

EXHIBIT A

BK: 4434 PG: 805

DPI COMMUNITY DEVELOPMENT DISTRICT PROPOSED RULE ESTABLISHING PUBLIC INFRASTRUCTURE FEE

SECTION 1. INTRODUCTION. This rule (the "Rule") establishes the Public Infrastructure Fee (as hereinafter defined) to fund the financing of public infrastructure within the DPI Community Development District (the "District"). The Public Infrastructure Fee will be imposed on the sale or lease of all goods and services which are subject to tax under the Sales Tax Law (as hereinafter defined) occurring within the boundaries of the PIF Property and District.

SECTION 2. PURPOSE. The Rule is made with respect to the following incontestable facts:

- A.** The District, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, was established to facilitate the financing, construction, completion, operation and maintenance of certain public infrastructure needed for the development of PIF Property.
- B.** The District intends to issue a long term debt obligation to fund the acquisition or construction of certain public infrastructure, which debt shall be subject to interest in an amount up to the maximum authorized by Florida law. This obligation shall terminate upon the earlier of full repayment or forty (40) years.
- C.** The public infrastructure that will be acquired, installed, completed, operated and maintained for the benefit of the PIF Property, the costs of which may lawfully be paid or reimbursed by the District includes, without limitation, public streets and roadway improvements, water distribution and sanitary sewer collection and transmission systems and facilities, a storm water management system and facilities, parks, outdoor recreational and cultural facilities and security facilities, and other infrastructure, facilities, improvements, property and appurtenances located within and without the District (together, the "Public Improvements"). A description of the Public Improvements may be found in the Engineer's Report adopted by the District on July 27, 2017.
- D.** A portion of the costs of planning, designing, engineering, acquiring, constructing, managing construction, and installing the Public Improvements, together with all land or interests in land necessary for the completion of the Public Improvements (whether acquired by the District or dedicated by Developer or another Person), and all other costs and expenses incurred in connection with the financing, acquisition, construction and completion of the Public Improvements, including without limitation maintenance costs and other costs of operations incurred for the Public Improvements, expenses incurred for the District's organization and operation, and any bond requirements (all of such costs together, the "Public Improvements Costs"), will be funded, paid and reimbursed, in whole or in part, from the Public Infrastructure Fees imposed and collected pursuant to this Rule. The estimated Public Improvement Cost is \$24,761,000 as reflected in Exhibit 4 of the Engineer's Report, exclusive of operation and maintenance costs.
- E.** In consideration of the benefits to be provided to the PIF Property by the District's undertaking of acquisition of the Public Improvements, the District will impose a

Specific Authority: §§ 120.54, 190.011(5), and 190.035, *Fla. Stat.*
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Public Infrastructure Fee in the amount one-half percent (0.5%) as set forth in Section 6 hereof on all PIF Sales (as defined below) that occur within the PIF Property. Subject to the terms of this Rule, the Public Infrastructure Fee will be collected by all sellers or providers of goods or services who engage in any PIF Sales transactions within the District subject to this Rule from the purchaser or recipient of such goods or services and then will be paid over to or as directed by a Collecting Agent (as defined below).

SECTION 3. DEFINITIONS.

"Auditor" has the meaning set forth in Section 8.

"Collecting Agent" means the entity designated in accordance with the provisions of Section 10 to collect and receive the Public Infrastructure Fee and to remit the same to the District or any other Person entitled thereto.

"Confidential Information" has the meaning set forth in Section 8.

"County" means the County of St. Johns, Florida.

"Developer" means Durbin Creek National, LLC, a Florida limited liability company, and Durbin Park Pavilion, LLC, a Delaware limited liability company, and any successor thereto as evidenced by a written assignment of such status.

"Default Rate" means twelve (12%) per annum, but if such rate exceeds the maximum interest rate permitted by State law, such rate shall be reduced to the highest rate allowed by State law under the circumstances.

"District" is the DP1 Community Development District, created by County Ordinance No. 2017-35 as a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, to facilitate the financing, acquisition, construction, completion, operation and maintenance of certain public infrastructure needed for the development of the PIF Property.

"Fee Interest" means the fee interest of any Occupant whereby such Occupant is given the right to own any portion of the PIF property.

"Goods" means tangible personal property as defined by the Sales Tax Law.

"Leased Property" means with respect to any Occupant, the portion of the PIF Property to which such Occupant has the right to possess or occupy pursuant to an Occupancy Agreement.

"Occupancy Agreement" means any lease, sublease, license, concession or other occupancy agreement between Developer and an Occupant or a Retailer under which the Occupant or Retailer is given the right to possess or occupy any portion of the PIF Property.

"Occupant" means any Person who has the legal right pursuant to a Fee Interest or any Occupancy Agreement to own, possess or occupy any portion of the PIF Property, including, without limitation, any space within any building or improvement constructed on any portion of the PIF Property or any temporary user, carts or kiosks situate thereon, and includes the Developer, provided that a mortgagee, a trustee under or beneficiary of a deed of trust, or any other Person who has any right of possession primarily for the purpose of securing a debt or other obligation owed by an Occupant will not constitute an Occupant, unless and until such mortgagee, trustee, beneficiary or other Person becomes an Occupant, a mortgagee in possession or otherwise possesses or occupies a portion of the PIF Property pursuant to such right by an intentional or voluntary act of its own, at which time such mortgagee, trustee, beneficiary or other Person will be considered an Occupant.

"Owned Parcel" means with respect to any Occupant, any portion of the PIF Property separately owned by an Occupant.

"Person" means any individual, partnership, corporation, limited liability company, association, trust, municipality, or any other type of governmental or nongovernmental entity or organization.

"PIF Collecting Agent Agreement" means the Collection Agent Agreement by and between the District and the Collection Agent.

"PIF Commencement Date" means the date upon which this Rule is effective.

"PIF Property" means the real property that is subject to this Rule as is specifically described in Exhibit A attached hereto and incorporated herein by this reference.

"PIF Sales" means any exchange of goods or services for money or other media of exchange which are subject to taxation under the Sales Tax Law including without limitation:

- i. All sales or leases of goods to any Person which are subject to taxation under the Sales Tax Law, by any Retailer initiated, conducted, transacted, made, rendered, or otherwise occurring from or within any portion of the PIF Property;
- ii. All sales of services to any Person which are subject to taxation under the Sales Tax Law, by any Retailer initiated, conducted, transacted, made, rendered, or otherwise occurring from or within any portion of the PIF Property, including without limitation entertainment and lodging services;
- iii. To the extent of the applicability of the Sales Tax Law, any sale of (a) goods to a Person who is doing business or is a resident outside of the State when the goods purchased are to be delivered to such purchaser outside the State by a common carrier or by the Retailer or by mail, and (b) any construction materials purchased by or delivered to any Person

whether or not a local sales tax has been or is required to be paid to any taxing authority.

- iv. PIF Sales shall only refer to retail transactions processed through the Retailer's registers and shall not include any transactions involving Retailers' payment for construction materials or services related to the construction or renovation of their principal place of business within the PIF Property.

"*PIF Termination Date*" shall mean the termination date of the long term debt obligation.

"*Public Improvements*" has the meaning set forth in Section 2.C.

"*Public Improvements Costs*" has the meaning set forth in Section 2.D.

"*Public Infrastructure Fee*" means the fee imposed pursuant to this Rule against all PIF Sales initiated, conducted, transacted, made, rendered, or otherwise occurring from or within the PIF Property in the amount of one-half percent (0.5%) of each PIF Sale for the period commencing on the PIF Commencement Date through and until the PIF Termination Date, except as otherwise expressly provided herein.

"*Report Recipient*" has the meaning set forth in Section 7.

"*Reports*" has the meaning set forth in Section 7.

"*Retailer*" means any Occupant who is a seller or provider of goods or services and who engages in any PIF Sales initiated, conducted, transacted, made, rendered, or otherwise occurring from or within any portion of the PIF Property.

"*Sales Tax Law*" means the Florida sales tax laws, presently codified in Chapter 212 of the Florida Statutes, and all regulations promulgated pursuant thereto, as both may be amended from time to time.

"*State*" shall mean the State of Florida.

SECTION 4. IMPOSITION OF PUBLIC INFRASTRUCTURE FEE. For the period commencing on the PIF Commencement Date through and until the PIF Termination Date, the Public Infrastructure Fee shall be imposed on all PIF Sales within the PIF Property as follows:

- A. Each Retailer shall collect on each PIF Sale transaction initiated, conducted, transacted, made, rendered, or otherwise occurring from or within any portion of a Leased Property or Owned Parcel that is owned, possessed or occupied by such Retailer, and shall pay to the Collecting Agent, the Public Infrastructure Fee with respect to such PIF Sales transaction; and
- B. Each Occupant who leases or subleases any portion of its Leased Property or Owned Parcel to a Retailer, or who permits a Retailer to occupy any portion of its Leased Property or Owned Parcel under an Occupancy Agreement, shall require pursuant to

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such Occupancy Agreement that such Retailer shall collect on each PIF Sale transaction initiated, conducted, transacted, made, rendered, or otherwise occurring from or within any portion of such PIF Property, and shall pay to the Collecting Agent, the Public Infrastructure Fee with respect to such PIF Sale transaction. Each such Occupancy Agreement shall contain enforceable provisions incorporating by reference the obligation for the imposition and collection of the Public Infrastructure Fee on all PIF Sales transactions created by, and shall be subject to all requirements of, this Rule.

SECTION 5. PIF SALES INFORMATION. Public Infrastructure Fees shall be collected and paid on all PIF Sales transactions in accordance with the provisions of this Rule. Each Owner or Occupant shall within ten (10) business days after authorizing any Retailer to occupy any portion of its Leased Property or Owned Parcel or upon receipt of a written request therefor from the Collecting Agent, provide the Collecting Agent with the name and address of each Retailer that then occupies any portion of any Leased Property or Owned Parcel. Each Retailer will be entitled to rely on the information provided by the Collecting Agent for purposes of compliance with this Rule. Retailers shall promptly comply with any procedures that the Collecting Agent informs the Retailers that the Retailers must follow with respect to informing PIF Sales customers of the Public Infrastructure Fee. In connection therewith, any Retailer may inform PIF Sales customers on the point of sale receipt that the total amount of sales tax includes both sales taxes and the Public Infrastructure Fee; provided, however, that each point of sale receipt shall include a brief text disclosure of that fact, and further provided that the Retailer shall post at each point of sale a brief written disclosure regarding the Public Infrastructure Fee, explaining that it is not a tax, how it is calculated, how sales tax is calculated with respect to it, and how it is reflected on the point of sale receipt.

SECTION 6. CALCULATION, PAYMENT, AND REPORTING OF THE PUBLIC INFRASTRUCTURE FEE.

- A. Whether or not collected from PIF Sales customers, each Retailer shall, on a monthly basis, pay all Public Infrastructure Fees imposed hereunder on all PIF Sales transactions initiated, conducted, transacted, made, rendered, or otherwise occurring during the immediately preceding month from or within any portion of any Leased Property or Owned Parcel occupied by such Retailer during such period. All Public Infrastructure Fees shall be due and payable without notice on the date required for payment of State sales tax under the Sales Tax Law. Each Retailer shall pay all Public Infrastructure Fees directly to the Collecting Agent.
- B. Each Retailer shall report all PIF Sales to the Collecting Agent and remit the Public Infrastructure Fees thereon to the Collecting Agent on a monthly basis at the same time that the Retailer reports and remits sales taxes to the State, employing reporting forms and following procedures provided by the District or Collecting Agent. If all of Retailer's PIF Sales are reported on its Florida Department of Revenue Form DR-15, then the Form DR-15 will be an acceptable reporting form provided that the sales tax information specific to the Leased Property or Owned Parcel is reported separate and apart from the Retailer's aggregate reporting.
- C. The Public Infrastructure Fee shall be calculated and imposed on each PIF Sale transaction and pursuant to current Florida law added to the sales price of such PIF

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Sale transaction prior to the calculation and assessment of any State sales tax, and before any sales taxes of any other taxing entity required to be imposed by law. All sales taxes of the State and other taxing entities shall, to the extent that such sales taxes apply to the PIF Sale transaction, be calculated and assessed on the sum of the PIF Sale price plus the amount of the Public Infrastructure Fee.

- D. Any Occupant by acquiring the right to possess or occupy any portion of the PIF Property subject to this Rule will be deemed to have acknowledged, and each Occupant will cause any Retailer whom such Occupant permits to possess or occupy any portion of its Leased Property or Owned Parcel to acknowledge, prior to conducting any business on any Leased Property or Owned Parcel, that the Public Infrastructure Fee is not a tax in any form and that the authority of the Collecting Agent to receive the Public Infrastructure Fee is derived through this Rule and the PIF Collecting Agent Agreement. The Collecting Agent shall promptly notify in writing each Retailer of the name and address of the Collecting Agent and provide appropriate directions for payment and reporting of the Public Infrastructure Fee.
- E. No provision of this Rule shall be construed or applied to alter, modify, limit or affect any sales taxes that may be imposed by the State or any other applicable taxing authority.

SECTION 7. ADDITIONAL REPORTING REQUIREMENTS. Each Retailer shall, with respect to that portion of any Leased Property or Owned Parcel occupied by such Retailer, deliver to the Collecting Agent (the "Report Recipient") true and complete copies of all written reports, returns, statements, records and declarations, including any supplements or amendments thereto (collectively, the "Reports") made or provided to the State by such Retailer in connection with all sales for the corresponding sales tax period at the same time that such Reports are delivered to the State. If any subsequent adjustments, additions or modifications are made by a Retailer to any sales taxes reported in such Reports, such Retailer shall provide the Report Recipient with true and complete copies of all revised Reports and any other information issued or filed by such Retailer in regard thereto. If any such adjustment increases the amount of the Public Infrastructure Fee which a Retailer is required to remit or pay or results in a refund of such Public Infrastructure Fee, such Retailer shall process and pay such adjusted Public Infrastructure Fee in a manner substantially similar to the process used and required by the State for an adjustment of the State's sales taxes. Such Retailer shall claim any credit or refund or shall pay such additional Public Infrastructure Fee in the next monthly reporting period by use of the standard reporting and remittance forms. All Reports made or provided by a Retailer shall be maintained by such Retailer for at least three (3) years from the date of submission thereof to the Report Recipient, and, upon written request, will be made available to the Report Recipient for inspection and audit.

SECTION 8. AUDITS AND RELEASE OF INFORMATION BY COLLECTING AGENT. By acquiring a possessory or ownership interest in and to any Leased Property or Owned Parcel that is subject to the terms and conditions of this Rule, each Retailer hereby specifically authorizes the Collecting Agent, and any accountant or financial consultant designated by its landlord, the District and the Collecting Agent (collectively, the "Auditor") to audit its books and records with respect to the Leased Property or Owned Property occupied by such Retailer to determine compliance with the Public Infrastructure Fee collection and remittance obligations of such Retailer under this Rule and to release to the District, the Collecting Agent, a bond trustee, and the Developer (but not to any other Person, except as required by law) such audited information and any Reports, returns (including sales tax returns), and other documents delivered

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to the Auditor by the Retailer and any relevant information gathered by the Auditor during an audit or in reviewing such Reports, returns or other documents (collectively, the "Confidential Information"); provided, however, that (i) no Auditor may be engaged on a contingency-based compensation system, and (ii) all Confidential Information, together with the contents thereof, shall be deemed proprietary, shall be kept strictly confidential, and shall not be disclosed or otherwise published by any Person to whom the Auditor so releases Confidential Information, except for such disclosures or publications as may be required by law. Without limiting the foregoing confidentiality and non-disclosure requirements, any publication or disclosure of Confidential Information submitted by or pertaining to a Retailer (or the contents of such Confidential Information) by the District, the Collecting Agent or the bond trustee (or by anyone else to whom the Auditor is required by law to disclose Confidential Information) will, unless otherwise prohibited or restricted by law, be made only on an aggregated basis together with similar information submitted by other Retailers and without direct disclosure of the specific Public Infrastructure Fee collections or PIF Sales transactions of such Retailer. Notwithstanding anything herein contained to the contrary, any information provided to the District and the Collecting Agent will not be deemed to be confidential and will be a public record. Each Retailer shall be protected by, and may rely upon, the confidentiality provisions set forth in this Rule.

SECTION 9. COMPLIANCE AND ENFORCEMENT. Each Retailer shall comply with all policies and requirements regarding the collection and remittance of Public Infrastructure Fees and notification to PIF Sales customers of the imposition and collection of the Public Infrastructure Fee as such policies and requirements are communicated by the District or Collecting Agent to each Retailer in writing from time to time. The failure or refusal of any Retailer to impose, collect or remit the Public Infrastructure Fee, or to comply with the requirements concerning notification to PIF Sales customers, will constitute a default by such Retailer under the terms of its Occupancy Agreement. All Public Infrastructure Fees that are not paid when due hereunder will bear interest at the Default Rate and will be subject to a late fee imposed in an amount equal to the greater of (i) Five Hundred Dollars (\$500.00) or (ii) five percent (5%) of the amount due.

SECTION 10. COLLECTING AGENT. The District shall designate an entity or entities to act as the Collecting Agent. The District may terminate any Collecting Agent and redesignate a successor Collecting Agent upon not less than forty-five (45) days' written notice to each Retailer in accordance with Section 6.

Exhibit A

PIF Property Description

PARCEL 1
A PORTION OF SECTIONS 6 AND 8, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD, A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, AND THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182, THENCE SOUTHERLY AND SOUTHWESTERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 11°40'41" WEST, 1750.61 FEET; COURSE NO. 2: SOUTH 15°40'39" WEST, 1333.33 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY, COURSE NO. 3: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 23012.00 FEET, AN ARC DISTANCE OF 745.35 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 14°44'58" WEST, 745.32 FEET, TO THE POINT OF TANGENCY OF SAID CURVE, COURSE NO. 4: SOUTH 13°48'18" WEST, 748.84 FEET; COURSE NO. 5: SOUTH 30°33'08" WEST, 227.24 FEET, TO THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B WITH THE EASTERLY RIGHT OF WAY LINE OF DURBIN CONNECTOR, A 200 FOOT WIDE RIGHT OF WAY, AS SHOWN ON SAID STATE ROAD NO. 9B RIGHT OF WAY MAP; THENCE SOUTH 00°21'44" WEST, DEPARTING LAST SAID LINE, 206.21 FEET, TO THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, WITH THE WESTERLY RIGHT OF WAY LINE OF SAID DURBIN CONNECTOR; THENCE SOUTHERLY AND SOUTHWESTERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 02°09'50" EAST, 125.24 FEET; COURSE NO. 2: SOUTH 20°55'16" WEST, 1038.92 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHWESTERLY, COURSE NO. 3: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2425.00 FEET, AN ARC DISTANCE OF 614.29 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°13'41" WEST, 612.65 FEET, TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 813, PAGE 1728 OF SAID PUBLIC RECORDS; THENCE SOUTH 89°35'20" WEST, ALONG LAST SAID LINE, 1016.19 FEET, TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1288, PAGE 175 OF SAID PUBLIC RECORDS; THENCE NORTH 00°53'26" EAST, ALONG LAST SAID LINE, 1400.64 FEET; THENCE NORTH 01°22'62" WEST, CONTINUING ALONG LAST SAID LINE, AND ALONG THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 819, PAGE 549 OF SAID PUBLIC RECORDS, 3478.50 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID RACETRACK ROAD; THENCE EASTERLY, AND NORTHEASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 70°23'15" EAST, 285.33 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; COURSE NO. 2: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1161.35 FEET, AN ARC DISTANCE OF 309.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 78°01'04" EAST, 308.40 FEET, TO THE ARC OF A CURVE LEADING EASTERLY; COURSE NO. 3: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 901.00 FEET, AN ARC DISTANCE OF 1288.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 72°18'04" EAST, 1198.23 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 4: NORTH 34°23'35" EAST, 1189.86 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 5: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1112.80 FEET, AN ARC DISTANCE OF 722.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 53°12'54" EAST, 709.46 FEET, TO THE POINT OF BEGINNING.

CONTAINING 230.58 ACRES, MORE OR LESS.

PARCEL 2
A PORTION OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD, A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, AND THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9B, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78000, F.P. NO. 4314182; THENCE NORTH 75°57'24" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD, 578.81 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, CONTINUING ALONG LAST SAID LINE AND AROUND AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1125.76 FEET, AN ARC DISTANCE OF 18.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 78°24'53" EAST, 18.00 FEET, TO THE NORTHERLY LINE OF SAID SECTION 6; THENCE NORTH 89°46'43" EAST, ALONG LAST SAID LINE, 140.52 FEET, TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2382, PAGE 158 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE SOUTH 00°18'04" WEST, 527.45 FEET; THENCE SOUTH 00°14'45" WEST, CONTINUING ALONG LAST SAID LINE, 823.25 FEET; THENCE SOUTH 82°51'53" WEST, 1210.04 FEET, TO THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 9B, THENCE NORTH 11°40'41" EAST, ALONG LAST SAID LINE, 1794.49 FEET, TO THE POINT OF BEGINNING.

CONTAINING 30.80 ACRES, MORE OR LESS.

TOTAL ACREAGE CONTAINING 261.38 ACRES, MORE OR LESS.

Specific Authority: §§ 120.54, 190.011(5), and 190.035, *Fla. Stat.*
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