

**DEVELOPER AGREEMENT**

**THIS DEVELOPER AGREEMENT** made and entered into this 14th day of April, 2008, by and between **Donald Carson and Mildred Carson**, husband and wife whose post office address is 11264 Diamond C. Lane, Jacksonville, FL 32219 (the "Developers") and the Board of County Commissioners of Nassau County, a political subdivision of the State of Florida (the "County");

**WITNESSETH;**

**WHEREAS**, Mildred Carson is the owner of that 2.11-acre parcel of land located on the north side of Sauls Rd. identified as Tax parcel #04-2N-25-0000-0001-0020 (Parcel 1), and Donald Carson is the owner of that 3.00-acre parcel located on the north side of Sauls Rd. identified as Tax Parcel #04-2N-25-0000-0001-0030 (Parcel 2), which Parcels are described in Exhibit "A" hereto;

**WHEREAS**, a third parcel of land being 1.87 acres and being identified as Tax Parcel # 04-2N-25-0000-0001-0040 & 04-2N-25-0000-0001-0050 (Parcel 3) is also located on the north side of Sauls Rd. lying between Parcels 1 and 2 and being previously owned by the Developers;

**WHEREAS**, Parcels 1, 2 and 3 are referred to herein as the "Subject Parcels";

**WHEREAS**, in June of 2006, the Subject Parcels were subdivided from the "Parent Parcel", a 4440-acre parcel of land owned by Rayonier Forest Resources, Inc.;

**WHEREAS**, The Parent Parcel and the Subject Parcels, both prior and subsequent to the subdivision of the parcels, have a density of one unit per twenty (20) acres pursuant to the applicable policies of the Nassau County Land Development Code and Comprehensive Plan;

**WHEREAS**, on February 7, 2007, following the subdivision of the Subject Parcels, a Building Permit B07-19421 was issued for the construction of a single family dwelling on the Parcel 3, this permit was issued in error because the density was inconsistent with the Future Land Use Map;

**WHEREAS**, the Developers, having sold Parcel 3, and not owning any contiguous land, are left with two parcels of land, the development of which would violate the density requirements in the Comprehensive Plan, as well as other ordinance of the County; and

*Donc* (circled initials)

*M.R.C.*

**WHEREAS**, Sec. 163.3194, F.S. requires that all local government development orders must be consistent with the adopted Comprehensive Plan.

**NOW THEREFORE**, in consideration of the mutual covenants and conditions hereinafter expressed, the parties do agree as follows:

1. In exchange for the terms and conditions contained herein, the Nassau County Board of County Commissioners agrees to approve Carson Estates Subdivision Plat for recording purposes.
2. In order to remedy the inconsistency and render the threat of such challenge null and void, within one year following approval and acceptance of Carson Estates Subdivision Plat by the County, the County Growth Management Dept. will duly file an application to amend the Future Land Use Map designation of the subject property to be consistent with the gross density of provided by the plat. County will provide all necessary data and analysis in support of this amendment and will represent the matter before all boards, agencies and administrative bodies as required.
3. Developers agree to authorize the filing and processing of such application to amend the Future land Use Map designation of their property.
4. The Nassau County Building Department and the Nassau Growth Management Department will not refuse to approve a building permit or certificate of occupancy, or deny zoning approval based upon the non-finality of the small scale amendment contemplated by this Agreement, so long as the Developers and their successors comply with the terms of this Agreement.
5. This Agreement may be recorded in the Public Records of Nassau County and shall be binding on all successors, heirs and assigns of the Developers.

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A handwritten signature in cursive script, appearing to read "Dum" followed by a larger flourish.A handwritten signature in cursive script, appearing to read "MJC".

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

Attest as to Chair's  
Signature:

*[Handwritten Signature]*

JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

*[Handwritten Signature]*

MARIANNE MARSHALL  
Its: Chair

Approved as to form by the Nassau  
Nassau County Attorney

*[Handwritten Signature]*

DAVID A. HALLMAN

THE DEVELOPERS

*[Handwritten Signature]*

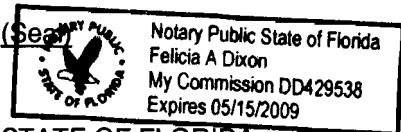
DONALD CARSON  
C625-199-42-371-0

STATE OF FLORIDA:  
COUNTY OF NASSAU:

The foregoing instrument was acknowledged before me the 11 day of April  
2008 by Donald & Mildred Carson who is personally known to me or who has  
produced C625-199-42-371-0 as identification.

*[Handwritten Signature]*  
Notary Public Signature

Felicia Dixon  
Name (typed or printed)



*[Handwritten Signature]*

MILDRED CARSON  
C625-602-39-928-0

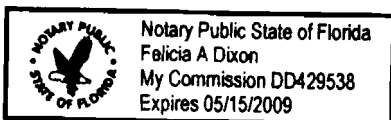
STATE OF FLORIDA:  
COUNTY OF NASSAU:

The foregoing instrument was acknowledged before me the 11 day of April  
2008 by Mildred Carson who is personally known to me or who has  
produced C625-602-39-928 as identification.

*[Handwritten Signature]*  
Notary Public Signature

Felicia Dixon  
Name (typed or printed)

(Seal)



*[Handwritten Signature]*

*[Handwritten Signature]*

## LEGAL DESCRIPTION

### PARCEL 1

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 25 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 4; THENCE SOUTH 01 DEGREES 25 MINUTES 15 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 4, 292.99 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAULS ROAD (A 60.00 FOOT RIGHT OF WAY) SAID POINT BEING ON A NON-TANGENT CURVE TO THE LEFT AND HAVING A RADIUS OF 630.00 FEET; THENCE ALONG AND AROUND SAID CURVE TO THE LEFT AN ARC DISTANCE OF 56.84 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 5978.25 FEET AFORE SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 88 DEGREES 53 MINUTES 33 SECONDS WEST, 56.82 FEET; THENCE ALONG AND AROUND SAID REVERSE CURVE TO THE RIGHT AND SAID NORTHERLY RIGHT OF WAY LINE AN ARC DISTANCE OF 394.91 FEET SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 89 DEGREES 35 MINUTES 05 SECONDS WEST, 394.84 FEET; THENCE NORTH 01 DEGREES 25 MINUTES 15 SECONDS WEST, 283.74 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID SECTION 4; THENCE NORTH 89 DEGREES 19 MINUTES 46 SECONDS EAST, ALONG SAID NORTH LINE OF SAID SECTION 4, 451.44 FEET TO THE POINT OF BEGINNING.  
THIS PARCEL CONTAINS 3.00 ACRES MORE OR LESS.

### PARCEL 2

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 25 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 4; THENCE SOUTH 01 DEGREES 25 MINUTES 15 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 4, 292.99 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAULS ROAD (A 60.00 FOOT RIGHT OF WAY) SAID POINT BEING ON A NON-TANGENT CURVE TO THE LEFT AND HAVING A RADIUS OF 630.00 FEET; THENCE ALONG AND AROUND SAID CURVE TO THE LEFT AN ARC DISTANCE OF 56.84 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 5978.25 FEET AFORE SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 88 DEGREES 53 MINUTES 33 SECONDS WEST, 56.82 FEET; THENCE ALONG AND AROUND SAID REVERSE CURVE TO THE RIGHT AND SAID NORTHERLY RIGHT OF WAY LINE AN ARC DISTANCE OF 716.28 FEET TO THE POINT OF BEGINNING SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 88 DEGREES 02 MINUTES 41 SECONDS WEST, 715.85 FEET; THENCE CONTINUE ALONG AND AROUND SAID REVERSE CURVE HAVING A RADIUS OF 5978.25 FEET AN ARC DISTANCE OF 105.47 FEET TO A POINT OF CONTINUOUS CURVE TO THE RIGHT AND HAVING A RADIUS OF 570.00 FEET AFORESAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 84 DEGREES 06 MINUTES 25 SECONDS WEST, 105.47 FEET; THENCE CONTINUE ALONG AND AROUND SAID NORTHERLY RIGHT OF WAY LINE AND SAID CONTINUOUS CURVE TO THE RIGHT AN ARC DISTANCE OF 478.52 FEET TO A POINT OF TANGENT SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 59 DEGREES 33 MINUTES 06 SECONDS WEST, 464.59 FEET; THENCE NORTH 35 DEGREES 30 MINUTES 06 SECONDS WEST CONTINUING ALONG SAID RIGHT OF WAY LINE, 7.61 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SAID SECTION 4; THENCE NORTH 89 DEGREES 19 MINUTES 46 SECONDS EAST, ALONG THE NORTH LINE OF SAID SECTION 4, 503.47 FEET; THENCE SOUTH 01 DEGREES 25 MINUTES 15 SECONDS EAST, 258.43 FEET TO THE POINT OF BEGINNING.  
THIS PARCEL CONTAINS 2.11 ACRES MORE OR LESS.

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*MKG*