

RESOLUTION 2003- 116

[Amended and Restated Saint Johns DRI Development Order]

{CORRECTED TO INCLUDE PAGE 5 OF EXHIBIT A, LEGAL DESCRIPTION}

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

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

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

WHEREAS, the Development Order was subsequently amended by the Board by adoption of Resolution 94-211, Resolution 95-06, Resolution 96-102, Resolution 96-233, Resolution 98-126, Resolution 98,179, Resolution 99-20, and Resolution 2002-53; and,

WHEREAS, the Developer has submitted a Notice of Proposed Change to the Development of Regional Impact dated December 16, 2002, and as amended April 17, 2003, requesting modification of certain terms of the Development Order (the "Notice of Change"); and

WHEREAS, the changes proposed in the Notice of Proposed Change do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes (2002); and

WHEREAS, the Board has reviewed the Notice of Proposed Change at a public hearing held on June 17, 2003.

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

1. The following facts are determined in connection with this resolution;
 - (1) The existing Development Order as previously amended and as modified by

this Resolution, is consistent with the St. Johns County Comprehensive Plan 2015, adopted May 10, 2000, in Ordinance 2000-34, as modified.

(2) The existing Development Order as previously amended and as modified by this Resolution, is consistent with the St. Johns County Land Development Code.

2. The legal description of the property within the Saint Johns DRI remains unchanged and is attached as Exhibit "A" to this Resolution. The Application for Development Approval ("ADA"), Response to Request for Additional Information submitted January 30, 1991, and Response to Second Request for Additional Information submitted March 18, 1991, are described on Exhibit B to Resolution 91-130 and the development shall be carried out in conformance with the ADA as approved by Resolution No. 91-130 as previously modified by Resolutions 91-183; 94-211; 95-06; 96-102; 96-233, 98-126, 98-179, 99-20, 99-173, and 2002-53, and as further modified by this Resolution.

3. The Master Development Plan for the Interchange Parcels of Saint Johns identified as Map H, page 1 approved by Resolution 98-179 shall remain unchanged. The Master Development Plan for the Six Mile Creek Parcel of Saint Johns identified as Map H, page 2 approved by Resolution 99-173 is hereby replaced by the revised Master Development Plan Map H dated April 9, 2003, attached as Exhibit "B" to this Resolution.

4. The Development Order adopted by Resolution 91-130, as amended by Resolutions 91-183, 94-211, 95-06, 96-102, 96-233, 98-126, 98-179, 99-20, 99-173, and 2002-53, is hereby modified by approval of the changes requested in the Notice of Change as reflected in the blacklined version attached as Exhibit "C" to this Resolution and adoption of the following specific changes:

II. Specific Conditions.

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

LAND USE	SCOPE
Residential	7,200 d.u.
Office	2,493,000 s.f.
Retail Commercial	562,000 s.f. [583,000 s.f.]
Industrial / Warehouse	2,464,000 s.f.
Golf	54 holes
Hotel	1,225 rooms
GA Hall of Fame and Tour Productions	75,000 s.f.

5. The remainder of the Amended and Restated Development Order Conditions for the Saint Johns Development of Regional Impact is unchanged.
6. Development of the additional 21,000 square feet of commercial uses within the Saint Johns DRI shall not result in an increase of 300 or more parking spaces.
7. Except as modified by this Resolution, the Saint Johns DRI Development Order shall remain in full force and effect.
8. This Resolution shall become effective immediately upon adoption.

Passed and approved by the Board of County Commissioners of St. Johns County, Florida, this 17th day of June, 2003.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: Patricia DeGrande - Deputy Clerk
CHERYL STRICKLAND, CLERK



Exhibit "A" to Resolution

[Legal description of Saint Johns DRI]

EXHIBIT A

LEGAL DESCRIPTION

Interchange Northeast

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

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

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

Containing 413.64 acres, more or less

Together with:

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

Containing 6.62 acres, more or less

LESS AND EXCEPT:

Parcel 100, Part "A"

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

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

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

Containing 21.33 acres, more or less

Parcel 101, Part "A"

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

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

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

Containing 0.95 acres, more or less

Interchange Northeast containing 397.98 acres, more or less

Interchange Southeast

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

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

Containing 127.02 acres, more or less

LESS AND EXCEPT:

Parcel 100, Part "B"

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

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

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

Containing 11.57 acres, more or less

Parcel 101, Part "B"

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

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

Containing 1.39 acres, more or less

Interchange Southeast containing 114.06 acres, more or less

Interchange Northwest

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

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

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

Containing 1456.88 acres, more or less

LESS AND EXCEPT:

Parcel 100, Part "E"

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

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

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

Containing 19.65 acres, more or less

Parcel 101, Part "D"

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

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

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

Containing 2.30 acres, more or less

Interchange Northwest containing 1434.93 acres, more or less

SJH36

EXHIBIT A

SIX MILE CREEK PARCEL

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

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

Southerly line, 2110 feet, more or less; to the aforesaid Easterly waters of Six Mile Creek, thence Southeasterly along said waters, 1150 feet, more or less, to the Northerly line of those lands described and recorded in Official Records Book 494, page 165, of the public records of said County; thence North 61 degrees 07 minutes 29 seconds East, along last said line, 1640 feet, more or less, to the Easterly line of said lands, thence South 28 degrees 56 minutes 09 seconds East, along last said line, 200.00 feet to the Southerly line of said lands; thence South 61 degrees 07 minutes 29 seconds West, along last said line, 1670 feet, more or less, to the aforesaid Easterly waters of Six Mile Creek; thence Southeasterly along said waters 1100 feet, more or less, to a line common to Section 46, Township 6 South, Range 27 East, and Section 38, Township 6 South, Range 28 East, St. Johns County, Florida; thence South 02 degrees 35 minutes 54 seconds East, along last said line, 110 feet, more or less, to the center line of aforesaid Six Mile Creek; thence Southerly along said center line of Six Mile Creek, 7950 feet, more or less, to a line common to Section 6 and Section 38 of Township 7 South, Range 28 East, St. Johns County, Florida; thence Easterly along a section line common to said Section 6 and Section 38, to the Easterly waters of aforesaid Six Mile Creek; thence Southeasterly along said Easterly waters, 5035 feet, more or less, to the Easterly line of said Section 38, Township 7 South, Range 28 East, St. Johns County, Florida; thence North 03 degrees 12 minutes 06 seconds West, along last said line, 1238 feet, more or less, to an angle point in said section line, thence North 83 degrees 18 minutes 26 seconds West along said section line and along the Easterly line of Section 6, Township 7 South, Range 28 East, St. Johns County, Florida, 3052.00 feet to a point on a line common to Sections 5, 6 and 41, Township 7 South, Range 28 East, St. Johns County, Florida; thence South 60 degrees 05 minutes 46 seconds East, along the line common to Section 5 and 41 of Township 7 South, Range 28 East, 1737.76 feet; thence continue along said line, South 71 degrees 16 minutes 57 seconds East, 4096.79 feet to the Westerly right of way line of State Road No. S-13A (a 100.0 foot right of way as now established); thence Northeasterly along said Westerly right of way line, 4210 feet, more or less, to the Southerly line of a 30.0 foot drainage right of way as described in Deed Book 182, page 133, of the public records of St. Johns County, Florida; thence Northwesterly along last said line, 1025 feet, more or less, to the Southerly line of Section 37, Township 6 South, Range 28 East, St. Johns County Florida; thence South 88 degrees 18 minutes 38 seconds West, along last said line, 1234 feet, more or less, to the Southwest corner of said Section 37; thence North 00 degrees 54 minutes 29 seconds West, along the Westerly line of said Section 37, 5063.0 feet, thence North 88 degrees, 28 minutes 14 seconds East, 702.28 feet to a point on the Westerly right of way line of State Road S-13A (Pacetti Road, a 100.0 foot right of way as now established); thence North 19 degrees 35 minutes 08 seconds East along said

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

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

Six Mile Creek Parcel containing 3897.57 acres, more or less

SJR38(1-4)

TURNBULL CREEK PARCEL

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

Begin at the Westerly line of Government Lot 17, Section 38, Township 6 South, Range 28 East and the Northerly line of Scaff Road (County maintained); thence South 76 degrees 33 minutes 35 seconds East, along the Northerly line of Scaff Road, 4608.66 feet to its intersection with the Northeasterly line of said Government Lot 17, Section 41, Township 7 South, Range 28 East; thence North 72 degrees 15 minutes, 59 seconds West 1942.6 feet to a point on said Northeasterly line of Government Lot 17, Section 38, Township 6 South, Range 28 East; thence North 19 degrees 01 minute 28 seconds East, 1344.79 feet; thence South 72 degrees 19 minutes 24 seconds East, 988.52 feet; thence North 18 degrees 47 minutes 30 seconds East, 4037.03 feet to the Northeasterly line of Government Lot 16; thence North 72 degrees 29 minutes 39 seconds West, along the Northeasterly line of Government Lots 15 and 16, 4654.07 feet to the Easterly line of Section 37, Township 6 South, Range 28 East; thence South 00 degrees 58 minutes 50 seconds East, along said Easterly line of Section 37, 5072.54 feet to the Southwest corner of said Section 37; thence South 88 degrees 18 minutes 30 seconds West, along the South line of said Section 37, 1680.57 feet to its intersection with the Southwesterly line of Government Lot 15; thence South 72 degrees 15 minutes 59 seconds East, along the Southwesterly line of said Government Lot 15, 874.26 feet to the Northwesterly corner of the aforementioned Government Lot 17; thence South 19 degrees 15 minutes 32 seconds West, along the Westerly line of said Government Lot 17, 345.11 feet to the POINT OF BEGINNING.

Containing 455 acres, more or less

SJH38(5)

Exhibit "B" to Resolution

[Revised Master Development Plan Map H dated April 9, 2003]

Exhibit "C" to Resolution

[Blackline version of Amended and Restated Development Order Conditions
for Saint Johns Development of Regional Impact]

~~{Exhibit D}~~

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

I. General Conditions.

- A. The Saint Johns Development Order is the Development Order approved by the St. Johns Board of County Commissioners (the "Board") in Resolution 91-130, together with the exhibits attached to and made a part of Resolution 91-130 as amended by the Board in Resolution 91-183; Resolution 94-211; Resolution 95-06; Resolution 96-102; Resolution 96-233, Resolution 98-126 ~~{and}~~ [, **Resolution 98-179, Resolution 99-20, Resolution 99-173,**] Resolution 2002-53[,] and ~~{2002}~~ [**Resolution 2003-**]_____[,] together with the schedules and exhibits attached to and made a part of such resolutions. This Amended and Restated Saint Johns Development Order Conditions restates the Conditions to Development Order approval, as amended through _____, ~~{2002}~~ [2003]. The Saint Johns Development Order may be referred to below as the SJH/DO or DO.
- B. Any subsequent owner/developer or assignee shall be subject to the provisions contained in the SJ/DO issued by St. Johns County, including, but not limited to, provisions concerning the conveyance of land to St. Johns County.
- C. The Development shall be subject to further review in the event significant development has not commenced within three years of the effective date of the SJ/DO. The three year time period shall be tolled during any period of time that the Applicant is prevented from commencing significant physical development due to state or federal licensure or judicial delays beyond the control of the Applicant. (For purposes of this condition, significant physical development includes land preparation, streets, and infrastructure, as defined in Section 380.06, Florida Statutes, but does not include the interchange at Interstate 95 and Nine Mile Road.) Note: This condition has been met.
- D. The Director of Planning for St. Johns County shall be responsible for monitoring the development for compliance with the Development Order.
- E. The deadline for commencing physical development shall be December 19, 1995 and the termination date shall be December 19, 2019, unless sooner terminated

pursuant to the terms of this DO or by law. Note: Physical development commenced prior to December 19, 1995.

- F. St. Johns County agrees that the Saint Johns DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction prior to December 19, 2019, unless it is demonstrated that substantial changes in the conditions underlying the approval of the Development Order have occurred, or the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by St. Johns County to be essential to the public health, safety, or welfare.
- G. The Developer shall be eligible to receive credit towards any present and/or future impact fees that may be adopted by St. Johns County for any contribution of land or money made by the Developer for public facilities pursuant to the guidelines stipulated in Section 380.06(16), Florida Statutes and St. Johns County Impact Fee Ordinances 87-57, 87-58, 87-59 and 87-60. Impact fee credit shall not be allowed for expenditures made by the Developer in connection with acquisition of right of way or construction of improvements for the interchange at Interstate 95 and International Golf Parkway within the right of way to be dedicated to FDOT (which includes a part of Nine Mile Road) unless St. Johns County uses impact fees for improvements to Interstate 95.
- H. Excluding the development approved under the St. Johns Harbour Incremental Development Order issued by St. Johns County May 27, 1986 (the "IDO"); 2,910 dwelling units and 71,500 square feet of retail commercial, 120,000 square feet of office, 55,000 square feet of industrial warehouse, and 60,000 square feet of manufacturing development, the development shall be required to meet the Level of Service Standards in the adopted St. Johns County Comprehensive Plan as provided in General Condition K below with the exception of impacts to Interstate 95.
- I. An annual monitoring report shall be prepared by the Applicant or subsequent developer(s) in accordance with Section 380.06, Florida Statutes, and submitted to the NEFRPC, Department of Community Affairs, St. Johns County, and all reviewing agencies no later than January 15 of each year until buildout, commencing January 15, 1992. The annual report shall include the items described in the Restated Saint Johns DRI/DO Annual Monitoring Report Requirements.
- J. Each annual report shall be accompanied by a statement certifying that the NEFRPC, Department of Community Affairs, St. Johns County, Florida Department of Environmental Regulation, Florida Department of Transportation and the St. Johns River Water Management District have been sent copies of the annual monitoring report in conformance with Subsections 380.06(15) and (18), Florida Statutes. It is the responsibility of the Applicant to guarantee that all appropriate agencies receive a copy of the annual reports.

- K. All building code, zoning ordinance and other land use and development regulations of St. Johns County, including Level of Service Standards for public facilities, as may be amended from time to time, shall be applicable to the Development, except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan or resolution. Modification to approved development plans by variance or special exception shall be prohibited. Nothing in this section shall, however, be deemed to: (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in the Florida Statutes including Section 163.3167(8) of the Florida Statutes or in any such future building code, zoning ordinance, other land use and development regulations or provisions establishing Level of Service Standards for public facilities; (b) supersede any concurrency exemption determination made by the Concurrency Review Committee or the Board; or (c) constitute a waiver of the Applicant's right to contest application of any such building code, zoning ordinance, other land use and development regulations or provisions establishing Level of Service Standards for public facilities as applied to this project under the Florida or United States Constitutions.
- L. Any change to the Development ~~{which}~~ [that] constitutes a substantial deviation pursuant to Section 380.06(19), Florida Statutes shall cause the Development to be subject to further development of regional impact review.

II. Specific Conditions.

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

LAND USE	SCOPE
Residential	7,200 d.u.
Office	2,493,000 s.f.
Retail / Commercial	562,000 s.f. [583,000 s.f.]
Industrial / Warehouse	2,464,000 s.f.
Golf	54 holes
Hotel	1,225 rooms
PGA Hall of Fame and Tour Productions	75,000 s.f.

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

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

C. ~~{Prior to application for any construction permits within the 100 year floodplain, the Applicant shall determine, through engineering studies to be approved by St. Johns County, the base flood elevation of the site. This data will include the site specific base flood elevation and the local and area wide effect of elevating the site for construction. This data will be submitted to the Regional Planning Council for review. No development within the 100 year floodplain shall receive a construction permit until the data has been submitted and approved by St. Johns County.}~~ [The requirement to determine and submit base flood elevation data has been satisfied. The developer determined and submitted base flood elevation data to the St. Johns County Engineering Department and the Federal Emergency Management Agency ("FEMA"). The data was approved by FEMA as the best available data for flood plain management purposes in 1993.]

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

D. The condition relating to the solid waste transfer station site ~~{had}~~ [has] been intentionally deleted because the transfer station site has been dropped from the Master Plan.

E. [This condition has been intentionally deleted because the Applicant acquired a gopher tortoise take permit in 1999.] ~~{Prior to any development activities within the boundaries of Parcel 7 of Six Mile Creek West or the lake adjacent to the northerly boundary of Parcel 7 of Six Mile Creek West as shown on Map H, the Applicant shall set aside adequate habitat and acreage to offset the impact to the gopher tortoise and associated commensal species found on the project site. The Applicant shall have the option of addressing these impacts on-site or off-site.~~

On Site Option:

~~The Applicant shall set aside 25 acres of Xeric oak and an additional 4 acres of temperate hammock in Parcel 7 of Six Mile Creek West (Map H), where gopher tortoise burrows presently exist. The exact boundaries for the habitat on-site shall conform~~

~~to the Sandhill Preserve and Wildlife Mitigation Plan (the "Plan") approved by the FGFWFC in its letter to Buford Pruitt, Jr. dated August 29, 1991. The on site option will also require the Applicant to develop and implement a management program for the acreage set aside as described in the Plan, which will guarantee the long term viability of the habitat and species population. The management program shall be reviewed by NEFRPC and DCA, and reviewed and approved by FGFWFC. The areas set aside for habitat protection and the approved management program shall be incorporated into the Saint Johns Development Order prior to any development activities within Parcel 7 of Six Mile Creek West or the lake adjacent to the northerly boundary of Parcel 7 of Six Mile Creek West.~~

~~Off Site Option:~~

~~The Applicant shall provide funds for the purchase of 40 acres of gopher tortoise habitat within the Northeast Florida Mitigation Land Bank or other mitigation area approved by FGFWFC. The funds shall be submitted to the Trust for Public Lands to be deposited in the Northeast Wildlife Mitigation Trust Fund (or other fund approved by FGFWFC), at least 30 days prior to issuance of any final development plan for Parcel 7 of Six Mile Creek West or the lake adjacent to the northerly boundary of Parcel 7 of Six Mile Creek West as shown on Map H. The fund amount shall be based on the per acre cost for participation in the off site mitigation program at the time the funds are paid. If no off site mitigation program exists at that time, on site mitigation will be the only option for mitigation}.~~

- F. ~~Buffer areas of native upland vegetation shall be retained between all golf course areas and adjacent preserved wetlands on the Six Mile Creek Parcel. These buffer areas will average 50 feet with a minimum of 25 feet in width measured landward from the SJRWMD jurisdictional line to the edge of the maintained area of the golf courses. The use of herbicides, pesticides, fungicides, nematicides, and insecticides, as well as vegetative removal will be prohibited in these buffer areas. These areas may be used for road crossings and golf cart crossings as identified on Map H of the ADA. At the time the golf course areas are submitted to the SJRWMD for MSSW Individual Permit review, the Applicant will provide the NEFRPC with copies of the plans for review for compliance with this condition of the DO.~~

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

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

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

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

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

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

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

- J. All project construction personnel shall be notified, through posted advisories or other methods, of the potential for historical and/or archaeological resources on the project site and shall immediately report suspected findings to the project manager. If any historical and/or archaeological resources are discovered on the Saint Johns site during the development process, the Applicant shall immediately notify the Florida Division of Historical Resources, the Northeast Florida Regional Planning Council, and the St. Johns County Planning Department. No disruption of the findings shall be permitted, and no development as defined under Section 380.04, Florida Statutes, shall occur within a minimum 100-foot radius of the site(s) until such time as the Division of Historical Resources has surveyed the findings and determined significance and appropriate measures to mitigate any potential adverse impacts to the resources. The Applicant and any subsequent owner/developer or assignee shall be subject to all conditions determined by the Florida Division of Historical Resources and the Northeast Florida Regional Planning Council.
- K. Development of Saint Johns shall occur concurrent with the provision of adequate central wastewater treatment service by a permitted regional wastewater treatment facility. The Saint Johns project shall meet the adopted sewage LOS in the St. Johns County Comprehensive Plan 1990-2005 as provided in General Condition K. Septic tanks shall not be allowed to occur on the Saint Johns site with the exception of halfway houses on the golf course which may temporarily use septic tanks until central sewer is available.
- L. Prior to any construction as defined in Section 380.04, Florida Statutes, on the industrial parcels on the site, all industrial tenants of Saint Johns shall be required to coordinate with the central wastewater treatment utility to determine wastewater pretreatment requirements for each industry, as the Applicant has committed. The generation of hazardous wastewater shall be prohibited unless adequate facilities are constructed and used for hazardous effluent storage (temporary and/or permanent), treatment and/or removal, and appropriate sludge disposal methods are used in accordance with the rules and policies of the U.S. Environmental Protection Agency (USEPA), Florida Department of Environmental Regulation (FDER) and the St. Johns County Department of Public Works. Hazardous effluent shall be separated from the remainder of the development's wastewater and handled by the approved facilities, in accordance with USEPA and FDER criteria.
- M. Measures ~~which~~ [that] will significantly decrease the travel time of contaminants from the golf course into the ground water shall be minimized.
- N. The Restated Surface Water Monitoring Program is hereby incorporated by reference. The Restated Surface Water Monitoring Program should include tests for any pesticides and herbicides applied to the golf course. Pesticides and herbicides ~~which~~ [that] cannot be analyzed in the laboratory will be prohibited from application to the golf course in this project.

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

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

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

The Plan must also include the following information:

Insecticides, nematicides, fungicides or herbicides to be used;

Method(s) of application;

Time frames for use and application; and

For the pesticides that will be used, specification of:

Half-lives

N-Octanol/water partition coefficient (Kow)

Lethal dose coefficient (LD50)

Solubility

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

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

- P. Roadway designs in and adjacent to preserved wetland areas will provide for the capture and diversion of stormwater runoff from the roadway surface in wetland areas upland stormwater retention/detention for treatment prior to discharge to receiving water bodies or into preserved wetlands.
- Q. Development activities within the Saint Johns project shall not adversely impact the hydroperiod of any wetlands identified for preservation (environmental preserve) on Map H of the ADA. The minimum distance between each stormwater retention/detention pond and adjacent preserved wetlands or other mitigative measure to maintain the hydroperiod of preserved wetlands shall be determined by the St. Johns River Water Management District.
- R. Wet stormwater management detention ponds shall be constructed and maintained to provide a vegetated littoral zone with side slopes less steep than four foot: one foot (horizontal: vertical) out to a depth of three feet below normal water surface, at a minimum, and shall be planted with appropriate native vegetation. Littoral zones shall be concentrated around the outfall structure of each detention pond. The percentage of stormwater management pond area which shall be used to calculate the size and extent of littoral zones shall be as approved by the St. Johns River Water Management District.
- S. Development of Saint Johns shall occur concurrent with a contiguous, functioning, permitted stormwater management system. The Saint Johns project shall meet the adopted drainage LOS in the St. Johns County Comprehensive Plan 1990-2005 as provided in General Condition K.
- T. Treated wastewater effluent shall be the primary source of non-potable water for Saint Johns, in accordance with the rules and policies of the St. Johns River Water Management District and the Florida Department of Environmental Regulation, as the Applicant has committed. Stormwater management ponds shall be the secondary source of non-potable water for this project, with wells as a tertiary source only. During the interim period when reclaimed water and storm water ponds are not adequate to provide the needed water for the grow-in period of the

first golf course of the Six Mile Creek Parcel and the Interchange Parcel, ground water may be utilized to supplement the reclaimed water and water from storm water ponds in the initial grow-in period of two of the golf courses, if permitted by SJRWMD. The Applicant shall provide information in the Annual Monitoring Report on the volume of wastewater treated at each wastewater treatment plant, the volume of reclaimed water used for non-potable purposes, and the total volume of water required for irrigation of the golf courses. Once adequate reclaimed water is available to support the irrigation needs of the first golf course in each Parcel, neither the Floridan aquifer, the surficial aquifer, nor public potable supply system water shall be used for irrigation purposes on Saint Johns, with the exception of residential irrigation and those areas where it can be demonstrated to the SJRWMD that effluent and/or stormwater would not be practical. This is not applicable to the golf course areas.

- U. The Applicant shall coordinate permit application submittals for the wastewater treatment plants and the ground water wellfields/treatment plants in order to ensure a functioning wastewater reuse system on Saint Johns. At the time of permit application submittal, the Applicant shall provide the Master Development Plan included in the Saint Johns Application for Substantial Deviation to the individuals reviewing the permit applications at the St. Johns River Water Management District and the Department of Environmental Regulation, clearly delineating the golf courses and on-site wastewater treatment plans.
- V. Within sixty days of issuance of the Saint Johns amended Development Order, the Applicant shall review the SJRWMD records for all recorded ground water wells on the Saint Johns property and shall survey the property for existing wells. The Applicant shall immediately report the location, and diameter of the existing ground water well(s) on the Saint Johns site to the SJRWMD for their records. All other existing ground water wells and all wells discovered during the development process shall be reported immediately to the SJRWMD. Prior to any construction activities on the Saint Johns site, all wells shall be adequately identified and protected from construction activities by such means as notifying the construction contractor of the well locations, identifying the well locations on the construction plans, and fencing the wells. As the Applicant has committed, a ground water well plugging program shall be developed for the site, in coordination with the SJRWMD, and all wells which are not currently in use shall be properly plugged and abandoned by a SJRWMD licensed water well contractor and registered driller. The water well plugging program shall include a schedule for plugging of abandoned wells. Any wells discovered during development, as well as those wells currently in use, shall be properly plugged and abandoned by a SJRWMD licensed water well contractor and registered driller prior to any construction activity in each respective parcel of the site, unless otherwise stipulated by the SJRWMD. The Applicant shall be responsible for all ground water wells which are discovered before and during development of this property.

- W. The Applicant shall ensure compatible land uses in the vicinity of all ground water wells by providing a well field protection zone of 200-foot radius around each well within which all sanitary hazard sources (including but not limited to all sewage disposal, stormwater retention/detention ponds, drain lines, storm sewers) and all discharges of hazardous substances shall be prohibited, unless otherwise stipulated, by the SJRWMD. All wells shall be clearly identified and protected during all phases of construction to avoid any damage to the wells.
- X. Prior to any development activities, as defined under Section 308.04, Florida Statutes, beyond that development approved in the IDO, the Applicant shall submit to the NEFRPC the existing Consumptive Use Permit for the project to verify the availability of adequate quantity and quality of ground water from both the surficial and Floridan aquifers to support the development of the project. If the information provided indicates that an adequate quantity and/or quality of ground water is not available to meet the demands of the project through buildout, any development beyond that which the test indicates can be supported shall constitute a substantial deviation. Any modifications to the Consumptive Use Permit shall be submitted to the NEFRPC at the same time as submittal to the SJRWMD.

The Applicant shall meet the adopted LOS for potable water as stipulated in the St. Johns County Comprehensive Plan 1990-2005 as provided in General Condition K.

- Y. ~~Water conservation measures shall be incorporated in all development at Saint Johns.~~ These measures may include the use of water-saving plumbing devices, the use of wastewater reuse, drought resistant native vegetation for landscaping, the promotion of xeriscape landscaping, limited irrigation periods, and all requirements of Chapter 553.14, Florida Statutes.
- Z. In the annual reports to be submitted 2000, 2005, 2010, and 2015, the developer, its successors or assigns, shall present documentation from FP&L or some other electricity supplier that there is sufficient capacity to provide electrical service to the project through the projected build-out of the next five (5) years. If there is not sufficient capacity to serve the project through the next five (5) years, a substantial deviation will be deemed to have occurred. [Resolution 96-102]
- AA. This condition has been intentionally deleted. All provisions regarding conveyances to St. Johns County or the School Board are now found in Specific Condition KK.
- BB. This condition has been intentionally deleted. All provisions regarding conveyances to St. Johns County or the School Board are now found in Specific Condition KK.

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

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

- DD. 1. No building permit shall be issued within Saint Johns for any use which has as its primary purpose the generation or processing for disposal of significant quantities of hazardous materials on-site.
2. No on-site disposal of hazardous wastes shall occur within Saint Johns. All disposal must be done by properly permitted waste disposal companies.
3. No hazardous materials shall be disposed of within the sewage treatment system serving Saint Johns. All potentially disruptive materials to be disposed of in the wastewater treatment system must have handwritten approval of the system operator and be adequately pretreated prior to introduction into the system.
4. All final development plans approved by St. Johns County within the industrial areas of Saint Johns shall contain the following elements:
- a. A provision requiring any developer applying for a building permit for any use which will generate or dispose of hazardous materials in amounts that exceed state and federal small quantity generator upper limits to submit to St. Johns County prior to issuance of the building permit a detailed management plan that specifies handling, shipping, storage, disposal, spill, reporting and regulatory compliance procedures.
- b. A provision requiring that all structures where hazardous materials are to be stored, transferred, manufactured or used in significant quantities must be properly designed to contain any spills or releases without loss to soils, ground water, adjoining property, wastewater or stormwater treatment system or surface waters.

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

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

- a. ~~{Four laning of}~~ **[This subsection (a) has been intentionally deleted because]** International Golf Parkway ~~{(FA/a Nine Mile Road) from the middle entrance of the Interchange Northwest Parcel to I 95. Interchange construction at I 95/International Golf~~

~~Parkway (f/k/a Nine Mile Road) shall include the four-laning of International Golf Parkway (f/k/a Nine Mile Road) from the Interchange Northeast/Interchange Southeast entrance to I-95. This roadway link shall be committed by 2002, or when the Annual Monitoring Report projects that the external traffic volume generated by the project in the ensuing year will equal or exceed eighteen thousand eight hundred eighty-one (18,881) daily trips or when the Annual Monitoring Report projects that the external traffic volume generated by the project in the ensuing year within TAZs 1-5 will equal or exceed seventeen thousand seven hundred eighty-nine (17,789) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.~~ [has been four-laned from Royal Pines Parkway to I-95.]

- b. Signalization of International Golf Parkway (f/k/a -Nine Mile Road)/I-95 ramp intersections. When warranted.
- c. Signalization of International Golf Parkway (f/k/a Nine Mile Road)/Interchange Northeast Parcel Access and International Golf Parkway (f/k/a Nine Mile Road) /Interchange Northwest Parcel Access. When warranted.
- d. Four-laning of S.R. 16 from C.R. 16A to International Golf Parkway (f/k/a Nine Mile Road). This roadway link shall be committed by 2005, or when the Annual Monitoring Report projects that the external traffic volume generated by the project in the ensuing year will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.
- e. Four-laning of International Golf Parkway (f/k/a Nine Mile Road) from Interchange Northwest Parcel entrance to S.R. 16. This roadway link shall be committed by 2005, or when the Annual Monitoring Report projects that external traffic volume

generated by the project in the ensuing year will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) external trips per day, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.

- f. Improvements at International Golf Parkway(f/k/a Nine Mile Road)/S.R. 16 intersection including SB left and right turn lanes on International Golf Parkway (f/k/a Nine Mile Road), and WB right turn lane on S.R. 16. This roadway link shall be committed by 2005, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) external trips per day, whichever occurs earlier. Signalization when warranted and approved by FDOT, but not sooner than 2002. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.
- g. Signalization of International Golf Parkway (f/k/a Nine Mile Road)/U.S. 1 intersection. When warranted and approved by FDOT, but not sooner than 2000.
- h. Signalization of S.R. 16/C.R. 16A intersection. When warranted and approved by FDOT, but not before an Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) daily trips.
- i. Signalization at Interchange Northwest/International Golf Parkway (f/k/a Nine Mile Road) southern access point. When warranted.

- j. Signalization at S.R. 16/Six Mile Creek Parcel entrance. When warranted and approved by FDOT.
- k. Improvement of International Golf Parkway (f/k/a Nine Mile Road) to a two-lane arterial, to include turn lanes at major intersections and shoulder improvements from four-lane section at the Interchange Northeast Parcel entrance to U.S. 1 as approved by the St. Johns County Engineer. This roadway link shall be committed by 2010, or when the Annual Monitoring Report projects that external traffic volume generated by the Project in the ensuing year will equal or exceed seventy-two thousand five hundred ninety-four (72,594) daily trips, or when the Annual Monitoring Report projects that external traffic flow generated by the project in the ensuing year within TAZs 1-5 will exceed forty-two thousand two hundred forty-four (42,244) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.
- l. Improvement of Pacetti Road from S.R. 16 to C.R. 208 to a two-lane arterial, to include turn lanes at major intersections, shoulder improvements, and improvements to the horizontal curvature of the roadway, as approved by the St. Johns County Engineer. This roadway link shall be committed by 2010, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed seventy-two thousand five hundred ninety-four (72,594) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed thirty thousand three hundred fifty (30,350) external trips per day, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at the adopted LOS over the next five years.
- m. Signalization at C.R. 210/I-95 ramps. When warranted, but not sooner than, the earlier of 2010 or seventy-two thousand five hundred ninety-four (72,594) external trips per day.

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

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

- p. Signalization at Pacetti Road/C-R- 208. When warranted.

- q. Improvements at C.R. 16A from Maguire Road to S.R. 16 to a two-lane arterial, including shoulder improvements and turn lanes, as necessary, as approved by the St. Johns County Engineer. This roadway link shall be committed by 2015, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed ninety-one thousand five hundred (91,500) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed forty-one thousand seven hundred thirty (41,730), whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the Applicant demonstrates to the satisfaction of FDOT, NEFRPC,

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

- r. **Signalization at Pacetti Road and Six Mile Creek entrance. When warranted.**
- s. **Signalization at C.R. 13 and Six Mile Creek entrance. When warranted.**
- t. ~~{The Developer shall contribute \$800,000.00 (adjusted for inflation) to St. Johns County to assist in mitigating impacts to I-95 through satisfaction of the conditions to the Order Granting Petition For Variance issued by FDOT under DOT case number 98-0044 (the "FDOT Rule Variance"). The inflation adjusted \$800,000.00 developer contribution shall be paid in four (4) equal installments of \$200,000.00 (adjusted) each on September 1, 1998, December 31, 1998, December 31, 1999 and December 31, 2000. St. Johns County may use up to \$100,000.00 of the first installment of the developer contribution for the transportation and related land use aspects of sector planning within the northwest planning district. The balance of the developer contribution shall be used for right of way acquisition, engineering studies and construction of the north/south arterial road as described in the FDOT Rule Variance. St. Johns County shall report annually to the FDOT on the use of the funds beginning on December 31, 1999, and continuing until all of the funds are spent or paid to FDOT. Any part of the developer contribution that is not spent or committed to a construction project by December 31, 2005 shall be paid to FDOT for use in the northwest portion of St. Johns County. The \$800,000.00 contribution shall be adjusted for cumulative inflation from 1991-1992 Present Day Cost to the date of the contribution using the composite Price Trend Index for Florida Highway Construction Composite Fiscal Year published by the FDOT State Estimates Engineer prior to the payment of the initial installment by the developer. The Developer's contributions and the interest accrued from the contributions shall be held by the County and shall be segregated, shall earn interest, and the contributions and all interest earned on the contributions shall be used in accordance with the provisions stated above.} [This subsection "t" has been intentionally deleted because the monetary contributions required under subsection "t" have been paid to St. Johns County.]~~
- u. **After December 31, 2015 or after the external trip threshold set forth below has been met or exceeded, the developer shall be required to comply with St. Johns County Concurrency**

Management Ordinance requirements relating to the level of service for I-95 as established in the St. Johns County Comprehensive Plan. The requirement to undergo concurrency review relating to I-95 shall apply to any portion of the project for which a final development plan or other final development permit is submitted on or after December 31, 2015, or after the Annual Monitoring Report projects that the external traffic volume generated by the project in the ensuing year will equal or exceed ninety one thousand five hundred (91,500) daily trips.

The Applicant shall be responsible for completely funding all needed intersection improvements at all project entrances. These may include signalization when warranted and as indicated above, the construction of acceleration and deceleration lanes, and the construction of separate lanes, if required. This shall not be deemed to preclude St. Johns County from requiring other developers to fund their fair share of shared entrance improvements.

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

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

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

TAZs 1-2 represent the Interchange Southeast Parcel and Interchange Northeast Parcel, respectively, and both connect with the public road system at International Golf Parkway east of I-95. TAZs 3-5 represent the easterly, middle, and westerly portions of the Interchange Northwest Parcel, respectively, and all connect with

the public road system at International Golf Parkway west of 1-95. TAZs 6-9 represent various portions of the Six Mile Creek Parcel, and TAZ 10 is the public park proposed for the Turnbull Creek Parcel.

- GG. The Applicant will cooperate with the Jacksonville Transportation Authority and/or St. Johns County in any efforts to establish park and ride mass transit service in St. Johns County. The Applicant will coordinate with the Jacksonville Transportation Authority and/or St. Johns County and FDOT in any efforts to establish a park and ride lot for mass transit service by investigating the possibility of providing park and ride facilities on-site if it is determined that a park and ride service is feasible for the Interstate 95 corridor in St. Johns County. The Applicant shall meet the adopted LOS for mass transit as stipulated in the St. Johns County Comprehensive Plan, 1990-2005 as provided in General Condition K on Page 2 of 14 of Exhibit C.
- HH. The Developer of the Saint Johns DRI, his successors or assigns shall be subject to the provisions of the St. Johns County Traffic Impact Fee Ordinance in order to generate funding for needed roadway improvements. The County should enter into an agreement with the FDOT to contribute a certain percentage of the impact fees for this project to FDOT, with FDOT agreeing to utilize these funds for the construction of the improvements to State Roads significantly impacted by this project at such time as the FDOT could schedule the improvements in the work program, as total funding becomes available.
- II. In order to insure an adequate supply of housing affordable by low and very low income households to meet the demand for such housing generated by the Saint Johns project on, proximate to, or otherwise reasonably accessible to the Saint Johns project the Developer shall contribute \$300,000.00 to St. Johns County for the provision of affordable housing within the West Augustine Community. The \$300,000.00 shall be payable in installments as follows:
- A. \$75,000 - Within 60 days of the effective date of Resolution 2002-53;
 - B. \$100,000 - By January 31, 2004;
 - C. \$125,000 - By January 31, 2006.
- JJ. This condition has been intentionally deleted because the entire Turnbull Creek Parcel has already been conveyed to St. Johns County. Also, all provisions regarding conveyances to St. Johns County or the School Board are now found in Specific Condition KK.
- KK. This condition addresses the required conveyances by the Developer to St. Johns County or the St. Johns County School Board.
1. School Sites: ~~{The Developer shall convey}~~ **[This subsection has been satisfied because]** the three **[public]** school sites ~~{identified below to the}~~ **[were conveyed to]** St. Johns County School Board on ~~{or before December~~

~~31, 1998 unless the School Board refuses to accept one or more of the conveyances. The sites to be conveyed to the St. Johns County School Board are: (1) Parcel 1 of Six Mile Creek West containing 30.7 acres; (2) Parcel 8 of Six Mile Creek Central containing 40 acres; and (3) Parcel 17 of Six Mile Creek South containing 18.5 acres. The Developer shall deliver a boundary survey of each of the three school sites identified above within fifteen (15) days after approval of this Revised Development Order. The School Board shall have access to the school sites identified above after approval of this Revised Development Order through October 15, 1998 during normal business hours upon twenty four (24) hours notice to the Developer in order to allow it to conduct its due diligence review. If the School Board notifies the Developer of a physical or environmental defect on any of the three school sites before October 15, 1998, then the Developer shall propose an alternative school site within the Six Mile Creek Parcel in the same vicinity as the rejected site within sixty (60) days of the receipt of the School Board's notice and the School Board shall have one hundred twenty (120) days after delivery of the boundary survey for the new site within which to conduct additional due diligence. Any site proposed by the Developer and found acceptable by the School Board shall be conveyed by the Developer to the School Board within sixty (60) days after the School Board notifies the Developer that the site is acceptable. If the School Board elects not to accept a site, then the site may be used by the Developer for residential, public service (as defined in Section 7-14 of the Zoning Code in effect as of May, 1998); church or recreational uses provided that any such use does not increase the overall number of residential units or non-residential square footage allowable within the project as a whole and provided that the Developer obtains an appropriate minor modification of the PUD. All conveyances to the School Board made pursuant to this paragraph shall be subject to the provisions of Paragraph 5 below.} [January 31, 2001.]~~

2. Turnbull Creek Parcel. ~~{The}~~ **[This subsection has been satisfied because the]** Developer conveyed the entire Turnbull Creek Parcel to St. Johns County in 1996.

3. Parcel 20 - Interchange Northwest. ~~{The Developer shall convey Parcel 20 within}~~ **[This subsection has been satisfied because the Parcel 20 Civic Site on]** the Interchange Northwest Parcel ~~{containing 7.5 acres}~~ **[was conveyed]** to St. Johns County ~~{within one hundred twenty (120) days of being requested to do so by the St. Johns County Board of County Commissioners or the County Administrator, provided that the request occurs on or before December 31, 2005. If the Board of County Commissioners or the County Administrator does not request conveyance of Parcel 20 of the Interchange Northwest Parcel by December 31, 2005, then the Developer shall provide written notice of its final offer to convey the property to St. Johns County by Certified Mail delivered to the Planning Director, the Chairman of the St. Johns County Board of County Commissioners, the St. Johns County~~

~~Administrator, and the St. Johns County Attorney's Office requesting that its offer be scheduled for a public hearing. If the St. Johns County Board of County Commissioners does not accept the Developer's final offer to convey the property within one hundred twenty (120) days after receipt of the Developer's final offer to convey, then the Developer shall be allowed to use the property for residential, public service (as defined in Section 7-14 of the Zoning Code in effect as of May 1998) church or recreational uses after receipt of final development plan approval and other applicable permits and approvals provided that there is no increase in the number of residential units or nonresidential square footage and provided that the Developer obtains approval of a minor modification to the PUD for such use.} [in 1999.]~~

4. Parcel 6 - Six Mile Creek Central. ~~The {Developer shall convey Parcel 6 within} [Parcel 2 (formerly Parcel 6) Civic Site in the] Six Mile Creek Central Parcel {containing 8.5 acres} [was conveyed] to St. Johns County {within one hundred twenty (120) days of being requested to do so by the St. Johns County Board of County Commissioners or the County Administrator, provided that the request occurs on or before December 31, 2008. If the Board of County Commissioners or the County Administrator does not request conveyance of Parcel 6 of the Six Mile Creek Central by December 31, 2008, then the Developer shall provide written notice of its final offer to convey the property to St. Johns County by Certified Mail delivered to the Planning Director, the Chairman of the St. Johns County Board of County Commissioners, the St. Johns County Administrator, and the St. Johns County Attorney's Office requesting that its offer be scheduled for a public hearing. If the St. Johns County Board of County Commissioners does not accept the Developer's final offer to convey the property within one hundred twenty (120) days after receipt of the Developer's final offer to convey, then the Developer shall be allowed to use the property for residential, public service (as defined in Section 7-14 of the Zoning Code in effect as of May 1998) church or recreational uses after receipt of final development plan approval and other applicable permits and approvals provided that there is no increase in the number of residential units or nonresidential square footage and provided that the Developer obtains approval of a minor modification to the PUD for such use.} [in 1999.]~~

Environmental Learning Parcel - Six Mile Creek West. The Developer shall convey the 40.49 acre portion of the environmental preserve lying between Parcel 1 and Parcel 9 of Six Mile Creek West as shown on Map H (the "Environmental Learning Center Parcel"), to the St. Johns County School Board simultaneously with conveyance of Parcel 1 of Six Mile Creek West to the School Board if the St. Johns County School Board agrees to accept the conveyance. If the St. Johns County School Board does not accept the conveyance of the Environmental Learning Parcel, then the Developer shall convey the Environmental Learning Center Parcel to St. Johns County within 120 days of being requested to do so by the St. Johns County Board of

County Commissioners or the County Administrator, provided that the request occurs on or before December 31, 2008. If the Board of County Commissioners or the County Administrator does not request conveyance of the Environmental Learning Center Parcel by December 31, 2008, then the Developer shall provide written notice of its final offer to convey the property to St. Johns County by Certified Mail delivered to the Planning Director, the Chairman of the St. Johns County Board of County Commissioners, the St. Johns County Administrator and the St. Johns County Attorney's Office requesting that its offer be scheduled for a public hearing. If the St. Johns County Board of County Commissioners does not accept the Developer's final offer to convey the property within 120 days after receipt of the Developer's final offer to convey, then the Developer may convey the Environmental Learning Center Parcel to the property owner's association having responsibility for maintenance of common areas within the Six Mile Creek Parcel, or to any other governmental entity agreeing to accept the conveyance and to comply the terms of the conservation easement to be recorded by the Developer.

6. Terms of Conveyances. All parcels to be conveyed pursuant to this Specific Condition KK shall be conveyed in fee simple, free of all liens and monetary encumbrances at no charge to St. Johns County or to the St. Johns County School Board. The Developer shall, however, be allowed a credit against the applicable St. Johns County impact fee or fees. The amount of the credit shall be determined prior to the conveyance in accordance with the provisions of the applicable St. Johns County Impact Fee Ordinance. Notwithstanding anything to the contrary in this Development Order, if the County accepts conveyance of Parcel 20 within the Interchange Northwest Parcel and/or Parcel 6 within the Six Mile Creek Central Parcel on or before December 23, 1999, then the Developer shall receive impact fee credits in an amount equal to the lesser of the appraised fair market value or \$13,500 per acre for Parcel 20 within the Interchange Northwest Parcel and in an amount equal to the lesser of the appraised fair market value or \$6,000 per acre for Parcel 6 within the Six Mile Creek Central Parcel. All conveyances shall be made subject to appropriate conditions, covenants and restrictions and reservations which limit the uses to those intended, ensure that the site will be compatible with surrounding uses, provide for proper maintenance and provide for proper drainage and access. Also such conditions, covenants and restrictions shall allow for modification or release by the Developer or identifiable successors and the St. Johns County School Board or St. Johns County Board of County Commissioners as the case may be, all subject to review and approval by the St. Johns County Board of County Commissioners or the St. Johns County School Board, as the case may be in its reasonable discretion. All properties conveyed to St. Johns County or to the St. Johns County School Board pursuant to Specific Condition KK shall be provided appropriate and necessary easements for access, drainage and utilities.

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

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**SUBJECT MATTER INDEX
SAINT JOHNS DEVELOPMENT
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