

RESOLUTION 2006-290

[Amended and Restated Saint Johns DRI Development Order]

A resolution of the Board of County Commissioners of the County of St. Johns, State of Florida, restating, including and modifying the Saint Johns DRI Development Order as previously approved by St. Johns County Resolution Nos. 91-130, 91-183, 94-211, 95-06, 96-102, 96-233, 98-126, 98-179, 99-20, 99-173, 2002-53 2003-116 and 2004-133; finding the modifications are consistent with St. Johns County Comprehensive Plan 2015, Ordinance 2000-34 and consistent with the St. Johns County Land Development Code; finding that the modifications do not constitute a substantial deviation; and providing for an effective date.

WHEREAS, on August 27, 1991, a Development of Regional Impact Development Order (the "Development Order") was issued by the Board of County Commissioners of St. Johns County, pursuant to Resolution No. 91-130, authorizing development of the property known as Saint Johns; and,

WHEREAS, the Development Order was modified by the Board by adoption of Resolution No. 91-183, incorporating Development Order changes pursuant to the Settlement Agreement between the Department of Community Affairs (the "DCA"), the Developer, and St. Johns County; and,

WHEREAS, the Development Order was subsequently amended by the Board by adoption of Resolution 94-211, Resolution 95-06, Resolution 96-102, Resolution 96-233, Resolution 98-126, Resolution 98,179, Resolution 99-20, Resolution 2002-53, Resolution 2003-116 and Resolution No. 2004-133; and,

WHEREAS, the Developer has submitted a Notice of Proposed Change to the Development of Regional Impact dated March 7, 2006, requesting modification of certain terms of the Development Order (the "Notice of Proposed Change"); and

WHEREAS, the changes proposed in the Notice of Proposed Change do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the current Florida Statutes; and

WHEREAS, the Board has reviewed the Notice of Proposed Change at a public hearing held on August 22, 2006.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of St. Johns County, Florida:

1. The following facts are determined in connection with this Resolution;
 - (a) The existing Development Order as previously amended and as modified by this Resolution, is consistent with the St. Johns County Comprehensive Plan 2015, adopted May 10, 2000, in Ordinance 2000-34, as modified.
 - (b) The existing Development Order as previously amended and as modified by this Resolution, is consistent with the St. Johns County Land Development Code.

2. The legal description of the property within the Saint Johns DRI is attached as Exhibit "A" to this Resolution. The Application for Development Approval ("ADA"), Response to Request for Additional Information submitted January 30, 1991, and Response to Second Request for Additional Information submitted March 18, 1991, are described on Exhibit B to Resolution 91-130 and the development shall be carried out in conformance with the ADA as approved by Resolution No. 91-130 as previously modified by Resolutions 91-183; 94-211; 95-06; 96-102; 96-233, 98-126, 98-179, 99-20, 99-173, 2002-53, 2003-116 and 2004-133, and as further modified by this Resolution.
3. The Master Development Plan for the Interchange Parcels of Saint Johns identified as Map H, page 1 approved by Resolution 2004-133 dated April 14, 2004 is attached as Exhibit "B." The Master Development Plan for the Six Mile Creek Parcel of Saint Johns identified as Map H-Page 2 approved by Resolution 2004-133 is hereby replaced by the revised Master Development Plan Map H-Page 2 dated February 23, 2006 attached as Exhibit "B" to this Resolution.
4. The Development Order adopted by Resolution 91-130, as amended by Resolutions 91-183, 94-211, 95-06, 96-102, 96-233, 98-126, 98-179, 99-20, 99-173, 2002-53, 2003-116 and 2004-133, is hereby modified by approval of the changes requested in the Notice of Proposed Change to General Condition A and Specific Conditions A, I and Commitment 25 of the Amended and Restated Saint Johns Development Order Conditions and Developer Commitments as reflected in the blacklined version and clean copy attached as Exhibit "C" to this Resolution.
5. The remainder of the Amended and Restated Development Order Conditions for the Saint Johns Development of Regional Impact is unchanged.
6. Except as modified by this Resolution, the Saint Johns DRI Development Order shall remain in full force and effect.
7. This Resolution shall become effective immediately upon adoption.

Passed and approved by the Board of County Commissioners of St. Johns County, Florida, this 22nd day of August, 2006.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
Print: James E. Bryant
Chairman

RENDITION DATE 8-24-06

ATTEST:

CHERYL STRICKLAND, CLERK

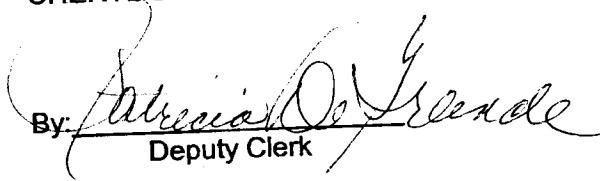
By: 
Deputy Clerk

EXHIBIT "A"
[LEGAL DESCRIPTION]



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ST. JOHNS INTERCHANGE TRACT NORTHWEST QUADRANT

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 15 LYING WEST OF INTERSTATE 95 RIGHT-OF-WAY, ALL OF SECTION 43 LYING WEST OF INTERSTATE 95 RIGHT-OF-WAY, ALL OF SECTION 44, TOGETHER WITH A PART OF SECTION 38 OF THE ANTONIO HUERTAS GRANT LYING NORTHWEST OF INTERNATIONAL GOLF PARKWAY, 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 10; THENCE SOUTH 89°32'10" WEST ALONG THE SOUTH LINE OF SAID SECTION 10 TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE RAMP LEADING FROM INTERSTATE 95 TO INTERNATIONAL GOLF PARKWAY (A RIGHT-OF-WAY OF VARYING WIDTH), A DISTANCE OF 300.10 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 05°35'47" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 798.05 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 336.00 FEET; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID RAMP AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 209.65 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 23°28'17" WEST AND A CHORD DISTANCE OF 206.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41°20'46" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 224.57 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE; THENCE SOUTH 44°29'54" WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 562.78 FEET; THENCE SOUTH 45°30'06" EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 81.00 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID INTERNATIONAL GOLF PARKWAY; THENCE SOUTH 44°29'54" WEST ALONG SAID RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY, A DISTANCE OF 484.97 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3531.68 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 291.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 42°08'03" WEST AND A CHORD DISTANCE OF 291.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 39°46'13" WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 193.96 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE; THENCE SOUTH 44°29'54" WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 3897.58 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE; THENCE SOUTH 50°29'50" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2492.30 FEET TO A POINT AT THE SOUTHEASTERLY CORNER OF THE UTILITY SITE AS RECORDED IN OFFICIAL RECORDS BOOK 1095, PAGE 1592 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 53°13'38" WEST LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTHERLY LINE OF SAID UTILITY SITE

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- 1 -

AND ITS WESTERLY PROLONGATION THEREOF, A DISTANCE OF 2224.53 FEET; THENCE NORTH 14°55'52" EAST ALONG THE NORTHWESTERLY LINE OF AFORESAID SECTION 44 AND ITS SOUTHWESTERLY PROJECTION THEREOF, A DISTANCE OF 7123.49 FEET TO THE NORTHWESTERLY CORNER OF SAID SECTION 44; THENCE NORTH 16°14'53" EAST ALONG THE NORTHWESTERLY LINE OF AFORESAID SECTION 43, A DISTANCE OF 2983.85 FEET TO A POINT ON SAID NORTHWESTERLY LINE OF SECTION 43; THENCE NORTH 01°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°54'53" EAST ALONG THE LINE DIVIDING TOWNSHIP 5 SOUTH AND TOWNSHIP 6 SOUTH, ALSO BEING THE NORTH LINE OF SAID SECTION 3 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE 95 (A 300 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 136.15 FEET; THENCE SOUTH 27°32'59" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95, A DISTANCE OF 10,169.46 FEET; THENCE SOUTH 24°32'59" EAST LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95 AND ALONG THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF THE RAMP LEADING TO INTERNATIONAL GOLF PARKWAY, A DISTANCE OF 676.83 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1051.92 FEET; THENCE SOUTHERLY CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 553.47 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 09°28'36" EAST AND A CHORD DISTANCE OF 547.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 05°35'47" WEST CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 322.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 1430.56 ACRES MORE OR LESS.



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ST. JOHNS INTERCHANGE TRACT SOUTHEAST QUADRANT

A PART OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOGETHER WITH A PART OF GOVERNMENT LOTS 1 AND 2, 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°32'10" WEST ALONG THE NORTH LINE OF SAID SECTION 14 AND ALONG THE CENTERLINE OF INTERNATIONAL GOLF PARKWAY (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 1390.41 FEET; THENCE SOUTH 00°24'16" WEST, A DISTANCE OF 33.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID INTERNATIONAL GOLF PARKWAY WITH THE WESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°24'16" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD, A DISTANCE OF 1183.66 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY HAVING A RADIUS OF 583.89 FEET; THENCE SOUTHERLY CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 214.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 10°56'22" WEST AND A CHORD DISTANCE OF 213.51 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 21°28'28" WEST CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD, A DISTANCE OF 206.71 FEET; THENCE SOUTH 81°19'58" WEST LEAVING SAID WESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD, A DISTANCE OF 198.00 FEET; THENCE SOUTH 21°28'28" WEST, A DISTANCE OF 216.68 FEET; THENCE SOUTH 81°19'58" WEST, A DISTANCE OF 435.88 FEET; THENCE SOUTH 25°06'46" WEST, A DISTANCE OF 281.02 FEET; THENCE SOUTH 81°18'57" WEST, A DISTANCE OF 649.70 FEET; THENCE SOUTH 12°19'58" EAST, A DISTANCE OF 148.69 FEET; THENCE SOUTH 81°19'58" WEST ALONG A LINE TO ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95 (A 300 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 598.47 FEET; THENCE NORTH 27°32'59" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 154.32 FEET; THENCE NORTH 24°32'59" WEST LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE RAMP LEADING FROM INTERSTATE 95 TO AFORESAID INTERNATIONAL GOLF PARKWAY, A DISTANCE OF 676.83 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY HAVING A RADIUS OF 1051.92 FEET; THENCE NORTHERLY CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 593.01 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 08°23'59" WEST AND A CHORD DISTANCE OF 585.19 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 07°45'01" EAST CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 682.79 FEET TO THE POINT OF CURVE OF A

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CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 336.00 FEET; THENCE NORTHEASTERLY CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 412.57 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 42°55'36" EAST AND A CHORD DISTANCE OF 387.14 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 78°06'12" EAST ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID RAMP, A DISTANCE OF 210.20 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY HAVING A RADIUS OF 3690.72 FEET; THENCE EASTERLY CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID RAMP AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 417.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 86°17'36" EAST AND A CHORD DISTANCE OF 417.55 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 89°32'10" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID RAMP, A DISTANCE OF 882.93 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE; THENCE NORTH 71°47'29" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO ITS INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY, A DISTANCE OF 314.99 FEET; THENCE NORTH 89°32'10" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY, A DISTANCE OF 429.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 114.06 ACRES MORE OR LESS.

INTENDED TO BE THE SAME LANDS AS THOSE DESCRIBED IN OFFICIAL RECORDS VOLUME 837, PAGE 810, LESS AND EXCEPT THE INTERCHANGE PARCEL CONVEYED TO FLORIDA DEPARTMENT OF TRANSPORTATION.



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SAINT JOHNS INTERCHANGE TRACT NORTHEAST QUADRANT

PART OF SECTIONS 2 AND 3 TOGETHER WITH ALL OF SECTION 10 LYING EAST OF INTERSTATE 95 RIGHT-OF-WAY (A VARIABLE RIGHT-OF-WAY WIDTH BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 78080-2431) 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 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 11; THENCE NORTH 89°32'10" EAST ALONG THE SOUTH LINE OF SAID SECTION 11, A DISTANCE OF 1325.00 FEET; THENCE NORTH 00°23'04" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11 TO ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE RAMP LEADING FROM INTERNATIONAL GOLF PARKWAY TO INTERSTATE 95, A DISTANCE OF 102.42 FEET, SAID POINT BEING THE POINT OF BEGINNING, SAID POINT LYING ON A CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 706.00 FEET; THENCE NORTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95 RAMP AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 215.81 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 65°55'06" WEST AND A CHORD DISTANCE OF 214.97 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 57°09'40" WEST CONTINUING ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1048.98 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1051.92 FEET; THENCE NORTHEASTERLY CONTINUING ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 528.69 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 42°45'46" WEST AND A CHORD DISTANCE OF 523.14 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 28°21'52" WEST CONTINUING ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF THE RAMP LEADING FROM INTERNATIONAL GOLF PARKWAY TO INTERSTATE 95 TO ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE 95, A DISTANCE OF 1695.35 FEET; THENCE NORTH 27°32'59" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95 (A 300 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 3030.53 FEET; THENCE NORTH 89°18'55" EAST, LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 4946.39 FEET; THENCE SOUTH 00°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°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°23'04" WEST ALONG SAID WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, A DISTANCE OF 1202.53 FEET TO THE POINT OF BEGINNING.

CONTAINING 388.30 ACRES MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED

(INGRESS & EGRESS EASEMENT BY OFFICIAL RECORDS BOOK 819, PAGE 1538)

Q:\Survey\Legals\sjh\nequad.wpd

PART OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 11; THENCE NORTH 89°32'10" EAST ALONG THE SOUTH LINE OF SAID SECTION 11, A DISTANCE OF 1325.00 FEET; THENCE NORTH 00°23'04" EAST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 11 TO ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE RAMP LEADING FROM NINE MILE ROAD TO INTERSTATE 95 (A VARIABLE RIGHT-OF-WAY WIDTH BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 78080-2431), A DISTANCE OF 102.42 FEET, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°23'04" EAST, A DISTANCE OF 212.70 FEET TO A POINT LYING ON A CURVE, SAID CURVE BEING CONCAVE NORTHERLY HAVING A RADIUS OF 625.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 610.60 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 68°27'18" EAST AND A CHORD DISTANCE OF 586.60 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 60°28'02" EAST, A DISTANCE OF 415.00 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 375.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 715.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 64°50'26" EAST AND A CHORD DISTANCE OF 612.04 FEET TO THE END OF SAID CURVE; THENCE SOUTH 25°09'10" EAST, A DISTANCE OF 70.00 FEET; THENCE SOUTH 00°27'50" EAST ALONG A LINE TO ITS INTERSECTION WITH THE AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF SAID RAMP LEADING FROM NINE MILE ROAD TO INTERSTATE 95, A DISTANCE OF 70.00 FEET; THENCE SOUTH 89°11'12" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 165.01 FEET; THENCE SOUTH 89°32'10" WEST CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 399.83 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY HAVING A RADIUS OF 3948.72 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 455.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 86°14'03" WEST AND A CHORD DISTANCE OF 454.87 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 84°13'15" WEST CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 259.24 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE NORTHERLY HAVING A RADIUS OF 706.00 FEET; THENCE NORTHWESTERLY CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 260.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 85°13'38" WEST AND A CHORD DISTANCE OF 258.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.00 ACRES MORE OR LESS.

SIX MILE CREEK PARCEL

A PART OF SECTIONS 18, 19, 31 AND 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, SECTIONS 24, 25, AND 46, TOWNSHIP 6 SOUTH, RANGE 27 EAST, SECTIONS 6, 38, AND 41, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE WESTERLY LINE OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 28 EAST, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 63°23'48" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 54.96 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 922.37 FEET; THENCE NORTHEASTERLY CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 12.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 63°46'47" EAST, AND A CHORD DISTANCE OF 12.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID CURVE BEING CONCAVE SOUTHERLY, HAVING A RADIUS OF 922.37 FEET; THENCE NORTHEASTERLY ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 224.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 71°07'58" EAST, AND A CHORD DISTANCE OF 223.87 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 02°36'50" EAST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 1127.96 FEET; THENCE NORTH 87°23'36" EAST, A DISTANCE OF 1337.89 FEET; THENCE NORTH 02°36'44" WEST, A DISTANCE OF 764.85 FEET; THENCE NORTH 83°08'33" EAST, A DISTANCE OF 299.81 FEET; THENCE NORTH 02°37'28" WEST, TO ITS INTERSECTION WITH THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 16, A DISTANCE OF 466.00 FEET; THENCE NORTH 83°08'48" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 156.33 FEET; TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1399.69 FEET; THENCE EASTERLY CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 238.81 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 88°02'04" EAST, AND A CHORD DISTANCE OF 238.52 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 87°04'40" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 698.07 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 492 AT PAGE 826 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 02°55'34" WEST, CONTINUING WITH SAID LANDS A DISTANCE OF 735.09 FEET; THENCE SOUTH 20°16'19" WEST, CONTINUING WITH

SAID LANDS A DISTANCE OF 1699.97 FEET; THENCE SOUTH 31°54'53" EAST, CONTINUING WITH SAID LANDS A DISTANCE OF 506.42 FEET; THENCE NORTH 20°16'15" EAST, CONTINUING WITH SAID LANDS A DISTANCE OF 1916.58 FEET; THENCE NORTH 02°55'02" EAST, TO ITS INTERSECTION WITH THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, A DISTANCE OF 943.99 FEET; TO THE A POINT ON A CURVE, SAID CURVE BEING CONCAVE NORTHERLY, HAVING A RADIUS OF 988.37 FEET; THENCE NORTHEASTERLY CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 376.02 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 81°53'53" EAST, AND A CHORD DISTANCE OF 373.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 70°59'57" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 330.65 FEET; THENCE SOUTH 72°33'50" EAST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2244.12 FEET; THENCE NORTH 21°23'43" EAST, A DISTANCE OF 649.77 FEET; THENCE SOUTH 70°32'01" EAST, A DISTANCE OF 608.86 FEET; THENCE SOUTH 26°43'11" WEST, A DISTANCE OF 285.03 FEET; THENCE SOUTH 70°31'16" EAST, A DISTANCE OF 679.30 FEET; THENCE SOUTH 36°14'16" WEST, A DISTANCE OF 2704.77 FEET; THENCE SOUTH 50°27'22" EAST, TO ITS INTERSECTION WITH THE CENTERLINE OF A 60 FEET WIDE INGRESS AND EGRESS EASEMENT AS RECORDED IN OFFICIAL RECORDS VOLUME 492 AT PAGE 749 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 2806.29 FEET; THENCE NORTH 68°58'53" EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 349.74 FEET; THENCE NORTH 38°41'04" EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 1062.99 FEET; THENCE NORTH 24°03'39" EAST, A DISTANCE OF 160.94 FEET; THENCE SOUTH 61°21'45" EAST, LEAVING SAID CENTERLINE, A DISTANCE OF 339.53 FEET; THENCE SOUTH 72°23'10" EAST, TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 13-A A 100 FOOT WIDE RIGHT-OF-WAY AS NOW ESTABLISHED, A DISTANCE OF 2613.00 FEET; THENCE SOUTH 19°34'54" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2235.43 FEET; THENCE NORTH 74°25'19" WEST, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1538.50 FEET; THENCE SOUTH 54°40'52" WEST, A DISTANCE OF 179.18 FEET; THENCE SOUTH 85°05'50" WEST, TO THE NORTHERLY CORNER OF LOT 5 AS SHOWN ON PLAT OF MILL CREEK ESTATES RECORDED IN MAP BOOK 14 PAGE 106 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 581.87 FEET; THENCE SOUTH 79°01'51" WEST, ALONG THE NORTHERLY LINE OF LOTS 6 AND 7 OF SAID MAP OF MILL CREEK ESTATES, A DISTANCE OF 1074.93 FEET; THENCE SOUTH 73°19'50" WEST, ALONG THE NORTHERLY LINE OF LOT 8, SAID MAP OF MILL CREEK

ESTATES, A DISTANCE OF 265.12 FEET; THENCE NORTH 38°16'58" WEST, TO ITS INTERSECTION WITH THE AFORESAID CENTERLINE OF THE 60 FEET WIDE INGRESS AND EGRESS EASEMENT AS RECORDED IN OFFICIAL RECORDS VOLUME 492 AT PAGE 749 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 1317.68 FEET; THENCE SOUTH 32°24'53" WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 553.67 FEET; THENCE SOUTH 46°26'11" WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 1060.20 FEET; THENCE SOUTH 54°46'59" WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 359.32 FEET; THENCE NORTH 32°27'37" WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 511.83 FEET; THENCE NORTH 53°44'12" WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 190.00 FEET; THENCE SOUTH 49°58'19" WEST, LEAVING SAID CENTERLINE, A DISTANCE OF 1302.78 FEET; THENCE SOUTH 40°03'36" EAST, A DISTANCE OF 594.57 FEET TO A POINT IN THE AFORESAID CENTERLINE; THENCE SOUTH 51°20'38" WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 202.00 FEET; THENCE SOUTH 45°58'53" WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 245.17 FEET; THENCE SOUTH 37°50'46" EAST, TO ITS INTERSECTION WITH THE NORTHWESTERLY LINE OF LOT 19, AFOREMENTIONED MAP OF MILL CREEK ESTATES, A DISTANCE OF 464.72 FEET; THENCE SOUTH 28°41'32" WEST, CONTINUING ALONG THE NORTHERLY LINE OF LOTS 19 AND 20, A DISTANCE OF 951.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20; THENCE SOUTH 78°30'30" EAST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID MAP OF MILL CREEK ESTATES, A DISTANCE OF 2622.07 FEET TO THE CENTERLINE OF THE AFORESAID 60 FEET WIDE INGRESS AND EGRESS EASEMENT AS RECORDED IN OFFICIAL RECORDS VOLUME 492 AT PAGE 749 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 10°58'45" EAST, CONTINUING ALONG SAID CENTERLINE AND ALONG LINES OF SAID MAP OF MILL CREEK ESTATES, A DISTANCE OF 13.74 FEET; THENCE SOUTH 79°08'03" EAST, CONTINUING ALONG SAID CENTERLINE AND ALONG LINES OF SAID MILL CREEK ESTATES, A DISTANCE OF 586.21 FEET; THENCE NORTH 83°25'33" EAST, CONTINUING ALONG SAID CENTERLINE AND ALONG LINES OF SAID MAP OF MILL CREEK ESTATES, A DISTANCE OF 325.39 FEET; THENCE SOUTH 84°16'49" EAST, CONTINUING WITH SAID CENTERLINE AND ALONG LINES OF SAID MAP OF MILL CREEK ESTATES, A DISTANCE OF 249.97 FEET; THENCE SOUTH 40°13'07" EAST, CONTINUING ALONG SAID CENTERLINE ALONG LINES OF SAID MILL CREEK ESTATES, A DISTANCE OF 110.39 FEET; THENCE NORTH 77°22'33" EAST, CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 1586.26 FEET; THENCE NORTH 88°34'49" EAST, CONTINUING ALONG SAID CENTERLINE TO ITS INTERSECTION WITH THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13-A, A

DISTANCE OF 848.22 FEET; THENCE SOUTH 19°34'52" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 250.61 FEET; THENCE SOUTH 88°28'23" WEST, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 708.52 FEET TO A POINT IN THE WESTERLY LINE OF SECTION 37, TOWNSHIP 6 SOUTH, RANGE 28 EAST; THENCE SOUTH 01°19'26" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 4917.21 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 37; THENCE SOUTH 89°53'35" EAST, ALONG THE SOUTH LINE OF SAID SECTION 37, A DISTANCE OF 1179.79 FEET TO THE SOUTHWESTERLY CORNER OF A 30 FEET WIDE DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 182 AT PAGE 133; THENCE SOUTH 37°18'20" EAST, ALONG SAID SOUTHWESTERLY LINE TO ITS INTERSECTION WITH THE WESTERLY LINE OF STATE ROAD NO. 13-A, A DISTANCE OF 995.95 FEET; THENCE SOUTH 12°10'27" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1440.16 FEET; TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, HAVING A RADIUS OF 2342.01 FEET; THENCE SOUTHWESTERLY CONTINUING WITH SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 591.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 04°56'12" WEST, AND A CHORD DISTANCE OF 590.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 02°18'03" EAST, CONTINUING WITH SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2010.75 FEET; THENCE NORTH 71°16'18" WEST, ALONG THE DIVISION LINE BETWEEN SECTION 4 AND SECTION 5, TOWNSHIP 6 SOUTH, RANGE 28 EAST, A DISTANCE OF 4096.34 FEET; THENCE NORTH 60°26'27" WEST, CONTINUING ALONG SAID DIVISION LINE, A DISTANCE OF 1734.02 FEET TO THE COMMON CORNER TO SECTIONS 4, 5, AND 6; THENCE SOUTH 03°37'25" EAST, ALONG THE EASTERLY LINE OF SECTION 6, A DISTANCE OF 3052.10 FEET; THENCE SOUTH 03°33'13" EAST, ALONG THE EASTERLY LINE OF SECTION 38, A DISTANCE OF 2086.25 FEET; THENCE NORTH 87°12'39" WEST, A DISTANCE OF 863.15 FEET TO THE WATERS OF SIX MILE CREEK; THENCE NORTH 46°17'49" WEST, ALONG THE WATERS OF SAID SIX MILE CREEK, A DISTANCE OF 1430.00 FEET; THENCE NORTH 45°19'26" WEST, ALONG THE WATERS OF SAID SIX MILE CREEK, A DISTANCE OF 1973.08 FEET; THENCE NORTH 16°05'23" WEST, ALONG THE WATERS OF SAID SIX MILE CREEK, A DISTANCE OF 639.84 FEET; THENCE NORTH 06°55'41" EAST, A DISTANCE OF 540.00 FEET TO A POINT IN THE DIVISION LINE BETWEEN SECTIONS 6 AND 38; THENCE NORTH 89°20'12" WEST, ALONG SAID DIVISION LINE, A DISTANCE OF 540.00 FEET; THENCE NORTH 01°32'49" WEST, ALONG THE WESTERLY LINE OF THE NORTH 28 ACRES OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2665.80 FEET TO A POINT IN SAID SIX MILE CREEK; THENCE WITH THE WATERS OF SAID SIX MILE CREEK THE FOLLOWING TWENTY NINE

(29) BEARING AND DISTANCES (1) NORTH 21°59'28" WEST, A DISTANCE OF 115.71 FEET; (2) THENCE NORTH 04°15'38" WEST, A DISTANCE OF 471.70 FEET; (3) THENCE NORTH 15°42'55" WEST, A DISTANCE OF 530.00 FEET; (4) THENCE NORTH 74°28'28" WEST, A DISTANCE OF 160.00 FEET; (5) THENCE NORTH 32°07'06" WEST, A DISTANCE OF 147.65 FEET; (6) THENCE NORTH 15°07'30" WEST, A DISTANCE OF 655.70 FEET; (7) THENCE NORTH 58°48'11" WEST, A DISTANCE OF 336.17 FEET; (8) THENCE NORTH 39°05'47" WEST, A DISTANCE OF 291.63 FEET; (9) THENCE NORTH 07°34'52" EAST, A DISTANCE OF 480.55 FEET; (10) THENCE NORTH 31°17'16" WEST, A DISTANCE OF 88.74 FEET; (11) THENCE NORTH 20°26'08" EAST, A DISTANCE OF 219.13 FEET; (12) THENCE NORTH 33°09'18" WEST, A DISTANCE OF 141.49 FEET; (13) THENCE NORTH 08°12'46" EAST, A DISTANCE OF 515.92 FEET; (14) THENCE NORTH 15°19'05" WEST, A DISTANCE OF 745.08 FEET; (15) THENCE NORTH 33°44'44" WEST, A DISTANCE OF 216.76 FEET; (16) THENCE NORTH 54°12'24" WEST, A DISTANCE OF 864.38 FEET; (17) THENCE NORTH 22°57'55" WEST, A DISTANCE OF 380.61 FEET; (18) THENCE NORTH 20°24'29" WEST, A DISTANCE OF 202.16 FEET; (19) THENCE SOUTH 88°26'32" WEST, A DISTANCE OF 190.74 FEET; (20) THENCE NORTH 55°09'29" WEST, A DISTANCE OF 308.93 FEET; (21) THENCE NORTH 44°40'29" WEST, A DISTANCE OF 350.69 FEET; (22) THENCE NORTH 33°10'13" WEST, A DISTANCE OF 230.07 FEET; (23) THENCE NORTH 56°26'30" WEST, A DISTANCE OF 260.59 FEET; (24) NORTH 01°22'50" WEST, A DISTANCE OF 303.45 FEET; (25) THENCE NORTH 28°32'35" WEST, A DISTANCE OF 522.44 FEET; (26) THENCE NORTH 19°05'07" WEST, A DISTANCE OF 479.11 FEET; (27) THENCE NORTH 70°02'28" WEST, A DISTANCE OF 257.46 FEET; (28) THENCE NORTH 05°33'42" WEST, A DISTANCE OF 519.98 FEET; (29) THENCE NORTH 33°12'51" WEST, A DISTANCE OF 664.34 FEET; THENCE NORTH 88°07'49" EAST, LEAVING THE WATERS OF SAID SIX MILE CREEK, A DISTANCE OF 159.15 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 25; THENCE NORTH 02°29'20" WEST, TO ITS INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13 (A 100 FOOT WIDE RIGHT-OF WAY AS NOW ESTABLISHED), A DISTANCE OF 4147.39 FEET TO A POINT ON A CURVE, SAID CURVE BEING CONCAVE WESTERLY, HAVING A RADIUS OF 2342.01 FEET; THENCE NORTHEASTERLY ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 721.56 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 19°55'50" EAST, AND A CHORD DISTANCE OF 718.71 FEET TO THE END OF SAID CURVE AT THE SOUTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 492 AT PAGE 812 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 65°13'38" EAST,

ALONG LINES OF SAME, A DISTANCE OF 967.56 FEET; THENCE
NORTH 87°23'47" EAST, CONTINUE ALONG LINES OF SAME, A
DISTANCE OF 1587.56 FEET; THENCE NORTH 02°36'55" WEST,
CONTINUE ALONG LINES OF SAME, A DISTANCE OF 2680.13 FEET,
TO THE POINT OF BEGINNING.

CONTAINING 3910.04 ACRES MORE OR LESS.

PARCEL C

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 28 EAST ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SCAFF ROAD, AS RECORDED IN OFFICIAL RECORDS VOLUME 845, PAGE 1083 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AND THE WESTERLY LINE OF GOVERNMENT LOT 17, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST; THENCE NORTH 19°05'30" EAST ALONG THE SAID WESTERLY LINE OF GOVERNMENT LOT 17, A DISTANCE OF 30.17 FEET TO THE POINT OF BEGINNING; THENCE NORTH 19°05'30" EAST CONTINUING ALONG THE SAID WESTERLY LINE OF GOVERNMENT LOT 17, A DISTANCE OF 359.48 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 71°48'11" WEST ALONG THE SOUTHWESTERLY LINE OF GOVERNMENT LOT 15 TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF SECTION 37, A DISTANCE OF 776.07 FEET TO A SET 1/2 INCH REBAR; THENCE NORTH 88°23'17" EAST ALONG THE SOUTH LINE OF SAID SECTION 37, A DISTANCE OF 1631.87 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 00°58'56" WEST ALONG THE SAID EASTERLY LINE OF SECTION 37, A DISTANCE OF 5070.70 FEET TO A SET 1\2 INCH REBAR; THENCE SOUTH 72°25'05" EAST ALONG THE NORTHEASTERLY LINE OF GOVERNMENT LOTS 15 AND 16, A DISTANCE OF 4655.46 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 18°51'53" WEST, A DISTANCE OF 4033.56 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 72°14'54" WEST, A DISTANCE OF 988.77 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 19°07'16" WEST TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN GOVERNMENT LOTS 16 AND 17, A DISTANCE OF 1342.37 FEET TO A FOUND CONCRETE MONUMENT; THENCE SOUTH 72°08'34" EAST ALONG SAID DIVISION LINE BETWEEN GOVERNMENT LOTS 16 AND 17, A DISTANCE OF 1941.01 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 76°29'14" WEST ALONG THE EASTERLY PROLONGATION OF THE CENTERLINE OF SAID SCAFF ROAD, A DISTANCE OF 4653.33 FEET TO THE POINT OF BEGINNING.

CONTAINING BY SURVEY MADE BY NORTHEAST FLORIDA SURVEYORS, 454.55 ACRES MORE OR LESS.

Exhibit "B" to Resolution

[Approved Master Development Plan Map H- Page 1 dated April 14, 2004
and revised Map H-Page 2, dated February 23, 2006]

Exhibit "C" to Resolution

[Blackline version of Amended and Restated Development Order,
Developer Commitments, Annual Monitoring Report Requirements
and Index]

**AMENDED AND RESTATED SAINT JOHNS
DEVELOPMENT ORDER CONDITIONS**

I. General Conditions.

- A. The Saint Johns Development Order is the Development Order approved by the St. Johns Board of County Commissioners (the "Board") in Resolution 91-130, together with the exhibits attached to and made a part of Resolution 91-130 as amended by the Board in Resolution 91-183; Resolution 94-211; Resolution 95-06; Resolution 96-102; Resolution 96-233, Resolution 98-126, Resolution 98-179, Resolution 99-20, Resolution 99-173, Resolution 2002-53, Resolution 2003-116, ~~and Resolution 2004-133 and Resolution 2006-___~~ together with the schedules and exhibits attached to and made a part of such ~~resolutions~~Resolutions. This Amended and Restated Saint Johns Development Order Conditions restates the Conditions to Development Order approval, as amended through _____, ~~2004, 2006~~. The Saint Johns Development Order may be referred to below as the SJH/DO or DO.
- 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 Interstate 95 and Nine Mile Road.) Note: This condition has been met.
- 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 December 19, 1995 and the termination date shall be December 19, 2019, unless sooner terminated pursuant to the terms of this DO or by law. Note: Physical development commenced prior to December 19, 1995.

- 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 December 19, 2019, 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 Interstate 95 and International Golf Parkway 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 Interstate 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 below with the exception of impacts to Interstate 95.
- I. A biennial 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 reporting year until buildout commencing January 15, 1992. The first biennial report shall be due on January 15, 2006. No report shall be due on January 15, 2005. The biennial report shall include the items described in the Restated Saint Johns DRI/DO Biennial Monitoring Report Requirements.
- J. Each biennial 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 biennial 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 biennial 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 that 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.

II. Specific Conditions.

- A. Development of the Saint Johns DRI shall not exceed the following cumulatively for the entire project:

LAND USE	SCOPE
Residential	7,200 d.u.
Office	2,493,000 s.f.
Retail / Commercial	583,000 s.f.
Industrial / Warehouse	2,464,000 s.f.
Golf	5436 holes
Hotel	1,225 rooms
PGA Hall of Fame and Tour Productions	75,000 s.f.

It is the intent of this condition that the Saint Johns project be developed in a single phase, commencing in 1995 and running through project build-out in 2019.

- 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. The requirement to determine and submit base flood elevation data has been satisfied. The developer determined and submitted base flood elevation data to the St. Johns County Engineering Department and the Federal Emergency Management Agency ("FEMA"). The data was approved by FEMA as the best available data for flood plain management purposes in 1993.

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

- D. The condition relating to the solid waste transfer station site has been intentionally deleted because the transfer station site has been dropped from the Master Plan.
- E. This condition has been intentionally deleted because the Applicant acquired a gopher tortoise take permit in 1999.
- 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 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 DO.

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 four years through buildout of the project, as the Applicant has committed. The aerial photography shall be submitted with the first biennial report due January 15, 2006 and every four years thereafter. 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 FDHR has determined that Archeological Site 8SJ2533 is not eligible for listing in the National Register of Historic Places ("NRHP") and no further investigation or preservation of the site is required. 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~~ 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. 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 that will significantly decrease the travel time of contaminants from the golf course into the ground water shall be minimized.
- N. The Restated Surface Water Monitoring Program is hereby incorporated by reference. The Restated Surface Water Monitoring Program should include tests for any pesticides and herbicides applied to the golf course. Pesticides and

herbicides that cannot be analyzed in the laboratory will be prohibited from application to the golf course in this project.

Those stormwater retention/detention ponds that 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 that 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 time frame. The actions required to address the identified exceedence and the time frame for implementation of the addition shall be agreed upon by NEFRPC, FDER, and SJRWMD. Failure to implement the agreed upon action in the time frame 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 an 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 Saint 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 of the ADA. The minimum distance between each stormwater retention/detention pond and adjacent preserved wetlands or 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.
- 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 Biennial 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 on-site wastewater treatment plans.

- V. Within sixty days of issuance of the Saint Johns amended Development Order, the Applicant shall review the 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 SJRWMD. 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 308.04, 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.

- 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. In the annual reports to be submitted 2000, 2006, 2010, and 2016, the developer, its successors or assigns, shall present documentation from FP&L or some other electricity supplier that there is sufficient capacity to provide electrical service to the project through the projected build-out of the next five (5) years. If there is not sufficient capacity to serve the project through the next five (5) years, a substantial deviation will be deemed to have occurred. [Resolution 96-102]
- AA. This condition has been intentionally deleted. All provisions regarding conveyances to St. Johns County or the School Board are now found in Specific Condition KK.
- BB. This condition has been intentionally deleted. All provisions regarding conveyances to St. Johns County or the School Board are now found in Specific Condition KK.

- CC. If the Level of Service (LOS) identified in the St. Johns County Comprehensive Plan 1990-2005, as provided in General Condition K 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 Saint 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 Saint 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 on-site 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 pretreated 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 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. This specific condition has been intentionally deleted. It addressed special monitoring requirements prior to construction of the interchange at Interstate 95/Nine Mile Road (i.e. International Golf Parkway). The interchange has been completed.
- FF. The timing of roadway improvements necessary to allow development to proceed without requiring a level of service determination for each final development permit shall be based on the total external traffic volume generated by the project by TAZ (as defined in the ADA and as shown on Figure 31.C.1 attached as Schedule 1) as reported under Biennial Monitoring Requirement Number 14 (see Restated Saint Johns DRI/DO Biennial Monitoring Report Requirements) or the dates as specified in the conditions below. Each biennial monitoring report shall distinguish between project traffic and total traffic, shall include the required traffic information for all project access points onto the external road network, and shall show the information by TAZ. The biennial monitoring report shall be reviewed and approved by St. Johns County and the DCA in consultation with the NEFRPC and FDOT. The DCA and St. Johns County shall have thirty (30) days from receipt of the report to approve or request additional information. If either of these parties do not respond in thirty (30) days, this shall be recognized as approval of the biennial monitoring report by that party. If additional information is submitted at the request of either party, there shall be an additional fifteen (15) days to review and approve or request additional information based on the submitted information. A roadway improvement shall be considered committed for construction if the roadway improvement is completed, under construction, or incorporated under the first three (3) years of the appropriate work program and there is a dedicated source of funding for the improvement.

St. Johns County shall not approve any additional final development permit (as defined in Section 5.35 of the St. Johns County Concurrency Management Ordinance 95-15) or any PUD Final Development Plan that establishes the Applicant's right to proceed with development without further review or conditions regarding roadway improvements ("Final Development Permit") unless the following roadway improvements are committed for construction in accordance with the schedule noted in bold faced type for each such improvement, or unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years;

- a. This subsection (a) has been intentionally deleted because International Golf Parkway has been four-laned from Royal Pines Parkway to I-95.

- b. Signalization of International Golf Parkway (f/k/a -Nine Mile Road)/I-95 ramp intersections. **When warranted.**
- c. Signalization of International Golf Parkway (f/k/a Nine Mile Road)/Interchange Northeast Parcel Access and International Golf Parkway (f/k/a Nine Mile Road) /Interchange Northwest Parcel Access. **When warranted.**
- d. Four-laning of S.R. 16 from C.R. 16A to International Golf Parkway (f/k/a Nine Mile Road). **This roadway link shall be committed by 2005, or when the Biennial Monitoring Report projects that the external traffic volume generated by the project in the ensuing two-year period will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.**
- e. Four-laning of International Golf Parkway (f/k/a Nine Mile Road) from Interchange Northwest Parcel entrance to S.R. 16. **This roadway link shall be committed by 2005, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) external trips per day, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years. Note: This specific condition has been satisfied by the commitment made by the developer of the World Commerce Center Development of Regional Impact as verified in correspondence dated December 12, 2002 from Scott Clem, St. Johns County Director of Growth Management Services.**

- f. This subsection has been intentionally deleted because the Developer has installed the signal and constructed the roadway improvements required under Specific Condition F.F.f.
- g. Signalization of International Golf Parkway (f/k/a Nine Mile Road)/U.S. 1 intersection. **When warranted and approved by FDOT, but not sooner than 2000.**
- h. Signalization of S.R. 16/C.R. 16A intersection. **When warranted and approved by FDOT, but not before a Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) daily trips.**
- i. Signalization at Interchange Northwest/International Golf Parkway (f/k/a Nine Mile Road) southern access point. **When warranted.**
- j. Signalization at S.R. 16/Six Mile Creek Parcel entrance. **When warranted and approved by FDOT.**
- k. Improvement of International Golf Parkway (f/k/a 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 U.S. 1 as approved by the St. Johns County Engineer. **This roadway link shall be committed by 2010, or when the Biennial Monitoring Report projects that external traffic volume generated by the Project in the ensuing two-year period will equal or exceed seventy-two thousand five hundred ninety-four (72,594) daily trips, or when the Biennial Monitoring Report projects that external traffic flow generated by the project in the ensuing two-year period within TAZs 1-5 will exceed forty-two thousand two hundred forty-four (42,244) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.**
- l. Improvement of Pacetti Road from S.R. 16 to C.R. 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. This roadway link shall be committed by 2010, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period will equal or exceed seventy-two thousand five hundred ninety-four (72,594) daily trips, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period within TAZs 6-10 will equal or exceed thirty thousand three hundred fifty (30,350) external trips per day, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.

- m. Signalization at C.R. 210/I-95 ramps. This subsection has been intentionally deleted because the signalization at C.R. 210/I-95 ramps has been installed.
- n. Four-laning of S.R. 16 from the Six Mile Creek central entrance to C.R. 16A. This roadway link shall be committed by 2015, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period will equal or exceed ninety-one thousand five hundred (91,500) daily trips, or when the Biennial Monitoring Report projects that external traffic volume generated by the project within TAZs 6-10 will equal or exceed forty-one thousand seven-hundred thirty (41,730), whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.
- o. Four-laning of Pacetti Road from S.R. 16 to central Six Mile Creek entrance. This roadway link shall be committed by 2015, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period will equal or exceed ninety-one thousand five hundred (91,500) daily trips, or when the Biennial Monitoring Report projects that external traffic volume generated by the project within TAZs 6-10 will equal or exceed forty-one thousand seven hundred thirty (41,730), whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC,

St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.

- p. Signalization at Pacetti Road/C-R- 208. **When warranted.**
- q. Improvements at C.R. 16A from Maguire Road to S.R. 16 to a two-lane arterial, including shoulder improvements and turn lanes, as necessary, as approved by the St. Johns County Engineer. **This roadway link shall be committed by 2015, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period will equal or exceed ninety-one thousand five hundred (91,500) daily trips, or when the Biennial Monitoring Report projects that external traffic volume generated by the project in the ensuing two-year period within TAZs 6-10 will equal or exceed forty-one thousand seven hundred thirty (41,730), whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.**
- r. Signalization at Pacetti Road and Six Mile Creek entrance. **When warranted.**
- s. Signalization at C.R. 13 and Six Mile Creek entrance. **When warranted.**
- t. This subsection "t" has been intentionally deleted because the monetary contributions required under subsection "t" have been paid to St. Johns County.
- u. After December 31, 2015 or after the external trip threshold set forth below has been met or exceeded, the developer shall be required to comply with St. Johns County Concurrency Management Ordinance requirements relating to the level of service for I-95 as established in the St. Johns County Comprehensive Plan. **The requirement to undergo concurrency review relating to I-95 shall apply to any portion of the project for which a final development plan or other final development permit is submitted on or after December 31, 2015, or after the Biennial Monitoring Report projects that the external traffic volume generated by the project in the ensuing two-year period will equal or exceed ninety one thousand five hundred (91,500) daily trips.**

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 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 foregoing schedule of necessary roadway improvements was developed assuming that the external traffic volume generated by the project would be generated by TAZ in accordance with the following schedule:

SAINT JOHNS TRIP SUMMARY BY TAZ (EXTERNAL TRIPS/DAY)

<u>TAZ</u>	<u>2000</u>	<u>2005</u>	<u>2010</u>	<u>2015</u>
1	3,821	8,357	11,701	11,814
2	2,859	6,513	7,517	10,128
3	6,039	10,387	13,320	18,028
4	3,834	3,860	4,801	4,848
5	1,236	5,001	4,905	4,952
6	0	2,924	12,390	12,510
7	0	0	3,268	4,267
8	1,092	5,344	5,880	7,105
9	0	0	5,888	14,896
10	<u>0</u>	<u>0</u>	<u>2,924</u>	<u>2,952</u>
TOTAL	18,881	42,386	72,594	91,500

TAZs 1-2 represent the Interchange Southeast Parcel and Interchange Northeast Parcel, respectively, and both connect with the public road system at International Golf Parkway east of 1-95. TAZs 3-5 represent the easterly, middle, and westerly portions of the Interchange Northwest Parcel, respectively, and all connect with the public road system at International Golf Parkway west of 1-95. TAZs 6-9 represent various portions of the Six Mile Creek Parcel, and TAZ 10 is the public park proposed for the Turnbull Creek Parcel.

- 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 Interstate 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 insure 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 Developer shall contribute \$300,000.00 to St. Johns County for the provision of affordable housing within the West Augustine Community. The \$300,000.00 shall be payable in installments as follows:
- A. \$75,000 - Within 60 days of the effective date of Resolution 2002-53;
 - B. \$100,000 - By January 31, 2004;
 - C. \$125,000 - By January 31, 2006.
- JJ. This condition has been intentionally deleted because the entire Turnbull Creek Parcel has already been conveyed to St. Johns County. Also, all provisions regarding conveyances to St. Johns County or the School Board are now found in Specific Condition KK.
- KK. This condition addresses the required conveyances by the Developer to St. Johns County or the St. Johns County School Board.
1. School Sites: This subsection has been satisfied because the three public school sites were conveyed to St. Johns County School Board on January 31, 2001.
 2. Turnbull Creek Parcel. This subsection has been satisfied because the Developer conveyed the entire Turnbull Creek Parcel to St. Johns County in 1996.
 3. Parcel 20 - Interchange Northwest. This subsection has been satisfied because the Parcel 20 Civic Site on the Interchange Northwest Parcel was conveyed to St. Johns County in 1999.

4. Parcel 6 - Six Mile Creek Central. The Parcel 2 (formerly Parcel 6) Civic Site in the Six Mile Creek Central Parcel was conveyed to St. Johns County in 1999.
5. Environmental Learning Parcel - Six Mile Creek West . The Developer shall convey the 40.49 acre portion of the environmental preserve lying between Parcel 1 and Parcel 9 of Six Mile Creek West as shown on Map H (the "Environmental Learning Center Parcel"), to the St. Johns County School Board simultaneously with conveyance of Parcel 1 of Six Mile Creek West to the School Board if the St. Johns County School Board agrees to accept the conveyance. If the St. Johns County School Board does not accept the conveyance of the Environmental Learning Parcel, then the Developer shall convey the Environmental Learning Center Parcel to St. Johns County within 120 days of being requested to do so by by the St. Johns County Board of County Commissioners or the County Administrator, provided that the request occurs on or before December 31, 2008. If the Board of County Commissioners or the County Administrator does not request conveyance of the Environmental Learning Center Parcel by December 31, 2008, then the Developer shall provide written notice of its final offer to convey the property to St. Johns County by Certified Mail delivered to the Planning Director, the Chairman of the St. Johns County Board of County Commissioners, the St. Johns County Administrator and the St. Johns County Attorney's Office requesting that its offer be scheduled for a public hearing. If the St. Johns County Board of County Commissioners does not accept the Developer's final offer to convey the property within 120 days after receipt of the Developer's final offer to convey, then the Developer may convey the Environmental Learning Center Parcel to the property owner's association having responsibility for maintenance of common areas within the Six Mile Creek Parcel, or to any other governmental entity agreeing to accept the conveyance and to comply the terms of the conservation easement to be recorded by the Developer.
6. Terms of Conveyances. All parcels to be conveyed pursuant to this Specific Condition KK shall be conveyed in fee simple, free of all liens and monetary encumbrances at no charge to St. Johns County or to the St. Johns County School Board. The Developer shall, however, be allowed a credit against the applicable St. Johns County impact fee or fees. The amount of the credit shall be determined prior to the conveyance in accordance with the provisions of the applicable St. Johns County Impact Fee Ordinance. Notwithstanding anything to the contrary in this Development Order, if the County accepts conveyance of Parcel 20 within the Interchange Northwest Parcel and/or Parcel 6 within the Six Mile Creek Central Parcel on or before December 23, 1999, then the Developer shall receive impact fee credits in an amount equal to the lesser of the appraised fair market value or \$13,500 per acre for Parcel 20 within the Interchange Northwest Parcel and in an amount equal to the lesser of the appraised fair market value or \$6,000 per acre for Parcel 6 within

the Six Mile Creek Central Parcel. All conveyances shall be made subject to appropriate conditions, covenants and restrictions and reservations which limit the uses to those intended, ensure that the site will be compatible with surrounding uses, provide for proper maintenance and provide for provide for proper drainage and access. Also such conditions, covenants and restrictions shall allow for modification or release by the Developer or identifiable successors and the St. Johns County School Board or St. Johns County Board of County Commissioners as the case may be, all subject to review and approval by the St. Johns County Board of County Commissioners or the St. Johns County School Board, as the case may be in its reasonable discretion. All properties conveyed to St. Johns County or to the St. Johns County School Board pursuant to Specific Condition KK shall be provided appropriate and necessary easements for access, drainage and utilities.

- LL. The Developer shall create a Transportation Demand Management Association for the non-residential components of the Saint Johns project (TDMA). The Board of Directors of the TDMA shall include the Executive Director of the NEFRPC or his designee. The purpose of the Transportation Demand Management Association is to reduce the peak traffic impacts of the project, particularly as such traffic may impact between S.R. 210 and S.R. 16 by employing a variety of Transportation Demand Management Techniques. The Transportation Demand Management Techniques employed by the TDMA shall include, but not be limited to a mix of such innovative planning and implementing actions as securing staggered work hour agreements among various employers located within the project; van pooling projects; ride-sharing projects; transportation projects for the disadvantaged, etc. The TDMA shall be established within six (6) months after commencement of construction of non-residential improvements and shall remain in effect through buildout of the project. Within three (3) months of its establishment, the TDMA shall submit proposed transportation demand management techniques to the DCA and County for review and comments. The programs finally adopted and implemented by the Transportation Demand Management Association shall be described in the Biennial Monitoring Report.

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Total changes	19

**AMENDED AND RESTATED
SAINT JOHNS DRI/DO**

DEVELOPER COMMITMENTS

The following Developer Commitments supplement the Development Order Conditions.

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 any permit application for construction of a wastewater treatment plant submitted to the Department of Environmental Protection.
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 any area proposed for new potable water 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. Intentionally deleted.
12. See Specific Condition KK.
13. See Specific Condition KK.
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. This area has been made subject to a preservation area on the Interchange Northwest Parcel.
15. See Specific Condition E.
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 reserved for preservation is identified on Map H. The 2774.5 acres includes the 63-acre upland wildlife and vegetation preserve identified in Developer Commitment 14 above. It also includes 377 acres of preservation on the Turnbull Creek Parcel that has been conveyed to St. Johns County. The 377-acre Turnbull Creek Parcel contains approximately 227 acres of uplands and approximately 150 acres of wetlands.
17. See Specific Condition KK.
18. Only those portions of the property that 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 insulation.
24. No residential floor construction will occur below the 100-year flood elevations.
25. ~~Prehistoric site 8SJ2533 and historic~~ 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 ~~park~~ park containing ~~these sites~~ at this site is 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 courses 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. See Specific Condition KK.
31. The Developer has donated \$45,000 to St. Johns County for improvement of the public park and boat ramp on county property located adjacent to Trout Creek. This was done prior to approval of the SJ/DO. No impact fee credits were requested or granted for this donation.
32. The Developer has conveyed 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 are available for development by St. Johns County for a community park. The remaining approximately 382 acres of the Turnbull Creek Parcel are required to be maintained in a natural condition subject to exceptions and requirements specified by a recorded conservation easement.

33. See Specific Condition KK.
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35. See Specific Condition KK.
36. The Developer has constructed the interchange at International Golf Parkway and I-95 and has completed the necessary relocation of Francis Road and the related improvements to International Golf Parkway in the vicinity of the interchange. All right-of-way for this work was acquired by the developer and was donated to the Florida Department of Transportation or St. Johns County, as appropriate.
37. See Specific Condition FF.
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 that 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. [INTENTIONALLY DELETED, SEE SPECIFIC CONDITION II]
43. [INTENTIONALLY DELETED, SEE SPECIFIC CONDITION II]
44. [INTENTIONALLY DELETED, SEE SPECIFIC CONDITION II]

**RESTATED
SAINT JOHNS DRI/DO
BIENNIAL 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 biennially.
2. A summary comparison of development activity proposed and actually conducted during the preceding reporting period, and projected for the ensuing reporting period, 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 reporting period.
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 every two years in the monitoring reports.
11. All requests for a substantial deviation determination and non-substantial deviations that were filed in the reporting period and to be filed during the next two years.
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 two years 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 biennially 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 24 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 24 months and projected for the ensuing 24 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

15. The status of the Preserved wetlands shall be monitored through the submittal of aerial photographs every four 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, FDEP, FGFWFC, SJC and the NEFRPC. See Specific Condition G.
16. See Specific Condition II.
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 biennial report shall be accompanied by a statement certifying that the NEFRPC, Department of Community Affairs, St. Johns County, Florida Department of Environmental Protection, Florida Department of Transportation and the St. Johns River Water Management District have been sent copies of the Biennial 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 biennial reports.

**RESTATED
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 that 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:

Surface Water.

Mercury
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
Oils and Grease
Pesticides and Herbicides used on golf courses once golf courses are in operation

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 biennially.

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 biennial reports shall be submitted to the Florida Department of Environmental Protection 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.

**SUBJECT MATTER INDEX
SAINT JOHNS DEVELOPMENT
ORDER CONDITIONS AND COMMITMENTS**

1. Description of Development Order. General Condition A.
2. Subsequent Owners. General Condition B.
3. Time for Commencement. General Conditions C and E.
4. Responsible Official. General Condition D.
5. Down Zoning Protection. General Condition F.
6. Impact Fee Credits. General Condition G; Specific Condition KK (Subsection 6).
7. Level of Service Standards. General Condition H and K; Specific Conditions K (wastewater), S (drainage), X (potable water), CC (solid waste), FF (roads) Amended _____, June 15, 2004.
8. Monitoring. General Condition I and J (Amended _____, June 15, 2004.)
9. Applicability of Other Ordinances. General Condition K; Developer Commitment 2.
10. Substantial Deviations. General Condition L.
11. Development Totals. Specific Condition A (Amended June 17, 2003); and _____, 2006).
12. Restriction Against Mineral Extraction. Specific Condition B.
13. Floodplain Requirements. Specific Condition C (Amended June 17, 2003); Developer Commitments 1, 5 and 24.
14. Gopher Tortoise Mitigation. Specific Condition E (Amended June 17, 2003).
15. Wetland Protection and Environmental Preservation. Specific Conditions F, G (Amended _____, June 15, 2004.), H, P, and Q; Developer Commitments 14 and 16.
16. Archeological Resources. Specific Conditions I and J; Developer Commitment 25. (Amended _____, 2006)

17. Wastewater. Specific Condition K and L; Developer Commitments 3, 6, 26 and 27.
18. Groundwater and Well Protection. Specific Conditions M, U, V, W and X; Developer Commitments 8 and 9.
19. Surface Water Quality. Specific Conditions N, O, P, R and S; Developer Commitments 2, 4, 18, 19 and 20.
20. Reuse and Water Conservation. Specific Conditions T (Amended _____, June 15, 2004), U and Y; Developer Commitments 6, 7, 8, 26 and 28.
21. Erosion Control. Specific Condition H; Developer Commitments 18 - 23.
22. Solid Waste and Recycling. Specific Conditions CC and DD; Developer Commitment 10.
23. Transportation. Specific Conditions FF (Amended June 17, 2003 and _____, June 15, 2004), GG, HH and LL Amended _____, June 15, 2004; Developer Commitments 36, 39 and 40.
24. Affordable Housing. Specific Condition II; (Amended March 26, 2002) [Developer Commitments 42 - 44 (Deleted March 26, 2002)].
25. Conveyances to School Board and County. Specific Condition KK (Amended June 17, 2003); Developer Commitment 32.
26. Electrical Power and Energy. Specific Condition Z (Amended _____, June 15, 2004.); Developer Commitments 29 and 38.
27. Pedestrian Circulation. Developer Commitments 39 - 40.
28. Landscaping. Developer Commitment 41.

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Exhibit "D" to the NOPC and Exhibit "C" to the Resolution

**AMENDED AND RESTATED
SAINT JOHNS DRI/DO**

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**RESTATED
SAINT JOHNS DRI/DO
BIENNIAL 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 biennially.
2. A summary comparison of development activity proposed and actually conducted during the preceding reporting period, and projected for the ensuing reporting period, 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 reporting period.
 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 every two years in the monitoring reports.
 11. All requests for a substantial deviation determination and non-substantial deviations that were filed in the reporting period and to be filed during the next two years.
 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 two years 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 biennially 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 24 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 24 months and projected for the ensuing 24 months, including traffic estimates for the following roads and intersections. Distinguish between Project related traffic and total traffic volumes.

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 biennially.

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 biennial reports shall be submitted to the Florida Department of Environmental Protection 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.

JUL The St Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared CHARLES BARRETT who on oath says that he is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being NOTICE OF HEARING in the matter NOPC 06-04 ST JOHNS DRI was published in said newspaper in the issues of JULY 17, 2006.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 17TH day of JULY, 2006.

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Brian Fike]

(Signature of Notary Public)



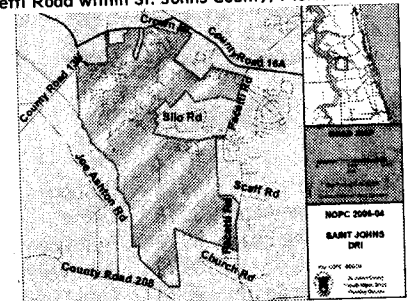
Brian Fike My Commission DD327588 Expires June 09, 2008

(Seal)

BRIAN T. FIKE

NOTICE OF A PROPOSED CHANGE (NOPC) TO THE SAINT JOHNS DEVELOPMENT OF REGIONAL IMPACT (DRI)

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, August 3, 2006 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency and on Tuesday, August 22, 2006 by the Board of County Commissioners in the County Auditorium; County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider a Notice of Proposed Change (NOPC) to the Saint Johns DRI to request modifications to the DRI Development Order (DO) and Map H. The subject property is located within the Six Mile Creek portion, south of State Road 16, west of Pacetti Road within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA JAMES E. BRYANT, CHAIRMAN

PLANNING AND ZONING AGENCY ST. JOHNS COUNTY, FLORIDA HENRY GREEN, CHAIRMAN FILE NUMBER: NOPC 2006-04 Saint Johns DRI L1995-6 July 17, 2006