, said arc being subtended by a chord bearing of South $64^{\circ}50'26''$ East and a chord distance of 612.04 feet to the end of said curve; thence South $26^{\circ}09'10''$ East a distance of 70.00 feet; thence South $00^{\circ}27'50''$ East a distance of 70.00 feet; thence South $79^{\circ}57'27''$ East a distance of 531.96 feet to the POINT OF BEGINNING.

Containing 413.64 acres, more or less

Together with:

That portion of Section 14, Township 6, South Range 28 East, St. Johns County, Florida, lying south of the northerly right of way line of old Nine Mile Road, as now abandoned, east of the easterly right of way line of Interstate 95, a 300.00 foot right of way as now established, and north of the northerly right of way line of Nine Mile Road, County Road S13A, a county right of way of varying width as now established.

Containing 6.62 acres, more or less

LESS AND EXCEPT:

Parcel 100, Part "A"

A part of Section 11, together with a part of Government Lots 2 and 3, Section 14, together with a part of Section 10 all lying in Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a Point of Reference, Commence at the Southeast corner of said Section 11; thence South $89^{\circ}32'10''$ West along the South line of said Section 11 and along the centerline of Nine Mile Road, County Road S13A (a 66 foot right-of-way as now established) a distance of 2603.77 feet; thence North $00^{\circ}27'50''$ West a distance of 33.00 feet to a point of the Northerly right-of-way line of said Nine Mile Road and the POINT OF BEGINNING; thence South $89^{\circ}32'10''$ West along the said Northerly

right-of-way line of Nine Mile Road a distance of 354.95 feet; thence North $00^{\circ}27'50''$ West a distance of 17.00 feet; thence South $89^{\circ}32'10''$ West continuing along said Northerly right-of-way line of Nine Mile Road a distance of 205.04 feet to the point of curve of a curve concave Southeasterly having a radius of 1195.92 feet and a central angle of $27^{\circ}02'30''$; thence Southwesterly continuing along the said Northerly right-of-way line of Nine Mile Road and along the arc of said curve an arc distance of 564.43 feet, said arc being subtended by a chord bearing of South $76^{\circ}00'55''$ West and a chord distance of 559.21 feet to the point of tangency of said curve; thence South $62^{\circ}29'40''$ West continuing along said Northerly right-of-way line of Nine Mile Road a distance of 316.13 feet; thence South $65^{\circ}00'23''$ West continuing along said right-of-way line to its intersection with the Northeasterly right-of-way line of Interstate 95, State Road No. 9 (a 300 foot right-of-way as now established) a distance of 650.97 feet; thence North $27^{\circ}32'59''$ West along said Northeasterly right-of-way line a distance of 3535.33 feet; thence leaving said Northeasterly right-of-way line South $28^{\circ}21'52''$ East a distance of 1695.35 feet to the point of curve of a curve concave Northeasterly having a radius of 1051.92 feet and a central angle of $28^{\circ}47'48''$; thence Southeasterly along the arc of said curve an arc distance of 528.69 feet, said arc being subtended by a chord bearing of South $42^{\circ}45'46''$ East and a chord distance of 523.14 feet to the point of tangency of said curve; thence South $57^{\circ}09'40''$ East a distance of 1048.98 feet to the point of curve of a curve concave Northeasterly having a radius of 706.00 feet and a central angle of $38^{\circ}37'04''$; thence Southeasterly along the arc of said curve an arc distance of 475.85 feet, said arc being subtended by a chord bearing of South $76^{\circ}28'12''$ East and a chord distance of 466.89 feet to the point of tangency of said curve; thence North $84^{\circ}13'16''$ East a distance of 259.24 feet to the beginning of a non-tangent curve, said curve being concave Southerly having a radius of 3948.72 feet and a central angle of $06^{\circ}36'14''$; thence Northeasterly along the arc of said curve an arc distance of 455.12 feet, said arc being subtended by a chord bearing of North $86^{\circ}14'03''$ East and a chord distance of 454.87 feet, to the end of said curve; thence North $89^{\circ}32'10''$ East a distance of 399.83 feet; thence South $00^{\circ}27'50''$ East a distance of 96.00 feet to the POINT OF BEGINNING.

Containing 21.33 acres, more or less

Parcel 101, Part "A"

A part of Section 11, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, Commence at the Southeast corner of said Section 11, thence South $89^{\circ}32'10''$ West along the South

line of said Section 11 and along the centerline of Nine Mile Road, County Road S13A (a 66 foot right-of-way as now established) a distance of 1915.72 feet; thence North 00°27'50" West a distance of 33.00 feet to a point on the Northerly right-of-way line of said Nine Mile Road and the POINT OF BEGINNING; thence South 89°32'10" West along the said Northerly right-of-way line of Nine Mile Road a distance of 688.05 feet; thence North 00°27'50" West a distance of 96.00 feet; thence North 89°11'12" East a distance of 165.01 feet; thence South 79°57'27" East a distance of 531.96 feet to the POINT OF BEGINNING.

Containing 0.95 acres, more or less

Interchange Northeast containing 397.98 acres, more or less

Interchange Southeast

All of Government Lots 1, 2 and 3, Section 14, Township 6 South, Range 28 East, St. Johns County, Florida, lying East of I-95, South of the Southerly right-of-way of Nine Mile Road (as now established with a varying right-of-way), and West of the West right-of-way of Francis Road (as now established for a 66 foot right-of-way) and a portion of Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, lying East of I-95 and West of Francis Road; all of the above lands being more particularly described as follows:

For a Point of Commencement use the intersection of Sections 11, 12, 13 and 14, being marked by a railroad spike and lying in the center of said Nine Mile Road; thence South $89^{\circ}34'52''$ West along the North line of said Section 14, 1390.91 feet; thence South $00^{\circ}26'58''$ West, 33.00 feet to the intersection of the South right-of-way line of said Nine Mile Road and the West right-of-way line of said Francis Road, said point being the POINT OF BEGINNING; thence continue South $00^{\circ}26'58''$ West along said West right-of-way line of Francis Road 1183.65 feet to the P.C. of a curve to the right having a radius, chord and chord bearing of 583.89 feet, 213.51 feet and South $10^{\circ}59'04''$ West; thence Southwesterly around the arc of said curve 214.72 feet to the P.T. of said curve; thence continuing on said Westerly line South $21^{\circ}31'10''$ West, 206.71 feet to the Northeast corner of lands as described in Official Records Volume 272, page 645, public records of said County, thence South $81^{\circ}22'40''$ West along the North line of said lands 198.00 feet to the Northwest corner; thence South $21^{\circ}31'10''$ West along the West line of said lands, 216.68 feet; thence South $81^{\circ}22'40''$ West, 435.88 feet, thence South $25^{\circ}09'28''$ West along a fence line 281.02 feet; thence South $81^{\circ}21'39''$ West, 647.32 feet along said fence line, thence South $12^{\circ}17'16''$ East 149.91 feet along said fence line to the North line of lands as described in Official Records Volume 170, page 329, public records of said County; thence South $81^{\circ}22'40''$ West along the North line of said lands, 599.89 feet to the Easterly right-of-way of I-95; thence North $27^{\circ}30'20''$ West along said Easterly line, 2077.02 feet to the Southerly right-of-way line of said Nine Mile Road; thence North $59^{\circ}48'06''$ East along said Southerly line 650.62 feet; thence North $62^{\circ}27'43''$ East along said line, 316.13 feet to the P.C. of a curve to the right having a radius, chord and chord bearing of 1101.46 feet, 516.49 feet and North $76^{\circ}01'17''$ East; thence Northeasterly around the arc of said curve 521.34 feet to the P.T. of said curve; thence North $89^{\circ}34'52''$ East, 200.53 feet; thence North $00^{\circ}50'22''$ West, 16.79 feet; thence North $89^{\circ}34'52''$ East along said Southerly line, 1567.81 feet to the POINT OF BEGINNING.

Containing 127.02 acres, more or less

LESS AND EXCEPT:

Parcel 100, Part "B"

A part of Lot 1 of the Antonio Huertas Grant, Section 38, together with a part of Government Lots 1, 2 and 3, Section 14, all lying in Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a Point of Reference, Commence at the Northeast corner of said Section 14; thence South $89^{\circ}32'10''$ West along the North line of said Section 14 and along the centerline of Nine Mile Road, County Road S13A (a 66 foot right-of-way as now established) a distance of 2603.77 feet; thence South $00^{\circ}27'50''$ East a distance of 33.00 feet to a point on the Southerly right-of-way line of Nine Mile Road and the POINT OF BEGINNING; thence continue South $00^{\circ}27'50''$ East a distance of 96.00 feet; thence South $89^{\circ}32'10''$ West a distance of 399.83 feet to the beginning of a non-tangent curve concave Southerly having a radius of 3690.72 feet and a central angle of $06^{\circ}29'08''$; thence Southwesterly along the arc of said curve an arc distance of 417.77 feet, said arc being subtended by a chord bearing of South $86^{\circ}17'36''$ West and a chord distance of 417.55 feet to the end of said curve; thence South $78^{\circ}06'12''$ West a distance of 210.20 feet to the point of curve of a curve concave Southeasterly having a radius of 336.00 feet and a central angle of $70^{\circ}21'11''$; thence Southwesterly along the arc of said curve an arc distance of 412.57 feet, said arc being subtended by a chord bearing of South $42^{\circ}55'36''$ West and a chord distance of 387.14 feet to the point of tangency of said curve; thence South $07^{\circ}45'01''$ West a distance of 682.79 feet to the point of curve of a curve concave Northeasterly having a radius of 1051.92 feet and a central angle of $32^{\circ}18'00''$; thence Southeasterly along the arc of said curve an arc distance of 593.01 feet, said arc being subtended by a chord bearing of South $08^{\circ}23'59''$ East and a chord distance of 585.19 feet to the point of tangency of said curve; thence South $24^{\circ}32'59''$ East along a line to its intersection with the Northeasterly right-of-way line of Interstate 95, State Road No. 9 (a 300 foot right-of-way as now established) a distance of 676.83 feet; thence North $27^{\circ}32'59''$ West along said Northeasterly right-of-way line of Interstate 95 to its intersection with the Southerly right-of-way line of aforementioned Nine Mile Road, a distance of 1922.57 feet; thence North $59^{\circ}47'52''$ East along said Southerly right-of-way line of Nine Mile Road a distance of 650.52 feet; thence North $62^{\circ}24'17''$ East continuing along said Southerly right-of-way line a distance of 317.24 feet to the beginning of a non-tangent curve said curve being concave Southeasterly having a radius of 1093.00 feet and a central angle of $27^{\circ}04'45''$; thence Northeasterly continuing along said Southerly right-of-way line, an arc distance of 516.57 feet, said arc being subtended by a

chord bearing of North 75°59'48" East and a chord distance of 511.78 feet to the end of said curve; thence North 89°32'10" East continuing along said Southerly right-of-way line, a distance of 204.95 feet; thence North 00°27'50" West a distance of 17.00 feet; thence North 89°32'10" East continuing along said Southerly right-of-way line, a distance of 354.95 feet to the POINT OF BEGINNING.

Containing 11.57 acres, more or less

Parcel 101, Part "B"

A part of Government Lot 1, Section 14, Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a Point of Reference, Commence at the Northeast corner of said Section 14; thence South 89°32'10" West along the North line of said Section 14 and along the centerline of Nine Mile Road, County Road S13A (a 66 foot right-of-way as now established) a distance of 1820.67 feet; thence South 00°27'50" East a distance of 33.00 feet to a point in the Southerly right-of-way line of said Nine Mile Road and the POINT OF BEGINNING; thence South 71°47'29" West a distance of 314.99 feet; thence South 89°32'10" West a distance of 483.10 feet; thence North 00°27'50" West along a line to its intersection with the aforementioned Southerly right-of-way line of Nine Mile Road, a distance of 96.00 feet; thence North 89°32'10" East along said Southerly right-of-way line, a distance of 783.10 feet to the POINT OF BEGINNING.

Containing 1.39 acres, more or less

Interchange Southeast containing 114.06 acres, more or less

Interchange Northwest

All of Section 3 lying West of Interstate 95 right-of-way, all of Section 10 lying West of Interstate 95 right-of-way, all of Section 11 lying West of Interstate 95 right-of-way, all of Section 14 lying West of Interstate 95, all of Section 15, all of Section 43, all of Section 44, together with a part of Section 38 lying Northwest of Nine Mile Road, all lying in Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a POINT OF BEGINNING, commence at the intersection of the Northwestern right-of-way line of Nine Mile Road (County Road S13A, a 160 foot right-of-way as now established) with the Southwesterly right-of-way line of Interstate 95 (a 300 foot right-of-way as now established); thence Southwesterly along said Northwestern right-of-way line of Nine Mile Road, the following eight courses; Course No. 1 - thence South $60^{\circ}09'09''$ West a distance of 752.14 feet to an angle point in said right-of-way line; Course No. 2 - thence South $62^{\circ}26'20''$ West along said Northwestern right-of-way line of Nine Mile Road (a 110 foot right-of-way as now established) a distance of 15.32 feet to the point of curve of a curve concave Southeasterly having a radius of 1185.13 feet; Course No. 3 - thence Southwesterly along the arc of said curve an arc distance of 170.00 feet, said arc being subtended by a chord bearing of South $58^{\circ}19'47''$ West and a chord distance of 169.85 feet to the point of compound curve; Course No. 4 - thence Southwesterly along the arc of a curve, said curve being concave Southeasterly and having a radius of 1185.11 feet an arc distance of 201.09 feet, said arc being subtended by a chord bearing of South $49^{\circ}21'34''$ West and a chord distance of 200.85 feet to the point of tangency of said curve; Course No. 5 - thence South $44^{\circ}29'54''$ West a distance of 204.46 feet; Course No. 6 - thence South $45^{\circ}30'05''$ East a distance of 17.00 feet; Course No. 7 - thence South $44^{\circ}29'54''$ West along said Northwestern right-of-way line of Nine Mile Road (a 66 foot right-of-way as now established) a distance of 5256.56 feet to an angle point in said Northwestern right-of-way line; Course No. 8 - thence South $50^{\circ}29'50''$ West a distance of 2475.39 feet; thence North $53^{\circ}13'38''$ West, leaving said Northwestern right-of-way line, a distance of 2258.70 feet; thence North $14^{\circ}55'52''$ East along the Northwestern line of aforesaid Section 44 and its Southwesterly projection thereof a distance of 7123.49 feet; to the Northwestern corner of said Section 44; thence North $16^{\circ}14'53''$ East along the Northwestern line of aforesaid Section 43 a distance of 2983.85 feet to a point on said Northwestern line of Section 43; thence North $01^{\circ}01'14''$ West along the West line of aforesaid Sections 10 and 3 to the Northwest corner of said Section 3 a distance of 6098.77 feet; thence North $88^{\circ}54'53''$ East along the line dividing Township 5 South and Township 6 South and the North

line of said Section 3 to its intersection with the aforesaid Southwesterly right-of-way line of Interstate 95 a distance of 136.50 feet; thence South 27°32'59" East along said Southwesterly right-of-way line a distance of 12,538.84 feet to the POINT OF BEGINNING.

Containing 1456.88 acres, more or less

LESS AND EXCEPT:

Parcel 100, Part "E"

A part of Section 10, lying West of Interstate 95 right-of-way, together with all of Section 11, lying West of Interstate 95 right-of-way, together with all of Section 14, lying west of Interstate 95, together with a part of Section 15, together with a part of Lots 1 and 2 of the Antonio Huertas Grant, Section 38, lying Northwest of Nine Mile Road, all lying in Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a Point of Reference, Commence at the Northwest corner of said Section 14; thence North 89°32'10" East along the North line of said Section 14 to its intersection with the Southwesterly right-of-way line of Interstate 95, State Road No. 9 (a 300 foot right-of-way as now established), a distance of 128.63 feet, said intersection being the POINT OF BEGINNING; thence South 27°32'59" East, along said Southwesterly right-of-way line, to its intersection with the Northwestery right-of-way line of Nine Mile Road, County Road S13A (a right-of-way of varying width), a distance of 701.62 feet; thence South 60°09'09" West along said Northwestery right-of-way line of Nine Mile Road a distance of 752.14 feet; thence South 62°26'19" West continuing along said right-of-way line a distance of 15.32 feet to the point of curve of a curve concave Southeasterly having a radius of 1185.11 feet and a central angle of 17°56'25"; thence Southwesterly continuing along said Northwestery right-of-way line and along the arc of said curve an arc distance of 371.08 feet, said arc being subtended by a chord bearing of South 53°28'07" West and a chord distance of 369.56 feet to the point of tangency of said curve; thence South 44°29'54" West continuing along said Northwestery right-of-way line a distance of 204.46 feet; thence South 45°30'06" East a distance of 17.00 feet; thence South 44°29'54" West continuing along said Northwestery right-of-way line a distance of 176.42 feet; thence North 45°30'06" West leaving said Northwestery right-of-way line, a distance of 143.00 feet; thence North 44°29'54" East a distance of 362.79 feet; thence North 41°20'46" East a distance of 224.57 feet to the beginning of a non-tangent curve concave Northwestery having a radius of 336.00 feet and a central angle of 35°44'59"; thence

Northeasterly along the arc of said curve an arc distance of 209.65 feet, said arc being subtended by a chord bearing of North 23°28'17" East and a chord distance of 206.26 feet to the end of said curve; thence North 05°35'47" East a distance of 1120.99 feet to the point of curve of a curve concave Southwesterly having a radius of 1051.92 feet and a central angle of 30°08'46"; thence Northwesterly along the arc of said curve an arc distance of 553.47 feet, said arc being subtended by a chord bearing of North 09°28'36" West and a chord distance of 547.10 feet to the point of tangency of said curve; thence North 24°32'59" West along a line to its intersection with the aforementioned Southwesterly right-of-way line of Interstate 95, State Road No. 9 a distance of 676.83 feet; thence South 27°32'59" East along said Southwesterly right-of-way line of Interstate 95 a distance of 1670.02 feet to the POINT OF BEGINNING.

Containing 19.65 acres, more or less

Parcel 101, Part "D"

A part of Lot 2 of the Antonio Huertas Grant, Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows:

For a Point of Reference, Commence at the Northwest corner of Section 14 of said Township and Range; thence North 89°32'10" East along the North line of said Section 14 to its intersection with the Southwesterly right-of-way line of Interstate 95, State Road No. 9 (a 300 foot right-of-way as now established), a distance of 128.63 feet; thence South 27°32'59" East along said Southwesterly right-of-way line to its intersection with the Northwesterly right-of-way line of Nine Mile Road, County Road S13A (a right-of-way of varying width) a distance of 701.62 feet; thence South 60°09'09" West along said Northwesterly right-of-way line of Nine Mile Road a distance of 752.14 feet; thence South 62°26'19" West continuing along said Northwesterly right-of-way line a distance of 15.32 feet to the point of curve of a curve concave Southeasterly having a radius of 1185.11 feet and a central angle of 17°56'25"; thence Southwesterly continuing along said Northwesterly right-of-way line, and along the arc of said curve an arc distance of 371.08 feet; said arc being subtended by a chord bearing of South 53°28'07" West and a chord distance of 369.56 feet to the point of tangency of said curve; thence South 44°29'54" West continuing along said Northwesterly right-of-way line a distance of 204.46 feet; thence South 45°30'06" East a distance of 17.00 feet; thence South 44°29'54" West continuing along said Northwesterly right-of-way line a distance of 176.42 feet to the POINT OF

BEGINNING; thence continue South 44°29'54" West along said
Northwesterly right-of-way line, a distance of 1003.52 feet;
thence North 31°14'07" East a distance of 623.28 feet; thence
North 44°29'54" East a distance of 396.87 feet; thence South
45°30'06" East a distance of 143.00 feet to the POINT OF
BEGINNING.

Containing 2.30 acres, more or less

Interchange Northwest containing 1434.93 acres, more or less

SJH36

EXHIBIT A

SIX MILE CREEK PARCEL

A portion of Sections 18, 19, 31 and 38, Township 6 South, Range 28 East and a portion of Sections 6, 38 and 41, Township 7 South, Range 28 East, and a portion of Sections 23, 24, 25 and 46, Township 6 South, Range 27 East, all lying in St. Johns County, Florida, being more particularly described as follows:

Commence at the intersection of the Westerly line of said Section 18, with the Southerly right of way line of State Road No. 16 (a 66.0 foot right of way as now established); thence North 63 degrees 25 minutes 15 seconds East, along said Southerly right of way line, 55.67 feet to the point of curvature of a curve to the right; thence continue along said Southerly right of way line along and around the arc of a curve concave Southerly and having a radius of 922.37 feet, an arc distance of 11.83 feet, said arc being subtended by a chord bearing and distance of North 63 degrees 46 minutes 47 seconds East, 11.83 feet to the POINT OF BEGINNING; thence South 02 degrees 35 minutes 54 seconds East, 2680.00 feet to the Southeast corner of those lands described and recorded in Official Records Book 492, page 812, of the public records of said county; thence South 87 degrees 24 minutes 06 seconds West, along the Southerly line of said lands, 1586.89 feet; thence North 65 degrees 14 minutes 26 seconds West, continuing along said Southerly line, 967.45 feet to the Easterly right of way line of State Road No. 13 (a 100.0 foot right of way as now established) said Easterly right of way line lying in a curve concave Westerly; thence Southwesterly along said Easterly right of way line and along and around the arc of said curve having a radius of 2342.01 feet, an arc distance of 721.77 feet, said arc being subtended by a chord bearing and distance of South 19 degrees 54 minutes 58 seconds West, 718.92 feet to a point on said curve; thence South 02 degrees 29 minutes 20 seconds East, 4147.93 feet to the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of said Section 25; thence South 88 degrees 34 minutes 00 seconds West, along the Northerly line of said Southeast 1/4 of the Northwest 1/4, 160 feet, more or less, to the Easterly waters of Six Mile Creek, thence Southeasterly along said waters, 3450 feet more or less, to the Northerly line of those lands described and recorded in Official Records Book 492, page 847, of the public records of said County; thence North 72 degrees 24 minutes 07 seconds East, along last said line, 2220 feet, more or less, to the Easterly line of said lands; thence South 28 degrees, 56 minutes 09 seconds East along last said line, 207.04 feet to the Southerly line of said lands; thence South 72 degrees 24 minutes 07 seconds West, along said

Southerly line, 2110 feet, more or less, to the aforesaid Easterly waters of Six Mile Creek, thence Southeasterly along said waters, 1150 feet, more or less, to the Northerly line of those lands described and recorded in Official Records Book 494, page 165, of the public records of said County; thence North 61 degrees 07 minutes 29 seconds East, along last said line, 1640 feet, more or less, to the Easterly line of said lands, thence South 28 degrees 56 minutes 09 seconds East, along last said line, 200.00 feet to the Southerly line of said lands; thence South 61 degrees 07 minutes 29 seconds West, along last said line, 1670 feet, more or less, to the aforesaid Easterly waters of Six Mile Creek; thence Southeasterly along said waters 1100 feet, more or less, to a line common to Section 46, Township 6 South, Range 27 East, and Section 38, Township 6 South, Range 28 East, St. Johns County, Florida; thence South 02 degrees 35 minutes 54 seconds East, along last said line, 110 feet, more or less, to the center line of aforesaid Six Mile Creek; thence Southerly along said center line of Six Mile Creek, 7950 feet, more or less, to a line common to Section 6 and Section 38 of Township 7 South, Range 28 East, St. Johns County, Florida; thence Easterly along a section line common to said Section 6 and Section 38, to the Easterly waters of aforesaid Six Mile Creek; thence Southeasterly along said Easterly waters, 5035 feet, more or less, to the Easterly line of said Section 38, Township 7 South, Range 28 East, St. Johns County, Florida; thence North 03 degrees 12 minutes 06 seconds West, along last said line, 1238 feet, more or less, to an angle point in said section line, thence North 03 degrees 18 minutes 26 seconds West along said Easterly section line and along the Easterly line of Section 6, Township 7 South, Range 28 East, St. Johns County, Florida, 3052.00 feet to a point on a line common to Sections 5, 6 and 41, Township 7 South, Range 28 East, St. Johns County, Florida; thence South 60 degrees 05 minutes 46 seconds East, along the line common to Section 5 and 41 of Township 7 South, Range 28 East, 1737.76 feet; thence continue along said line, South 71 degrees 16 minutes 57 seconds East, 4096.79 feet to the Westerly right of way line of State Road No. S-13A (a 100.0 foot right of way as now established); thence Northeasterly along said Westerly right of way line, 4210 feet, more or less, to the Southerly line of a 30.0 foot drainage right of way as described in Deed Book 182, page 133, of the public records of St. Johns County, Florida; thence Northwesterly along last said line, 1025 feet, more or less, to the Southerly line of Section 37, Township 6 South, Range 28 East, St. Johns County Florida; thence South 88 degrees 18 minutes 38 seconds West, along last said line, 1234 feet, more or less, to the Southwest corner of said Section 37; thence North 00 degrees 54 minutes 29 seconds West, along the Westerly line of said Section 37, 5063.0 feet, thence North 88 degrees, 28 minutes 14 seconds East, 702.28 feet to a point on the Westerly right of way line of State Road S-13A (Pacetti Road, a 100.0 foot right of way as now established); thence North 19 degrees 35 minutes 08 seconds East along said

Westerly right of way line, 250.48 feet; thence South 88 degrees 28 minutes 14 seconds West, 848.0 feet; thence South 77 degrees 22 minutes 58 seconds West, 1586.22 feet; thence North 40 degrees 04 minutes 50 seconds West, 110.35 feet thence North 84 degrees 17 minutes 57 seconds West, 250.02 feet; thence South 83 degrees 25 minutes 31 seconds West, 325.42 feet; thence North 79 degrees 06 minutes 42 seconds West, 585.44 feet; thence South 10 degrees 53 minutes 18 seconds West, 13.78 feet; thence North 78 degrees 30 minutes 32 seconds West, 2622.77 feet; thence North 28 degrees 41 minutes 32 seconds East, 951.47 feet; thence North 37 degrees 53 minutes 52 seconds West, 466.13 feet; thence North 46 degrees 02 minutes 53 seconds East, 245.00 feet; thence North 51 degrees 22 minutes 33 seconds East, 202.09 feet; thence North 40 degrees 04 minutes 41 seconds West, 594.4 feet; thence North 49 degrees 58 minutes 19 seconds East, 1302.78 feet; thence South 53 degrees 44 minutes 12 seconds East, 190.00 feet; thence South 32 degrees 27 minutes 37 seconds East, 511.83 feet; thence North 54 degrees 46 minutes 53 seconds East, 359.01 feet; thence North 46 degrees 25 minutes 13 seconds East, 1060.54 feet; thence North 32 degrees 26 minutes 08 seconds East, 553.53 feet; thence South 38 degrees 15 minutes 05 seconds East, 1317.63 feet; thence North 73 degrees 16 minutes 23 seconds East, 265.00 feet; thence North 79 degrees 01 minute 51 seconds East, 1074.93 feet; thence North 85 degrees 08 minutes 13 seconds East, 581.92 feet; thence North 54 degrees 42 minutes 58 seconds East, 179.26 feet; thence South 74 degrees 23 minutes 52 seconds East, 1539.58 feet to the Westerly right of way line of State Road S-13A (Pacetti Road, a 100.0 foot right of way as now established); thence North 19 degrees 35 minutes 08 seconds East, along said Westerly right of way line, 2235.08 feet to the Southerly line of the North 1/2 of the Northeast 1/4 of Section 38, Township 6 South, Range 28 East, St. Johns County, Florida; thence North 72 degrees 21 minutes 19 seconds West along last said line, 2613.11 feet to the Southwest corner of the said North 1/2 of the Northeast 1/4; thence North 61 degrees 20 minutes 58 seconds West, 339.77 feet; thence South 24 degrees 01 minutes 13 seconds West, 160.99 feet; thence South 38 degrees 42 minutes 38 seconds West, 1063.03 feet; thence South 68 degrees 59 minutes 38 seconds West, 350.00 feet; thence North 50 degrees 29 minutes 38 seconds West, 2806.24 feet; thence North 33 degrees 54 minutes 24 seconds East, 2706.72 feet; thence North 70 degrees 30 minutes 54 seconds West, 679.17 feet; thence North 26 degrees 43 minutes 23 seconds East, 285.18 feet; thence North 70 degrees 30 minutes 54 seconds West, 626.57 feet; thence South 21 degrees 29 minutes 13 seconds West, 655.91 feet to the Northerly line of the South 1/2 of the Southwest 1/4 of the Southeast 1/4 of said Section 38; thence North 72 degrees 26 minutes 25 seconds West, along last said line and along the Northerly line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 38, 2242.24 feet to the Southerly right of way line of State Road No. 16 (a 66.0 foot right of way as now established); thence South 70 degrees 39 minutes 33

seconds West, along said Southerly right of way line, 312.6 feet to the point of curvature of a curve to the right; thence continue along said Southerly right of way line and around the arc of a curve concave Northerly and having a radius of 988.37 feet, an arc distance of 378.36 feet, said arc being subtended by a chord bearing and distance of South 81 degrees 57 minutes 33 seconds West, 376.05 feet to the point of tangency of said curve, said point of tangency being the Northeast corner of those lands described and recorded in Official Records Book 492, page 826, of the current public records of said county; thence South 02 degrees 55 minutes 33 seconds West, along the Easterly line of said lands, 943.94 feet; thence continue along the Easterly line of said lands, South 20 degrees 15 minutes 25 seconds West, 1916.53 feet to the Southerly line of said lands; thence North 31 degrees 54 minutes 57 seconds West, along said Southerly line, 506.42 feet to the Westerly line of said lands; thence North 20 degrees 15 minutes 25 seconds East, along last said line 1700.01 feet; thence North 02 degrees 55 minutes 33 seconds East along said Westerly line, 735.00 feet to the aforesaid Southerly right of way line of State Road No. 16; thence North 87 degrees 04 minutes 27 seconds West, along said Southerly right of way line, 695.77 feet to the point of curvature of a curve to the left; thence continue along said Southerly right of way line and along and around the arc of a curve concave Southerly and having a radius of 1399.69 feet, an arc distance of 238.80 feet, said arc being subtended by a chord bearing and distance of South 88 degrees 02 minutes 18 seconds West, 238.51 feet to the point of tangency of said curve; thence South 83 degrees 09 minutes 03 seconds West, along said Southerly right of way, a distance of 155.68 feet to the Easterly line of those lands described and recorded in Official Records Book 845, page 1081, of the public records of said County, thence South 02 degrees 35 minutes 54 seconds East along said Easterly line a distance of 466.09 feet to the Southerly line of said lands; thence South 83 degrees 09 minutes 03 seconds West along the Southerly line of said lands, 300.00 feet to a point on the Easterly line of those lands described and recorded in Official Records Book 516, page 74, of the public records of said County; thence South 02 degrees 35 minutes 54 seconds East, along said Easterly line a distance of 764.91 feet; thence South 87 degrees 24 minutes 06 seconds West, 1372.21 feet; thence North 02 degrees 35 minutes 54 seconds West, 1127.97 feet to the aforesaid Southerly right of way line of State Road No. 16, said Southerly right of way line lying in a curve leading Southwesterly; thence along said Southerly right of way line and along and around the arc of a curve concave Southerly and having a radius of 922.37 feet, an arc distance of 224.52 feet, said arc being subtended by a chord bearing and distance of South 71 degrees 07 minutes 45 seconds West, 223.97 feet to the POINT OF BEGINNING.

Six Mile Creek Parcel containing 3897.57 acres, more or less

SJH38(1-4)

TURNBULL CREEK PARCEL

A part of Government Lots 15, 16 and 17, Section 38, Township 6 South, Range 28 East and that part of Government Lot 17, lying in Section 41, Township 7 South, Range 27 East, all lying in St. Johns County, Florida, being more particularly described as follows:

Begin at the Westerly line of Government Lot 17, Section 38, Township 6 South, Range 28 East and the Northerly line of Scaff Road (County maintained); thence South 76 degrees 33 minutes 35 seconds East, along the Northerly line of Scaff Road, 4608.66 feet to its intersection with the Northeasterly line of said Government Lot 17, Section 41, Township 7 South, Range 28 East; thence North 72 degrees 15 minutes, 59 seconds West 1942.6 feet to a point on said Northeasterly line of Government Lot 17, Section 38, Township 6 South, Range 28 East; thence North 19 degrees 01 minute 28 seconds East, 1344.79 feet; thence South 72 degrees 19 minutes 24 seconds East, 988.52 feet; thence North 18 degrees 47 minutes 30 seconds East, 4037.03 feet to the Northeasterly line of Government Lot 16; thence North 72 degrees 29 minutes 39 seconds West, along the Northeasterly line of Government Lots 15 and 16, 4654.07 feet to the Easterly line of Section 37, Township 6 South, Range 28 East; thence South 00 degrees 58 minutes 50 seconds East, along said Easterly line of Section 37, 5072.54 feet to the Southwest corner of said Section 37; thence South 88 degrees 18 minutes 30 seconds West, along the South line of said Section 37, 1680.68 feet to its intersection with the Southwesterly line of Government Lot 15; thence South 72 degrees 15 minutes 59 seconds East, along the Southwesterly line of said Government Lot 15, 874.26 feet to the Northwesterly corner of the aforementioned Government Lot 17; thence South 19 degrees 15 minutes 32 seconds West, along the Westerly line of said Government Lot 17, 345.11 feet to the POINT OF BEGINNING.

Containing 455 acres, more or less

SJH38(5)

**EXHIBIT B
TO
SAINT JOHNS DRI/DO**

**ADA AND APPLICANT RESPONSES TO
REQUESTS FOR ADDITIONAL INFORMATION**

This Exhibit consists of the following documents which have been transmitted to the Department of Community Affairs and the Northeast Florida Regional Planning Council and which are on file with the Clerk of the Circuit Court for St. Johns County, Florida:

1. Application for Development Approval Report - Saint Johns submitted October 16, 1990 (identified as Exhibit B - Document #1).
2. Application for Development Approval Report - Saint Johns - Appendices submitted October 16, 1990 and containing Appendices A through G (identified as Exhibit B - Document #2).
3. Saint Johns Development Opportunities - Appendix submitted October 16, 1990 (identified as Exhibit B - Document #3).
4. Application for Development Approval Report - Saint Johns - Appendix I Question 31 submitted October 16, 1990 (identified as Exhibit B - Document 4). NOTE: Documents 1 through 4 constitute the "ADA".
5. Response to Request For Additional Information - Saint Johns submitted January 30, 1991 which includes Appendix J in the response under question 32 (identified as Exhibit B - Document #5).
6. Response to 2nd Request For Additional Information submitted March 18, 1991 (identified as Exhibit B - Document #6).

SJH124

Draft #2-7/30/91

**EXHIBIT C
TO
SAINT JOHNS DRI/DO**

CONDITIONS OF DO APPROVAL

I. General Conditions

A. The ADA, Response to Request for Additional Information submitted January 30, 1991 and Response to Second Request for Additional Information submitted March 18, 1991, attached as Exhibit B, and the Developer Commitments attached as Exhibit D, shall be made a part of the Development Order.

B. Any subsequent owner/developer or assignee shall be subject to the provisions contained in the SJ/DO issued by St. Johns County, including, but not limited to, provisions concerning the conveyance of land to St. Johns County.

C. The Development shall be subject to further review in the event significant development has not commenced within three years of the effective date of the SJ/DO. The three year time period shall be tolled during any period of time that the applicant is prevented from commencing significant physical development due to state or federal licensure or judicial delays beyond the control of the applicant. (For purposes of this condition, significant physical development includes land preparation, streets, and infrastructure, as defined in Section 380.06, Florida Statutes but does not include the interchange at I-95 and Nine Mile Road.)

D. The Director of Planning For St. Johns County shall be responsible for monitoring the development for compliance with the Development Order.

E. The deadline for commencing physical development shall be August 27, 1994 and the termination date shall be August 27, 2015, unless sooner terminated pursuant to the terms of this DO or by law.

F. St. Johns County agrees that the Saint Johns DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction prior to August 27, 2015, unless it is demonstrated that substantial changes in the conditions underlying the approval of the Development Order have occurred, or the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by St. Johns County to be essential to the public health, safety, or welfare.

G. The Developer shall be eligible to receive credit towards any present and/or future impact fees that may be adopted by St. Johns County for any contribution of land or money made by the Developer for public facilities pursuant to the guidelines stipulated in Section 380.06(16), Florida Statutes and St. Johns County Impact Fee Ordinances 87-57, 87-58, 87-59 and 87-60. Impact fee credit shall not be allowed for expenditures made by the Developer in connection with acquisition of right of way or construction of improvements for the interchange at I-95 and Nine Mile Road within the right of way to be dedicated to FDOT (which includes a part of Nine Mile Road) unless St. Johns County uses impact fees for improvements to I-95.

H. Excluding the development approved under the St. Johns Harbour Incremental Development Order issued by St. Johns County May 27, 1986 (the "IDO"); 2,910 dwelling units and 71,500 square feet of retail commercial, 120,000 square feet of office, 55,000

square feet of industrial warehouse, and 60,000 square feet of manufacturing development, the development shall be required to meet the Level of Service Standards in the adopted St. Johns County Comprehensive Plan as provided in General Condition K on page 2 of 14 of Exhibit C with the exception of impacts to I-95.

I. An annual monitoring report shall be prepared by the Applicant or subsequent developer(s) in accordance with Section 380.06, Florida Statutes, and submitted to the NEFRPC, Department of Community Affairs, St. Johns County, and all reviewing agencies no later than January 15 of each year until buildout, commencing January 15, 1992. The annual report shall include the items described on Exhibit E of the SJ/DO.

J. Each annual report shall be accompanied by a statement certifying that the NEFRPC, Department of Community Affairs, St. Johns County, Florida Department of Environmental Regulation, Florida Department of Transportation and the St. Johns River Water Management District have been sent copies of the annual monitoring report in conformance with Subsections 380.06(15) and (18), Florida Statutes. It is the responsibility of the Applicant to guarantee that all appropriate agencies receive a copy of the annual reports.

K. All building code, zoning ordinance and other land use and development regulations of St. Johns County including Level of Service Standards for public facilities,, as may be amended from time to time, shall be applicable to the Development, except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan or resolution. Modification to approved development plans by variance or special exception shall be prohibited. Nothing in this section shall, however, be deemed to: (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in the Florida Statutes including Section 163.3167(8) of the Florida Statutes or in any such future building code, zoning ordinance, other land use and development regulations or provisions establishing Level of Service Standards for public facilities; (b) supersede any concurrency exemption determination made by the Concurrency Review Committee or the Board; or (c) constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance, other land use and development regulations or provisions establishing Level of Service Standards for public facilities as applied to this project under the Florida or United States Constitutions.

L. Any change to the Development which constitutes a substantial deviation pursuant to Section 380.06(19), Florida Statutes shall cause the Development to be subject to further development of regional impact review.

SJH118
Draft #5-8/21/91

II. Specific Conditions

A. Development of the Saint Johns DRI shall not exceed the following for any individual phase or cumulatively for the entire project:

Phase 1 (1991-1995)

Residential	944 D.U.
Office	183,000 sf
Retail/Commercial	80,000 sf
Industrial/Warehouse	450,000 sf
Golf	18 holes

Phase 2 (1996-2000)

Residential	1,427 D.U.
Office	489,000 sf
Retail/Commercial	171,000 sf
Industrial/Warehouse	749,000 sf
Golf	18 holes

Phase 3 (2001-2005)

Residential	1,766 D.U.
Office	648,000 sf
Retail/Commercial	269,500 sf
Industrial/Warehouse	625,000 sf
Golf	18 holes

Phase 4 (2006-2010)

Residential	1,892 D.U.
Office	638,000 sf
Retail/Commercial	102,000 sf
Industrial/Warehouse	670,000 sf
Golf	N/A

Phase 5 (2011-2015)

Residential	1,171 D.U.
Office	610,000 sf
Retail/Commercial	90,500 sf
Industrial/Warehouse	670,000 sf
Golf	N/A

No building permits for any phase of development, beyond that approved under the IDO (as described in Section H of the General Conditions), shall be issued until 50 percent of the projected non-residential development and 50 percent of the residential development of the previous phase has been permitted and constructed.

B. Prior to the initiation of any activities associated with the capture, extraction, and/or control of subsurface oil, natural gas, or fugitive hydrocarbons on the Saint Johns site, the applicant shall provide detailed information on such proposed activities to the Northeast Florida Regional Planning Council, Department of Community Affairs, St. Johns County Planning Department, and all other reviewing agencies for approval. The applicant shall be required to meet all conditions recommended by the reviewing agencies for such activities. Failure to meet this condition shall constitute a substantial deviation, and the project will be subject to further review.

C. Prior to application for any construction permits within the 100 year floodplain, the applicant shall determine, through engineering studies to be approved by St. Johns County, the base flood elevation of the site. This data will include the site specific base flood elevation and the local and area wide effect of elevating the site for construction. This data will be submitted to the Regional Planning Council for review. No development within the 100 year floodplain shall receive a construction permit until the data has been submitted and approved by St. Johns County.

Floor level construction within the 100 year floodplains shall be at an elevation consistent with the requirements of St. Johns County Flood Plain Ordinance and Drainage Ordinance, Ordinance 86-4.

D. The site selected for the area to be used as a solid waste transfer station shall be outside of the 100 year floodplain. For the purposes of this condition, the physical site of the transfer station must be outside of the 100 year floodplain. The site shall be identified and submitted to the County, Department of Environmental Regulation, and the Regional Planning Council with approval by the County.

E. Prior to any development activities within the boundaries of Parcels 143 and 145 within the Six Mile Creek Parcel identified on Map H-1 of the ADA, the applicant shall set aside adequate habitat and acreage to offset the impact to the gopher tortoise and associated commensal species found on the project site. The applicant shall have the option addressing these impacts on site or offsite.

On Site Option

The applicant shall set aside 25 acres of Xeric oak in parcels 143 and/or 145 of the Six Mile Creek Parcel (Map H-1), where gopher tortoise burrows presently exist. The exact boundaries for the habitat on site shall be approved by the FGFWFC. The on site option will also require the applicant to develop and implement a management program for the acreage set aside, which will guarantee the long term viability of the habitat and species population. The management program shall be reviewed by NEFRPC and DCA, and reviewed and approved by FGFWFC. The areas set aside for habitat protection and the approved management program shall be incorporated into the Saint Johns development order prior to any development activities within these parcels.

Off Site Option

The applicant shall provide funds for the purchase of 40 acres of gopher tortoise habitat within the Northeast Florida Mitigation Land Bank. The funds shall be submitted to the Trust for Public Lands to be deposited in the Northeast Wildlife Mitigation Trust Fund, at least 30 days prior to issuance of any final development plan for Parcels 143 and 145. The fund amount shall be based on the per acre cost for participation in the offsite mitigation program at the time the funds are paid. If no offsite mitigation program exists at that time, onsite mitigation will be the only option for mitigation.

F. Buffer areas of native upland vegetation shall be retained between all golf course areas and adjacent preserved wetlands on the Six Mile Creek Parcel. These buffer areas will average 50 feet with a minimum of 25 feet in width measured landward from the SJRWMD jurisdictional line to the edge of the maintained area of the golf courses. The use of herbicides, pesticides, fungicides, nematicides, and insecticides, as well

as vegetative removal will be prohibited in these buffer areas. These areas may be used for road crossings and golf cart crossings as identified on Map H-1 of the ADA. At the time the golf course areas are submitted to the SJRWMD for MSSW Individual Permit review, the applicant will provide the NEFRPC with copies of the plans for review for compliance with this condition of the D.O.

As committed by the applicant, upland buffers of 50' will be placed around 90% of FDER jurisdictional wetlands and a minimum of 25' upland buffers will be placed around all preserved wetlands except where development encroaches on the wetland. The applicant will identify and provide to the NEFRPC those areas where development encroaches on wetlands when those areas are platted or submitted to the SJRWMD for MSSW Individual Permit review.

All buffer areas, as well as the adjacent wetlands, shall be regarded as preservation with no development activities, vegetative removal, or application of herbicides, pesticides, etc. allowed.

G. The status of the preserved wetlands shall be monitored through the submittal of aerial photographs every three years through buildout of the project, as the applicant has committed. The aerial photos will be flown during the same time period of the year, during the winter months. Copies of the aerial photos will be submitted to SJRWMD, FDER, FGFWFC, SJC and the NEFRPC. If the reviewing agencies have concerns with the quality or quantity of the preserved wetlands, ground truthing and site visit shall be undertaken in coordination with the applicant. Copies of dredge and fill and stormwater permits shall be submitted to FDER, NEFRPC and St. Johns County.

If site development has caused degradation to wetland quality and/or quantity beyond that permitted, then the applicant shall take positive actions to correct or mitigate the degradation. Corrective measures shall be approved by SJRWMD, FDER and NEFRPC. Any corrective actions or mitigation shall be accomplished consistent with other conditions of the development order and applicable regulatory programs. Failure to timely undertake corrective actions (within one year from identification of problem) shall constitute a substantial deviation of the development order.

H. To reduce erosion, all swales, detention slopes and drainage ways constructed by the applicant shall be vegetated, sodded or seeded. Only those areas needed for development will be cleared. Vegetative cover will be restored immediately after construction on all disturbed areas not covered with an impervious surface, and maintained. If needed to prevent dust, a water sprinkling program will be instituted.

Sedimentation of wetlands shall be prevented through adherence to the erosion and sediment control plan submitted as part of the stormwater permit.

I. Archaeological Site 8SJ2533 and Historic Site 8SJ2536, as identified in the August 13, 1990 Saint Johns Archaeological/Historical Survey and Site Assessment, shall be preserved in perpetuity, unless otherwise stipulated by the Florida Division of Historical Resources (FDHR), as the applicant has committed. The applicant shall immediately consult FDHR to determine sufficient acreage to be set aside in passive park/open space status to preserve Site 8SJ2533 and Site 8SJ2536, and the sites shall be protected from construction activities at all times. Preservation in-place shall be recorded in a deed restriction or easement, and copies of such restrictions or easements shall be forwarded to the FDHR. The acreage to be set aside to buffer Site 8SJ2533 and Site 8SJ2536

Exhibit C

shall be identified on the Master Plan incorporated into the Saint Johns amended Development Order.

J. All project construction personnel shall be notified, through posted advisories or other methods, of the potential for historical and/or archaeological resources on the project site and shall immediately report suspected findings to the project manager. If any historical and/or archaeological resources are discovered on the Saint Johns site during the development process, the applicant shall immediately notify the Florida Division of Historical Resources, the Northeast Florida Regional Planning Council, and the St. Johns County Planning Department. No disruption of the findings shall be permitted, and no development as defined under Section 380.04, Florida Statutes, shall occur within a minimum 100-foot radius of the site(s) until such time as the Division of Historical Resources has surveyed the findings and determined significance and appropriate measures to mitigate any potential adverse impacts to the resources. The applicant and any subsequent owner/developer or assignee shall be subject to all conditions determined by the Florida Division of Historical Resources and the Northeast Florida Regional Planning Council.

K. Development of Saint Johns shall occur concurrent with the provision of adequate central wastewater treatment service by a permitted regional wastewater treatment facility. The Saint Johns project shall meet the adopted sewage LOS in the St. Johns County Comprehensive Plan 1990-2005 as provided in General Condition K on page 2 of 14 of Exhibit C. Septic tanks shall not be allowed to occur on the Saint Johns site with the exception of halfway houses on the golf course which may temporarily use septic tanks until central sewer is available.

L. Prior to any construction as defined in Section 380.04, Florida Statutes, in the industrial parcels on the site, all industrial tenants of Saint Johns shall be required to coordinate with the central wastewater treatment utility to determine wastewater pretreatment requirements for each industry, as the applicant has committed. The generation of hazardous wastewater shall be prohibited unless adequate facilities are constructed and used for hazardous effluent storage (temporary and/or permanent), treatment and/or removal, and appropriate sludge disposal methods are used in accordance with the rules and policies of the U.S. Environmental Protection Agency (USEPA), Florida Department of Environmental Regulation (FDER) and the St. Johns County Department of Public Works. Hazardous effluent shall be separated from the remainder of the development's wastewater and handled by the approved facilities, in accordance with USEPA and FDER criteria.

M. Measures which will significantly decrease the travel time of contaminants from the golf course into the ground water shall be minimized.

N. The Surface Water Monitoring Program, attached as Exhibit F to the SJ/DO is hereby incorporated by reference. The Surface Water Monitoring Program should include tests for any pesticides and herbicides applied to the golf course. Pesticides and herbicides which cannot be analyzed in the laboratory will be prohibited from application to the golf course in this project.

Those stormwater retention/detention ponds which discharge into Waters of the State or directly into the preserved wetland areas shall be included in the surface water monitoring program. This will help prevent excess pollution and nutrient loads from being discharged into wetlands and Waters of the State. At the time of permitting of the stormwater management system, the ponds which will discharge into wetlands and Waters of the State will be identified and submitted to FDER and NEFRPC.

If the monitoring program indicated violations of the State of Florida Water Quality Standards, in the receiving waters of the State, the applicant shall take actions to meet State standards within a reasonable timeframe. The actions required to address the identified exceedence and the timeframe for implementation of the action shall be agreed upon by NEFRPC, FDER, and SJRWMD. Failure to implement the agreed upon action in the timeframe identified will be a violation of this condition.

O. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf courses the applicant, successors, or assigns shall implement an integrated pesticide management program and a nutrient management program. The applicant shall receive approval of a Integrated Pesticide Management Plan from the SJRWMD prior to application of any pesticides to any golf course area on the project site. The Plan will be submitted for comments to the FDER, St. Johns County, and the NEFRPC. The Plan will specify, at a minimum, the usage of non-chemical or cultural means as a defense against pests. These non-chemical measures should include practices such as the planting and maintenance of native vegetation, the proper selection and application of fertilizer, proper supplemental watering, and proper maintenance practices including mowing frequency, mowing height, etc.

The Plan must also include the following information:

Insecticides, nematicides, fungicides or herbicides to be used;

Method(s) of application;

Time frames for use and application; and

For the pesticides that will be used, specification of:

Half-lives

N-Octanol/water partition coefficient (Kow)

Lethal dose coefficient (LD50)

Solubility

Any pesticides utilized on the golf courses within the St. Johns project shall exhibit short half life (<10 weeks), a low n-octanol/water coefficient (<5.0), and be suitable for use with local soils and groundwater pH conditions. Only EPA and State approved pesticides can be used.

The applicant, his successors or assigns shall adhere to the fertilizer recommendations set forth in the Manual For Commercial Turf Grass Management by the University of Florida compiled by the Florida Turf Grass Association, or any future manual accepted by the reviewing agencies which may succeed this manual. The nutrient loading attributable to the application of effluent shall be considered a source of fertilizer for the golf courses and additional non-effluent fertilizer sources shall be utilized only as a supplement.

P. Roadway designs in and adjacent to preserved wetland areas will provide for the capture and diversion of stormwater runoff from the roadway surface in wetland areas upland stormwater retention/detention for treatment prior to discharge to receiving water bodies or into preserved wetlands.

Q. Development activities within the Saint Johns project shall not adversely impact the hydroperiod of any wetlands identified for preservation (environmental preserve) on Map H-1 of the ADA. The minimum distance between each stormwater retention/detention pond and adjacent preserved wetlands or

Exhibit C

other mitigative measure to maintain the hydroperiod of preserved wetlands shall be determined by the St. Johns River Water Management District.

R. Wet stormwater management detention ponds shall be constructed and maintained to provide a vegetated littoral zone with side slopes less steep than four foot:one foot (horizontal:vertical) out to a depth of three feet below normal water surface, at a minimum, and shall be planted with appropriate native vegetation. Littoral zones shall be concentrated around the outfall structure of each detention pond. The percentage of stormwater management pond area which shall be used to calculate the size and extent of littoral zones shall be as approved by the St. Johns River Water Management District.

S. Development of Saint Johns shall occur concurrent with a contiguous, functioning, permitted stormwater management system. The Saint Johns project shall meet the adopted drainage LOS in the St. Johns County Comprehensive Plan 1990-2005 as provided in General Condition K on page 2 of 14.

T. Treated wastewater effluent shall be the primary source of non-potable water for Saint Johns, in accordance with the rules and policies of the St. Johns River Water Management District and the Florida Department of Environmental Regulation, as the applicant has committed. Stormwater management ponds shall be the secondary source of non-potable water for this project, with wells as a tertiary source only. During the interim period when reclaimed water and storm water ponds are not adequate to provide the needed water for the grow in period of the first golf course of the Six Mile Creek Parcel and the Interchange Parcel, ground water may be utilized to supplement the reclaimed water and water from storm water ponds in the initial grow in period of two of the golf courses, if permitted by SJRWMD. The applicant shall provide information in the annual monitoring report on the volume of wastewater treated at each wastewater treatment plant, the volume of reclaimed water used for non-potable purposes, and the total volume of water required for irrigation of the golf courses. Once adequate reclaimed water is available to support the irrigation needs of the first golf course in each Parcel, neither the Floridan aquifer, the surficial aquifer, nor public potable supply system water shall be used for irrigation purposes on Saint Johns, with the exception of residential irrigation and those areas where it can be demonstrated to the SJRWMD that effluent and/or stormwater would not be practical. This is not applicable to the golf course areas.

U. The applicant shall coordinate permit application submittals for the wastewater treatment plants and the ground water wellfields/treatment plants in order to ensure a functioning wastewater reuse system on Saint Johns. At the time of permit application submittal, the Applicant shall provide the Master Development Plan included in the Saint Johns Application for Substantial Deviation to the individuals reviewing the permit applications at the St. Johns River Water Management District and the Department of Environmental Regulation, clearly delineating the golf courses and onsite wastewater treatment plans.

V. Within sixty days of issuance of the Saint Johns amended Development Order, the applicant shall review the St. Johns River Water Management District (SJRWMD) records for all recorded ground water wells on the Saint Johns property and shall survey the property for existing wells. The applicant shall immediately report the location, and diameter of the existing ground water well(s) on the Saint Johns site to the SJRWMD for their records. All other existing ground water wells and all wells discovered during the development process shall be reported immediately to the SJRWMD. Prior to any construction

activities on the Saint Johns site, all wells shall be adequately identified and protected from construction activities by such means as notifying the construction contractor of the well locations, identifying the well locations on the construction plans, and fencing the wells. As the applicant has committed, a ground water well plugging program shall be developed for the site, in coordination with the SJRWMD, and all wells which are not currently in use shall be properly plugged and abandoned by a SJRWMD licensed water well contractor and registered driller. The water well plugging program shall include a schedule for plugging of abandoned wells. Any wells discovered during development, as well as those wells currently in use, shall be properly plugged and abandoned by a SJRWMD licensed water well contractor and registered driller prior to any construction activity in each respective parcel of the site, unless otherwise stipulated by the SJRWMD. The applicant shall be responsible for all ground water wells which are discovered before and during development of this property.

W. The applicant shall ensure compatible land uses in the vicinity of all ground water wells by providing a well field protection zone of 200-foot radius around each well within which all sanitary hazard sources (including but not limited to all sewage disposal, stormwater retention/detention ponds, drain lines, storm sewers) and all discharges of hazardous substances shall be prohibited, unless otherwise stipulated by the St. Johns River Water Management District. All wells shall be clearly identified and protected during all phases of construction to avoid any damage to the wells.

X. Prior to any development activities, as defined under Section 380.04, Florida Statutes, beyond that development approved in the IDO, the applicant shall submit to the NEFRPC the existing Consumptive Use Permit for the project to verify the availability of adequate quantity and quality of ground water from both the surficial and Floridan aquifers to support the development of the project. If the information provided indicates that an adequate quantity and/or quality of ground water is not available to meet the demands of the project through buildout, any development beyond that which the test indicates can be supported shall constitute a substantial deviation. Any modifications to the Consumptive Use Permit shall be submitted to the NEFRPC at the same time as submittal to the SJRWMD.

The applicant shall meet the adopted LOS for potable water as stipulated in the St. Johns County Comprehensive Plan 1990-2005 as provided in General Condition K on page 2 of 14 of Exhibit C.

Y. Water conservation measures shall be incorporated in all development at Saint Johns. These measures may include the use of water-saving plumbing devices, the use of wastewater reuse, drought resistant native vegetation for landscaping, the promotion of xeriscape landscaping, limited irrigation periods, and all requirements of Chapter 553.14, Florida Statutes.

Z. Prior to each of the subsequent phases of the St. Johns DRI, the developer, its successors or assigns shall present documentation from FPL or some other electricity supplier that there is sufficient capacity to provide electrical service to the project. If there is not sufficient capacity to service this project through buildout of the particular phase, a substantial deviation will be deemed to have occurred.

AA. The applicant will dedicate to the St. Johns School Board adequate acreage, as determined by the school board, for an elementary school within the Six Mile Creek Parcel of the project. The applicant will also dedicate adequate acreage for the construction of a high school and middle school within the project. The location of the acreage shall be within Parcels 74

and 136 of the Six Mile Creek Parcel and approved by the St. Johns County School Board prior to the dedication of all school sites to the School Board. The dedications shall take place upon request by the School Board.

The applicant shall assure that the school sites will access and be served by a permitted drainage system by the time the schools are operational. The applicant, its successors or assigns will guarantee access to the school sites from the road system by the time the school is operational.

BB. The applicant shall dedicate 3.5 acres in parcel 69 which is directly accessible to local roadways specifically for use by the Public Safety Department as either a police or rescue or combination site, and 2 acres in parcel 70 for fire, to St. Johns County. The timing of the dedication shall be when requested by the Public Safety Department. The acreage shall be agreed upon by the Public Safety Department prior to the dedication.

CC. If the Level of Service (LOS) identified in the St. Johns County Comprehensive Plan 1990-2005 as provided in General condition K on page 2 of 14 of Exhibit C for solid waste is not met, then no new permits for development shall be issued for this DRI until such time as the LOS can be met.

The applicant shall develop a solid waste recycling program for the St. Johns project. The program and implementation of the program shall be reviewed for comments by FDER and NEFRPC, and reviewed and approved by the St. Johns County Director of Utilities. Verification of an agreed upon recycling program with timing for implementation shall be provided to NEFRPC from the Director of Utilities within 30 days of issuance of the amended development order for the St. Johns project.

DD. 1. No building permit shall be issued within Saint Johns for any use which has as its primary purpose the generation or processing for disposal of significant quantities of hazardous materials on site.

2. No onsite disposal of hazardous wastes shall occur within Saint Johns. All disposal must be done by properly permitted waste disposal companies.

3. No hazardous materials shall be disposed of within the sewage treatment system serving Saint Johns. All potentially disruptive materials to be disposed of in the wastewater treatment system must have handwritten approval of the system operator and be adequately pre-treated prior to introduction into the system.

4. All final development plans approved by St. Johns County within the industrial areas of Saint Johns shall contain the following elements:

a. A provision requiring any developer applying for a building permit for any use which will generate or dispose of hazardous materials in amounts that exceed state and federal small quantity generator upper limits to submit to St. Johns County prior to issuance of the building permit a detailed management plan that specifies handling, shipping, storage, disposal, spill, reporting and regulatory compliance procedures.

b. A provision requiring that all structures where hazardous materials are to be stored, transferred, manufactured or used in significant

Exhibit C

quantities must be properly designed to contain any spills or releases without loss to soils, ground water, adjoining property, wastewater or stormwater treatment system or surface waters.

c. A requirement to comply with the terms of any applicable area wide hazardous waste and hazardous management for hazardous materials management plan developed by St. Johns County.

EE. All assumptions for trip distribution and assignment assumed completion of the interchange at I-95/Nine Mile Road. Until such time as the construction phase of the interchange is included in the first three years of the FDOT Five-Year Work Program, or construction of the interchange has commenced, the applicant shall be responsible for annually monitoring the level of service at each segment for the following roadways:

- (a) S.R. 16 from McGuire Road to C.R. 208
- (b) Nine Mile Road from I-95 to U.S. 1
- (c) U.S. 1 from Nine Mile Road to the segment north of C.R. 210
- (d) C.R. 210 from McGuire Road to U.S. 1, including the interchange with I-95
- (e) McGuire Road from C.R. 16A to C.R. 210

Updated monitoring information will be submitted to FDOT, DCA, St. Johns County and NEFRPC which details conditions for the upcoming year, including background traffic volumes, project trips for existing and approved development anticipated for the study year, and the level of service at which each of the above facilities will be operating.

No permits for Saint Johns DRI will be issued until such time as the construction phase of the interchange is included in the first three years of the FDOT Five-Year Work Program, or construction of the interchange has commenced.

It shall be a substantial deviation which requires further development of regional impact review and approval if at the completion of year two of Phase I development or 708 dwelling units the Applicant has not:

1. Obtained approval from the Federal Highway Administration (FHWA) to construct the Nine Mile/I-95 Interchange.
2. Escrowed the necessary funds or filed an acceptable letter of credit with the appropriate governmental entity to construct the Nine Mile Road/I-95 Interchange and the relocation of Francis Road; and
3. Acquired or optioned the needed right-of-way to construct the Nine Mile Road/I-95 Interchange and relocate the existing Francis Road located in the Southwest Quadrant of the proposed Interchange site.

If the above requirements have not been fully satisfied within the established time period, the Applicant may request the RPC and St. Johns County to extend the time limit for a period not to exceed 12 months. The Applicant must demonstrate that a concerted effort has been to comply with the above requirements.

FF. No permits for subsequent phases of the Saint Johns DRI shall be issued until the following projects are completed, under construction, or incorporated in the first three years of the appropriate work program and there is a dedicated source of

funding for the needed improvements, or the applicant can demonstrate to the satisfaction of FDOT, NEFRPC, St. Johns County and DCA that the roadway will be operating at LOS C through the end of the phase for which permits are requested. All improvements are contingent upon the construction of the I-95/Nine Mile Road interchange.

Phase I

(a) Four-laning of Nine Mile Road from the middle entrance of the Interchange Northwest Parcel to I-95. Interchange construction at I-95/Nine Mile Road shall include the four-laning of Nine Mile Road from the Interchange Northeast/Interchange Southeast entrance to I-95.

(b) Signalization of Nine Mile Road/I-95 ramps intersections when warranted.

(c) Signalization of Nine Mile Road/Interchange Northeast Parcel access and Nine Mile Road/Interchange Northwest Parcel access when warranted.

Phase II

(a) Four-laning of SR 16 from CR 16A to Nine Mile Road.

(b) Four-laning of Nine Mile Road from Interchange Northwest Parcel entrance to SR 16.

(c) Improvements at Nine Mile Road/SR 16 intersection, including SB left and right turn lanes on Nine Mile Road, and WB right turn lane on SR 16. Signalization when warranted.

(d) Signalization of Nine Mile Road/US 1 intersection when warranted.

(e) Signalization of SR 16/CR 16A intersection when warranted.

(f) Signalization at Interchange Northwest/Nine Mile Road southern access points when warranted.

(g) Signalization at SR 16/Six Mile Creek parcel entrance when warranted.

Phase III

(a) Improvement of Nine Mile Road to a two-lane arterial to include turn lanes at major intersections and shoulder improvements from four-lane section at the Interchange Northeast Parcel entrance to US 1, as approved by the St. Johns County Engineer.

(b) Improvement of Pacetti Road from SR 16 to CR 208 to a two-lane arterial, to include turn lanes at major intersections, shoulder improvements and improvements to the horizontal curvature of the roadway, as approved by the St. Johns County Engineer.

(c) Signalization at CR 210/I-95 ramps when warranted.

Phase IV

- (a) Four-laning of SR 16 from the Six Mile Creek central entrance to CR 16A.
- (b) Four-laning of Pacetti Road from SR 16 to central Six Mile Creek entrance.
- (c) Signalization at Pacetti Road/CR 208 when warranted.
- (d) Improvements of CR 16A from McGuire Road to SR 16 to a two-lane arterial, including shoulder improvements and turn lanes as necessary, as approved by the St. Johns County Engineer.

Phase V

- (a) Signalization at Pacetti Road and Six Mile Creek entrance when warranted.
- (b) Signalization at CR 13 and Six Mile Creek entrance when warranted.

The Applicant shall be responsible for completely funding all needed intersection improvements at all project entrances. These may include signalization when warranted and as indicated above, the construction of acceleration and deceleration lanes, and the construction of separate turn lanes if required. This shall not be deemed to preclude St. Johns County from requiring other developers to fund their fair share of shared entrance improvements. The applicant shall meet the adopted LOS for roads except for I-95 as stipulated in the St. Johns County Comprehensive Plan 1990-2005 as provided in General Condition K on page 2 of 14 of Exhibit C.

GG. The Applicant will cooperate with the Jacksonville Transportation Authority and/or St. Johns County in any efforts to establish park and ride mass transit service in St. Johns County. The Applicant will coordinate with the Jacksonville Transportation Authority and/or St. Johns County and FDOT in any efforts to establish a park and ride lot for mass transit service by investigating the possibility of providing park and ride facilities on site if it is determined that a park and ride service is feasible for the I-95 corridor in St. Johns County. The Applicant shall meet the adopted LOS for mass transit as stipulated in the St. Johns County Comprehensive Plan, 1990-2005 as provided in General Condition K on page 2 of 14 of Exhibit C.

HH. The Developer of the Saint Johns DRI, his successors or assigns shall be subject to the provisions of the St. Johns County Traffic Impact Fee Ordinance in order to generate funding for needed roadway improvements. The County should enter into an agreement with the FDOT to contribute a certain percentage of the impact fees for this project to FDOT, with FDOT agreeing to utilize these funds for the construction of the improvements to State Roads significantly impacted by this project at such time as the FDOT could schedule the improvements in the work program, as total funding becomes available.

II. In order to ensure an adequate supply of housing affordable by low and very low income households to meet the demand for such housing generated by the Saint Johns project on, proximate to or otherwise reasonably accessible to the Saint Johns project, the Applicant shall, prior to being issued any building permit or other final local development orders for development within Phase II and any subsequent phases, conduct an analysis of the affordable housing demand generated by such phases and determine the availability of housing to meet such demand (the "Affordable Housing Analysis"). The methodology

used in the Affordable Housing Analysis shall be consistent with applicable rules of the Florida Department of Community Affairs ("DCA"), if any, or shall be approved by the DCA, St. Johns County ("SJC") and the Northeast Florida Regional Planning Council ("NEFRPC"). The Affordable Housing Analysis shall be submitted to DCA, SJC and NEFRPC for review and approval prior to issuance of any building permits or other final local development orders for development within Phase II or any subsequent phases.

If the Affordable Housing Analysis indicates that development of the next phase or phases of the development will create a substantial need for affordable housing that is not being provided onsite or by other residential development which is reasonably accessible to the project, then the Applicant shall provide reasonable assurance to DCA, NEFRPC and SJC that such affordable housing needs will be met concurrently with the proposed development or shall provide acceptable mitigation for such impacts in accordance with applicable rules of the DCA, if any, prior to obtaining any building permits or other final local development orders for development within Phase II or subsequent phases. The reasonable assurance or mitigation shall be consistent with applicable rules of the DCA, if any, or shall be approved by DCA, SJC and NEFRPC and shall be incorporated into the Saint Johns development order under §380.06(19)(f) Florida Statutes prior to issuance of any building permits or other final local development orders within Phase II or subsequent phases.

JJ. Prior to commencing construction of any commercial, industrial or residential development within Saint Johns, the developer shall deliver a deed to St. Johns County conveying to it fee simple title to the upland field portion of the Turnbull Creek Parcel as shown on Map H, free and clear of any liens or other monetary encumbrances for development of a park by St. Johns County unless the County waives or postpones this requirement in its absolute discretion. The Applicant shall meet the adopted LOS for open space and recreation as stipulated in the St. Johns County Comprehensive Plan, 1990-2005 as provided in General Condition K on page 2 of 14 of Exhibit C.

KK. The Developer has committed, under the Developer Commitments attached as Exhibit D, to dedicate or transfer various parcels of land to St. Johns County (or, in some cases, the School Board) for its use in providing various public facilities. The land to be dedicated is located within Parcel 12 (on the Interchange Northwest Parcel), Parcels 69, 70, 71, 74 and 136 (on the Six Mile Creek Parcel), and the Turnbull Creek Parcel, all as identified on Map H of the ADA. The following general provisions shall apply to all such commitments of land.

1. The Developer shall convey the land to St. Johns County (or the School Board, in the case of Parcels 74 and 136) within 120 days of being requested to do so by the Board of County Commissioners of St. Johns County or School Board (the "Board" and "School Board", respectively). Provided, however, that the Board shall not request conveyance of Parcel 12 prior to issuance of a final development plan for a permanent structure within development Parcels 11, 13, 14, 15 or 16 as identified on Map H of the ADA because Parcel 12 is internal to the development. Also, no conveyance shall be required until the earlier of issuance of the first final development plan or commencement of significant physical development as defined in General Condition C on page 1 of 14 of Exhibit C.

2. All parcels shall be conveyed in fee simple, free of all liens and monetary encumbrances at no charge to the County.

3. All conveyances shall be made subject to appropriate conditions, covenants and restrictions and reservations which limit the uses to those intended, insure that the site will be compatible with surrounding uses, provide for proper maintenance and provide for proper drainage and access. All such conditions, covenants and restriction shall allow for modification or release by the Developer or identifiable successors and the Board and shall be subject to review and approval by the Board (or School Board in the case of Parcels 74 and 136) in its reasonable discretion.

4. The conveyance of the Parcel 136 and Turnbull Creek Parcel may be made subject to conservation easements consistent with the terms of items 30 and 32, respectively, of Exhibit D.

5. The amount of any credit allowed against impact fees for any such conveyance pursuant to Section 6 of the Resolution adopting the SJ/DO shall be determined by the County in its reasonable discretion at the time of conveyance and shall be based upon the fair market value of the land on the effective date of this Development Order, together with the value of any improvements to such land constructed by or at the expense of the Developer.

SJH120

DRAFT #5, 8/21/91

Exhibit C
15 of 15

EXHIBIT D
TO
SAINT JOHNS DRI/DO
DEVELOPER COMMITMENTS

The Applicant has committed to the following to mitigate the adverse impacts associated with the Saint Johns Substantial Deviation. Any recommendations made by the Northeast Florida Regional Planning Council which conflict with the Applicant's commitments shall supersede the Applicant's commitments.

1. The 100-year flood elevations will be determined in detail and accordingly all floor slab construction shall be at a level higher than these 100-year flood elevations.
2. The proposed development will be constructed in accordance with the St. Johns County Paving and Drainage Ordinance Sections.
3. All non-residential customers will be required to complete an Industrial Wastewater Discharge Application supplied by the utility, which will include a complete description and analysis of the wastewater. Wastewater that will be detrimental to the wastewater treatment process or the environment that receives the treated wastewater will be required to be treated to the minimum level of strong domestic wastewater by the customer prior to discharge to the public wastewater system. Each industrial customer will be responsible for the disposal of any hazardous or toxic wastewater that it generates.
4. Each industrial site will be made subject to recorded covenants and restrictions which will require maintenance of the site in a neat, clean, orderly condition and will prohibit the discharge of surface water requiring stormwater treatment or any other pollutants or materials into the adjacent wetlands.
5. There will be no encroachment into the ten-year floodplain and floodways by commercial, industrial, office, residential, recreational, or other similar development.
6. Reuse of treated wastewater will be included as part of the construction permit application to the Department of Environmental Regulation.
7. Indigenous vegetation will be used as much as possible in landscaping. Use of low water demand plumbing fixtures will be encouraged.
8. All existing wells that remain in use and new wells will be plainly marked and protected by barriers. Wells that obtain water from the surficial aquifer will be protected by restricting parking and refueling of construction equipment to designated areas at least 200 feet from any well and by prevention of possible contamination from stormwater runoff from parking and refueling areas.
9. All new wells will be protected from accidental damage after construction by the installation of submersible pumps and below-grade discharge piping and appurtenances. Ground water sampling and analysis will begin in the areas proposed for new wells not later than 6 months prior to construction for the Interchange Parcel and not later than 12 months prior to construction for the Six Mile Creek parcel. New

Floridan aquifer wells will be marked and protected by barriers during construction and protected by barriers and security fencing after construction.

10. The Applicant will participate in the St. Johns County recycling program and in recycling programs that are operated by the solid waste collection service.
11. The Applicant will provide a transfer station site as described in commitment 17 below in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C.
12. A two-acre parcel of land in the Six Mile Creek Parcel, within parcel 70, will be transferred to the County for use to provide fire/rescue facilities, to be transferred upon request of the County or the appropriate county public safety agency in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C.
13. An approximately six acre parcel of land will be transferred to the County for civic use in the Interchange Parcel, within parcel 12, to be transferred upon request of the County or the appropriate county public safety agency in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C.
14. The Developer will preserve in its natural state the approximately 63 acre "upland wildlife and vegetation preserve" located on the Northwest Interchange Parcel which was previously identified for preservation in the St. Johns Harbour DRI.
15. The Developer will preserve in its natural state (subject to any required management practices) the approximately 10 acre gopher tortoise habitat site located on the Six Mile Creek Parcel as identified in the original St. Johns Harbour DRI. This is superseded by General Condition E on page 2 of 14 of Exhibit C.
16. The Developer will propose, as part of a mitigation plan to be submitted in connection with the ACOE dredge/fill applications, SJRWMD MSSW application, and DER dredge/fill applications, the preservation of approximately 2774.5 acres. The acreage to be preserved for preservation is identified on Map H. The 2774.5 acres includes the 63 acre upland wildlife and vegetation preserve identified above. It also includes 377 acres of preservation on the Turnbull Creek Parcel which will be proposed for dedication to St. Johns County. The 377 acre Turnbull Creek Parcel contains approximately 227 acres of uplands and approximately 150 acres of wetlands.
17. The Developer will offer to dedicate to St. Johns County an approximately 69 acre upland field and approximately 4 acres of silvicultural roads located on the Turnbull Creek Parcel for development by the County of a community park. The Developer will also offer to St. Johns County the 2 acre site identified as Parcel 70 on Map H for a fire and rescue station and the 3 acre site identified as Parcel 71 on Map H for a solid waste transfer station site. Finally, the Developer will offer to the St. Johns County School Board an 18.5 acre and a 104.5 acre school site identified on Map H as Parcels 74 and 136, respectively. The 104.5 acre school site includes approximately 41.5 acres of wetlands that would be included within an environmental learning center. The school sites would accommodate an elementary school, a middle school, and a high school. All such sites shall be conveyed in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C.
18. Only those portions of the property which are necessary for

development and construction will be cleared. The Developer will comply with the St. Johns County land clearing and tree preservation ordinance.

19. Clearing and grubbing activities will be staged with the appropriate phase of development to reduce the period of soil exposure.
20. Exposed soil will be dampened periodically with water to reduce dust.
21. Construction machinery will be equipped with proper exhaust systems to reduce submissions.
22. Soil erosion will be minimized during construction by limiting the amount of soil exposed at any time and by revegetating cleared areas rapidly when construction is complete.
23. Slope protection and energy dissipaters will be used, where necessary, in high velocity and outfall areas. Where necessary, temporary measures such as silt barriers, straw bails, and mulching will be used during construction to prevent erosion insultation.
24. No residential floor construction will occur below the 100-year flood elevations.
25. Prehistoric site 8SJ2533 and historic site 8SJ2536 will be incorporated within passive recreational green space in the project. Upon approval of the ADA, appropriate deed restrictions will be recorded. A copy will be provided to the Florida Department of Historical Resources ("FDHR"). In the event that the parks containing these sites are improved with facilities such as restrooms at some point in the future, the siting of such facilities and any subsurface construction undertaken in connection with such facilities will be performed in consultation with a professional archaeologist and plans will be reviewed by FDHR prior to construction.
26. Disposal of treated sewage effluent will be accomplished by land application.
27. All residential, commercial, office, and industrial development within the project will be served by central water and sewer.
28. Irrigation of the project's golf course and common open space will use treated sewage effluent as the primary source and stored surface water from the project lake system as a secondary source with surficial wells used only during the growing period for the golf courses.
29. Construction within the project will be required to meet, as a minimum, the standards as set forth in the State Model Energy Code.
30. The 18.5 acre site identified on Map H as Parcel 74 will be offered to the St. Johns County School Board for the construction of an elementary school in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C. The 104.5 acre site identified as Parcel 136 on Map H containing approximately 63 acres of uplands and approximately 41.5 acres of wetlands will be offered to the St. Johns County School Board for the construction of a middle school and a high school together with an environmental learning center that will make use of the onsite wetlands in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C. The wetland portion of the property will be deed restricted and/or subject to a conservation easement to be consistent with the environmental mitigation plan for the project.

31. The Developer will donate to St. Johns County, within 45 days after being requested to do so, \$45,000 for the improvement of a proposed public park and boat ramp on county property located adjacent to Trout Creek. This was done prior to approval of the SJ/DO.
32. The Developer will offer to dedicate to St. Johns county the 455 acre Turnbull Creek Parcel. Approximately 69 acres of upland field and 4 acres of silvicultural roads of the parcel will be proposed for development by St. Johns County for a community park in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C. The remaining approximately 382 acres of the Turnbull Creek Parcel would be required to be maintained in its natural condition subject to exceptions and requirements specified by the environmental permitting agencies, as part of the mitigation plan for the project.
33. The Developer will offer to St. Johns County a site of up to 2 acres within Parcel 69 as shown on Map H for construction of a public health unit in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C.
34. The Developer will offer to St. Johns county up to 1.5 acres within Parcel 69 as shown on Map H for construction of a police station, if necessary in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C.
35. The Developer will offer to St. Johns County the 2 acres identified as Parcel 70 on Map H for a fire and rescue station and shall convey such site in accordance with the provisions of Section KK on page 14 of 14 of Exhibit C. The location of this site is shown on Map H.
36. The Developer will construct, during Phase I, the interchange at Nine Mile Road and I-95 together with the necessary relocation of Francis Road and the related improvements to Nine Mile Road in the vicinity of the interchange. All right-of-way for this work has been acquired by the developer and will be donated to the Florida Department of Transportation or St. Johns County, as appropriate.
37. Development of the Saint Johns project will be conditioned on the maintenance of an acceptable level of service on all state, county and local roads, with the exception of I-95, within the primary impact area of the project.
38. All outdoor lighting systems in areas such as parking and recreation shall use energy efficient lighting such as high pressure sodium or low pressure sodium, or its equivalent.
39. The Applicant will provide bicycle and jogging trails in the Six Mile Creek Parcel along the major roadways. These trails will be separated from vehicular traffic and will link together the individual development parcels within this Parcel. Internal bicycle movement within each development parcel of the Six Mile Creek Parcel will be by the local road system.

The Interchange parcel will be provided with a jogging trail along the major road systems which will be separated from vehicular traffic.
40. The Applicant shall install, or cause to be installed, bike racks or similar devices at the commercial and recreational facilities.
41. The Applicant shall comply with the St. Johns County Tree Ordinance and Landscape Ordinance. The Applicant shall plant or cause to be planted, a minimum of two native trees

with a total diameter equaling a minimum of 7 inches with no single tree having a caliper of less than 2.5 inches to shade each single family residential unit if fewer exist on the lot. The diameter shall be measured at 48 inches above ground level.

42. The Developer will provide, as part of its total marketing strategy, affordable housing for the project's lower wage scale employees.
43. If an Affordable Housing Analysis required to be provided under Special Condition II on page 13 of 14 of Exhibit C indicates that the development will create a substantial need for affordable housing that is not being provided onsite or by other residential development reasonably accessible to the project, then, prior to commencing development within the next phase of office, retail/commercial, or industrial/warehouse as defined in Specific Condition A on page 3 of 14 of Exhibit C, the developer shall contribute to St. Johns County or an appropriate agency of St. Johns County designated by the Board, a sum equal to 2¢ per square foot of office, retail/commercial, and industrial/warehouse development within such phase. With regard to Phase II, the developer shall contribute a sum equal to 2¢ per square foot of office, retail/commercial, and industrial/warehouse development within both Phase II and Phase I. Such money shall be contributed prior to approval of the first final development plan for such development within such phase. The funds contributed by the developer may be used by St. Johns County for any purpose determined by the Board, in its absolute discretion, to be reasonably related to the provisions of affordable housing within reasonable proximity to Saint Johns.
44. The Developer shall cooperate with St. Johns County and any qualified private developer in encouraging and establishing affordable housing within this project. The Developer shall also provide data and technical assistance to encourage its establishment.

SJH119(1-5)
Draft#5-8/21/91

**EXHIBIT E
TO
SAINT JOHNS DRI/DO
ANNUAL MONITORING REPORT REQUIREMENTS**

1. A description of any change made in the plan of development, phasing, or in the representations contained in the Application for Substantial Deviation since the Substantial Deviation received approval, and any actions (substantial deviation or non-substantial deviation determinations) taken by the local government to address these changes. Provide a cumulative history of such annually.
2. A summary comparison of development activity proposed and actually conducted during the preceding calendar year, and projected for the ensuing calendar year, to include: site improvements, gross floor area constructed by land use type, location, and phase with appropriate maps. Residential development activity shall be identified by reference to subdivision plats or final development plans proposed, approved or under review, building permits issued and certificates of occupancy issued within the Parcels identified on Map H of the ADA or other similar objective and readily obtainable data. An estimate of the sales price of residential units constructed (as evidenced by building permits issued) will also be provided. Commercial development activity shall be identified by reference to final development plans proposed, approved or under review, building permits issued and certificates of occupancy issued within the Parcels identified on Map H of the ADA or other similar objective and readily obtainable data. Other development activity, such as golf course construction, shall be identified by appropriate narrative description. Prior to submission of the first annual report, the Developer shall meet with appropriate County staff and the Developer and County staff shall agree on the specific data, data sources and format to be used for the annual report.
3. An identification by location, size, and buyer of any undeveloped tracts of land in the development that have been sold to a separate entity or developer and the amount of development rights available to the purchaser, with map(s) which show the parcel(s) or sub-parcel(s) involved.
4. A cumulative summary of all development that has taken place within the project including gross floor areas constructed by land use type and location. A cumulative summary of location, size (acreage), development rights purchase (land use type and square footage), and buyer of all parcels purchased within the project boundaries. The cumulative summaries shall be consistent with the reporting methodology specified in items 2 and 3 above.
5. A description of any lands purchased or optioned within one mile of the original Substantial Deviation site by any individual having fee simple or lesser interest in the site as listed in the Application for Substantial Deviation, subsequent to issuance of the Development Order. Identify such land, its size, and intended use on a site plan and map.
6. A listing of any substantial local, state, and federal permits which have been obtained, applied for, or denied during this reporting period. Specify the agency, type of permit, parcel, location(s), and activity for each.
7. Describe any moratorium on development imposed by a regulatory agency. Specify the type of moratorium, duration, cause, and remedy.

8. Provide a synopsis of the operating parameters of the potable water, wastewater management, and solid waste facilities serving the development area for the preceding year.
9. An assessment of the applicant's, any successor's and local government's compliance with all conditions and commitments contained in the Development Order and the commitments contained in the Application for Substantial Deviation.
10. Any change to the previously reported stormwater plans, design criteria, or planting and maintenance programs shall be reported each year in the monitoring reports.
11. All requests for a substantial deviation determination and non-substantial deviations that were filed in the reporting year and to be filed during the next year.
12. Any change in local government jurisdiction for any portion of the development since the Development Order was issued.
13. Copies of monitoring reports completed during the previous year on the created wetlands and stormwater/wetland systems as required by permitting agencies.
14. Traffic reports shall be submitted to the Florida Department of Transportation (FDOT) District Urban Office in Jacksonville, as well as the St. Johns County Planning Department, NEFRPC, and Department of Community Affairs. The first traffic report shall be due concurrently with the first annual monitoring report and then annually thereafter until project buildout, unless otherwise specified by the NEFRPC. The following information shall be included:
 - a. A description of current development by land use, type, location, and amount of square footage, along with the proposed construction schedule for the ensuing 12 month period, and appropriate maps (i.e. the information required in items 2 and 3 above).
 - b. Traffic counts, turning movements, and levels of service actual for the past 12 months and projected for the ensuing 12 months, including traffic estimates for the following roads and intersections. Distinguish between project related traffic and total traffic volumes.
 - CR 208 from CR 13A to SR 16
 - I-95 north of Nine Mile Road
 - CR 13A from SR 16 to CR 208
 - Nine Mile Road from SR 16 to US 1
 - SR 16 from Shands Bridge to I-95
 - CR 16A from CR 210 to SR 16

Note: Actual FDOT or St. Johns county traffic counts shall be used where possible. If actual FDOT or St. Johns County traffic counts are not available for a particular road or intersection, the applicant shall retain, at his expense, a traffic engineering firm to collect the necessary counts. FDOT seasonal adjustment factors shall be used when adjusting traffic counts.
 - c. A description of new and/or improved roadways, traffic control devices or other transportation facility improvements to be constructed or provided by the applicant or governmental entity to accommodate the total existing and anticipated traffic demands.

15. The status of the preserved wetlands shall be monitored through the submittal of aerial photographs every three years through buildout of the project. The aerial photographs will be flown during the same time period of the year, during the winter months. Copies of the aerial photographs will be submitted to SJRWMD, FDER, FGFWFC, SJC and the NEFRPC. See Specific condition G on page 5 of 14 of Exhibit C.
16. The Applicant shall provide the Affordable Housing Analysis or analyses as required under Specific Condition II of page 13 of 14 of Exhibit C prior to being issued any building permit or other final local development order for development within Phase II or any subsequent phases unless waived or modified by SJC, DCA and NEFRPC. The methodology for the Affordable Housing Analysis shall be consistent with applicable rules of the DCA, if any. If the DCA does not have an applicable rule establishing an acceptable methodology then, prior to submission of any such Affordable Housing Analysis, the developer shall obtain approval of the methodology by the DCA, SJC and NEFRPC.
17. The annual report due January 15, 1992 shall include a copy of any recorded notice of the adoption of the SJ/DO and each subsequent report shall include a copy of any recorded notice of the adoption of any subsequent modification of the SJ/DO that was recorded by the Developer pursuant to paragraph 380.06(15)(f), Florida Statutes.
18. Each annual report shall be accompanied by a statement certifying that the NEFRPC, Department of Community Affairs, St. Johns County, Florida Department of Environmental Regulation, Florida Department of Transportation and the St. Johns River Water Management District have been sent copies of the Annual Monitoring Report in conformance with subsections 380.06(15) and (18), Florida Statutes. It is the responsibility of the Applicant to guarantee that all appropriate agencies receive a copy of the annual reports.

SJH119(6-8)
Draft#5-8/21/91

**EXHIBIT F
TO
SAINT JOHNS DRI/DO**

SURFACE WATER MONITORING PROGRAM

As initial development will begin on the Interchange Parcel, water quality monitoring will begin at Station 7 as identified in the ADA. When development begins on the Six Mile Creek Parcel, water quality monitoring will be conducted at Station 3 or Station 4, depending upon the drainage basin affected by development. Station 3b in Six Mile Creek is the exit point for discharge from the development. Station 3b will be sampled initially with subsequent samples taken only if results from Station 3 or Station 4 indicate that downstream monitoring is warranted. Stations 1 and/or 2 will not be monitored unless results at Station 3 and/or 4 indicate the need for additional monitoring. Those stormwater retention/detention ponds which discharge into Waters of the State or directly into the preserved wetlands shall be included in the surface water monitoring program.

The surface water parameter list will be composed of the following items:

A. Surface Water.

Mercury
Zinc
Orthophosphate
TKN
Ammonia Nitrogen
Nitrate Nitrogen
Biochemical Oxygen Removed
Fecal Streptococcus Bacteria
Total Coliform Bacteria
Dissolved Oxygen
Temperature
Specific Conductance
pH Values
Shannon-Weaver Diversity of Macroinvertebrates
(number of taxa, species list)
Turbidity
Color
Total Phosphorous
TOC
Chlorophyll A, corrected for Pheophytin
TSS
TDS
Chloride
Total Arsenic
Lead
Chromium
Copper
Iron
Aluminum
Oils and Grease
Pesticides and Herbicides used on golf courses

B. Sediments

% Organic
Arsenic
Aluminum
Cadmium
Chromium
Copper
Lead
Mercury
Zinc
2, 4-D Herbicide
Oils & Grease
Herbicides used on golf course
particle sizing (sieve series #10, #18, #35, #60,
#120 and #230)

Sample frequency will be as follows:

1. Surface water with exception of Shannon-Weaver Diversity Index of Macroinvertebrates - initially and quarterly.
2. Shannon-Weaver Diversity Index of Macroinvertebrates - initially and annually.
3. Sediments - initially and annually.

A site specific quality assurance plan will be submitted to the Department of Environmental Regulation within thirty days after approval of the water quality monitoring plan. Background sampling at station 7 will begin within 15 days after approval of the site specific quality assurance plan. The Applicant will attempt to commence background sampling within the relevant basin on the Six Mile Creek Parcel one year prior to the beginning of construction in such basin, but, in any event, such background sampling shall be initiated no later than the date of submission of an application for final development plan approval for such basin to St. Johns County.

Reports of quarterly sampling and cumulative annual reports shall be submitted to the Florida Department of Environmental Regulation and the St. Johns River Water Management District within 15 days following receipt of analytical results from the contract lab. In addition to the items listed for the report, quality assurance information of the laboratory shall be submitted.

The applicant is aware that the reviewing agencies may seek changes in sampling frequency, parameters or stations if trends in the data so warrant. The applicant may also seek such changes. In particular, after a data base is established, it may be possible to eliminate some of the parameters if it is found that those parameters are closely correlated with some indicator parameter or parameters.

SJH121

Draft#3-7/29/91