

**SETTLEMENT AGREEMENT**

JOHNNY L. DUDLEY, DANIEL DUDLEY AND GARY DUDLEY, AND CONTRAVEST, their heirs, successors, or assigns (hereinafter referred to as "Owners"), and NASSAU COUNTY, a political subdivision of the State of Florida (hereinafter referred to as "County") hereby enter into this Settlement Agreement this 18th day of <sup>July</sup> ~~May~~, 2007, and set forth the following facts, terms and conditions:

**WHEREAS**, Application No. SP06-051 was filed by Courtney Isles, LLC, to construct ten (10) three-story buildings with 240 units; and

**WHEREAS**, after careful consideration and deliberation, the County, at the Board's meeting of May 2, 2007, approved in concept the Site Plan SP06-051, with final approval subject to certain terms and conditions to wit: (1) acknowledging that the Development Agreement dated June 23, 2003 provides for 10,629 gross average daily trips (ADTs) based upon the original certificate of concurrency; (2) mitigation from one or more developers within the entire site (Nassau Commerce Center n/k/a Shoppes at Amelia Concourse) addressing impacts from non-vested traffic on Chester Road; and (3) drafting a traffic mitigation plan for Chester Road, which shall be considered by the Board during the Final Site Plan approval; and

**WHEREAS**, the County further directed the Owners and staff to address unresolved disputed issues between the parties.

**NOW, THEREFORE**, in consideration of the mutual terms, covenants and conditions contained herein, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. In recognition of the potential for continued delay and cost associated with further dispute and disagreement regarding the meaning of phrase "average daily trips" in the 2003 Development Agreement entered into between Nassau County and Johnny L. Dudley, Daniel Dudley and Gary Dudley, their heirs, successors, or assigns, the parties do agree that for the parcel described in Nassau County's Composite Exhibit "A", Nassau County shall be paid one hundred and sixty five thousand and no/100 dollars (\$165,000.00) as a voluntary payment.

2. In recognition that a disagreement exists between the parties as to the meaning of average daily trips and that further litigation uncertainty and expense for both parties is not desirable, the parties agree that no additional traffic mitigation is owed by these parties for their respective site plans for the 399,997 square feet of

commercial development within Shoppes at Amelia Concourse and for Courtney Isles as identified in Nassau County's Exhibit B. Payment shall be made prior to the issuance of the Certificate of Occupancy for each of the remaining developments listed in Nassau County's Exhibit B or within one (1) year of the date of this Settlement Agreement, whichever is sooner. The payment of these funds does not relieve the Owners from the County's customary development criteria such as impact fees or turn lane improvements or other requirements set forth in the Nassau County Land Development Code.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
JIM B. HIGGINBOTHAM  
Its: Chairman

Attest as to Chairman's Signature:

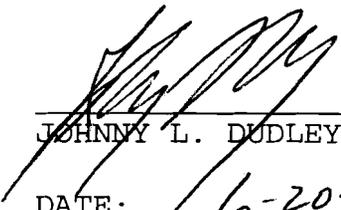
  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

REVIEWED BY GENE KNAGA  
DEPUTY COMPTROLLER  
 DATE 7/23/07

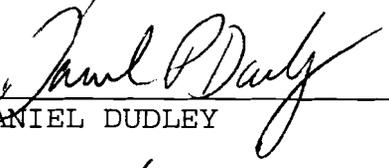
Approved as to form by the  
Nassau County Attorney:

  
DAVID A. HALLMAN

(Signatures continue on the next page)

  
\_\_\_\_\_  
JOHNNY L. DUDLEY

DATE: 6-20-07

  
\_\_\_\_\_  
DANIEL DUDLEY

DATE: 6-20-07

  
\_\_\_\_\_  
GARY DUDLEY

DATE: 6-20-07

  
\_\_\_\_\_  
MARK OGLER

CONTRAVEST

Its: Executive Vice President

DATE: 6-4-07

**COMPOSITE EXHIBIT "A"**

**LEGAL DESCRIPTION  
TO PRE-LITIGATION SETTLEMENT AGREEMENT  
FOR SP06-051 AND SHOPPES AT AMELIA CONCOURSE**

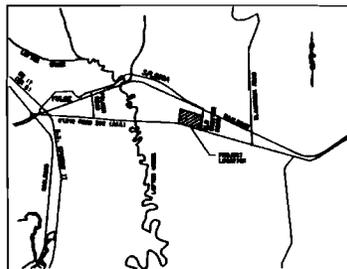
Approximately 114.84 acres consisting of the Shoppes at Amelia Concourse as recorded in Plat Book 7, pp.128-132 inclusive of the Public Records of Nassau County, Florida and Courtney Isles Apartments more particularly described as Parcel "A" in this composite exhibit.

P. 2 of 8

# SHOPPES AT AMELIA CONCOURSE

A PART OF GOVERNMENT LOT 1, SECTION 1, TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 37, BOTH IN TOWNSHIP 2 NORTH, RANGE 27 EAST, TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 51, TOWNSHIP 3 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA.

CFN # 2005 20498



VICINITY MAP NOT TO SCALE

### SURVEYOR'S NOTES

- (1) CD DENOTES PERMANENT REFERENCE MONUMENT (P.R.M.) SET WITH IDENTIFICATION NUMBER LB479.
- (2) CD DENOTES SET 1/2" REBAR WITH CAP CORP. NO. LB479, PERMANENT CONTROL POINT.
- (3) NOTICE: THIS PLAT, AS RECORDED IN ITS ANTI-CORRUPTION FORM, IS THE OFFICIAL RECORD OF THE SURVEY. ANY CHANGES OR AMENDMENTS TO THIS PLAT MUST BE MADE BY A LICENSED PROFESSIONAL SURVEYOR AND MUST BE RECORDED IN THE PUBLIC RECORDS OF THIS COUNTY.
- (4) THIS PROPERTY APPEARS TO LIE IN FLOOD ZONE UNDESIGNED "X" WHICH IS AN AREA RETURNING TO LIE WITHIN THE 500-YEAR FLOOD PLAIN, ACCORDING TO MAP NUMBER 17010, DATED MAY 4, 1990.
- (5) BENCHMARKS SHOWN HEREON BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FIRST ZONE, WITH A BEARING OF N 01°53' 58" E ON THE CENTERLINE OF STATE ROAD 100-A AS RECORDED IN THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.
- (6) BUILDING SETBACKS ARE AS FOLLOWS:
  - A. MINIMUM SIDE SETBACK IS 20.00 FEET
  - B. MINIMUM FRONT SETBACK IS 30.00 FEET
- (7) MINIMUM FINISHED FLOOR ELEVATION FOR COMMERCIAL BUILDINGS SHALL BE 35.50 FEET.
- (8) CURRENT LAW PROVIDES THAT NO CONSTRUCTION, FILLING, REMOVAL OF EARTH, CUTTING OF TREES OR OTHER PLANTING SHALL TAKE PLACE ON TOWNSHIP OF THE JURISDICTION HEREON UNLESS AS SPECIFIED ON THIS PLAT WITHIN THE WRITTEN APPROVAL OF THE LOCAL GOVERNMENT. ANY CONSTRUCTION OR OTHER PLANTING SHALL BE SUBJECT TO THE WRITTEN APPROVAL OF THE LOCAL GOVERNMENT. ANY CONSTRUCTION OR OTHER PLANTING SHALL BE SUBJECT TO THE WRITTEN APPROVAL OF THE LOCAL GOVERNMENT. ANY CONSTRUCTION OR OTHER PLANTING SHALL BE SUBJECT TO THE WRITTEN APPROVAL OF THE LOCAL GOVERNMENT.
- (9) PC DENOTES POINT OF CURVE.
- (10) PT DENOTES POINT OF TANGENCY.
- (11) N.G.V.D. DENOTES NATIONAL GEODETIC VERTICAL DATUM.
- (12) THE AREA AS DEPICTED HEREIN IS SUBJECT TO STORM SURGE INUNDATION DURING A CATEGORY 3/4 HURRICANE.
- (13) THIS PROPERTY IS ZONED IN WITH CONDITIONAL USE APPROVAL UNDER FINAL ORDER NUMBER E04-003 FOR USES PERMITTED IN THE COMMERCIAL INTERMEDIATE ZONING DISTRICT.
- (14) R DENOTES RADIUS OF CURVE.
- (15) Δ DENOTES DELTA OF CURVE.
- (16) A DENOTES ARC LENGTH OF CURVE.
- (17) C DENOTES LONG CHORD OF CURVE.
- (18) R/W DENOTES RIGHT OF WAY.
- (19) ELEVATIONS SHOWN HEREON BASED ON NAVD 83, WITH THE ORIGINAL BENCHMARK BEING A BAILROAD SET IN A ROAD POND POLE NEAR THE POINT OF CURVE ON THE NORTHEAST SIDE OF STATE ROAD 100-A ALLOCATION.
- (20) THE LOTS SHOWN HEREON MAY NOT BE FURTHER SUBDIVIDED WITHOUT APPROVAL FROM NASSAU COUNTY.
- (21) SF DENOTES SQUARE FEET.
- (22) □ DENOTES METLANS.

### EMERGENCY SERVICES DIRECTOR CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED THIS 25th DAY OF July, 2005.

### SURVEYORS CERTIFICATION

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED, AS SET FORTH AND DESCRIBED IN THE CAPTION, AND THAT THE PLAT IS IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 112, F.S., AND THE REQUIREMENTS OF CHAPTER 112, F.S., AND THE REQUIREMENTS OF CHAPTER 112, F.S.

SIGNED THIS 25th DAY OF July, A.D., 2005.

Michael D. Caton, P.L.C. (P.L.C. CERT. NO. 15 2047)  
1900 CORPORATE SQUARE, N.W.  
PO BOX 1000  
JACKSONVILLE, FL 32211  
407 979 1111



### CAPTION

#### SHOPPES AT AMELIA CONCOURSE

A PART OF GOVERNMENT LOT 1, SECTION 1, TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 37, BOTH IN TOWNSHIP 2 NORTH, RANGE 27 EAST, TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 51, TOWNSHIP 3 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA.

### COUNTY HEALTH CERTIFICATE:

THIS IS TO CERTIFY THAT I HAVE REVIEWED THE ABOVE PLAT THAT IT DOES NOT VIOLATE ANY HEALTH ORDINANCES AND IS APPROVED FOR RECORD.

### COUNTY TAX COLLECTOR CERTIFICATE:

TAX IDENTIFICATION NUMBER: 01-20-27-0000-0002-0220	TAX IDENTIFICATION NUMBER 01-20-27-0000-0003-0130
TAX IDENTIFICATION NUMBER: 01-20-27-0000-0003-0130	TAX IDENTIFICATION NUMBER 27-20-27-0000-0008-0100
TAX IDENTIFICATION NUMBER: 01-20-27-0000-0003-0200	TAX IDENTIFICATION NUMBER 27-20-27-0000-0008-0200
TAX IDENTIFICATION NUMBER: 01-20-27-0000-0003-0210	TAX IDENTIFICATION NUMBER 27-20-27-0000-0008-0300
TAX IDENTIFICATION NUMBER: 31-20-27-0000-0001-0150	
TAX IDENTIFICATION NUMBER: 31-20-27-0000-0001-0200	
TAX IDENTIFICATION NUMBER: 31-20-27-0000-0001-0210	
TAX IDENTIFICATION NUMBER: 31-20-27-0000-0001-0210	

I, THE UNDERSIGNED DO HEREBY AFFIRM TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO UNPAID REAL ESTATE TAXES APPLICABLE TO THE LANDS SUBJECT TO THIS PLAT OTHER THAN THE FOLLOWING:

### CLERKS CERTIFICATE:

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY, FLORIDA, AND IS RECORDED IN PLAT BOOK 1, PAGE 128.

### ZONING CERTIFICATE:

I HEREBY CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED BY ME AND IS IN COMPLIANCE WITH THE ZONING ORDINANCES AND REGULATIONS OF NASSAU COUNTY, FLORIDA CURRENTLY IN EFFECT.

### FIRE DEPARTMENT CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN APPROVED BY THE FIRE CHIEF OF NASSAU COUNTY, FLORIDA.

### COUNTY ATTORNEY CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED THIS 25th DAY OF July, 2005.

### COUNTY COMMISSION CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED THIS 25th DAY OF July, 2005.

### ENGINEERING SERVICES DIRECTOR CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED THIS 25th DAY OF July, 2005.

### CERTIFICATE OF CLERK:

I HEREBY CERTIFY THAT THE ABOVE PLAT WAS FILED FOR RECORD ON THE 25th DAY OF July, 2005.

### CERTIFICATE OF REVIEWING SURVEYOR:

I HEREBY CERTIFY THAT THE UNDERSIGNED IS A LICENSED PROFESSIONAL SURVEYOR AND MAPPER AND IS ELIGIBLE EMPLOYEE OF NASSAU COUNTY, FLORIDA. I HAVE REVIEWED THIS PLAT AND FIND IT TO COMPLY WITH THE REQUIREMENTS OF CHAPTER 112, F.S. AND THE REQUIREMENTS OF CHAPTER 112, F.S.

### ADOPTION AND RECIPIENT

THIS IS TO CERTIFY THAT THE UNDERSIGNED RINCO NASSAU LLC, A FLORIDA LIMITED LIABILITY COMPANY, HAS ADOPTED AND RECEIVED THE ABOVE PLAT FOR RECORD AND IS ELIGIBLE EMPLOYEE OF NASSAU COUNTY, FLORIDA. I HAVE REVIEWED THIS PLAT AND FIND IT TO COMPLY WITH THE REQUIREMENTS OF CHAPTER 112, F.S. AND THE REQUIREMENTS OF CHAPTER 112, F.S.

IN WITNESS WHEREOF, I HAVE SIGNED THESE PRESENTS TO BE EXECUTED BY THE PRESIDENT OF THE ABOVE COMPANY.

David C. Blanton, VICE PRESIDENT, RINCO NASSAU LLC, A FLORIDA LIMITED LIABILITY COMPANY.

STATE OF FLORIDA, COUNTY OF NASSAU, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 25th DAY OF July, A.D., 2005.

Notary Public at Large, My Commission Expires...

David C. Blanton, VICE PRESIDENT, RINCO NASSAU LLC, A FLORIDA CORPORATION, ITS BUSINESS NUMBER...

STATE OF FLORIDA, COUNTY OF NASSAU, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 25th DAY OF July, A.D., 2005.

Notary Public at Large, My Commission Expires...

Kimberly Ann... VICE PRESIDENT, RINCO NASSAU LLC, A FLORIDA CORPORATION, ITS BUSINESS NUMBER...

STATE OF FLORIDA, COUNTY OF NASSAU, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 25th DAY OF July, A.D., 2005.

Notary Public at Large, My Commission Expires...

Kimberly Ann... VICE PRESIDENT, RINCO NASSAU LLC, A FLORIDA CORPORATION, ITS BUSINESS NUMBER...

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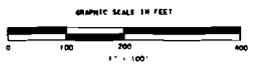
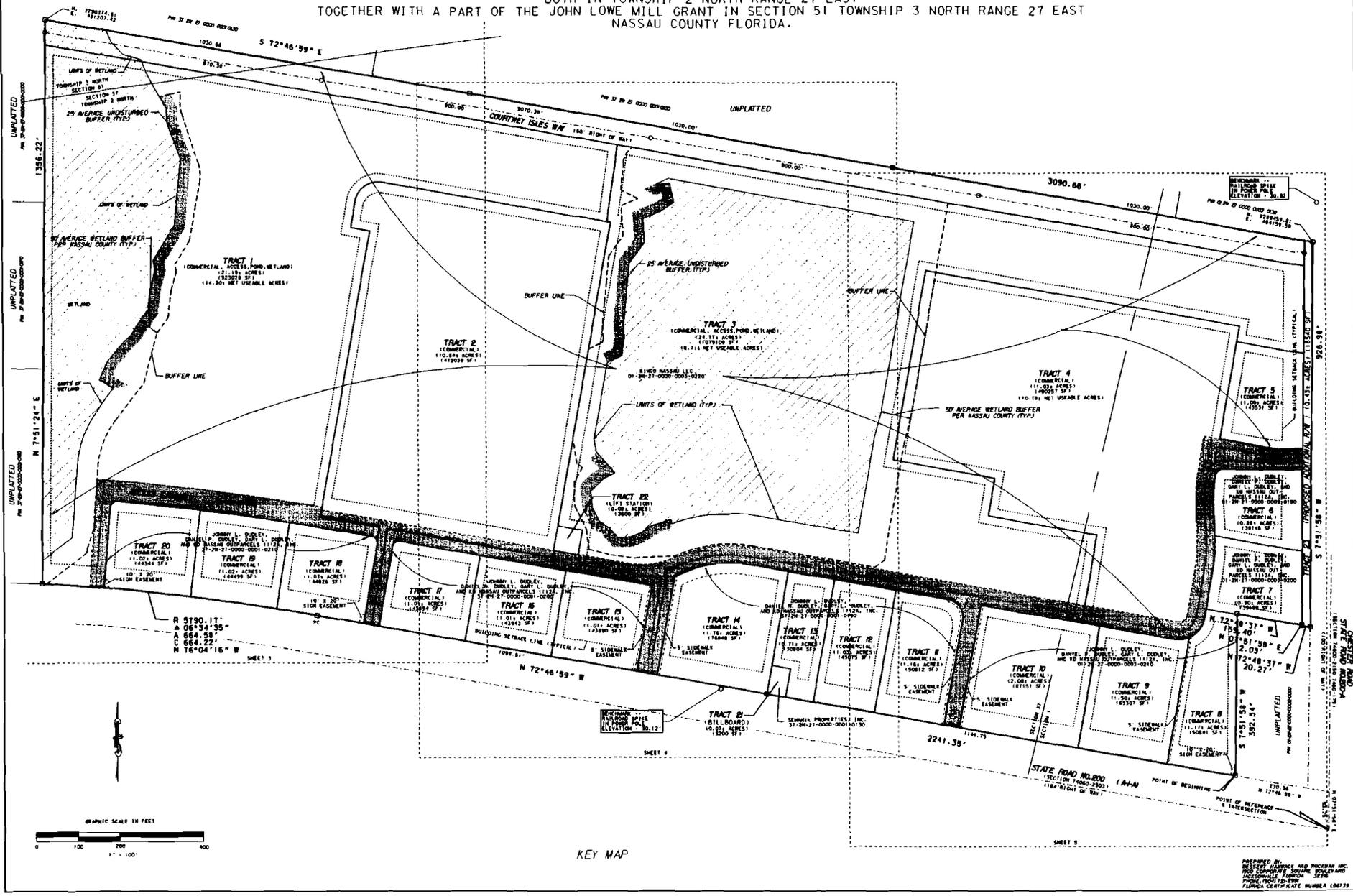
Notary Public at Large, My Commission Expires...

Kimberly Ann... VICE PRESIDENT, RINCO NASSAU LLC, A FLORIDA CORPORATION, ITS BUSINESS NUMBER...

P.3 of 8

# SHOPPES AT AMELIA CONCOURSE

A PART OF GOVERNMENT LOT 1 SECTION 1 TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 37  
BOTH IN TOWNSHIP 2 NORTH RANGE 27 EAST  
TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 51 TOWNSHIP 3 NORTH RANGE 27 EAST  
NASSAU COUNTY FLORIDA.



KEY MAP

PREPARED BY:  
DESSER HARRIS AND PUGHMAN INC.  
1000 COMMUNITY SQUARE BOULEVARD  
JACKSONVILLE FLORIDA 32216  
PHONE: (904) 724-5900  
FLORIDA CERTIFICATE NUMBER 128773

0.4 of 8

# SHOPPES AT AMELIA CONCOURSE

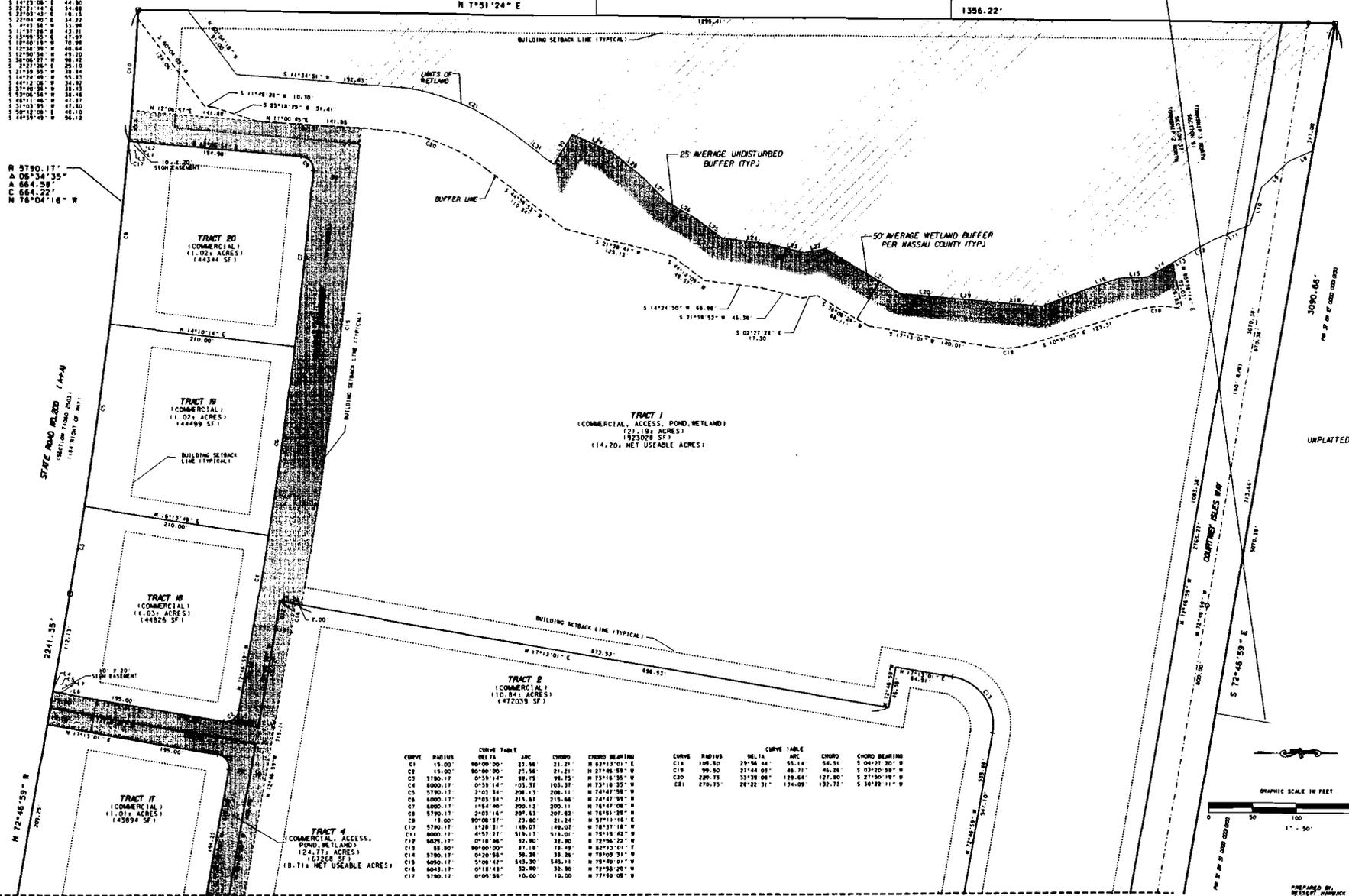
A PART OF GOVERNMENT LOT 1 SECTION 1 TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 31 BOTH IN TOWNSHIP 2 NORTH RANGE 27 EAST, TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 51 TOWNSHIP 3 NORTH RANGE 27 EAST, NASSAU COUNTY FLORIDA.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 72°46'59" W	200.75
L2	N 72°46'59" W	200.75
L3	N 72°46'59" W	200.75
L4	N 72°46'59" W	200.75
L5	N 72°46'59" W	200.75
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L33	N 72°46'59" W	200.75
L34	N 72°46'59" W	200.75
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L36	N 72°46'59" W	200.75
L37	N 72°46'59" W	200.75
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L73	N 72°46'59" W	200.75
L74	N 72°46'59" W	200.75
L75	N 72°46'59" W	200.75
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L77	N 72°46'59" W	200.75
L78	N 72°46'59" W	200.75
L79	N 72°46'59" W	200.75
L80	N 72°46'59" W	200.75
L81	N 72°46'59" W	200.75
L82	N 72°46'59" W	200.75
L83	N 72°46'59" W	200.75
L84	N 72°46'59" W	200.75
L85	N 72°46'59" W	200.75
L86	N 72°46'59" W	200.75
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L95	N 72°46'59" W	200.75
L96	N 72°46'59" W	200.75
L97	N 72°46'59" W	200.75
L98	N 72°46'59" W	200.75
L99	N 72°46'59" W	200.75
L100	N 72°46'59" W	200.75

R 5790.17'  
A 06°34'35"  
A 664.58'  
C 664.22'  
N 76°04'16" W

STATE ROAD 1620 (R-4)  
SECTION 1600 (200)  
1/4 SECTION 1601



CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	15.00'	062.78	21.56	21.21	N 82°13'01" E	C18	108.50	29°36'44"	55.14	54.51	S 04°31'30" W
C2	15.00'	062.78	21.56	21.21	N 27°46'59" W	C19	399.50	37°44'00"	46.71	46.26	S 03°20'59" W
C3	3780.17'	0°39'14"	90.75	90.75	N 33°18'35" W	C20	226.50	35°38'08"	129.64	127.80	S 27°50'19" W
C4	6000.17'	0°39'14"	103.31	103.31	N 33°18'35" W	C21	270.75	28°22'31"	134.09	132.72	S 30°23'11" W
C5	5790.17'	2°03'54"	206.13	206.11	N 34°04'08" W						
C6	6000.17'	2°03'54"	215.61	215.66	N 34°04'59" W						
C7	6000.17'	1°54'48"	200.13	200.11	N 34°04'08" W						
C8	5790.17'	2°03'54"	207.63	207.62	N 34°04'59" W						
C9	15.00'	062.78	21.56	21.21	N 37°11'16" E						
C10	5790.17'	1°28'31"	148.07	148.07	N 38°27'18" W						
C11	6000.17'	0°59'21"	519.17	519.01	N 39°18'42" W						
C12	6025.17'	0°18'48"	32.90	32.90	N 39°46'20" W						
C13	33.50'	062.78	81.18	78.49	N 82°15'01" E						
C14	5790.17'	0°10'58"	36.28	36.28	N 39°03'31" W						
C15	6050.17'	5°08'42"	543.30	543.11	N 38°40'01" W						
C16	6043.17'	0°13'43"	32.80	32.80	N 39°56'20" W						
C17	5790.17'	0°00'58"	18.00	18.00	N 37°58'00" W						



PREPARED BY:  
MELISSA GORMAN AND MICHAEL MC  
GEE CONSULTING ENGINEERS  
PLANNING AND DESIGN  
10000 W. 15th Avenue  
FLORIDA CENTRAL BANK NUMBER 180139

P.5 of 8

# SHOPPES AT AMELIA CONCOURSE

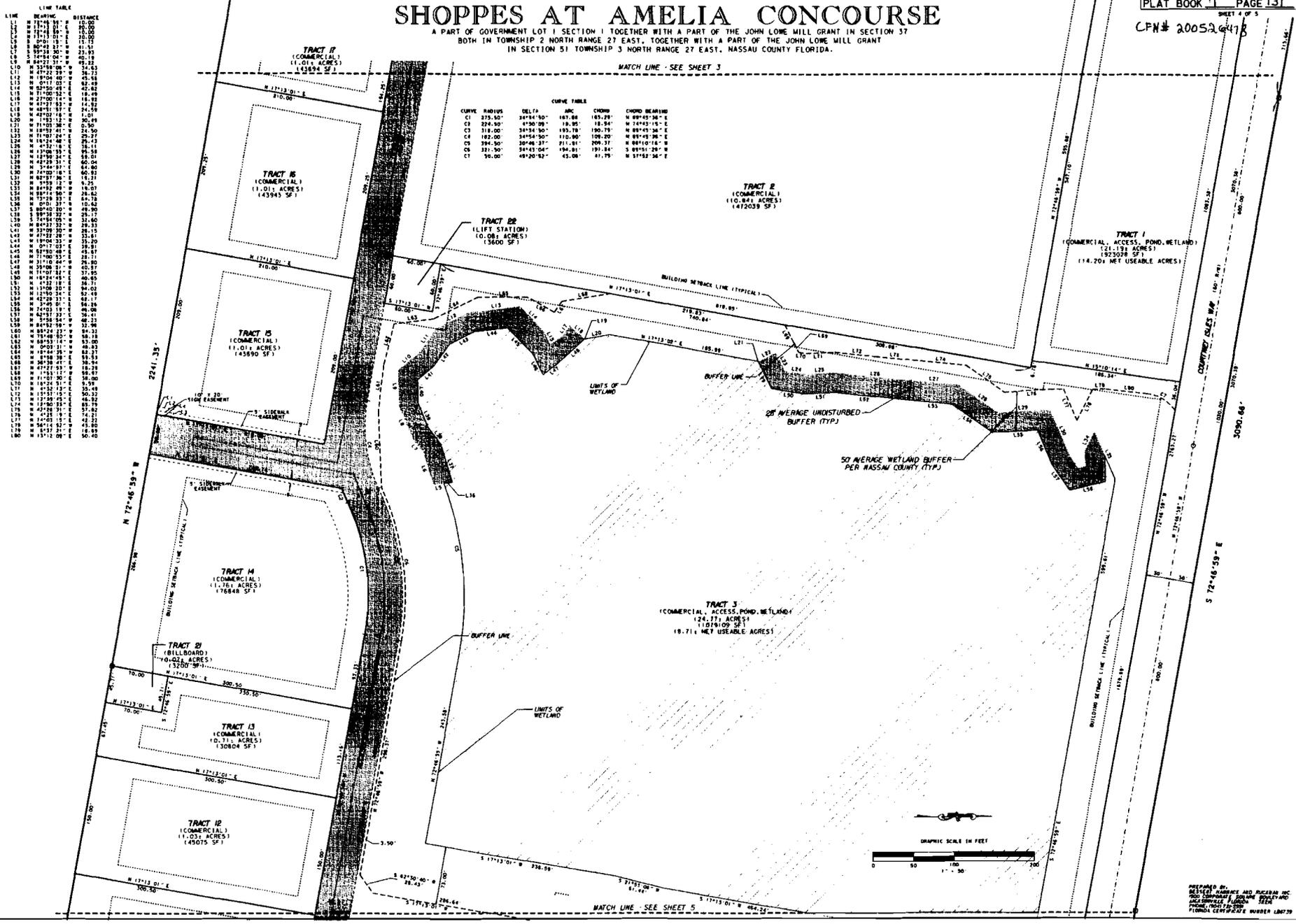
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BOTH IN TOWNSHIP 2 NORTH RANGE 27 EAST, TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT  
IN SECTION 51 TOWNSHIP 3 NORTH RANGE 27 EAST, NASSAU COUNTY FLORIDA.

**LINE TABLE**

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L22	N 72°46'39" W	10.00
L23	N 72°46'39" W	10.00
L24	N 72°46'39" W	10.00
L25	N 72°46'39" W	10.00
L26	N 72°46'39" W	10.00
L27	N 72°46'39" W	10.00
L28	N 72°46'39" W	10.00
L29	N 72°46'39" W	10.00
L30	N 72°46'39" W	10.00
L31	N 72°46'39" W	10.00
L32	N 72°46'39" W	10.00
L33	N 72°46'39" W	10.00
L34	N 72°46'39" W	10.00
L35	N 72°46'39" W	10.00
L36	N 72°46'39" W	10.00
L37	N 72°46'39" W	10.00
L38	N 72°46'39" W	10.00
L39	N 72°46'39" W	10.00
L40	N 72°46'39" W	10.00
L41	N 72°46'39" W	10.00
L42	N 72°46'39" W	10.00
L43	N 72°46'39" W	10.00
L44	N 72°46'39" W	10.00
L45	N 72°46'39" W	10.00
L46	N 72°46'39" W	10.00
L47	N 72°46'39" W	10.00
L48	N 72°46'39" W	10.00
L49	N 72°46'39" W	10.00
L50	N 72°46'39" W	10.00
L51	N 72°46'39" W	10.00
L52	N 72°46'39" W	10.00
L53	N 72°46'39" W	10.00
L54	N 72°46'39" W	10.00
L55	N 72°46'39" W	10.00
L56	N 72°46'39" W	10.00
L57	N 72°46'39" W	10.00
L58	N 72°46'39" W	10.00
L59	N 72°46'39" W	10.00
L60	N 72°46'39" W	10.00
L61	N 72°46'39" W	10.00
L62	N 72°46'39" W	10.00
L63	N 72°46'39" W	10.00
L64	N 72°46'39" W	10.00
L65	N 72°46'39" W	10.00
L66	N 72°46'39" W	10.00
L67	N 72°46'39" W	10.00
L68	N 72°46'39" W	10.00
L69	N 72°46'39" W	10.00
L70	N 72°46'39" W	10.00
L71	N 72°46'39" W	10.00
L72	N 72°46'39" W	10.00
L73	N 72°46'39" W	10.00
L74	N 72°46'39" W	10.00
L75	N 72°46'39" W	10.00
L76	N 72°46'39" W	10.00
L77	N 72°46'39" W	10.00
L78	N 72°46'39" W	10.00
L79	N 72°46'39" W	10.00
L80	N 72°46'39" W	10.00

**CURVE TABLE**

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	375.00	24°14'30"	147.88	145.28	N 89°45'36" E
C2	224.40	47°30'00"	118.95	118.94	N 74°43'15" E
C3	318.00	34°54'30"	193.78	190.79	N 89°45'36" E
C4	182.00	34°54'30"	112.80	109.20	N 89°45'36" E
C5	394.50	30°48'37"	211.81	209.37	N 89°10'16" W
C6	321.90	38°43'04"	194.81	191.84	S 89°51'39" W
C7	10.00	48°20'52"	43.06	41.79	N 57°52'36" E



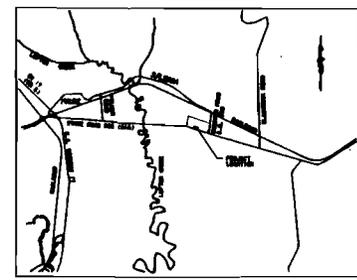
PREPARED BY:  
MELVIN L. HARRIS AND ASSOCIATES, INC.  
REGISTERED PROFESSIONAL SURVEYORS AND  
ENGINEERS, FLORIDA  
FIRM NO. 17053  
FLORIDA CERTIFICATE NUMBER LM79



P.7 of 8

# SHOPPES REPLAT TRACTS 15 AND 16

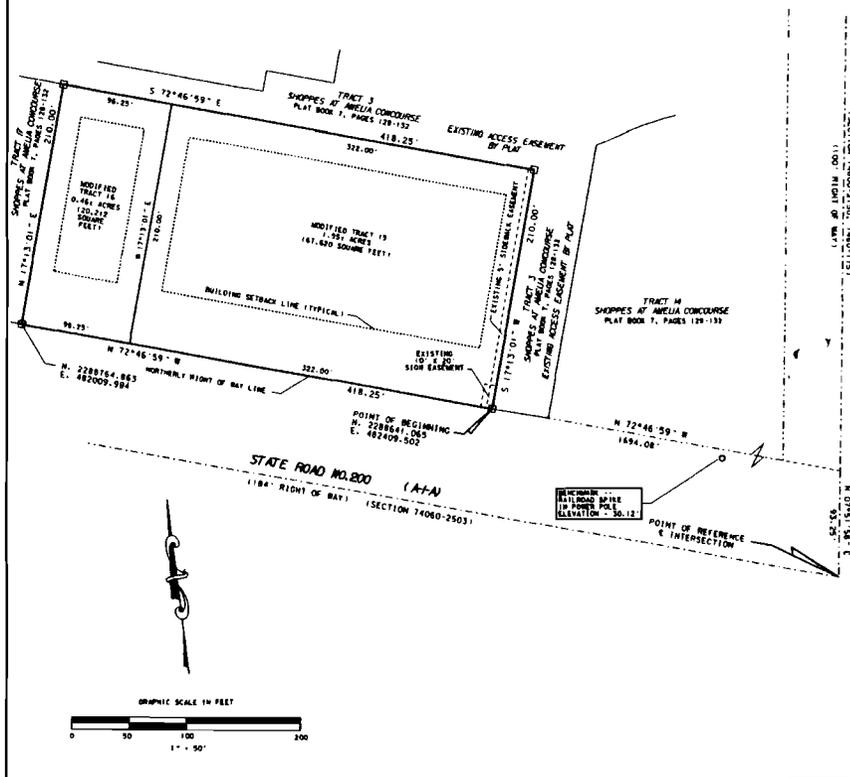
A REPLAT OF TRACTS 15 AND 16, SHOPPES AT AMELIA CONCOURSE,  
AS RECORDED IN PLAT BOOK 7, PAGES 128-132 OF THE PUBLIC RECORDS OF NASSAU COUNTY,  
LYING IN THE JOHN LOWE MILL GRANT SECTION 37, TOWNSHIP 2 NORTH RANGE 27 EAST  
NASSAU COUNTY FLORIDA.



VICINITY MAP  
NOT TO SCALE

**CAPTION**  
ALL OF TRACTS 15 AND 16, SHOPPES AT AMELIA CONCOURSE, AS RECORDED IN PLAT BOOK 7, PAGES 128 THROUGH 132 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA IN THE JOHN LOWE MILL GRANT SECTION 37, TOWNSHIP 2 NORTH RANGE 27 EAST, NASSAU COUNTY, FLORIDA, ARE HEREBY REPLATED AS SHOWN ON THIS PLAT. THE REPLAT IS SUBJECT TO THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY. THE REPLAT IS SUBJECT TO THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY. THE REPLAT IS SUBJECT TO THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY.

- SURVEYOR'S NOTES**
- (1) □ DENOTES PERMANENT REFERENCE MONUMENT (P.R.M.) SET WITH IDENTIFICATION NUMBER LISTED.
  - (2) NOTICE: THIS PLAT, AS PREPARED BY ITS GRAPHIC FORM, IS THE OFFICIAL REPRESENTATION OF THE SURVEY. IT IS SUBJECT TO THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY. THE REPLAT IS SUBJECT TO THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY.
  - (3) THIS PROPERTY APPEARS TO LIE IN FLOOD ZONE NUMBER "Z" WHICH IS AN AREA DETERMINED TO BE IN THE 100-YEAR FLOOD PLAIN, ACCORDING TO MAP NUMBER 17041D, DATED 04/24/2006.
  - (4) MEASUREMENTS SHOWN HEREON BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, WITH A HEARING OF 0° 01' 51" 58" E ON THE CENTRAL LINE OF STATE ROAD 200-A AS RECORDED IN THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.
  - (5) BUILDING SETBACKS ARE AS FOLLOWS:
    - a. MINIMUM SIDE SETBACK: 15.00 SQ. FEET
    - b. MINIMUM REAR SETBACK: 15.00 SQ. FEET
    - c. MINIMUM FRONT SETBACK: 15.00 SQ. FEET
  - (6) MINIMUM FINISHED FLOOR ELEVATION FOR COMMERCIAL BUILDINGS SHALL BE 55.50 FEET.
  - (7) M.C.V.D. DENOTES NATIONAL GEODESIC VERTICAL DATUM.
  - (8) THE AREA AS DEPICTED HEREIN IS SUBJECT TO STORM SURGE INUNDATION DURING A CATEGORY 3/4 HURRICANE.
  - (9) THIS PROPERTY IS ZONED IN BOTH CONDITIONAL USE APPROVAL UNDER FINAL ORDER NUMBER 204-003 FOR USES PERMITTED IN (C)1 COMMERCIAL, INTERMEDIATE ZONING DISTRICT.
  - (10) R/W DENOTES RIGHT OF WAY.
  - (11) ELEVATIONS SHOWN HEREON BASED ON MEAN LOW WATER, WITH THE ORIGINATING MENCIONING BEING A RAILROAD SPIRAL IN A WOOD POND PILE NEAR THE POINT OF CURVE ON THE NORTHERLY SIDE OF STATE ROAD NO. 200, ELEVATION: 53.47'.
  - (12) THE LOTS SHOWN HEREON MAY NOT BE FURTHER SUBDIVIDED WITHOUT APPROVAL FROM NASSAU COUNTY.
  - (13) SF DENOTES SQUARE FEET.
  - (14) THE AREA SHOWN HEREON, INCLUDING PROPOSED LINES DESCRIBED IN SECTION 8, IS DETERMINED BY THE PLAT TO BE WITHIN THE DISTRICT OF NASSAU COUNTY, FLORIDA.
  - (15) --- DENOTES CENTERLINE.



CHESTER ROAD (STATE ROAD 200-A)  
(SECTION 36-00-250, 2400-175)  
(100' RIGHT OF WAY)



- CLERK'S CERTIFICATE:**  
THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY, FLORIDA, AND RECORDED IN PLAT BOOK 7, PAGES 128-132 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, ON THIS 21<sup>st</sup> DAY OF August, 2006.
- ZONING CERTIFICATE:**  
I HEREBY CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED BY ME IN COMPLIANCE WITH THE ZONING ORDINANCES OF NASSAU COUNTY, FLORIDA, ON THIS 21<sup>st</sup> DAY OF August, 2006.
- FIRE DEPARTMENT CERTIFICATE:**  
THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN APPROVED BY THE FIRE CHIEF OF NASSAU COUNTY, FLORIDA, ON THIS 21<sup>st</sup> DAY OF August, 2006.
- COUNTY ATTORNEY CERTIFICATE:**  
THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED BY ME ON THIS 21<sup>st</sup> DAY OF August, 2006.
- COUNTY COMMISSIONER CERTIFICATE:**  
THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED BY ME ON THIS 21<sup>st</sup> DAY OF August, 2006.
- ENGINEERING SERVICES DIRECTOR CERTIFICATE:**  
THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED BY ME ON THIS 21<sup>st</sup> DAY OF August, 2006.
- EMERGENCY SERVICES DIRECTOR CERTIFICATE:**  
THIS IS TO CERTIFY THAT THE ABOVE PLAT HAS BEEN EXAMINED AND APPROVED BY ME ON THIS 21<sup>st</sup> DAY OF August, 2006.

**ADOPTION AND DECLARATION**  
THIS IS TO CERTIFY THAT THE UNDERSIGNED, MESSRS. CLARKS # 200631659, A FLORIDA CORPORATION, IS THE LEGAL OWNER OF SHOPPES AT AMELIA TRACTS 15 AND 16, THE LANDS DESCRIBED IN THE CLERK'S CERTIFICATE AND THAT IT HAS CAUSED THE SAME TO BE SURVEYED AND REPLATED AND THAT THE REPLAT IS SUBJECT TO THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY. THE REPLAT IS SUBJECT TO THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY.

**STATE OF FLORIDA**  
COUNTY OF NASSAU  
I, THE UNDERSIGNED, HAVE ACKNOWLEDGED BEFORE ME THIS 21<sup>st</sup> DAY OF August, 2006, THAT THE ABOVE PLAT HAS BEEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY, FLORIDA, AND RECORDED IN PLAT BOOK 7, PAGES 128-132 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

**COUNTY HEALTH CERTIFICATE:**  
THIS IS TO CERTIFY THAT I HAVE REVIEWED THE ABOVE PLAT THIS 21<sup>st</sup> DAY OF August, 2006, AND THERE IS NO PUBLIC HEALTH CONCERN WITH THE PLAT AS SHOWN ON THIS PLAT OTHER THAN THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY.

**COUNTY TAX COLLECTOR CERTIFICATE:**  
I, THE UNDERSIGNED, DO HEREBY AFFIRM TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO UNPAID REAL ESTATE TAXES APPLICABLE TO THE LANDS SUBJECT TO THIS PLAT OTHER THAN THE EXISTING EASEMENTS AND RESTRICTIONS OF THE PUBLIC RECORDS OF THIS COUNTY.

## LEGAL DESCRIPTION

### PARCEL "A"

A PART OF THE JOHN LOWE MILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, RANGE 27 EAST, TOGETHER WITH A PART OF THE JOHN LOWE MILL GRANT IN SECTION 51, TOWNSHIP 3 NORTH, RANGE 27 EAST, NASSUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE OF THE RIGHT-OF-WAY INTERSECTION OF STATE ROAD NO. 200/A1A (A 184.00 FOOT RIGHT-OF-WAY BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS OF SECTION NO. 74060-2503) AND STATE ROAD NO 200-A ( A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS SECTION NO. 74600-2150 AND 7460-175); THENCE NORTH 07° 51' 58" EAST, ALONG THE CENTERLINE OF SAID STATE ROAD 200-A, A DISTANCE OF 93.25 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 200/A1A; THENCE NORTH 72° 46' 59" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 50.68 FEET; TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200-A; THENCE NORTH 07° 51' 58" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1287.18 FEET; THENCE NORTH 72° 46' 59" WEST, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE , A DISTANCE OF 1373.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 72° 46' 59" WEST, A DISTANCE OF 1552.27 FEET; THENCE NORTH 36° 15' 43" WEST, A DISTANCE OF 8.16 FEET; THENCE NORTH 16° 11' 14" WEST, A DISTANCE 63.01 FEET THENCE NORTH 06° 45' 37" WEST, A DISTANCE OF 41.71 FEET; THENCE NORTH 17° 35' 38" EAST, A DISTANCE OF 105.17 FEET; THENCE NORTH 35° 57' 53" EAST, A DISTANCE OF 35.45 FEET; THENCE NORTH 61° 57' 18" EAST, A DISTANCE OF 40.78 FEET; THENCE SOUTH 75° 15' 16" EAST, A DISTANCE OF 493.03 FEET; THENCE SOUTH 15° 52' 21" WEST, A DISTANCE 40.34 FEET; THENCE SOUTH 02° 00' 36" WEST, A DISTANCE OF 33.96 FEET; THENCE SOUTH 05° 50' 35" EAST, A DISTANCE OF 40.38 FEET; THENCE SOUTH 26° 19' 04" EAST, A DISTANCE OF 30.62 FEET; THENCE SOUTH 06° 21' 17" WEST, A DISTANCE OF 31.18 FEET; THENCE SOUTH 71° 07' 10" WEST, A DISTANCE OF 35.58 FEET; THENCE SOUTH 75° 40' 22" EAST, A DISTANCE OF 46.05 FEET; THENCE NORTH 31° 34' 08" EAST, A DISTANCE OF 32.58; THENCE NORTH 16° 28' 16" EAST, A DISTANCE OF 38.05 FEET; THENCE NORTH 80° 24' 26" EAST, A DISTANCE OF 28.69 FEET; THENCE NORTH 38° 45' 07" EAST, A DISTANCE OF 52.18 FEET; THENCE NORTH 26° 50' 05" EAST, A DISTANCE OF 38.95 FEET; THENCE NORTH 11° 42' 37" EAST, A DISTANCE OF 43.78 FEET; THENCE NORTH 03° 26' 13" EAST, A DISTANCE OF 42.42 FEET; THENCE NORTH 25° 24' 09" EAST, A DISTANCE OF 46.26 FEET; THENCE NORTH 49° 33' 08" EAST, A DISTANCE OF 25.56 FEET; THENCE NORTH 10° 46' 21" EAST, A DISTANCE OF 80.31 FEET; THENCE NORTH 66° 55' 02" WEST, A DISTANCE OF 44.90 FEET; THENCE NORTH 45° 01' 52" WEST, A DISTANCE OF 43.16 FEET; THENCE NORTH 18° 05' 07" EAST, A DISTANCE OF 35.39 FEET: THENCE NORTH 42° 22' 48" EAST, A DISTANCE OF 73.79 FEET; THENCE NORTH 29° 23' 33" EAST, A DISTANCE OF 45.48 FEET; THENCE SOUTH 78° 53' 04" EAST, A DISTANCE OF 39.64 FEET; THENCE NORTH 31° 38' 02" EAST, A DISTANCE OF 46.80 FEET; THENCE NORTH 37° 09' 18" EAST, A DISTANCE OF 64.42 FEET; THENCE NORTH 50° 05' 08" EAST, A DISTANCE OF 45.09 FEET; THENCE NORTH 55° 45' 33" EAST, A DISTANCE OF 17.00 FEET; THENCE NORTH 09° 50' 46" EAST, A DISTANCE OF 57.69 FEET; THENCE SOUTH 69° 59' 21" EAST, A DISTANCE OF 418.02 FEET; THENCE NORTH 45° 42' 41" EAST, A DISTANCE OF 38.50 FEET; THENCE NORTH 75° 16' 27" EAST, A DISTANCE OF 22.31 FEET; THENCE NORTH 85° 03' 29" EAST, A DISTANCE OF 30.51 FEET; THENCE SOUTH 47° 26' 38" EAST, A DISTANCE OF 18.99 FEET; THENCE NORTH 48° 18' 42" EAST, A DISTANCE OF 24.88 FEET; THENCE NORTH 89° 05' 03" EAST, A DISTANCE OF 13.70 FEET; THENCE NORTH 71° 08' 33" EAST, A DISTANCE OF 30.91 FEET; THENCE SOUTH 79° 49' 12" EAST, A DISTANCE OF 20.84 FEET; THENCE NORTH 46° 22' 49" EAST, A DISTANCE 63.52 FEET; THENCE NORTH 63° 26' 21" EAST, A DISTANCE OF 35.32 FEET; THENCE SOUTH 82° 01' 56" EAST, A DISTANCE OF 104.34 FEET; THENCE NORTH 01° 56' 57" EAST, A DISTANCE OF 17.35 FEET; THENCE NORTH 60° 32' 34" EAST, A DISTANCE OF 24.25 FEET; THENCE NORTH 33° 02' 21" EAST, A DISTANCE OF 28.22 FEET; THENCE NORTH 09° 12' 53" WEST, A DISTANCE OF 6.43 FEET TO A POINT LYING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD ( A 120.00 FOOT WIDE RIGHT-OF-WAY); THENCE SOUTH 63° 45' 53" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 128.13 FEET; THENCE SOUTH 17° 13' 01" WEST, LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1065.05 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 24.00 ACRES TOTAL AND IS SUBJECT TO ANY EASMENTS OF RECORD WHICH MAY LIE WITHIN.

**EXHIBIT "B"**  
**TO PRE-LITIGATION SETTLEMENT AGREEMENT**  
**BUILD OUT AUTHORIZED BY THIS AGREEMENT**

<b>ITE #</b>	<b>Plat Tract*</b>	<b>2007 Business</b>	<b>Maximum Gross Floor Area (sq. ft.)</b>
820	5		4,312
820	6		4,312
820	7	[Future] Nassau Liquors	5,000
820	8		4,312
820	9	Suntrust Bank	5,000
820	10	Gate Petroleum	5,100
820	11	AmSouth Bank	3,820
820	12	Whataburger	3,500
820	13		2,765
820	14		7,632
820	15	Chili's	6,062
820	16	Starbucks	2,000
820	17	Wachovia Bank	4,500
820	18		4,312
820	19		4,312
820	20		4,311
820	3	BLDG B on Home Depot Site	17,440
820	1	Bldg D	15,586
		[Future] E (Petco)	15,335
		Shops F	2,698
		[Future]Shops G	11,200
820	2	Target	126,842
862	4	Home Depot	139,646
		<b>TOTAL SHOPPES GFA</b>	<b>399,997</b>
220	n/a	Courtney Isles Apartments	240 d.u.