

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION, AND APPROVING THE TERMS AND AUTHORIZING THE CHAIR TO EXECUTE A DRAINAGE AND ACCESS EASEMENT AGREEMENT AND MAINTENANCE AND HOLD HARMLESS AGREEMENT, ON BEHALF OF THE COUNTY, AS REQUIRED IN THE DURBIN CREEK NATIONAL, LLC, AGREEMENT FOR EAST PEYTON PARKWAY.

RECITALS

WHEREAS, Durbin Creek National, LLC., a Florida limited liability company (“Durbin Land”), has executed and presented to St. Johns County a Deed of Dedication, attached hereto as Exhibit “A,” incorporated by reference and made a part hereof, conveying right-of-way for East Peyton Parkway; and

WHEREAS, the Deed of Dedication will satisfy a requirement for right-of-way as set forth in the Development Agreement for Durbin Land approved February 9, 2015, and recorded in Official Records Book 3986, page 1862 by the Board of County Commissioners of St. Johns County, Florida; and

WHEREAS, a Drainage and Access Easement Agreement, attached hereto as Exhibit “B”, incorporated by reference and make a part hereof, for Stormwater Ponds adjacent to East Peyton Parkway which provide drainage to the County right-of-way and Durbin Land; and

WHEREAS, a Maintenance and Hold Harmless Agreement, attached hereto as Exhibit “C”, Durbin Creek National, LLC., and Durbin Park Master Association, Inc., a Florida not-for-profit corporation, have agreed to the maintenance of landscaping and related irrigation, lighting, signage, and stormwater ponds and surrounding banks that have been or will be installed within the right-of-way of East Peyton Parkway; and

WHEREAS, it is in the best interest of the County to accept the Deed of Dedication, Drainage and Access Easement Agreement and a Maintenance and Hold Harmless Agreement for the health, safety and welfare of its citizens.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby accepts the Deed of Dedication, and approves and authorizes the Chair to execute the Drainage and Access Easement Agreement and Hold Harmless Agreement and for the purposes mentioned above.

Section 3. To the extent that there are typographical errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

Section 4. The Clerk is instructed to record the original Deed of Dedication, Drainage and Access Easement Agreement and the Maintenance and Hold Harmless Agreement in the Public Records of St. Johns County, Florida .

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 17th day of September, 2024.

Rendition Date SEP 17 2024

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Sarah Arnold, Chair

ATTEST: Brandon J. Patty
Clerk of the Circuit Court & Comptroller

By: Crystal Smith
Deputy Clerk



Prepared by:
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

**DEED OF DEDICATION
RIGHT-OF-WAY
(East Peyton Parkway)**

THIS INDENTURE is made and executed this ____ day of _____, 2024, by **DURBIN CREEK NATIONAL, LLC**, a Florida limited liability company, whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257 ("**Grantor**"), to and in favor of **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 ("**Grantee**").

WITNESSETH: that for and in consideration of the acceptance of this Deed of Dedication by the Grantee and Grantee's continuing obligation to comply with the terms and conditions of (i) that certain Development Agreement between Grantor and Grantee dated February 9, 2015 and recorded in Official Records Book 3986, Page 1862, as amended by that certain First Amendment to Development Agreement dated January 19, 2017 and recorded in Official Records Book 4319, Page 1805, and as further amended by that certain Second Amendment to Development Agreement dated May 26, 2020 and recorded in Official Records Book 4951, Page 1179, all of the Public Records of St. Johns County, Florida, and (ii) that certain Ordinance No. 2015-5 related to a St. Johns County Transportation Improvement Trust Fund, said Grantor does hereby give, grant, dedicate and convey to the Grantee, its successors and assigns forever, the following described land, situate in St. Johns County, Florida, to wit:

PROPERTY AS DESCRIBED ON **EXHIBIT "A"** ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF (THE "PROPERTY").

TO HAVE AND HOLD the same unto the Grantee, its successors and assigns forever, in fee simple for a public road, including therein the right to construct, maintain and operate, either above or below the surface of the ground, electric light and power, water, sewer, and drainage lines and other public utilities.

To have and to hold the Property in fee simple forever.

Except as set forth in the Permitted Encumbrances described on **Exhibit "B"** attached hereto, the said Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of: GRANTOR:

Susan Fwgenz
Susan Fwgenz
Printed Name

DURBIN CREEK NATIONAL, LLC, a Florida limited liability company

9540 San Jose Blvd
Jacksonville, FL 32257
Address

By: [Signature]
Melissa A. Yuhas
Vice President

Jayne Galvin
JAYNE GALVIN
Printed Name

9540 San Jose Blvd
Jacksonville, FL 32257
Address

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 4th day of September, 2024, by Melissa A. Yuhas, as Vice President of Durbin Creek National, LLC, a Florida limited liability company. He (check one) is personally known to me, or has proved me on basis of satisfactory evidence to be the person who executed this instrument.

Vickie L. Bulkley
Notary Public
My Commission Expires: 12-11-2027

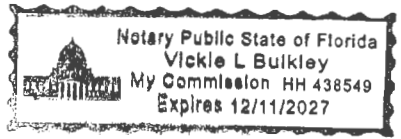


EXHIBIT "A"

Legal Description of the Property

ROADWAY

A PORTION OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B (A VARIABLE WIDTH R/W, PER F.D.O.T. RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182), AND THE SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY (DURBIN CONNECTOR, A VARIABLE WIDTH R/W, PER F.D.O.T. RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTH 67°37'24" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, 301.39 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 67°37'24" EAST, ALONG LAST SAID LINE, 327.09 FEET; THENCE SOUTH 19°27'47" WEST, 3.45 FEET TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1205.00 FEET, AN ARC DISTANCE OF 288.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 77°23'40" EAST, 287.75 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 455.00 FEET, AN ARC DISTANCE OF 62.99 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 03°38'19" EAST, 62.94 FEET; THENCE SOUTH 89°06'02" EAST, 133.06 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 324.06 FEET, AN ARC DISTANCE OF 42.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 07°17'58" WEST, 42.79 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 40.00 FEET, AN ARC DISTANCE OF 63.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 42°02'57" EAST, 57.12 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1180.00 FEET, AN ARC DISTANCE OF 695.55 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 70°43'30" EAST, 685.53 FEET; THENCE SOUTH 36°09'41" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1185.00 FEET, AN ARC DISTANCE OF 334.90 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 45°44'32" EAST, 333.78 FEET TO THE ARC OF A CURVE

LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 95.22 FEET, AN ARC DISTANCE OF 129.52 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 79°25'09" EAST, 119.76 FEET; THENCE NORTH 31°04'14" EAST, 150.10 FEET; THENCE NORTH 58°55'46" WEST, 45.15 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 72.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 17°17'28" WEST, 66.44 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1180.00 FEET, AN ARC DISTANCE OF 297.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 17°07'17" EAST, 296.85 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 09°53'43" EAST, 347.21 FEET; THENCE SOUTH 80°06'17" EAST, 5.00 FEET; THENCE NORTH 09°53'43" EAST, 285.22 FEET; THENCE SOUTH 80°06'17" EAST, 8.00 FEET; THENCE NORTH 50°31'06" EAST, 133.07 FEET; THENCE SOUTH 80°06'17" EAST, 14.36 FEET; THENCE NORTH 09°53'43" EAST, 121.00 FEET; THENCE NORTH 80°06'17" WEST, 70.00 FEET; THENCE NORTH 35°06'17" WEST, 43.84 FEET; THENCE NORTH 80°06'17" WEST, 13.00 FEET; THENCE NORTH 09°53'43" EAST, 161.77 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1453.74 FEET, AN ARC DISTANCE OF 804.73 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°47'53" EAST, 794.50 FEET; THENCE SOUTH 48°20'39" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1448.74 FEET, AN ARC DISTANCE OF 270.09 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 46°59'50" EAST, 269.70 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 83.00 FEET, AN ARC DISTANCE OF 131.02 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 82°26'27" EAST, 117.83 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 37°13'12" EAST, 5.98 FEET; THENCE NORTH 52°46'48" EAST, 100.00 FEET; THENCE NORTH 37°13'12" WEST, 60.61 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 33.00 FEET, AN ARC DISTANCE OF 51.90 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 07°50'07" EAST, 46.71 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 52°53'25" EAST, 205.74 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1180.00 FEET, AN ARC DISTANCE OF 613.30 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 37°53'39" EAST, 606.42 FEET; THENCE

SOUTH 66°59'44" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1185.00 FEET, AN ARC DISTANCE OF 432.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 12°33'04" EAST, 430.00 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 64.00 FEET, AN ARC DISTANCE OF 93.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°07'16" EAST, 85.69 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 86°08'39" EAST, 1.13 FEET; THENCE NORTH 03°51'21" WEST, 119.62 FEET; THENCE SOUTH 86°08'39" WEST, 31.89 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 36.00 FEET, AN ARC DISTANCE OF 52.80 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 51°50'32" WEST, 48.19 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1774.31 FEET, AN ARC DISTANCE OF 155.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 12°20'09" WEST, 155.23 FEET; THENCE NORTH 15°38'11" WEST, 176.64 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 922.50 FEET, AN ARC DISTANCE OF 600.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°00'18" EAST, 589.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 21°38'47" EAST, 206.65 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED) AND THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG LAST SAID LINE AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2828.27 FEET, AN ARC DISTANCE OF 160.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 65°15'44" WEST, 160.23 FEET; THENCE SOUTH 21°38'47" WEST, 215.29 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1082.50 FEET, AN ARC DISTANCE OF 704.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 03°00'18" WEST, 692.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 15°38'11" EAST, 175.50 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1614.31 FEET, AN ARC DISTANCE OF 165.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 11°51'32" EAST, 165.91 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 992.77 FEET, SAID ARC BEING

SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 21°33'16" WEST, 954.04 FEET; THENCE NORTH 40°33'45" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 59.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 51°06'23" WEST, 59.12 FEET; THENCE SOUTH 52°53'54" WEST, 216.54 FEET; THENCE NORTH 85°18'10" WEST, 50.97 FEET; THENCE NORTH 37°08'39" WEST, 5.00 FEET; THENCE 52°49'55" WEST, 69.00 FEET; THENCE SOUTH 37°08'41" EAST, 1.91 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 42.00 FEET, AN ARC DISTANCE OF 66.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°52'16" WEST, 59.42 FEET; THENCE SOUTH 52°53'47" WEST, 50.07 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1613.90 FEET, AN ARC DISTANCE OF 171.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 49°34'43" WEST, 171.80 FEET; THENCE NORTH 43°28'18" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1618.90 FEET, AN ARC DISTANCE OF 265.74 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 41°49'30" WEST, 265.44 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 56.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 80°49'28" WEST, 51.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 55°28'24" WEST, 2.00 FEET; THENCE SOUTH 34°31'36" WEST, 50.00 FEET; THENCE SOUTH 55°28'24" EAST, 17.72 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 38.71 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 11°07'13" EAST, 34.95 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1613.90 FEET, AN ARC DISTANCE OF 456.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 25°07'33" WEST, 455.20 FEET; THENCE NORTH 72°58'56" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1618.90 FEET, AN ARC DISTANCE OF 200.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 13°28'41" WEST, 199.95 FEET; THENCE SOUTH 09°53'43" WEST, 115.72 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 107.00 FEET, AN

ARC DISTANCE OF 142.68 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 61°41'42" WEST, 132.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 80°06'17" WEST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 111.00 FEET; THENCE SOUTH 80°06'17" EAST, 73.00 FEET; THENCE SOUTH 35°06'17" EAST, 50.91 FEET; THENCE SOUTH 80°06'17" EAST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 191.40 FEET; THENCE NORTH 80°06'17" WEST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 191.10 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 35.06 FEET, AN ARC DISTANCE OF 52.35 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 49°56'52" WEST, 47.62 FEET; THENCE NORTH 83°52'21" WEST, 8.38 FEET; THENCE SOUTH 09°53'43" WEST, 50.00 FEET; THENCE SOUTH 80°06'17" EAST, 19.00 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.95 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 40°03'08" EAST, 32.17 FEET; THENCE SOUTH 09°43'33" WEST, 125.70 FEET; THENCE NORTH 80°06'17" WEST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 86.74 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 181.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°01'00" WEST, 181.21 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 87.00 FEET, AN ARC DISTANCE OF 153.26 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 70°36'15" WEST, 134.20 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 58°55'46" WEST, 1.56 FEET; THENCE SOUTH 31°04'14" WEST, 140.00 FEET; THENCE SOUTH 58°55'46" EAST, 74.10 FEET; THENCE SOUTH 05°32'05" EAST, 46.08 FEET; THENCE SOUTH 53°57'21" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 195.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 41°32'39" WEST, 195.53 FEET; THENCE NORTH 42°57'21" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 204.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 52°49'18" WEST, 204.35 FEET TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 60.27 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 74°26'34" WEST, 53.83 FEET; THENCE NORTH 27°46'38" WEST, 1.98 FEET; THENCE SOUTH 62°12'29" WEST, 50.00 FEET; THENCE SOUTH 27°46'38" EAST, 19.68 FEET

TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 40.53 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 18°39'46" WEST, 36.23 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 95.55 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 67°47'12" WEST, 95.52 FEET; THENCE NORTH 19°31'47" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 263.07 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 77°53'44" WEST, 262.34 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 85.05 FEET, AN ARC DISTANCE OF 143.31 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°54'57" WEST, 126.95 FEET; THENCE NORTH 03°22'21" EAST, 3.70 FEET; THENCE NORTH 86°37'39" WEST, 110.00 FEET; THENCE SOUTH 03°22'21" WEST, 70.56 FEET; THENCE SOUTH 60°20'26" WEST, 42.00 FEET; THENCE SOUTH 08°54'08" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 139.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 77°09'59" WEST, 139.87 FEET; THENCE NORTH 17°53'28" EAST, 19.33 FEET; THENCE NORTH 72°06'32" WEST, 30.00 FEET; THENCE SOUTH 17°53'28" WEST, 1.82 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF AFORESAID EAST PEYTON PARKWAY; THENCE NORTH 67°37'24" WEST, ALONG LAST SAID LINE, 334.48 FEET; THENCE SOUTH 22°22'36" WEST, 200.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 30.90 ACRES, MORE OR LESS.

11.1.1. 2018 027

Map Showing

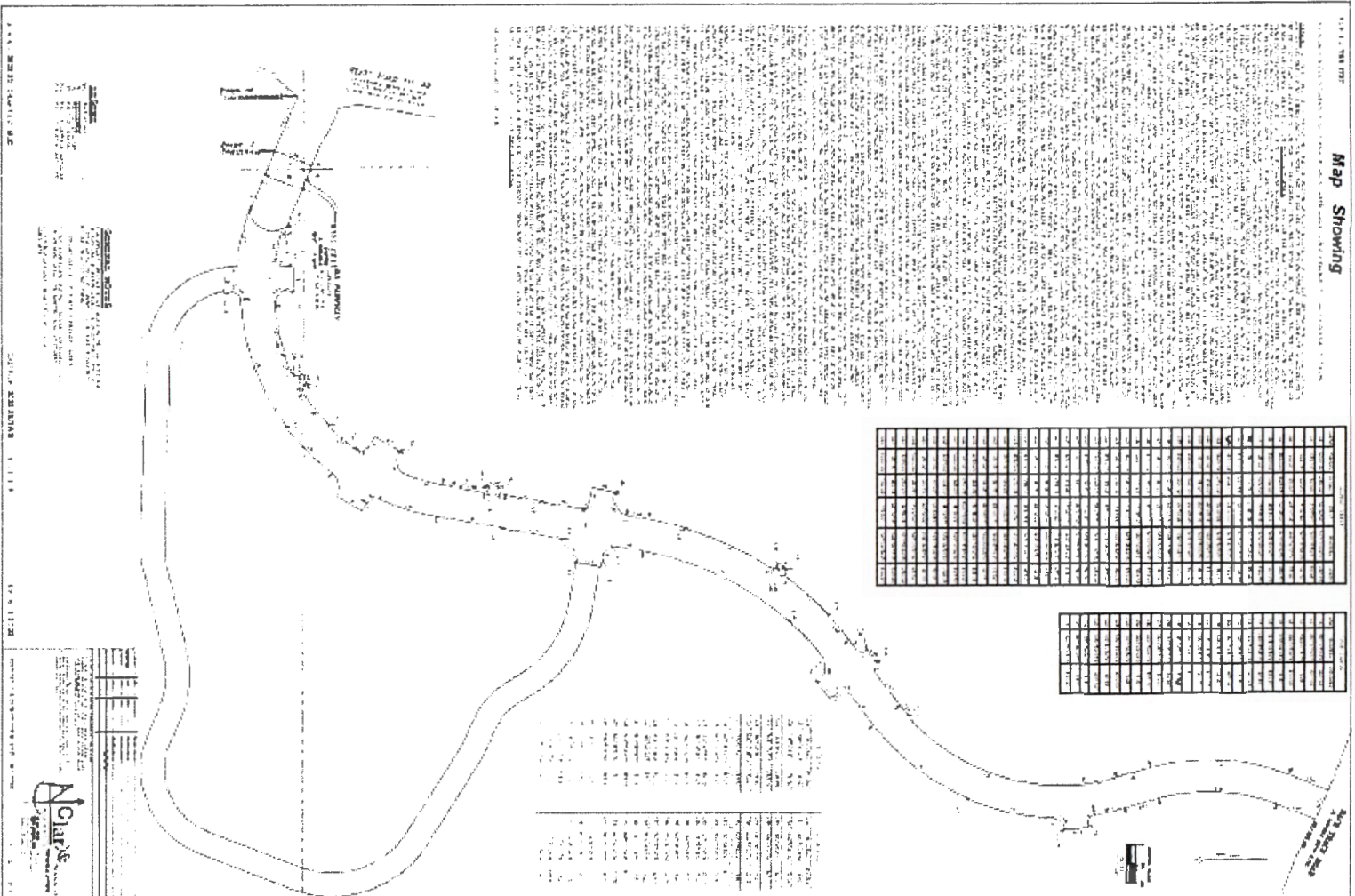
THE PROPOSED LOCATION OF THE NEW POND

THE PROPOSED POND IS SITUATED TO THE SOUTH EAST OF THE EXISTING POND AND IS TO BE CONSTRUCTED AS A PART OF THE IMPROVEMENTS TO THE POND SYSTEM. THE POND IS TO BE CONSTRUCTED TO A DEPTH OF 1.0 METRE AND IS TO BE FENCED OFF FROM THE PUBLIC ROAD. THE POND IS TO BE CONSTRUCTED TO A DEPTH OF 1.0 METRE AND IS TO BE FENCED OFF FROM THE PUBLIC ROAD. THE POND IS TO BE CONSTRUCTED TO A DEPTH OF 1.0 METRE AND IS TO BE FENCED OFF FROM THE PUBLIC ROAD.

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	GRAVEL	100	M ³	10.00	1000.00
2	CONCRETE	50	M ³	20.00	1000.00
3	STEEL	10	TONS	100.00	1000.00
4	LABOUR	100	HOURS	10.00	1000.00
5	PERMIT	1	DAY	1000.00	1000.00
6	DESIGN	1	DAY	1000.00	1000.00
7	CONSTRUCTION	10	WEEKS	1000.00	10000.00
8	MAINTENANCE	10	WEEKS	1000.00	10000.00
9	OPERATION	10	WEEKS	1000.00	10000.00
10	REPAIRS	10	WEEKS	1000.00	10000.00
11	REPLACEMENT	10	WEEKS	1000.00	10000.00
12	RENOVATION	10	WEEKS	1000.00	10000.00
13	RESTORATION	10	WEEKS	1000.00	10000.00
14	RECONSTRUCTION	10	WEEKS	1000.00	10000.00
15	REDEMPTION	10	WEEKS	1000.00	10000.00
16	REDEMPTION	10	WEEKS	1000.00	10000.00
17	REDEMPTION	10	WEEKS	1000.00	10000.00
18	REDEMPTION	10	WEEKS	1000.00	10000.00
19	REDEMPTION	10	WEEKS	1000.00	10000.00
20	REDEMPTION	10	WEEKS	1000.00	10000.00

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
21	GRAVEL	100	M ³	10.00	1000.00
22	CONCRETE	50	M ³	20.00	1000.00
23	STEEL	10	TONS	100.00	1000.00
24	LABOUR	100	HOURS	10.00	1000.00
25	PERMIT	1	DAY	1000.00	1000.00
26	DESIGN	1	DAY	1000.00	1000.00
27	CONSTRUCTION	10	WEEKS	1000.00	10000.00
28	MAINTENANCE	10	WEEKS	1000.00	10000.00
29	OPERATION	10	WEEKS	1000.00	10000.00
30	REPAIRS	10	WEEKS	1000.00	10000.00
31	REPLACEMENT	10	WEEKS	1000.00	10000.00
32	RENOVATION	10	WEEKS	1000.00	10000.00
33	RESTORATION	10	WEEKS	1000.00	10000.00
34	RECONSTRUCTION	10	WEEKS	1000.00	10000.00
35	REDEMPTION	10	WEEKS	1000.00	10000.00
36	REDEMPTION	10	WEEKS	1000.00	10000.00
37	REDEMPTION	10	WEEKS	1000.00	10000.00
38	REDEMPTION	10	WEEKS	1000.00	10000.00
39	REDEMPTION	10	WEEKS	1000.00	10000.00
40	REDEMPTION	10	WEEKS	1000.00	10000.00

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
41	GRAVEL	100	M ³	10.00	1000.00
42	CONCRETE	50	M ³	20.00	1000.00
43	STEEL	10	TONS	100.00	1000.00
44	LABOUR	100	HOURS	10.00	1000.00
45	PERMIT	1	DAY	1000.00	1000.00
46	DESIGN	1	DAY	1000.00	1000.00
47	CONSTRUCTION	10	WEEKS	1000.00	10000.00
48	MAINTENANCE	10	WEEKS	1000.00	10000.00
49	OPERATION	10	WEEKS	1000.00	10000.00
50	REPAIRS	10	WEEKS	1000.00	10000.00
51	REPLACEMENT	10	WEEKS	1000.00	10000.00
52	RENOVATION	10	WEEKS	1000.00	10000.00
53	RESTORATION	10	WEEKS	1000.00	10000.00
54	RECONSTRUCTION	10	WEEKS	1000.00	10000.00
55	REDEMPTION	10	WEEKS	1000.00	10000.00
56	REDEMPTION	10	WEEKS	1000.00	10000.00
57	REDEMPTION	10	WEEKS	1000.00	10000.00
58	REDEMPTION	10	WEEKS	1000.00	10000.00
59	REDEMPTION	10	WEEKS	1000.00	10000.00
60	REDEMPTION	10	WEEKS	1000.00	10000.00



11.1.1. 2018 027

SCALE: 1:1000

11.1.1. 2018 027

Aclaris Engineering & Construction

POND 2

6030822_1

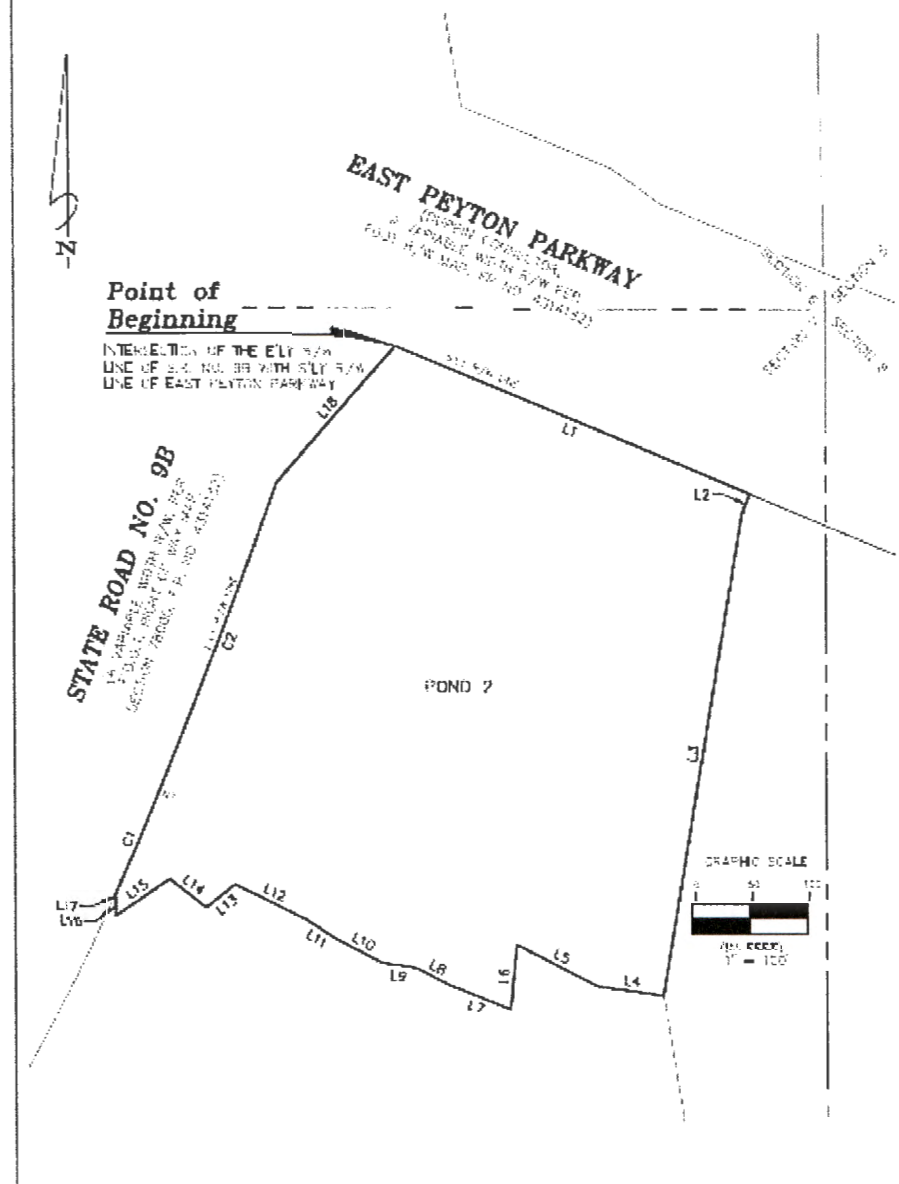
A PORTION OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 9B (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182) AND THE SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY (DURBIN CONNECTOR, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTH 67°37'35" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, 333.01 FEET; THENCE SOUTH 22°22'36" WEST, 18.85 FEET; THENCE SOUTH 09°34'44" WEST, 418.87 FEET; THENCE NORTH 81°53'29" WEST, 58.16 FEET; THENCE NORTH 62°44'07" WEST, 78.94 FEET; THENCE SOUTH 05°18'47" WEST, 55.97 FEET; THENCE NORTH 68°23'26" WEST, 57.38 FEET; THENCE NORTH 62°24'17" WEST, 31.23 FEET; THENCE NORTH 81°05'06" WEST, 31.02 FEET; THENCE NORTH 62°23'03" WEST, 44.23 FEET; THENCE NORTH 57°40'44" WEST, 30.71 FEET; THENCE NORTH 64°15'30" WEST, 69.63 FEET; THENCE SOUTH 52°10'51" WEST, 32.25 FEET; THENCE NORTH 52°09'36" WEST, 40.23 FEET; THENCE SOUTH 56°39'10" WEST, 57.59 FEET; THENCE NORTH 00°19'22" EAST, 16.68 FEET; THENCE NORTH 64°42'54" WEST, 1.06 FEET, TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2386.00 FEET, AN ARC DISTANCE OF 98.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 24°06'29" EAST, 98.04 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 2: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 5720.52 FEET, AN ARC DISTANCE OF 283.86 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 21°26'20" EAST, 283.83 FEET; COURSE NO. 3: NORTH 41°35'31" EAST, 156.38 FEET, TO THE POINT OF BEGINNING.

CONTAINING 4.65 ACRES, MORE OR LESS.

MAP SHOWING

A PORTION OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 29 EAST, ST. JOHN COUNTY, FLORIDA



POND 2
SHEET 1 OF 2

EA-20 DATE: 08/01/24

JOB NO. 2024-2027
 DRAFTER: EBC
 DATE: 08/01/24
 CHECKED BY:

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VERONICA J. COLLIGAN, P.S.M. CERT. NO. 6785

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 PROFESSIONAL SURVEYORS & MAPPERS
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 305-988-1112
 305-988-1113
 www.claryandassociates.com

MAP SHOWING

A PORTION OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 90 (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182) AND THE SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY (DURBIN CONNECTION, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTH 67°37'35" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, 333.01 FEET; THENCE SOUTH 22°22'36" WEST, 16.85 FEET; THENCE SOUTH 05°34'44" WEST, 418.87 FEET; THENCE NORTH 81°53'29" WEST, 58.16 FEET; THENCE NORTH 52°44'24" WEST, 78.54 FEET; THENCE SOUTH 05°18'47" WEST, 55.97 FEET; THENCE NORTH 04°33'25" WEST, 57.38 FEET; THENCE NORTH 52°24'17" WEST, 31.23 FEET; THENCE NORTH 81°05'06" WEST, 31.02 FEET; THENCE NORTH 62°29'03" WEST, 44.23 FEET; THENCE NORTH 57°40'44" WEST, 30.71 FEET; THENCE NORTH 64°15'30" WEST, 69.63 FEET; THENCE SOUTH 52°10'51" WEST, 32.25 FEET; THENCE NORTH 52°05'36" WEST, 42.23 FEET; THENCE SOUTH 58°39'10" WEST, 57.59 FEET; THENCE NORTH 02°18'22" EAST, 16.88 FEET; THENCE NORTH 84°42'54" WEST, 1.08 FEET; TO THE ARC OF A CURVE LEADING NORTHEASTERLY, THENCE NORTHEASTERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 90, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1, NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2386.00 FEET, AN ARC DISTANCE OF 35.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 24°06'29" EAST, 58.04 FEET; TO THE ARC OF A CURVE LEADING NORTHERLY, COURSE NO. 2, NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 5770.57 FEET, AN ARC DISTANCE OF 283.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 21°26'20" EAST, 283.85 FEET; COURSE NO. 3, NORTH 41°35'31" EAST, 156.78 FEET; TO THE POINT OF BEGINNING.

CONTAINING 4.65 ACRES, MORE OR LESS

LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S67°37'35"E	333.01'	L7	N68°23'06"W	57.38'	L3	S57°10'51"W	32.25'
L2	S22°22'36"W	16.85'	L8	N62°24'17"W	31.23'	L4	N52°05'36"W	42.23'
L3	S09°34'44"W	418.87'	L9	N81°05'06"W	31.02'	L5	S56°39'10"W	57.59'
L4	N81°53'29"W	58.16'	L10	N62°29'03"W	44.23'	L6	N00°18'22"E	16.88'
L5	N62°44'07"W	78.54'	L11	N57°40'44"W	30.71'	L7	N64°42'54"W	1.08'
L6	S05°18'47"W	55.97'	L12	N84°15'30"W	69.63'	L8	N41°35'31"E	156.78'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	2386.00'	35.04'	2°21'16"	N24°06'29"E	58.04'
C2	5770.57'	283.85'	2°26'25"	N21°26'20"E	283.85'

GENERAL NOTES

1. BEARINGS SHOWN HEREIN ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, AS N67°37'24"W, PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
3. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL UTILIZE THE GRAPHIC SCALE AS SHOWN.
4. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND

- | | | | |
|--------|--------------------------------------|----|-----------------------|
| F.O.T. | FLORIDA DEPARTMENT OF TRANSPORTATION | AT | POINT OF NON-TANGENCY |
| S.R. | STATE ROAD | | |
| O.R.B. | OFFICIAL RECORDS BOOK | | |
| P.B. | PAGE | | |
| N.O. | NUMBER | | |
| R/W | RIGHT OF WAY | | |

POND 2
SHEET 2 OF 2
REVISED LIMITS 08/01/24
JOB NO. 2021-289-P2

DRAFTER: SBC DATE: 05/17/24



EXHIBIT "B"

PERMITTED ENCUMBRANCES

1. Taxes and assessments for the year 2024 and subsequent years, which are not yet due and payable and taxes and assessments levied and/or assessed subsequent to the date hereof.
2. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.
3. Impact Fee Credit Agreement recorded in Official Records Book 2698, Page 345 and re-recorded in Official Records Book 2727, Page 1373 and Amendment to Impact Fee Credit Agreement recorded in Official Records Book 2778, Page 472.
4. Development Agreement recorded in Official Records Book 3986, Page 1862; First Amendment recorded in Official Records Book 4319, Page 1805 and Second Amendment recorded in Official Records Book 4951, Page 1179.
5. Restrictive Covenant Agreement recorded in Official Records Book 4440, Page 598.
6. Declaration of Restrictive Covenants recorded in Official Records Book 4450, Page 1240.
7. Declaration of Restrictive Covenants recorded in Official Records Book 4638, Page 670.
8. Ordinance No. 2020-20 recorded in Official Records Book 4958, Page 785.
9. Master Declaration of Easements, Covenants, Conditions, and Restrictions for Durbin Park, Phase 2 recorded in Official Records Book 5028, Page 1002.
10. Temporary Easement Agreement recorded in Official Records Book 5028, Page 1106.
11. School Concurrency Proportionate Share Mitigation Agreement recorded in Official Records Book 5120, Page 1273.
12. Non-Exclusive Grant of Easement as set forth by instrument recorded in Official Records Book 5598, Page 1377.
13. Non-Exclusive Grant of Easement as set forth by instrument recorded in Official Records Book 5598, Page 1397.
14. Non-Exclusive Grant of Easement as set forth by instrument recorded in Official Records Book 5598, Page 1386.
15. Temporary Easement Agreement as set forth by instrument recorded in Official Records Book 5599, Page 610.

16. Declaration of Covenants Imposing and Implementing a Public User Fee as set forth by instrument recorded in Official Records Book 5950, Page 1678.

17. Notice of Environmental Resource Permits recorded in Official Records Book 4209, Page 107, Official Records Book 4366, Page 478, Official Records Book 5598, Page 1663 and Official Records Book 5885, Page 1910.

NOTE: All recording references shall refer to the Public Records of St. Johns County, Florida.

Prepared by and record and return to:

Ellen Avery-Smith, Esquire
Rogers Towers, P.A.
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086

RT: D6867-800396

Parcel No.: _____

Consideration: \$10.00

DRAINAGE AND ACCESS EASEMENT AGREEMENT

This **DRAINAGE AND ACCESS EASEMENT AGREEMENT** (this "**Agreement**") is made as of this ___ day of _____, 2024, by and between **DURBIN CREEK NATIONAL, LLC**, a Florida limited liability company, whose address is 9540 San Jose Blvd., Jacksonville, Florida 32257 ("**Durbin**"), in favor of **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 (the "**County**", and sometimes collectively with Durbin referred to herein as the "**Parties**").

RECITALS:

WHEREAS, the County is the owner of certain road right-of-way located in St. Johns County, Florida commonly known as East Peyton Parkway and more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference ("**County ROW**").

WHEREAS, Durbin is the owner of certain real property located in St. Johns County, Florida situated adjacent to the County ROW, as depicted in **Exhibit "B"** attached hereto and incorporated herein by this reference (the "**Durbin Land**").

WHEREAS, Durbin has constructed certain joint use stormwater drainage ponds and related improvements (collectively, the "**Stormwater Ponds**") on the portion of the Durbin Land more particularly described and depicted in **Exhibit "C"** attached hereto and incorporated herein by this reference (collectively, the "**Easement Parcels**"), which Stormwater Ponds provide drainage to the County ROW and the Durbin Land.

WHEREAS, in order for the County to utilize the Stormwater Ponds for drainage of the County ROW, Durbin has agreed to grant to the County certain non-exclusive easement rights over and across the Easement Parcels for the benefit of the County ROW, subject to the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.
2. **Grant of Stormwater Drainage Easement.** Durbin does hereby grant to the

County a perpetual, non-exclusive easement in, over, across and through the Easement Parcels for the purpose of discharging and retaining stormwater drainage and/or runoff from the County ROW into the Stormwater Ponds.

3. Grant of Access Easement. Durbin does hereby grant to the County for purposes of vehicular and pedestrian ingress and egress by the County and its employees, agents, contractors and subcontractors (all of the foregoing persons and entities, including, without limitation, the County, are hereinafter referred to as the “**County Permitted Parties**”), to and from the County ROW a perpetual, non-exclusive easement in, over, across and through the Easement Parcels for the limited purpose of the use and inspection of the Stormwater Ponds constructed within the Easement Parcels. The County agrees that it shall provide to Durbin at least two (2) business days’ notice prior to any County Permitted Parties entering the Easement Parcels pursuant to the foregoing easement.

4. Construction and Maintenance. Durbin, its successors and assigns, shall be responsible for the initial construction of the Stormwater Ponds within the Easement Parcels and for maintaining the Stormwater Ponds in good order and repair, in a neat and attractive condition and in accordance with any applicable governmental permits, laws, rules and regulations, including, without limitation, performing any necessary grassing/stabilization. If Durbin determines, in its sole discretion, that it desires either to: (i) modify the size of the Stormwater Ponds or Easement Parcels; or (ii) relocate the Stormwater Ponds or Easement Parcels within the Durbin Land, the County agrees to enter into an amendment to this Agreement to address same.

5. Durbin Indemnification. Durbin hereby agrees to indemnify, defend and hold harmless the County from and against any and all claims, actions, demands, losses, costs (including, without limitation, court costs), expenses (including, without limitation, attorney’s fees), liability (joint or several), penalties or other damages, arising out of or in connection with Durbin’s construction of the Stormwater Ponds.

6. County Indemnification. In consideration of the granting of this Easement, the County and its successors and assigns hereby agrees to indemnify, defend and hold Durbin harmless from and against any and all claims alleging personal injury, including bodily injury or death, and/or property damage, but only to the extent that such claims are caused by the negligence of the County or any officer, employee, representative or agent of the County, including losses, damages, causes of action, claims, liabilities, cost and expenses, and reasonable attorneys' fees and court costs. Nothing herein shall be construed as a waiver of the County’s sovereign immunity nor as its consent to be sued by third parties. The County’s liability is limited in an amount not to exceed the monetary limits on liability and attorney’s fees and costs set forth in Section 768.28, Florida Statutes (2023), as this statute may be amended from time to time. The provisions and limitations of Section 768.28, Florida Statutes (2023), as this statute may be amended from time to time, are deemed to apply to this contractual agreement to indemnify as though this statute applied to waiver of sovereign immunity, liability, and damages for claims or actions arising in tort or contract.

7. Assignment of Durbin Obligations. The County hereby acknowledges and agrees that Durbin shall have the right, in its sole discretion, to assign its obligations under this Agreement to the Durbin Park Master Association, Inc., a Florida not-for-profit corporation (the

“**Master Association**”), and that the County shall execute any such assignment to this Agreement to be prepared by Durbin and recorded in the Public Records for St. Johns County evidencing said assignment.

8. Modification. The Parties hereto agree that this Agreement constitutes the entire agreement between the Parties with respect to the easements and maintenance obligations established herein, and any oral agreements or understandings are hereby merged into this Agreement. This Agreement may be amended or terminated only by an instrument in writing and signed by the Parties or their respective successors or assigns.

9. Covenant Running with the Land. The Agreement and all conditions, obligations and covenants set forth herein are intended to be and shall be construed as covenants running with the land, binding upon the Easement Parcels and binding upon and inuring to the benefit of the County ROW. In addition to its assignment rights to the Master Association as set forth in Section 7 of this Agreement, Durbin shall also have the right to assign the easement rights and obligations set forth herein, including the indemnification obligation, to a successor in interest to the Easement Parcels.

10. Waiver. No waiver of any of the provisions hereof shall be effective unless it is in writing and signed by the party against whom the waiver is asserted. Any such written waiver shall be applicable only to the specific instance to which it relates and shall not be deemed to be a continuing waiver or waiver of any future matter.

11. Governing Law. This Agreement shall be interpreted under and governed by the laws of the State of Florida.

12. Counterparts. This instrument may be executed in counterparts, each of which shall constitute an original and together shall constitute one and the same instrument.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first above written.

Signed, sealed and delivered in the presence of:

By: Susan Fuzgenz
Printed Name: Susan Fuzgenz
Witness Address: 9540 San Jose Blvd Jacksonville, FL 32257

By: Joanne Galvin
Printed Name: JOANNE GALVIN
Witness Address: 9540 San Jose Blvd Jacksonville, FL 32257

DURBIN CREEK NATIONAL, LLC, a Florida limited liability company

By: Melissa A. Yuhos
Name: Melissa A. Yuhos
Its: Vice President

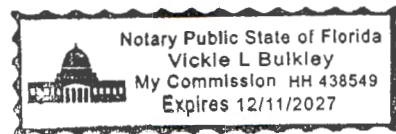
STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument is hereby acknowledge before me by means of physical presence or online notarization, this 4th day of September 2024, by Melissa A Yuhos as Vice President of DURBIN CREEK NATIONAL, LLC, a Florida limited liability company, on behalf of the company. Who is personally known or [] produced _____ as identification.

Vickie L Bulkley
NOTARY PUBLIC, State of Florida

Name: Vickie L Bulkley
My Commission Expires: 12-11-2027
My Commission Number is: HH438549



Signed, sealed and delivered
in the presence of:

ST. JOHNS COUNTY, FLORIDA

By: _____

By: _____

Printed Name: _____

Name: _____

Witness Address: _____

Its: _____

By: _____

Printed Name: _____

Witness Address: _____

STATE OF FLORIDA

COUNTY OF ST. JOHNS

The foregoing instrument is hereby acknowledge before me by means of physical presence or online notarization, this ____ day of _____, 2024, by _____, as _____ of St. Johns County, Florida on behalf of the County. Who [] is personally known or [] produced _____ as identification.

NOTARY PUBLIC, State of Florida

Name: _____

My Commission Expires: _____

My Commission Number is: _____

EXHIBIT "A"

**County ROW
(East Peyton Parkway)**

A PORTION OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B (A VARIABLE WIDTH R/W, PER F.D.O.T. RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182), AND THE SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY (DURBIN CONNECTOR, A VARIABLE WIDTH R/W, PER F.D.O.T. RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTH 67°37'24" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, 301.39 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 67°37'24" EAST, ALONG LAST SAID LINE, 327.09 FEET; THENCE SOUTH 19°27'47" WEST, 3.45 FEET TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1205.00 FEET, AN ARC DISTANCE OF 288.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 77°23'40" EAST, 287.75 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 455.00 FEET, AN ARC DISTANCE OF 62.99 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 03°38'19" EAST, 62.94 FEET; THENCE SOUTH 89°06'02" EAST, 133.06 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 324.06 FEET, AN ARC DISTANCE OF 42.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 07°17'58" WEST, 42.79 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 40.00 FEET, AN ARC DISTANCE OF 63.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 42°02'57" EAST, 57.12 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1180.00 FEET, AN ARC DISTANCE OF 695.55 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 70°43'30" EAST, 685.53 FEET; THENCE SOUTH 36°09'41" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1185.00 FEET, AN ARC DISTANCE OF 334.90 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 45°44'32" EAST, 333.78 FEET TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE,

CONCAVE SOUTHERLY, HAVING A RADIUS OF 95.22 FEET, AN ARC DISTANCE OF 129.52 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 79°25'09" EAST, 119.76 FEET; THENCE NORTH 31°04'14" EAST, 150.10 FEET; THENCE NORTH 58°55'46" WEST, 45.15 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 72.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 17°17'28" WEST, 66.44 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1180.00 FEET, AN ARC DISTANCE OF 297.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 17°07'17" EAST, 296.85 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 09°53'43" EAST, 347.21 FEET; THENCE SOUTH 80°06'17" EAST, 5.00 FEET; THENCE NORTH 09°53'43" EAST, 285.22 FEET; THENCE SOUTH 80°06'17" EAST, 8.00 FEET; THENCE NORTH 50°31'06" EAST, 133.07 FEET; THENCE SOUTH 80°06'17" EAST, 14.36 FEET; THENCE NORTH 09°53'43" EAST, 121.00 FEET; THENCE NORTH 80°06'17" WEST, 70.00 FEET; THENCE NORTH 35°06'17" WEST, 43.84 FEET; THENCE NORTH 80°06'17" WEST, 13.00 FEET; THENCE NORTH 09°53'43" EAST, 161.77 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1453.74 FEET, AN ARC DISTANCE OF 804.73 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°47'53" EAST, 794.50 FEET; THENCE SOUTH 48°20'39" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1448.74 FEET, AN ARC DISTANCE OF 270.09 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 46°59'50" EAST, 269.70 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 83.00 FEET, AN ARC DISTANCE OF 131.02 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 82°26'27" EAST, 117.83 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 37°13'12" EAST, 5.98 FEET; THENCE NORTH 52°46'48" EAST, 100.00 FEET; THENCE NORTH 37°13'12" WEST, 60.61 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 33.00 FEET, AN ARC DISTANCE OF 51.90 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 07°50'07" EAST, 46.71 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 52°53'25" EAST, 205.74 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1180.00 FEET, AN ARC DISTANCE OF 613.30 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 37°53'39" EAST, 606.42 FEET; THENCE SOUTH 66°59'44" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE

NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1185.00 FEET, AN ARC DISTANCE OF 432.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 12°33'04" EAST, 430.00 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 64.00 FEET, AN ARC DISTANCE OF 93.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°07'16" EAST, 85.69 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 86°08'39" EAST, 1.13 FEET; THENCE NORTH 03°51'21" WEST, 119.62 FEET; THENCE SOUTH 86°08'39" WEST, 31.89 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 36.00 FEET, AN ARC DISTANCE OF 52.80 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 51°50'32" WEST, 48.19 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1774.31 FEET, AN ARC DISTANCE OF 155.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 12°20'09" WEST, 155.23 FEET; THENCE NORTH 15°38'11" WEST, 176.64 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 922.50 FEET, AN ARC DISTANCE OF 600.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°00'18" EAST, 589.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 21°38'47" EAST, 206.65 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF RACE TRACK ROAD (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED) AND THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG LAST SAID LINE AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2828.27 FEET, AN ARC DISTANCE OF 160.25 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 65°15'44" WEST, 160.23 FEET; THENCE SOUTH 21°38'47" WEST, 215.29 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1082.50 FEET, AN ARC DISTANCE OF 704.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 03°00'18" WEST, 692.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 15°38'11" EAST, 175.50 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1614.31 FEET, AN ARC DISTANCE OF 165.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 11°51'32" EAST, 165.91 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 992.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 21°33'16" WEST, 954.04 FEET;

THENCE NORTH 40°33'45" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 59.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 51°06'23" WEST, 59.12 FEET; THENCE SOUTH 52°53'54" WEST, 216.54 FEET; THENCE NORTH 85°18'10" WEST, 50.97 FEET; THENCE NORTH 37°08'39" WEST, 5.00 FEET; THENCE 52°49'55" WEST, 69.00 FEET; THENCE SOUTH 37°08'41" EAST, 1.91 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 42.00 FEET, AN ARC DISTANCE OF 66.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°52'16" WEST, 59.42 FEET; THENCE SOUTH 52°53'47" WEST, 50.07 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1613.90 FEET, AN ARC DISTANCE OF 171.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 49°34'43" WEST, 171.80 FEET; THENCE NORTH 43°28'18" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1618.90 FEET, AN ARC DISTANCE OF 265.74 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 41°49'30" WEST, 265.44 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 56.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 80°49'28" WEST, 51.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 55°28'24" WEST, 2.00 FEET; THENCE SOUTH 34°31'36" WEST, 50.00 FEET; THENCE SOUTH 55°28'24" EAST, 17.72 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 38.71 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 11°07'13" EAST, 34.95 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1613.90 FEET, AN ARC DISTANCE OF 456.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 25°07'33" WEST, 455.20 FEET; THENCE NORTH 72°58'56" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1618.90 FEET, AN ARC DISTANCE OF 200.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 13°28'41" WEST, 199.95 FEET; THENCE SOUTH 09°53'43" WEST, 115.72 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 107.00 FEET, AN ARC DISTANCE OF 142.68 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE

OF SOUTH 61°41'42" WEST, 132.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 80°06'17" WEST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 111.00 FEET; THENCE SOUTH 80°06'17" EAST, 73.00 FEET; THENCE SOUTH 35°06'17" EAST, 50.91 FEET; THENCE SOUTH 80°06'17" EAST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 191.40 FEET; THENCE NORTH 80°06'17" WEST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 191.10 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 35.06 FEET, AN ARC DISTANCE OF 52.35 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 49°56'52" WEST, 47.62 FEET; THENCE NORTH 83°52'21" WEST, 8.38 FEET; THENCE SOUTH 09°53'43" WEST, 50.00 FEET; THENCE SOUTH 80°06'17" EAST, 19.00 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.95 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 40°03'08" EAST, 32.17 FEET; THENCE SOUTH 09°43'33" WEST, 125.70 FEET; THENCE NORTH 80°06'17" WEST, 5.00 FEET; THENCE SOUTH 09°53'43" WEST, 86.74 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 181.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°01'00" WEST, 181.21 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 87.00 FEET, AN ARC DISTANCE OF 153.26 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 70°36'15" WEST, 134.20 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 58°55'46" WEST, 1.56 FEET; THENCE SOUTH 31°04'14" WEST, 140.00 FEET; THENCE SOUTH 58°55'46" EAST, 74.10 FEET; THENCE SOUTH 05°32'05" EAST, 46.08 FEET; THENCE SOUTH 53°57'21" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 195.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 41°32'39" WEST, 195.53 FEET; THENCE NORTH 42°57'21" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 204.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 52°49'18" WEST, 204.35 FEET TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 60.27 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 74°26'34" WEST, 53.83 FEET; THENCE NORTH 27°46'38" WEST, 1.98 FEET; THENCE SOUTH 62°12'29" WEST, 50.00 FEET; THENCE SOUTH 27°46'38" EAST, 19.68 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND

THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 40.53 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 18°39'46" WEST, 36.23 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 95.55 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 67°47'12" WEST, 95.52 FEET; THENCE NORTH 19°31'47" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 263.07 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 77°53'44" WEST, 262.34 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 85.05 FEET, AN ARC DISTANCE OF 143.31 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°54'57" WEST, 126.95 FEET; THENCE NORTH 03°22'21" EAST, 3.70 FEET; THENCE NORTH 86°37'39" WEST, 110.00 FEET; THENCE SOUTH 03°22'21" WEST, 70.56 FEET; THENCE SOUTH 60°20'26" WEST, 42.00 FEET; THENCE SOUTH 08°54'08" WEST, 5.00 FEET TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 139.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 77°09'59" WEST, 139.87 FEET; THENCE NORTH 17°53'28" EAST, 19.33 FEET; THENCE NORTH 72°06'32" WEST, 30.00 FEET; THENCE SOUTH 17°53'28" WEST, 1.82 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF AFORESAID EAST PEYTON PARKWAY; THENCE NORTH 67°37'24" WEST, ALONG LAST SAID LINE, 334.48 FEET; THENCE SOUTH 22°22'36" WEST, 200.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 30.90 ACRES, MORE OR LESS.

EXHIBIT "B"

Durbin Creek Land

A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACE TRACK ROAD (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED) AND THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, RUN THE FOLLOWING SIX (6) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 11°40'41" WEST, 294.49 FEET TO THE POINT OF BEGINNING; COURSE NO. 2: CONTINUE SOUTH 11°40'41" WEST, 1656.10 FEET; COURSE NO. 3: SOUTH 07°40'39" WEST, 1292.50 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; COURSE NO. 4: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 23012.00 FEET, AN ARC DISTANCE OF 745.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°36'19" WEST, 745.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 5: SOUTH 09°32'00" WEST, 1006.21 FEET; COURSE NO. 6: SOUTH 09°34'18" EAST, 96.11 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY (DURBIN CONNECTOR, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON SAID STATE ROAD NO. 9B RIGHT OF WAY MAP); THENCE SOUTHEASTERLY AND EASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 67°37'24" EAST, 140.83 FEET; COURSE NO. 2: SOUTH 54°07'40" EAST, 51.42 FEET; COURSE NO. 3: SOUTH 67°37'24" EAST, 469.55 FEET; THENCE NORTH 17°53'28" EAST, 1.82 FEET; THENCE SOUTH 72°06'32" EAST, 30.00 FEET; THENCE SOUTH 17°53'28" WEST, 19.33 FEET TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 139.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 77°09'59" EAST, 139.87 FEET; THENCE NORTH 08°54'08" EAST, 5.00 FEET; THENCE NORTH 60°20'26" EAST, 42.00 FEET; THENCE NORTH 03°22'21" EAST, 70.56 FEET; THENCE SOUTH 86°37'39" EAST, 110.00 FEET; THENCE SOUTH 03°22'21" WEST, 3.70 FEET TO THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 85.05 FEET, AN ARC DISTANCE OF 143.31 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 44°54'57" EAST, 126.95 FEET TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 263.07 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF

NORTH 77°53'44" EAST, 262.34 FEET; THENCE SOUTH 19°31'47" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 95.55 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 67°47'12" EAST, 95.52 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 40.53 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 18°39'46" EAST, 36.23 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 27°46'38" WEST, 19.68 FEET; THENCE NORTH 62°12'29" EAST, 50.00 FEET; THENCE SOUTH 27°46'38" EAST, 1.98 FEET TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 60.27 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 74°26'34" EAST, 53.83 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 204.70 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 52°49'18" EAST, 204.35 FEET; THENCE SOUTH 42°57'21" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 195.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 41°32'39" EAST, 195.53 FEET; THENCE NORTH 53°57'21" WEST, 5.00 FEET; THENCE NORTH 05°32'05" WEST, 46.08 FEET; THENCE NORTH 58°55'46" WEST, 74.10 FEET; THENCE NORTH 31°04'14" EAST, 140.00 FEET; THENCE SOUTH 58°55'46" EAST, 1.56 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 87.00 FEET, AN ARC DISTANCE OF 153.26 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 70°36'15" EAST, 134.20 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 181.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 15°01'00" EAST, 181.21 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 09°53'43" EAST, 86.74 FEET; THENCE SOUTH 80°06'17" EAST, 5.00 FEET; THENCE NORTH 09°43'33" EAST, 125.70 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.95 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 40°03'08" WEST, 32.17 FEET; THENCE NORTH 80°06'17" WEST, 19.00 FEET; THENCE NORTH 09°53'43" EAST, 50.00 FEET; THENCE SOUTH 83°52'21" EAST, 8.38 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF

SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 35.06 FEET, AN ARC DISTANCE OF 52.35 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 49°56'52" EAST, 47.62 FEET; THENCE NORTH 09°53'43" EAST, 191.10 FEET; THENCE SOUTH 80°06'17" EAST, 5.00 FEET; THENCE NORTH 09°53'43" EAST, 191.40 FEET; THENCE NORTH 80°06'17" WEST, 5.00 FEET; THENCE NORTH 35°06'17" WEST, 50.91 FEET; THENCE NORTH 80°06'17" WEST, 73.00 FEET; THENCE NORTH 09°53'43" EAST, 111.00 FEET; THENCE SOUTH 80°06'17" EAST, 5.00 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 107.00 FEET, AN ARC DISTANCE OF 142.68 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61°41'42" EAST, 132.34 FEET; THENCE NORTH 09°53'43" EAST, 115.72 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1618.90 FEET, AN ARC DISTANCE OF 200.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 13°28'41" EAST, 199.95 FEET; THENCE SOUTH 72°58'56" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1613.90 FEET, AN ARC DISTANCE OF 456.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°07'33" EAST, 455.20 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 38.71 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°07'13" WEST, 34.95 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 55°28'24" WEST, 17.72 FEET; THENCE NORTH 34°31'36" EAST, 50.00 FEET; THENCE SOUTH 55°28'24" EAST, 2.00 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 56.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 80°49'28" EAST, 51.13 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1618.90 FEET, AN ARC DISTANCE OF 265.74 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 41°49'30" EAST, 265.44 FEET; THENCE SOUTH 43°28'18" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1613.90 FEET, AN ARC DISTANCE OF 171.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 49°34'43" EAST, 171.80 FEET; THENCE NORTH 52°53'47" EAST, 50.07 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 42.00 FEET, AN ARC DISTANCE OF 66.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH

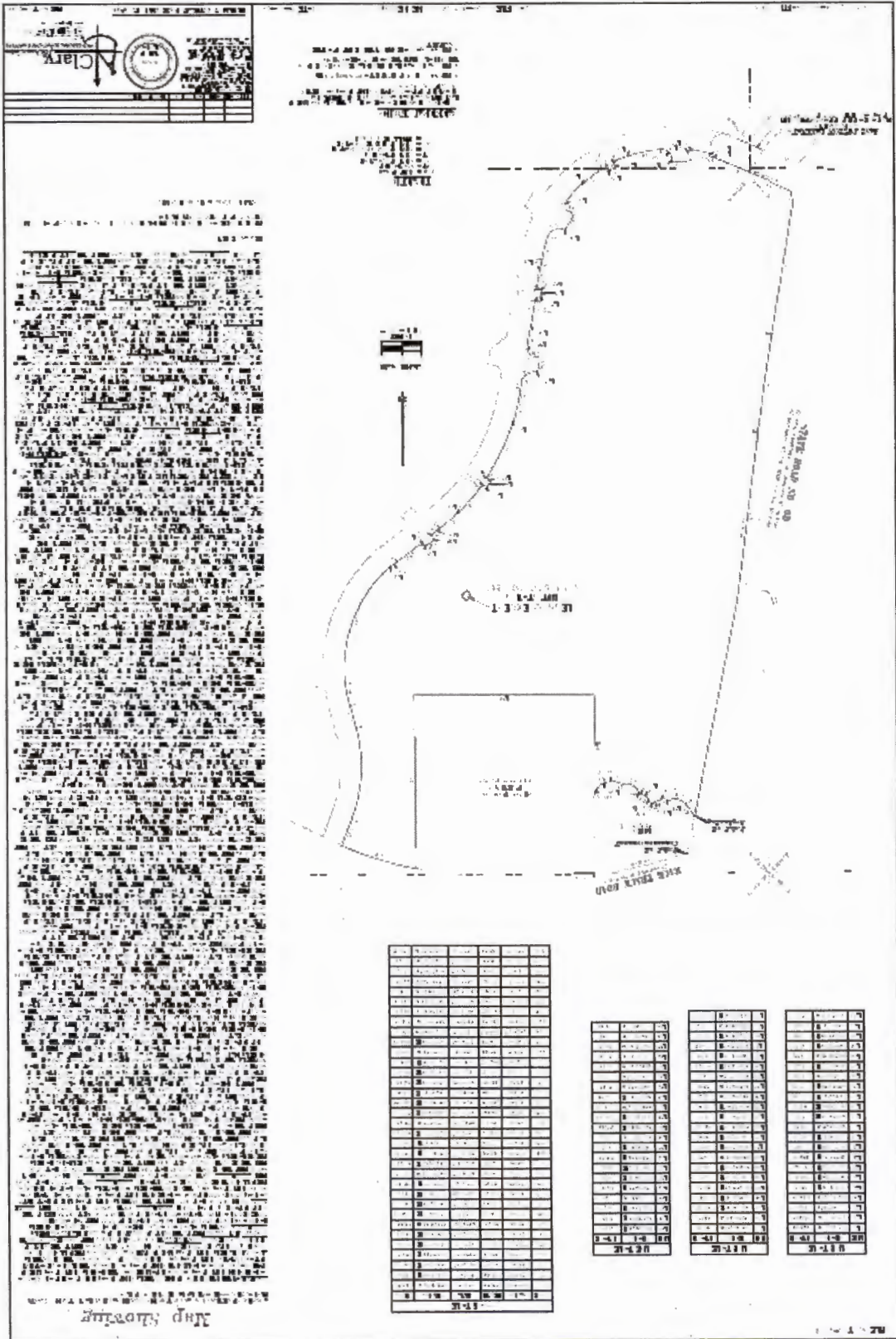
07°52'16" EAST, 59.42 FEET; THENCE NORTH 37°08'41" WEST, 1.91 FEET; THENCE NORTH 52°49'55" EAST, 69.00 FEET; THENCE SOUTH 37°08'39" EAST, 5.00 FEET; THENCE SOUTH 85°18'10" EAST, 50.97 FEET; THENCE NORTH 52°53'54" EAST, 216.54 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1015.00 FEET, AN ARC DISTANCE OF 59.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 51°06'23" EAST, 59.12 FEET; THENCE SOUTH 40°33'45" EAST, 5.00 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 992.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 21°33'16" EAST, 954.04 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1614.31 FEET, AN ARC DISTANCE OF 165.98 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°51'32" WEST, 165.91 FEET; THENCE NORTH 15°38'11" WEST, 175.50 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1082.50 FEET, AN ARC DISTANCE OF 704.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°00'18" EAST, 692.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 21°38'47" EAST, 215.29 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY LINE OF RACE TRACK ROAD AND THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG LAST SAID LINE AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 2828.27 FEET, AN ARC DISTANCE OF 601.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 72°58'46" WEST, 600.51 FEET TO THE EASTERLY LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 5, ALSO BEING THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1225, PAGE 555 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 00°38'20" EAST, ALONG LAST SAID LINE, 1316.59 FEET TO THE SOUTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 89°50'32" WEST, ALONG LAST SAID LINE, 1378.02 FEET TO THE WESTERLY LINE OF LAST SAID LANDS; THENCE NORTH 00°14'45" EAST, ALONG LAST SAID LINE, 770.18 FEET TO THE SOUTHERLY LINE OF THOSE LANDS DESIGNATED LAKE 5, DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4318, PAGE 1321 OF SAID PUBLIC RECORDS AND THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING FIFTEEN COURSES AND DISTANCES: COURSE NO. 1: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 104.00 FEET, AN ARC DISTANCE OF 120.79 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 33°31'11" WEST, 114.12 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 2: SOUTH 66°47'37" WEST, 32.46 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 3: WESTERLY,

ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 101.40 FEET, AN ARC DISTANCE OF 67.90 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 85°58'41" WEST, 66.64 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 4: NORTH 74°50'15" WEST, 69.69 FEET TO THE ARC OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 5: NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 101.40 FEET, AN ARC DISTANCE OF 151.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61°07'22" WEST, 137.74 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 6: NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2.73 FEET, AN ARC DISTANCE OF 1.79 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 37°08'21" WEST, 1.76 FEET; COURSE NO. 7: NORTH 69°20'27" WEST, 21.65 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 8: NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 101.40 FEET, AN ARC DISTANCE OF 50.06 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 55°11'54" WEST, 49.55 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 9: NORTH 41°03'21" WEST, 51.18 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 10: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 9.80 FEET, AN ARC DISTANCE OF 13.05 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 79°11'47" WEST, 12.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 11: SOUTH 62°39'46" WEST, 36.41 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 12: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 101.40 FEET, AN ARC DISTANCE OF 58.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 79°10'21" WEST, 57.63 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 13: NORTH 84°19'04" WEST, 41.89 FEET TO THE ARC OF A CURVE LEADING WESTERLY; COURSE NO. 14: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 101.40 FEET, AN ARC DISTANCE OF 136.58 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 76°01'20" WEST, 126.48 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 15: NORTH 37°26'11" WEST, 112.60 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

THOSE DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 5740, PAGE 1663 OF SAID PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CONTAINING 228.82 ACRES, MORE OR LESS.



Clary

Map showing

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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EXHIBIT "C"

Easement Parcels

POND 1

A PORTION OF SECTIONS 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182) AND THE NORTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY (DURBIN CONNECTOR, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 67°11'10" EAST, 139.51 FEET; COURSE NO. 2: SOUTH 54°07'40" EAST, 51.42 FEET; COURSE NO. 3: SOUTH 67°37'24" EAST, 89.39 FEET; THENCE NORTH 22°22'36" EAST, 79.33 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 48.00 FEET, AN ARC DISTANCE OF 18.41 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°23'25" EAST, 18.30 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 00°24'15" EAST, 18.34 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 237.00 FEET, AN ARC DISTANCE OF 89.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°12'24" EAST, 88.84 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 28.48 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°03'35" EAST, 27.78 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 66°06'37" EAST, 31.57 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 78.00 FEET, AN ARC DISTANCE OF 85.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 34°45'21" EAST, 81.17 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 03°24'05" EAST, 207.44 FEET; THENCE NORTH 80°36'40" WEST, 232.36 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 27.00 FEET, AN ARC DISTANCE

OF 42.48 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 35°32'22" WEST, 38.23 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 09°31'55" EAST, 45.96 FEET, TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 101.51 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 32°49'16" EAST, 98.74 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 09°33'25" EAST, 33.00 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 101.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 13°44'12" WEST, 98.86 FEET, THENCE NORTH 09°31'55" EAST, 362.10 FEET; THENCE NORTH 09°04'09" EAST, 374.34 FEET; THENCE NORTH 07°52'42" EAST, 841.07 FEET; THENCE NORTH 07°38'34" EAST, 408.93 FEET, TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 91.23 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 33°20'09" EAST, 89.22 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 12°25'41" EAST, 58.97 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 17.00 FEET, AN ARC DISTANCE OF 25.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 56°08'18" EAST, 23.49 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 80°09'05" EAST, 349.48 FEET, TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 82.00 FEET, AN ARC DISTANCE OF 50.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 82°14'42" EAST, 49.60 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 80°09'05" EAST, 831.29 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 32.00 FEET, AN ARC DISTANCE OF 13.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 68°20'26" EAST, 13.10 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 56°31'47" EAST, 348.97 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 58.00 FEET, AN ARC DISTANCE OF 87.02 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 80°29'26" EAST, 79.08 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1920.43 FEET, AN

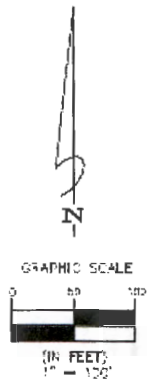
ARC DISTANCE OF 271.61 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 41°33'45" EAST, 271.38 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 45°36'51" EAST, 323.71 FEET; THENCE NORTH 37°13'12" WEST, 242.20 FEET; THENCE SOUTH 28°55'04" WEST, 13.94 FEET, TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 109.45 FEET, AN ARC DISTANCE OF 87.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 76°52'17" WEST, 85.09 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 346.94 FEET, AN ARC DISTANCE OF 226.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 81°04'36" WEST, 222.14 FEET, TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 683.00 FEET, AN ARC DISTANCE OF 208.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°10'22" WEST, THENCE SOUTH 81°31'37" WEST, 25.01 FEET; THENCE NORTH 06°38'44" WEST, 22.68 FEET; THENCE NORTH 86°13'33" WEST, 21.86 FEET; THENCE NORTH 66°45'35" WEST, 10.08 FEET; THENCE SOUTH 48°17'18" WEST, 37.91 FEET; THENCE SOUTH 87°36'54" WEST, 108.37 FEET; THENCE NORTH 63°50'01" WEST, 56.77 FEET; THENCE NORTH 83°28'29" WEST, 56.86 FEET; THENCE NORTH 52°14'14" WEST, 49.69 FEET; THENCE SOUTH 59°24'57" WEST, 74.19 FEET; THENCE SOUTH 78°31'39" WEST, 59.40 FEET; THENCE NORTH 74°26'46" WEST, 52.64 FEET; THENCE SOUTH 83°00'38" WEST, 26.96 FEET; THENCE NORTH 72°18'04" WEST, 43.51 FEET; THENCE SOUTH 78°08'04" WEST, 22.68 FEET; THENCE SOUTH 14°23'22" WEST, 41.69 FEET; THENCE NORTH 78°26'23" WEST, 17.58 FEET; THENCE NORTH 49°51'11" WEST, 73.64 FEET; THENCE NORTH 89°12'20" WEST, 125.52 FEET; THENCE NORTH 61°14'02" WEST, 48.54 FEET; THENCE NORTH 47°49'10" WEST, 24.54 FEET; THENCE NORTH 77°05'43" WEST, 48.45 FEET; THENCE NORTH 23°46'29" WEST, 21.79 FEET; THENCE NORTH 56°40'03" WEST, 58.47 FEET; THENCE SOUTH 42°06'51" WEST, 40.40 FEET; THENCE NORTH 39°48'04" WEST, 44.72 FEET; THENCE SOUTH 77°04'08" WEST, 35.14 FEET; THENCE NORTH 76°00'57" WEST, 48.22 FEET; THENCE NORTH 86°46'29" WEST, 38.76 FEET; THENCE NORTH 02°28'21" WEST, 25.12 FEET; THENCE SOUTH 81°49'47" WEST, 47.88 FEET; THENCE SOUTH 72°11'30" WEST, 38.82 FEET; THENCE SOUTH 29°04'03" WEST, 29.71 FEET; THENCE SOUTH 84°17'09" WEST, 47.81 FEET; THENCE SOUTH 86°28'37" WEST, 31.02 FEET; THENCE SOUTH 84°44'04" WEST, 38.85 FEET; THENCE SOUTH 81°02'18" WEST, 40.61 FEET; THENCE SOUTH 11°35'27" EAST, 62.78 FEET; THENCE SOUTH 42°05'28" EAST, 31.76 FEET; THENCE SOUTH 50°38'29" WEST, 31.56 FEET; THENCE SOUTH 70°09'15" WEST, 125.01 FEET; THENCE SOUTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 07°38'34" WEST, 618.55 FEET; COURSE NO. 2: SOUTH 07°52'42" WEST, 839.64 FEET; COURSE NO. 3: SOUTH 09°04'09" WEST, 372.68 FEET; COURSE NO. 4: SOUTH 09°31'59" WEST,

1001.08 FEET; COURSE NO. 5: SOUTH 09°34'18" EAST, 100.76 FEET, TO THE POINT OF BEGINNING.

MAP SHOWING

A PORTION OF SECTION 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA

SHEET 2
SHEET 1



STATE ROAD NO. 9B
A VARIABLE WIDTH R/W PER
F.D.O.C. RIGHT OF WAY MAP,
SECTION 78600, F.P. NO. 431482

EAST PEYTON PARKWAY

Point of Beginning
INTERSECTION OF THE ELY P/W LINE
OF S.R. 9B WITH NELY P/W LINE
OF EAST PEYTON PARKWAY

EAST PEYTON PARKWAY
(CURBEN CONNECTOR)
A VARIABLE WIDTH R/W PER
FOOT R/W MAP, FP NO. 431482

POND 1

POND 1
SHEET 1 OF 9

REVISED LIMITS 05/01/24

JOB NO. 2024-285-F1
DRAFTER: SEC
DATE: 05/16/24
CHECKED BY:

THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 5-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 471.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

THIS GRADING, EARTH, PLAT OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MATHEMATICIAN (CHAPTER 55-17, FLORIDA ADMINISTRATIVE CODE).

MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

Clary & Associates
PROFESSIONAL SURVEYORS & MAPPERS
P.O. BOX 3331
1155 DEER CREEK ROAD
LAKE WINDLE, FLORIDA 32073
(904) 294-3205
WWW.CLARYASSOCIATES.COM

MAP SHOWING

A PORTION OF SECTION 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA

SHEET 3
SHEET 2

L64

L13

POND 1

STATE ROAD NO. 9B
(A VARIABLE WIDTH R/W PER
F.D.C.T. RIGHT OF WAY MAP,
SECTION 78000, F.P. NO. 4314182)
E.L.Y. R/W LINE

SECTION 6
SECTION 5



L65

L11

L12

SHEET 2
SHEET 1

POND 1
SHEET 2 OF 9
REVISED LIMITS 08/01/24
JOB NO. 2024-269-P1

DRAFTER SSC DATE 05/16/24



MAP SHOWING

A PORTION OF SECTION 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA

SECTION 6
SECTION 5

STATE ROAD NO. 9B
 (A VARIABLE WIDTH R/W, PER
 F.D.O.T. RIGHT OF WAY MAP
 SECTION 78003, F.P. NO. 43-1182;

133 R/W LINE

POND 1

SHEET 3
SHEET 4

L16a

L63

L13

L14

Ce

L19

CP

2' et

L18

L58

L57

L56

L55

L54

L53

L52

651

L60

L61

L62

GRAPHIC SCALE



(IN FEET)
1" = 100'



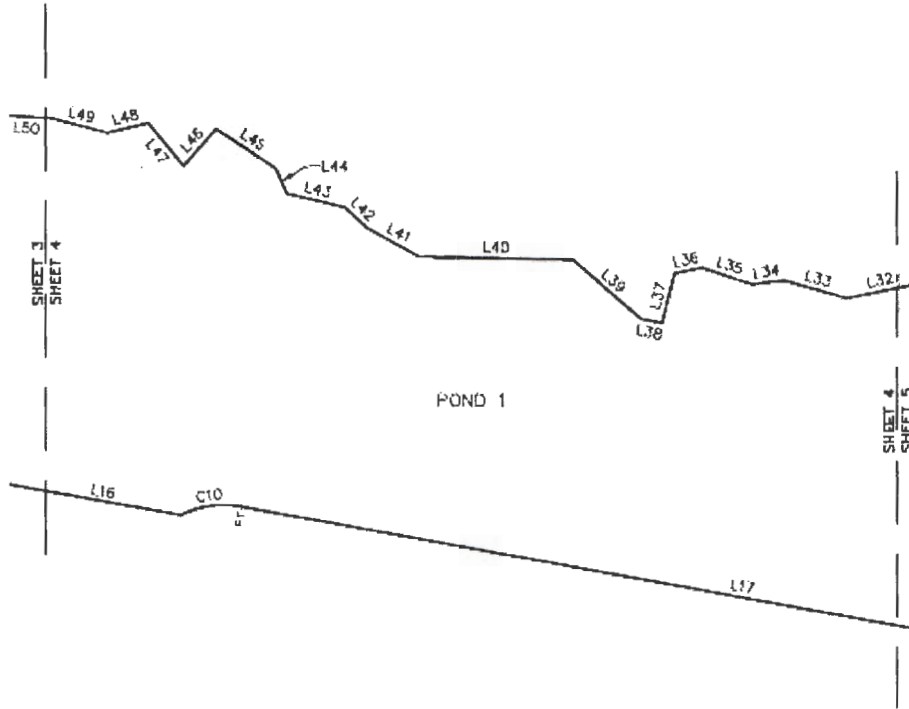
SHEET 3
 POND 1
 SHEET 3 OF 9
 REVISED LIMITS 02/01/24
 JOB NO. 2024-269-D1

DRAFTER SRC

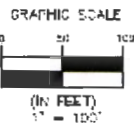
DATE 05/16/24

MAP SHOWING

A PORTION OF SECTION 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHN'S COUNTY, FLORIDA



POND 1



POND 1
SHEET 4 OF 9

REVISED LIMITS 08/03/24
JOB NO. 2024-289-P1

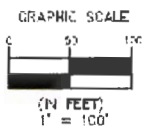
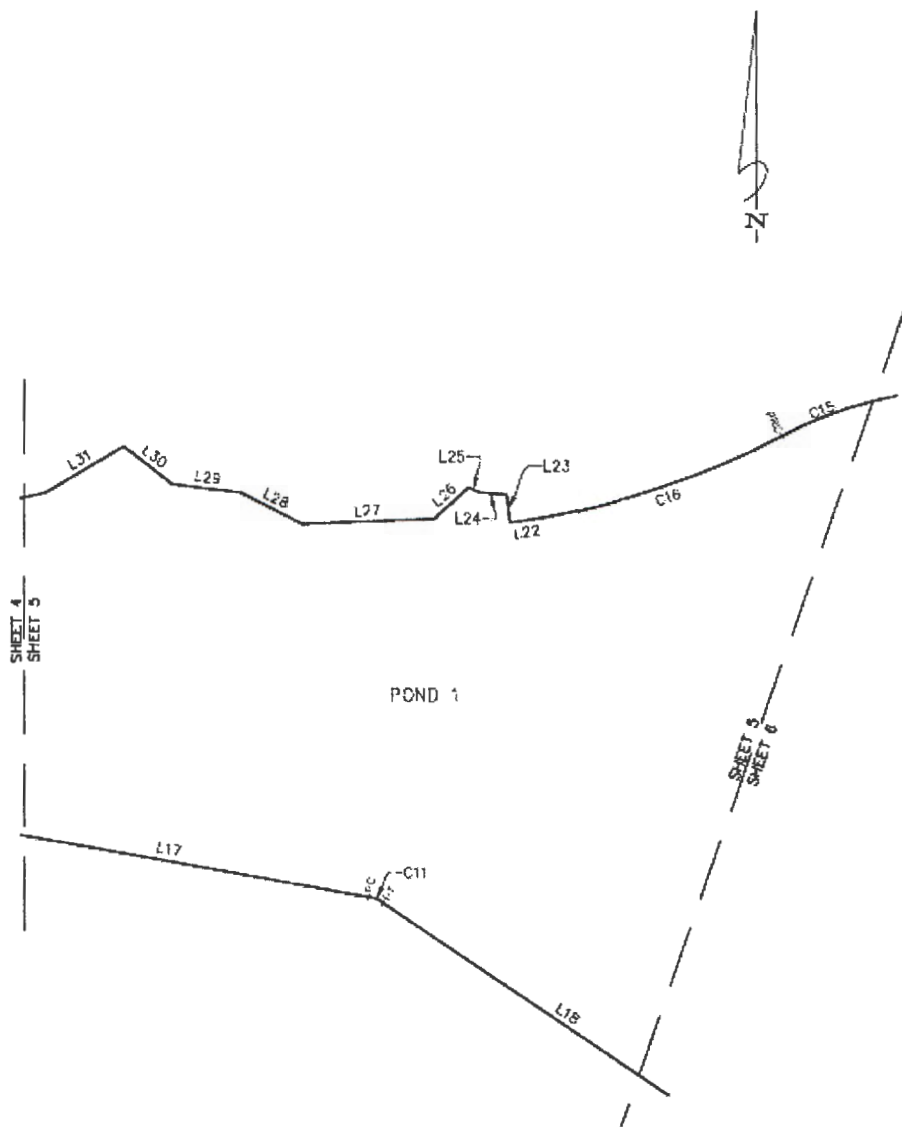
DRAFTER: SBC

DATE: 05/16/24



MAP SHOWING

A PORTION OF SECTION 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA



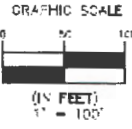
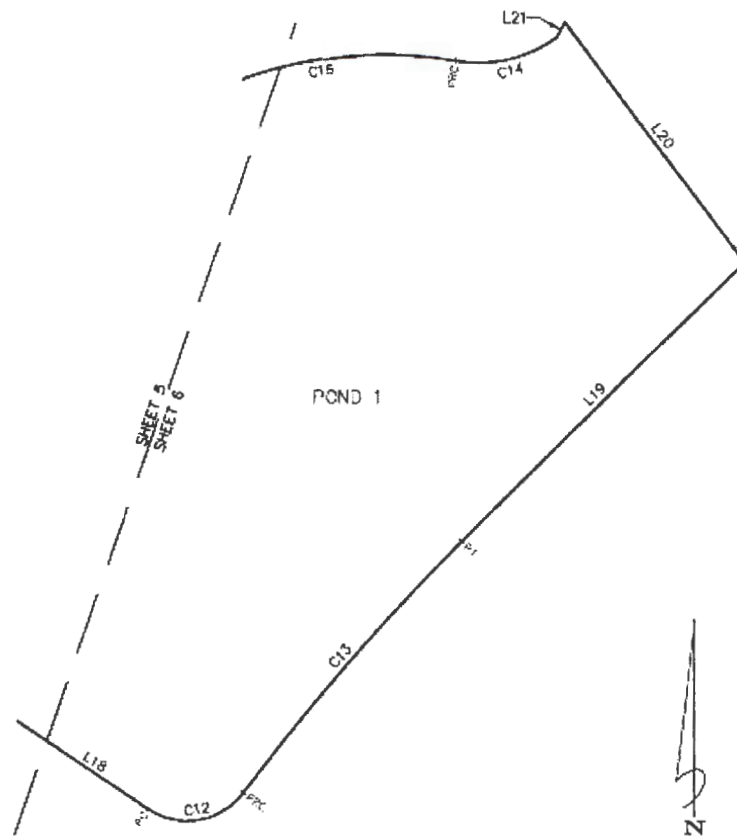
POND 1
SHEET 5 OF 9
REVISED LIMITS 08/07/24
JOB NO. 2024-289-D

DRAWN BY SRC DATE 05/16/24



MAP SHOWING

A PORTION OF SECTION 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA



POND 1
SHEET 6 OF 9
REVISED LIMITS 02/03/24
JOB NO. 2024-269-P

DRAFTER SRC DATE 05/16/24



MAP SHOWING

A PORTION OF SECTION 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	48.00'	18.41'	21°58'21"	N11°23'25"E	18.30'
C2	237.00'	89.37'	21°36'18"	N11°12'24"E	89.84'
C3	37.00'	28.48'	44°06'04"	N44°03'35"E	27.78'
C4	78.00'	85.37'	62°42'32"	N34°45'21"E	81.17'
C5	27.00'	42.48'	90°08'35"	N35°32'22"W	38.23'
C6	125.00'	101.51'	46°31'41"	N32°49'16"E	98.74'
C7	125.00'	101.64'	46°35'14"	N13°44'12"W	98.86'
C8	125.00'	91.23'	41°48'57"	N33°20'09"E	89.22'
C9	17.00'	25.94'	87°25'14"	N56°08'18"E	23.49'
C10	82.00'	50.39'	35°12'28"	N82°14'42"E	49.60'
C11	32.00'	13.19'	23°37'18"	S65°20'26"E	13.10'
C12	58.00'	87.02'	85°57'34"	N80°28'26"E	79.08'
C13	1920.43'	271.61'	8°08'12"	N41°33'45"E	271.38'
C14	109.45'	87.39'	45°45'03"	S75°52'17"W	85.09'
C15	346.94'	226.12'	37°20'37"	S81°04'36"W	222.14'
C16	683.00'	208.12'	17°27'30"	S71°10'22"W	207.31'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S67°11'10"E	139.51'
L2	S54°07'40"E	51.42'
L3	S67°37'24"E	89.39'
L4	N22°22'36"E	79.33'
L5	N00°24'15"E	18.34'
L6	N66°06'37"E	31.57'
L7	N03°24'09"E	207.44'
L8	N80°36'40"W	232.35'
L9	N09°31'55"E	45.96'
L10	N09°33'25"E	33.00'
L11	N09°31'55"E	362.10'
L12	N09°04'09"E	374.34'
L13	N07°52'42"E	841.07'
L14	N07°38'34"E	408.93'
L15	N12°25'41"E	58.97'
L16	S80°09'05"E	349.45'
L17	S80°09'05"E	831.29'

LINE TABLE		
LINE	BEARING	DISTANCE
L18	S56°31'47"E	348.97'
L19	N45°36'51"E	323.71'
L20	N37°13'12"W	242.20'
L21	S28°55'04"W	13.94'
L22	S81°31'37"W	25.01'
L23	N06°38'44"W	22.88'
L24	N86°13'33"W	21.86'
L25	N66°45'35"W	10.08'
L26	S48°17'18"W	37.91'
L27	S87°36'54"W	108.37'
L28	N63°50'01"W	56.77'
L29	N83°25'29"W	56.86'
L30	N52°14'14"W	49.69'
L31	S58°24'57"W	74.19'
L32	S78°31'32"W	59.40'
L33	N74°26'48"W	52.64'
L34	S83°00'38"W	25.95'

LINE TABLE		
LINE	BEARING	DISTANCE
L35	N72°18'04"W	43.51'
L36	S78°08'04"W	22.68'
L37	S14°23'22"W	41.69'
L38	N78°26'23"W	17.58'
L39	N49°51'11"W	73.64'
L40	N89°12'20"W	125.52'
L41	N61°14'02"W	48.54'
L42	N47°49'10"W	24.54'
L43	N77°05'43"W	48.45'
L44	N23°46'29"W	21.79'
L45	N58°40'03"W	58.47'
L46	S42°06'01"W	40.40'
L47	N35°48'04"W	44.72'
L48	S77°04'05"W	35.14'
L49	N75°00'57"W	48.22'
L50	N86°40'28"W	38.76'
L51	N02°28'21"W	25.12'

LINE TABLE		
LINE	BEARING	DISTANCE
L52	S81°49'47"W	47.86'
L53	S72°11'30"W	38.82'
L54	S29°04'03"W	29.71'
L55	S84°17'09"W	47.81'
L56	S86°28'37"W	31.02'
L57	S84°44'04"W	38.85'
L58	S81°02'18"W	40.61'
L59	S11°35'27"E	62.78'
L60	S42°05'28"E	31.76'
L61	S50°38'29"W	31.56'
L62	S70°09'15"W	125.01'
L63	S07°38'34"W	616.55'
L64	S07°52'42"W	839.64'
L65	S09°04'09"W	372.68'
L66	S09°31'59"W	1001.08'
L67	S09°34'18"E	100.76'

POND 1
 SHEET 7 OF 9
 REVISED LIMITS 08/01/24
 JOB NO. 2024-289-P1 DRAFTER SBC DATE 05/16/24



MAP SHOWING

A PORTION OF SECTIONS 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 99 (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182) AND THE NORTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY (DURBIN CONNECTOR, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 67°11'10" EAST, 132.51 FEET; COURSE NO. 2: SOUTH 34°07'40" EAST, 51.42 FEET; COURSE NO. 3: SOUTH 67°37'24" EAST, 89.35 FEET; THENCE NORTH 22°22'36" EAST, 79.33 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 48.00 FEET, AN ARC DISTANCE OF 18.41 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°23'25" EAST, 18.30 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 00°24'15" EAST, 18.34 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 237.00 FEET, AN ARC DISTANCE OF 89.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 11°12'24" EAST, 88.84 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 37.00 FEET, AN ARC DISTANCE OF 28.48 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°03'35" EAST, 27.78 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 66°06'37" EAST, 31.57 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 78.00 FEET, AN ARC DISTANCE OF 89.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 34°45'21" EAST, 91.17 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 03°24'05" EAST, 207.44 FEET; THENCE NORTH 20°36'40" WEST, 232.36 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 27.00 FEET, AN ARC DISTANCE OF 42.48 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 35°32'22" WEST, 38.23 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 09°31'55" EAST, 45.96 FEET, TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 101.51 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 32°49'16" EAST, 98.74 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 09°33'25" EAST, 33.00 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 101.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 13°44'12" WEST, 98.86 FEET, THENCE NORTH 09°31'55" EAST, 362.10 FEET; THENCE NORTH 09°04'09" EAST, 374.34 FEET; THENCE NORTH 07°52'42" EAST, 841.07 FEET; THENCE NORTH 07°38'34" EAST, 408.93 FEET TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 91.23 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 33°20'09" EAST, 89.22 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 12°25'41" EAST, 58.97 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 17.00 FEET, AN ARC DISTANCE OF 25.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 56°08'18" EAST, 23.49 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 80°09'05" EAST, 349.48 FEET, TO THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 82.00 FEET, AN ARC DISTANCE OF 50.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 82°14'42" EAST, 49.60 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 60°09'05" EAST, 831.29 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 32.00 FEET, AN ARC DISTANCE OF 13.19 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 68°20'26" EAST, 13.10 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 66°31'47" EAST, 348.97 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 58.00 FEET, AN ARC DISTANCE OF 87.02 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 50°29'26" EAST, 79.08 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1920.43 FEET, AN ARC DISTANCE OF 271.61 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 41°33'45" EAST, 271.38 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 45°36'51" EAST, 323.71 FEET, THENCE NORTH 37°13'12" WEST, 242.20 FEET; THENCE SOUTH 28°55'04" WEST, 13.94 FEET, TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 109.45 FEET, AN ARC DISTANCE OF 87.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 76°52'17" WEST, 85.09 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 346.94 FEET, AN ARC DISTANCE OF 225.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 81°04'36" WEST, 222.14 FEET, TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 683.00 FEET, AN ARC DISTANCE OF 208.12 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°10'22" WEST, THENCE SOUTH 81°31'37" WEST, 25.01 FEET; THENCE NORTH 06°38'44" WEST, 22.68 FEET; THENCE NORTH 85°13'33" WEST, 21.86 FEET; THENCE NORTH 65°45'35" WEST, 10.08 FEET; THENCE SOUTH 48°17'18" WEST, 37.91 FEET; THENCE SOUTH 87°36'54"

POND 1
SHEET 8 OF 9
REVISED LIMITS 08/01/24
JOB NO. 2024-289-P1

DRAFTER SBC DATE 05/16/24



MAP SHOWING

WEST, 108.37 FEET; THENCE NORTH 63°50'01" WEST, 56.77 FEET; THENCE NORTH 83°25'29" WEST, 56.86 FEET; THENCE NORTH 52°14'14" WEST, 49.69 FEET; THENCE SOUTH 59°24'57" WEST, 74.19 FEET; THENCE SOUTH 78°31'39" WEST, 59.40 FEET; THENCE NORTH 74°26'46" WEST, 52.84 FEET; THENCE SOUTH 83°09'38" WEST, 26.08 FEET; THENCE NORTH 72°18'04" WEST, 43.51 FEET; THENCE SOUTH 78°08'04" WEST, 22.68 FEET; THENCE SOUTH 14°23'22" WEST, 41.69 FEET; THENCE NORTH 78°26'23" WEST, 17.68 FEET; THENCE NORTH 49°51'11" WEST, 73.54 FEET; THENCE NORTH 89°12'20" WEST, 125.52 FEET; THENCE NORTH 61°14'02" WEST, 48.54 FEET; THENCE NORTH 47°49'10" WEST, 24.54 FEET; THENCE NORTH 77°05'43" WEST, 48.45 FEET; THENCE NORTH 23°46'29" WEST, 21.79 FEET; THENCE NORTH 58°40'03" WEST, 58.47 FEET; THENCE SOUTH 42°06'51" WEST, 40.40 FEET; THENCE NORTH 39°48'04" WEST, 44.72 FEET; THENCE SOUTH 77°04'08" WEST, 35.14 FEET; THENCE NORTH 76°00'57" WEST, 45.22 FEET; THENCE NORTH 85°46'29" WEST, 38.76 FEET; THENCE NORTH 02°28'21" WEST, 25.12 FEET; THENCE SOUTH 81°49'47" WEST, 47.88 FEET; THENCE SOUTH 72°11'30" WEST, 38.82 FEET; THENCE SOUTH 29°04'03" WEST, 29.71 FEET; THENCE SOUTH 84°17'09" WEST, 47.81 FEET; THENCE SOUTH 86°28'37" WEST, 31.02 FEET; THENCE SOUTH 84°44'04" WEST, 38.85 FEET; THENCE SOUTH 81°02'18" WEST, 40.61 FEET; THENCE SOUTH 11°35'27" EAST, 62.78 FEET; THENCE SOUTH 42°05'28" EAST, 31.76 FEET; THENCE SOUTH 50°38'29" WEST, 31.56 FEET; THENCE SOUTH 70°09'15" WEST, 125.01 FEET; THENCE SOUTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 88, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1, SOUTH 07°38'34" WEST, 618.55 FEET; COURSE NO. 2, SOUTH 07°52'42" WEST, 839.64 FEET; COURSE NO. 3, SOUTH 09°04'09" WEST, 372.68 FEET; COURSE NO. 4, SOUTH 09°31'59" WEST, 1001.08 FEET; COURSE NO. 5, SOUTH 09°34'18" EAST, 100.76 FEET, TO THE POINT OF BEGINNING.

CONTAINING 25.84 ACRES, MORE OR LESS

GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY RIGHT OF WAY LINE OF EAST PEYTON PARKWAY, AS S57°37'24"E, PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY
3. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
4. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND

F.D.O.T.	=	FLORIDA DEPARTMENT OF TRANSPORTATION
S.R.	=	STATE ROAD
O.R.B.	=	OFFICIAL RECORDS BOOK
P.C.	=	PAGE
NO.	=	NUMBER
R/W	=	RIGHT OF WAY
P.C.	=	POINT OF CURVATURE
P.C.C.	=	POINT OF COMPOUND CURVATURE
P.R.C.	=	POINT OF REVERSE CURVATURE
P.T.	=	POINT OF TANGENCY
N.T.	=	POINT OF NON-TANGENCY

POND 1
SHEET 9 OF 9
REVISED LIMITS 08/01/24
JOB NO. 2024-289-PT

DRAFTER SBC DATE 05/16/24



EXHIBIT "C" (continued)

Easement Parcels

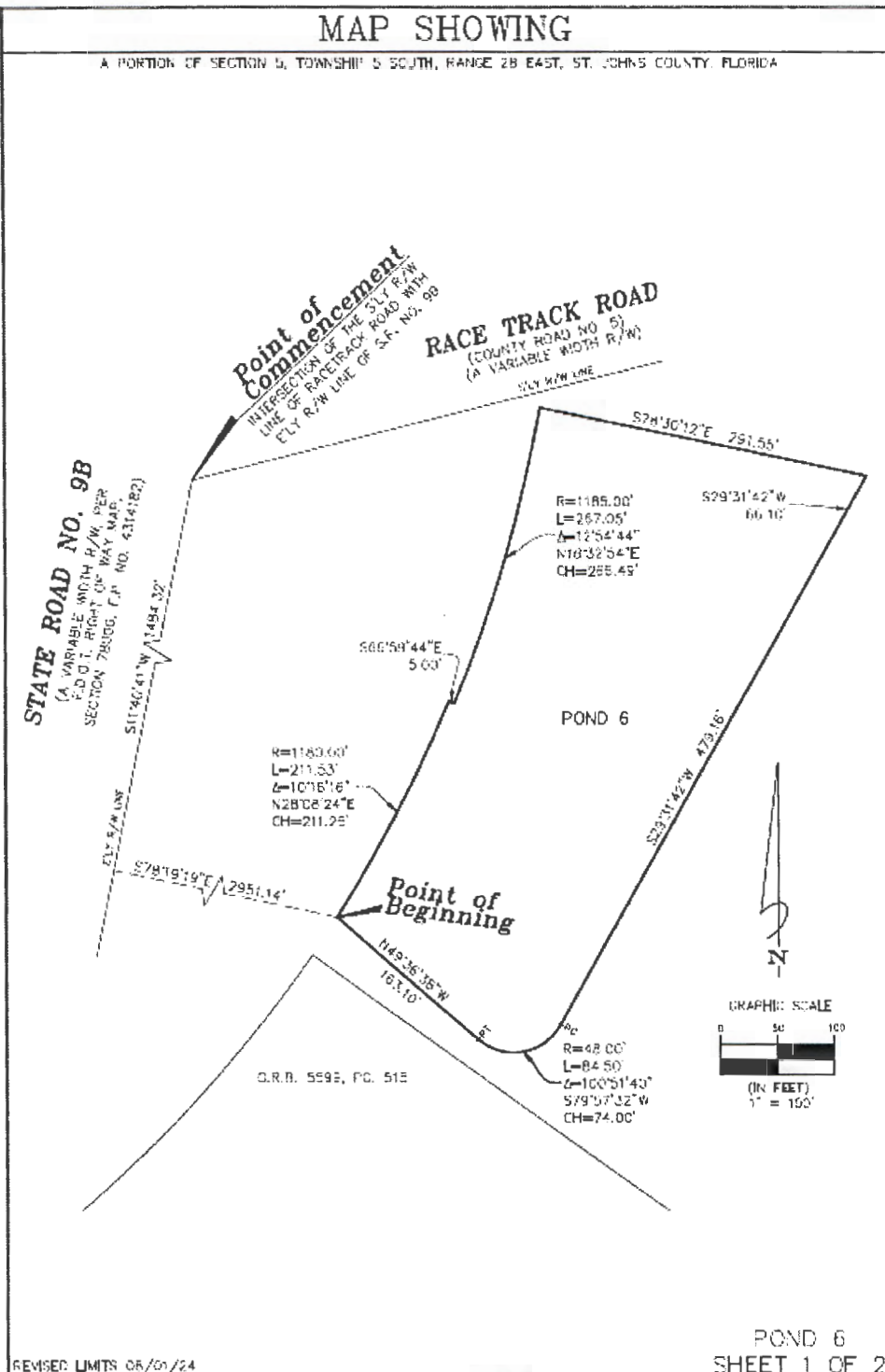
POND 6

A PORTION OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE A THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 5) (A VARIABLE WIDTH RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTH 11°40'41" WEST, 1484.32 FEET; THENCE SOUTH 78°19'19" EAST, 2951.14 FEET, TO THE ARC OF A CURVE LEADING NORTHEASTERLY AND THE POINT OF BEGINNING; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1180.00 FEET, AN ARC DISTANCE OF 211.53 FEET, SAID ARC BEING SUBTENDE BY A CHORD BEARING AND DISTANCE OF NORTH 28°08'24" EAST, 211.25 FEET; THENCE SOUTH 66°59'44" EAST, 5.00 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1185.00 FEET, AN ARC DISTANCE OF 267.05 FEET, SAID ARC BEING SUBTENDE BY A CHORD BEARING AND DISTANCE OF NORTH 16°32'54" EAST, 266.49 FEET; THENCE SOUTH 78°30'12" EAST, 291.55 FEET; THENCE SOUTH 29°31'42" WEST, 66.10 FEET; THENCE SOUTH 29°31'42" WEST, 479.16 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 48.00 FEET, AN ARC DISTANCE OF 84.50 FEET, SAID ARC BEING SUBTENDE BY A CHORD BEARING AND DISTANCE OF SOUTH 79°57'32" WEST, 74.00 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 49°36'38" WEST, 163.10 FEET, TO THE POINT OF BEGINNING.

MAP SHOWING

A PORTION OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA



REVISED LIMITS 05/01/24

JOB NO. 2024-289-P5

DRAFTER SBT

DATE 05/17/24

CHECKED BY MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6786

THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 62-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.227, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREIN.

THIS DRAWING, SKETCH, PLAN OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (CHAPTER 62-17, FLORIDA ADMINISTRATIVE CODE).

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POND 6
SHEET 1 OF 2

MAP SHOWING

A PORTION OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CORNERSE A THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 4) (A VARIABLE WIDTH RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 98 (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 43141B2); THENCE SOUTH $11^{\circ}40'41''$ WEST, 1454.32 FEET; THENCE SOUTH $78^{\circ}19'12''$ EAST, 2851.14 FEET, TO THE ARC OF A CURVE LEADING NORTHEASTERLY AND THE POINT OF BEGINNING; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1185.00 FEET, AN ARC DISTANCE OF 211.55 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $25^{\circ}08'24''$ EAST, 211.25 FEET; THENCE SOUTH $66^{\circ}33'44''$ EAST, 5.00 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1185.00 FEET, AN ARC DISTANCE OF 267.05 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $16^{\circ}32'24''$ EAST, 266.49 FEET; THENCE SOUTH $78^{\circ}30'12''$ EAST, 221.55 FEET; THENCE SOUTH $22^{\circ}31'42''$ WEST, 65.10 FEET; THENCE SOUTH $29^{\circ}31'42''$ WEST, 479.16 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 48.00 FEET, AN ARC DISTANCE OF 84.50 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $79^{\circ}57'32''$ WEST, 74.00 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH $43^{\circ}36'36''$ WEST, 153.10 FEET, TO THE POINT OF BEGINNING.

CONTAINING 2.67 ACRES, MORE OR LESS

GENERAL NOTES

1. BEARINGS SHOWN WEREON WME BASED ON THE EASTERLY RIGHT OF WAY LINE OF S.R. NO. 98, AS $S11^{\circ}40'41''W$, PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 43141B2.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
3. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
4. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND

F.D.O.T.	=	FLORIDA DEPARTMENT OF TRANSPORTATION	PC	=	POINT OF CURVATURE
S.R.	=	STATE ROAD	PT	=	POINT OF TANGENCY
O.R.B.	=	OFFICIAL RECORDS BOOK	R	=	RADIUS
PC	=	PAGE	L	=	ARC LENGTH
NO.	=	NUMBER	Δ	=	BELTA
R/W	=	RIGHT OF WAY	CH	=	CHORD LENGTH

POND 6
SHEET 2 OF 2



REVISED LIMITS 08/01/24
JOB NO. 2024-259-P6 DRAFTER 530 DATE 05/17/24

EXHIBIT "C" (continued)

Easement Parcels

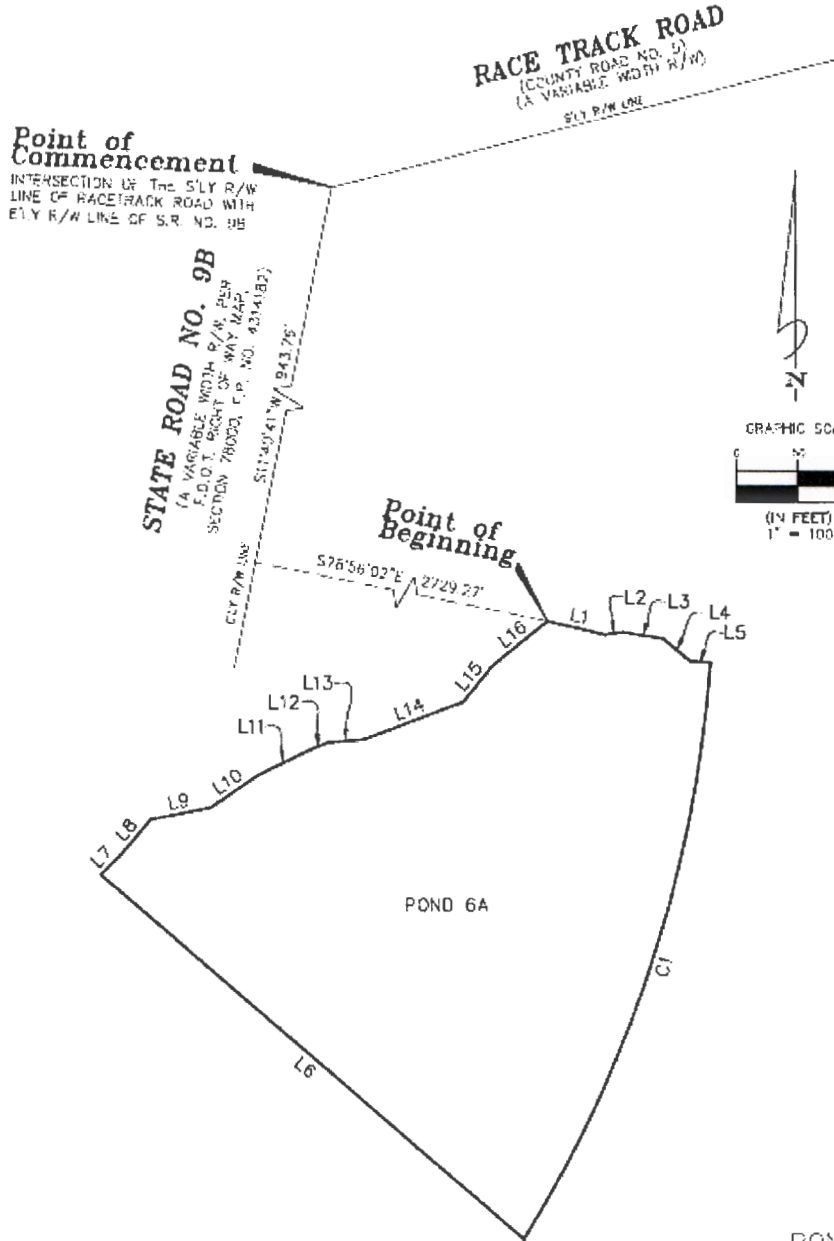
POND 6A

A PORTION OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 5) (A VARIABLE WIDTH RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTH 11°40'41" WEST, 943.76' FEET; THENCE SOUTH 78°56'02" EAST, 2729.27' FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 77°00'36" EAST, 47.99 FEET; THENCE NORTH 82°58'26" EAST, 15.15 FEET; THENCE SOUTH 80°56'47" EAST, 32.77 FEET; THENCE SOUTH 50°45'58" EAST, 28.20 FEET; THENCE SOUTH 85°37'37" EAST, 16.65 FEET, TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 494.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 18°15'46" WEST, 489.71 FEET; THENCE NORTH 49°36'38" WEST, 453.88 FEET; THENCE NORTH 45°28'08" EAST, 22.07 FEET; THENCE NORTH 40°37'20" EAST, 38.39 FEET; THENCE NORTH 79°05'05" EAST, 50.00 FEET; THENCE NORTH 56°17'24" EAST, 46.63 FEET; THENCE NORTH 63°56'10" EAST, 46.09 FEET; THENCE NORTH 67°20'01" EAST, 15.85 FEET; THENCE NORTH 85°04'26" EAST, 30.22 FEET; THENCE NORTH 69°37'47" EAST, 87.60 FEET; THENCE NORTH 40°26'17" EAST, 37.48 FEET; THENCE NORTH 51°24'29" EAST, 58.04 FEET, TO THE POINT OF BEGINNING.

MAP SHOWING

A PORTION OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHN'S COUNTY FLORIDA



REVISED: 08-01-2024 REVISE LIMITS

POND 6A
SHEET 1 OF 2

JOB NO. 2024-285-PEA
DRAFTER SBC
DATE 05/16/24

THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 3-107, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 471.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.
THIS DRAWING, SKETCH, PLAN OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND WATER (CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE)

CHECKED BY: MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

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MAP SHOWING

A PORTION OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD (COUNTY ROAD NO. 5) (A VARIABLE WIDTH RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 99 (A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182); THENCE SOUTH 11°40'41" WEST, 943.75' FEET; THENCE SOUTH 78°06'02" EAST, 2729.27' FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 77°00'36" EAST, 47.99' FEET; THENCE NORTH 82°58'26" EAST, 15.15' FEET; THENCE SOUTH 80°56'47" EAST, 32.77' FEET; THENCE SOUTH 50°45'58" EAST, 28.20' FEET; THENCE SOUTH 85°37'37" EAST, 16.65' FEET, TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1020.00 FEET, AN ARC DISTANCE OF 494.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 18°15'46" WEST, 489.71' FEET; THENCE NORTH 49°36'38" WEST, 453.88' FEET; THENCE NORTH 45°28'08" EAST, 22.07' FEET; THENCE NORTH 40°37'20" EAST, 38.39' FEET; THENCE NORTH 79°05'05" EAST, 50.00' FEET; THENCE NORTH 56°17'24" EAST, 46.63' FEET; THENCE NORTH 63°56'10" EAST, 46.09' FEET; THENCE NORTH 67°23'01" EAST, 15.85' FEET; THENCE NORTH 85°04'26" EAST, 30.22' FEET; THENCE NORTH 69°37'47" EAST, 87.60' FEET; THENCE NORTH 40°26'17" EAST, 37.48' FEET; THENCE NORTH 5°24'29" EAST, 58.04' FEET, TO THE POINT OF BEGINNING.

CONTAINING 3.03 ACRES, MORE OR LESS.

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	1020.00'	494.54'	27°46'46"	S18°15'46"W	489.71'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S77°00'36"E	47.99'
L2	N82°58'26"E	15.15'
L3	S80°56'47"E	32.77'
L4	S50°45'58"E	28.20'
L5	S85°37'37"E	16.65'
L6	N49°36'38"W	453.88'
L7	N45°28'08"E	22.07'
L8	N40°37'20"E	38.39'

LINE TABLE

LINE	BEARING	DISTANCE
L9	N79°05'05"E	50.00'
L10	N56°17'24"E	46.63'
L11	N63°56'10"E	46.09'
L12	N07°20'01"E	15.85'
L13	N85°04'26"E	30.22'
L14	N69°37'47"E	87.60'
L15	N40°26'17"E	37.48'
L16	N5°24'29"E	58.04'

GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF S.R. NO. 99, AS S11°40'41"W, PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
3. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
4. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND

F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
 S.R. = STATE ROAD
 F.P. = FIELD BOOK
 O.R.B. = OFFICIAL RECORDS BOOK
 PG. = PAGE
 NO. = NUMBER
 R/W = RIGHT OF WAY

REVISED 08-01-2024 REVISE LIMITS.

POND 6A
 SHEET 2 OF 2

JOB NO. 2024-289-P6A DRAFTER SEC DATE 05/18/24



**MAINTENANCE
AND HOLD HARMLESS AGREEMENT**

This **MAINTENANCE AND HOLD HARMLESS AGREEMENT** (the "**Agreement**") is made and entered into this ____ day of _____, 2024, by and between **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 ("**County**"), and **DURBIN CREEK NATIONAL, LLC**, a Florida limited liability company, whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257 ("**Durbin Creek**"), and **DURBIN PARK MASTER ASSOCIATION, INC.**, a Florida not-for-profit corporation, whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257 ("**Association**"), and sometimes collectively referred to herein as "**Durbin**").

Recitals

WHEREAS, landscaping and related irrigation, lighting, signage, and stormwater ponds and surrounding banks (collectively, the "**Right-of-Way Improvements**") have been or will be installed within the right-of-way of East Peyton Parkway in the locations depicted on **Exhibit "A"** attached hereto and made a part hereof (the "**Right-of-Way Improvements Map**"), at Durbin's expense; and

WHEREAS, the County has agreed to allow construction of the Right-of-Way Improvements within the County's right-of-way with the understanding Durbin agrees to indemnify and hold the County harmless, to the extent permitted by Florida law, from damages and expenses which may be incurred as a direct or indirect result of such installation, maintenance or construction of such improvements and certain other conditions; and

WHEREAS, upon completion of the installation of the Right-of-Way Improvements, Durbin shall have the responsibility for the maintenance, repair and replacement of such Right-of-Way Improvements; and

WHEREAS, if the County determines the Right-of-Way Improvements need to be removed or repaired, Durbin will have thirty (30) days from the time of notification to remove or repair the Right-of-Way Improvements; provided, however, if a repair or replacement will take more than thirty (30) days to complete, Durbin shall have reasonable additional time to finish such repair or replacement. If the repair or replacement is not completed within said time frame, the County shall have the right, but not the obligation, to make the removal, repair or replacement and invoice Durbin for reimbursement.

NOW, THEREFORE, based upon good and valuable consideration and mutual covenants of the parties, the receipt of which and sufficiency of which is hereby acknowledged, Durbin and the County agree as follows:

Section 1. **Recitals.** The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Agreement.

Section 2. Right-of-Way Utilization. Durbin may place, construct and/or maintain or cause to be placed, constructed and/or maintained the Right-of-Way Improvements in the County's right-of-way as shown on the Right-of-Way Improvements Map attached as Exhibit "A" subject to the terms and conditions contained herein. The cost of installation, maintenance, repair or replacement of such Right-of-Way Improvements shall be paid by Durbin. It is expressly stipulated that this Agreement is a license for permissive use only and that the place of the Right-of-Way Improvements shall not operate to create or vest any property rights to Durbin. Moreover, whenever necessary for the construction, repair, improvement, maintenance, safe and efficient operation, alteration or relocation of all or any portion of said County-owned right-of-way, road or highway, as solely determined by the County in its reasonable discretion, any or all of said Right-of-Way Improvements shall be promptly removed from said road, highway or right-of-way at the expense of Durbin and relocated or reset as the parties agree.

Section 3. Indemnification. Durbin, its successors or assigns, shall indemnify, defend, and hold the County, its successors and assigns, harmless from an against any and all claims, losses, costs, or damages, including without limitation, reasonable attorney's fees and costs, occasion by any act omission to act, or negligence of Durbin, its agents and employees arising out of, connected with, related with, or growing out of (directly or indirectly) the use, construction, installation, operation, repair, or maintenance of the Right-of-Way Improvements within the right-of-way of East Peyton Parkway depicted on the Right-of-Way Improvements Map.

Section 4. Covenant with Land. This Agreement shall touch and concern the land and shall be a covenant running with the fee interest underlying such Right-of-Way Improvements located on the County's right-of-way, whether in existence on the date hereto or constructed in the future.

Section 5. Severability. If any word, phrase, sentence, part, subsection, section or other portion of this Agreement, or any application thereof, to any person or circumstance is declared void, unconstitutional or invalid for any reason, then such word, phrase, sentence, part, subsection, other portion or the proscribed application thereof, shall be severable, and the remaining portion of this Agreement, and all applications thereof, not having been declared void, unconstitutional or invalid shall remain in full force and effect.

Section 6. Governing Law and Venue. This Agreement shall be constructed according to the laws of the State of Florida. Venue for any administrative and/or legal action arising under this Agreement shall be in St. Johns County, Florida.

Section 7. Procedure for Achieving Assignment. In light of the scope and rationale for this Agreement, neither the County nor Durbin may assign, transfer and/or sell any of the rights noted in this Agreement without the express written approval of the other party. Should either County or Durbin assign, transfer or sell any the rights of the Agreement without such prior express written approval of the other party, then such action on the part of either the County or Durbin shall result in the automatic termination of this Agreement, without further notice or action required on the part of the other party.

Section 8. Amendments to Agreement. Both the County and Durbin acknowledge that this Agreement constitutes the complete agreement and understating of both parties. Both the County and Durbin acknowledge that any amendments to this Agreement shall be in writing and shall be executed by duly authorized representatives of both the County and Durbin.

Section 9. Access to Records. The access to, disclosure, non-disclosure or exemption of records, data, documents and materials associated with this Agreement shall be subject to the applicable provisions of the Florida Public Records Law (Chapter 119, Florida Statutes).

[Signatures on Following Pages]

IN WITNESS WHEREOF, the County and Durbin have caused these presents to be executed on the day and year first written above.

Signed, sealed and delivered
in our presence as witnesses:

ST. JOHNS COUNTY, a political
subdivision of the State Florida

(sign) _____
(print) _____

By: _____
Joy Andrews
County Administrator

(sign) _____
(print) _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by means of () physical presence or () online notarization, by Joy Andrews, as County Administrator of St. Johns County, Florida, a political subdivision of the State of Florida, on behalf of the County, who is personally known to me.

Notary Public, State of Florida
Name Printed: _____
My Commission Expires: _____

[Notary Seal]

Signed, sealed and delivered
in our presence as witnesses:

DURBIN CREEK NATIONAL, LLC
a Florida limited liability company

(sign) Susan Fulgenzi
(print) Susan Fulgenzi
9540 San Jose Blvd
Jacksonville, FL 32257
(sign) Joanne Galvis
(print) JOANNE GALVIS
9540 San Jose Blvd
Jacksonville, FL 32257
STATE OF FLORIDA
COUNTY OF ST. JOHNS

By: [Signature]
Print Name: Melissa A. Yuhas
Its: Vice President

The foregoing instrument was acknowledged before me this 4th day of September, 2024,
by means of physical presence or online notarization,
by Melissa A. Yuhas, as Vice President of Durbin
Creek National, LLC, a Florida limited liability company, who is personally known to me or has
produced _____ as identification.

Vickie L. Bulkley
Notary Public, State of Florida
Name Printed: Vickie L Bulkley
My Commission Expires: 12-11-2027

[Notary Seal]



Signed, sealed and delivered

in our presence as witnesses:

DURBIN PARK MASTER ASSOCIATION, INC.,
a Florida corporation

(sign) [Signature]
(print) Susan Fulgebri
9540 San Jose Blvd
Jacksonville, FL 32257
(sign) [Signature]
(print) JANE GALVIN
9540 San Jose Blvd
Jacksonville, FL 32257
STATE OF FLORIDA
COUNTY OF ST. JOHNS

By: [Signature]
Print Name: Lucas J Hildebrand
Its: 12/11/2027

The foregoing instrument was acknowledged before me this 14th day of September, 2024,
by means of physical presence or online notarization,
by Lucas J Hildebrand, as Director of Durbin Park
Master Association, Inc., a Florida not-for-profit corporation, who is personally known to me or
has produced _____ as identification.

[Signature]
Notary Public, State of Florida
Name Printed: Vickie L Bulkley
My Commission Expires: 12-11-2027

[Notary Seal]

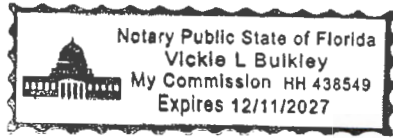






EXHIBIT "A"
Right-of-Way Improvements Map

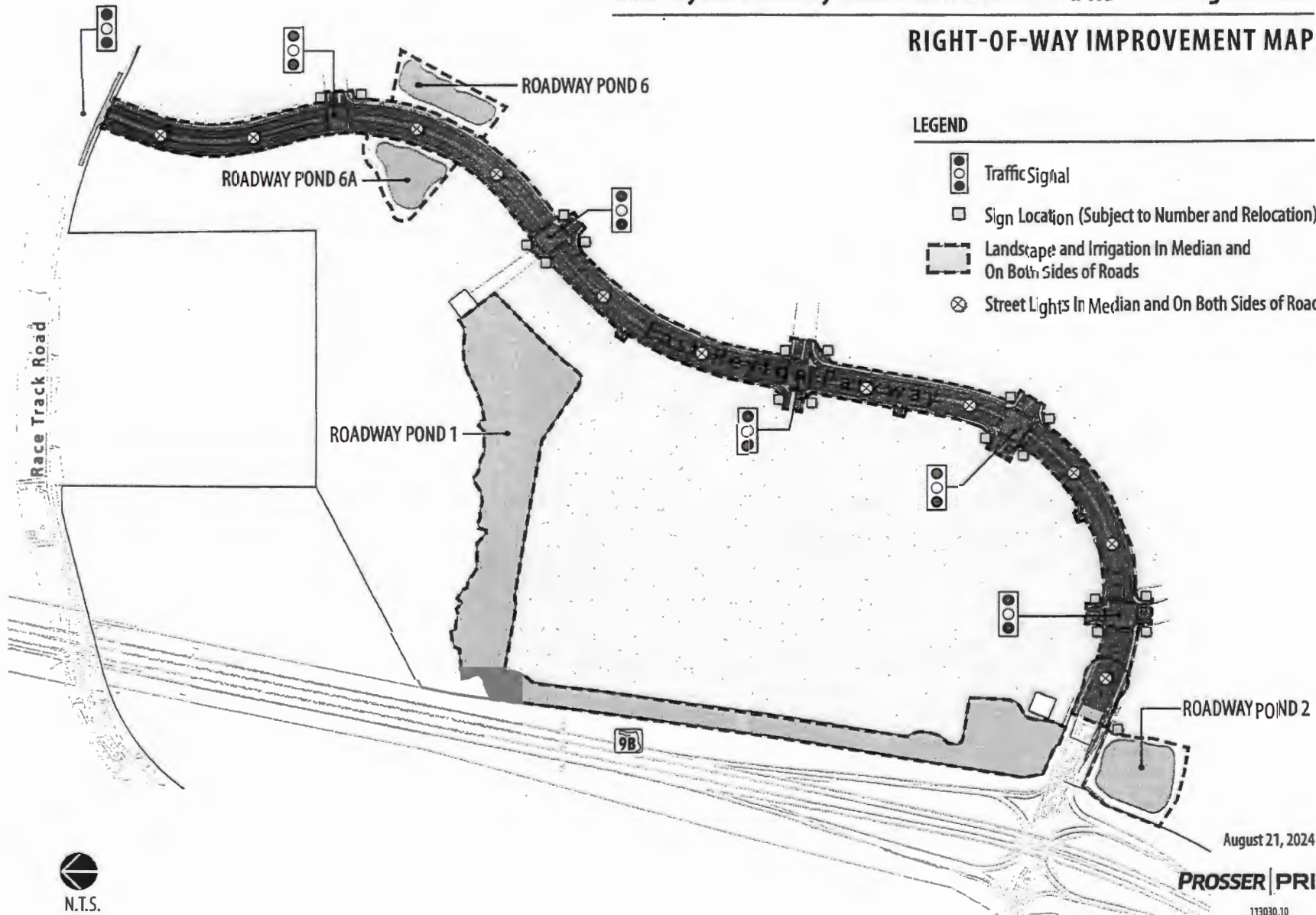
Exhibit A

East Peyton Parkway Maintenance and Hold Harmless Agreement

RIGHT-OF-WAY IMPROVEMENT MAP

LEGEND

-  Traffic Signal
-  Sign Location (Subject to Number and Relocation)
-  Landscape and Irrigation In Median and On Both Sides of Roads
-  Street Lights In Median and On Both Sides of Roads



N.T.S.

August 21, 2024

PROSSER | PRIMER

113030.10



2024 Aerial Imagery

Date: 9/4/2024

East Peyton Parkway Right-Of-Way Improvement



Land Management
Systems
(904) 209-0798

Disclaimer:
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County Real Estate Division disclaims all responsibility for the accuracy or completeness of the data shown herein.