

INSTR # 200603703  
OR BK 01385 PGS 0930-0964  
RECORDED 01/31/2006 08:44:13 AM  
JOHN A. CRAWFORD  
CLERK OF CIRCUIT COURT  
NASSAU COUNTY, FLORIDA  
RECORDING FEES 299.00

**RESOLUTION NO. 2006-07**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, RELATING TO THE AMELIA CONCOURSE ASSESSMENT AREA; AMENDING RESOLUTION NO. 2003-141 TO PROVIDE FOR TRANSFER OF ERUS AMONG PROPERTIES IN AND ADJACENT TO THE AMELIA CONCOURSE ASSESSMENT AREA; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, the Board of County Commissioners (the "Board") of Nassau County, Florida, enacted Ordinance No. 2000-37 (the "Ordinance"), to provide for the creation of Assessment Areas (as described thereunder) and authorize the imposition of special assessments to fund (1) the construction of Local Improvements (as defined in the Ordinance) to benefit property located in proposed Assessment Areas, and (2) the cost of maintaining such Local Improvements; and

**WHEREAS**, pursuant to Section 2.03 of the Ordinance, the Board proposed creation of the Amelia Concourse Assessment Area by its Resolution No. 2003-109, adopted August 11, 2003 (the "Initial Assessment Resolution"); and

**WHEREAS**, pursuant to Section 2.07 of the Ordinance, the Board imposed special assessments within the Amelia Concourse Assessment Area by its Resolution No. 2003-141, adopted on November 10, 2003 (the "Final Assessment Resolution"); and

Rec 299.00

Return Joyce Bradley, LLC

**WHEREAS**, pursuant to that certain Development Agreement, dated as of September 8, 2003, among the County and the property owners within the Amelia Concourse Assessment Area, the property owners within the Amelia Concourse Assessment Area are limited to developing their property to the extent of daily trips (measured in ERUs) assigned to such parcels for purposes of imposing the Assessments; and

**WHEREAS**, certain property owners now wish to transfer development rights between parcels to reflect reduced potential development on certain parcels and increased potential development on other parcels, with the net effect of zero ERUs added or subtracted from the overall Amelia Concourse Assessment Area; and

**WHEREAS**, Section 3(B) of the Final Assessment Resolution excluded a certain parcel (hereinafter referred to as "Parcel F") from payment of the Assessments (and thus excluded it from the Amelia Concourse Assessment Area) since it was owned by the County and intended to be used for regional parks, utility service and other public uses; and

**WHEREAS**, the County has since then determined it does not require the entire acreage of Parcel F to provide the intended public uses; and

**WHEREAS**, the owner of a certain parcel adjacent to Parcel F within the Amelia Concourse Assessment Area (hereinafer referred to as "Parcel E") has purchased a portion of Parcel F and now desires to add Parcel F to Parcel E; and

**WHEREAS**, in order to permit the increased development potential in Parcel E (with the addition of the Parcel F acreage), 21.00 ERUs need to be

transferred from another parcel owned by another property owner within the Amelia Concourse Assessment Area (hereinafter referred to as "Parcel L") to Parcel E and the corresponding potential development of Parcel L will be reduced by 21.00 ERUs, with the net effect of zero ERUs added or subtracted from the Amelia Concourse Assessment Area; and

**WHEREAS**, in consideration for the transfer of ERUs from Parcel L to Parcel E, the property owner of Parcel E has agreed to pay the County an additional assessment of \$3,000.00 per transferred ERU within thirty (30) days of the adoption of this Resolution (21.00 ERUs transferred for a total of \$63,000.00) and such monies shall be used by the County for transportation improvements in the geographic area that extends from the Intercoastal Waterway to I-95, and north and south of SR 200/A1A; and

**WHEREAS**, it is recognized by the County and the property owner of Parcel E that such transfer is based on a unique set of facts and is permitted solely because the portion of Parcel F that is now being transferred to Parcel E was originally within the geographic area of the Amelia Concourse Assessment Area until it was established that the County was to use it and other similar parcels for parks, utility service and other public uses; and

**WHEREAS**, except as specifically set forth herein for Parcel F, there shall not be an increase in the geographic area of the Amelia Concourse Assessment Area; and

**WHEREAS**, the owner of Parcel L also desires to transfer 14.00 ERUs to Parcel J, again to reflect reduced potential development in Parcel L and increased

potential development potential in Parcel J, with the net effect of zero ERUs added or subtracted from the Amelia Concourse Assessment Area; and

**WHEREAS**, the acknowledgments of the owners to the above transfers have been obtained and are attached as Appendices E and F, respectively; and

**WHEREAS**, pursuant to Section 2.08 of the Ordinance, the Board is required to provide mailed and published notice of, and hold a public hearing regarding, any increase in the Assessment which exceeds the maximum amount established by previous notice to the property owners; the forms of which are attached hereto as Appendices A and B, respectively; and

**WHEREAS**, as required by Section 2.05 and Section 2.06 of the Ordinance, notice of a public hearing has been published and mailed to each property owner proposed to be assessed notifying such property owner of the opportunity to be heard; the proof of publication and an affidavit of mailing are attached hereto as Appendices C and D, respectively; and

**WHEREAS**, a public hearing was duly held on December 12, 2005, continued to January 9, 2006 and comments and objections of all interested persons have been heard and considered as required by Section 2.08 of the Ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. RECITALS.** The above recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this

resolution.

**SECTION 2. AUTHORITY.** This Resolution is adopted pursuant to the Ordinance (in particular Section 2.08 and Section 2.13 thereof), Chapter 125, Florida Statutes, and other applicable provisions of law.

**SECTION 3. DEFINITIONS.** All capitalized terms in this Resolution shall have the meanings defined in the Ordinance and the implementing resolutions adopted pursuant thereto.

**SECTION 4. AMENDMENTS TO THE FINAL ASSESSMENT RESOLUTION.** Based on the transfers described in the recitals above, the following changes are hereby appended to the parcel descriptions in Section 3.03 of the Final Assessment Resolution:

Parcel E Transfer. This parcel will now consist of approximately 62.31 acres (52.00 acres originally, plus 10.31 acres transferred from Parcel F) and will now yield 127.0 ERUs (106.00 original ERUs, plus 21.00 ERUs transferred from Parcel L) which are derived directly from Single-Family Residential Units. The legal description for this revised parcel (which now includes a portion of Parcel F) is appended to include the property described in Appendix G hereto.

Parcel J Transfer. This parcel still consists of approximately 73.57 acres and will now yield 163.0 ERUs (149.00 original ERUs, plus 14.00 ERUs transferred from Parcel L) which are derived directly from Single-Family Residential Units. The legal description for this parcel remains unchanged.

Parcel L Transfer. This parcel still consists of approximately 199.83 acres and will now yield 465.00 ERUs (500.00 original ERUs, less 14.00 ERUs

transferred to Parcel J and less 21.00 ERUs transferred to Parcel E) which are derived directly from Single-Family Residential Units. The legal description for this parcel remains unchanged.

**SECTION 5. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION AND FINAL ASSESSMENT RESOLUTION.** The Initial Assessment Resolution and the Final Assessment Resolution, as modified by Section 4 hereof, are hereby ratified and confirmed.

**SECTION 6. ASSESSMENT NOTICE.** The Assessment Coordinator is hereby directed to record this Resolution as notice of the Assessments in the Official Records Book in the office of the Nassau County Clerk of Courts.

**SECTION 7. CONFLICTS.** All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

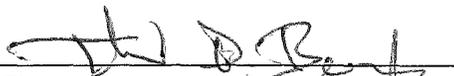
**SECTION 8. SEVERABILITY.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**SECTION 9. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

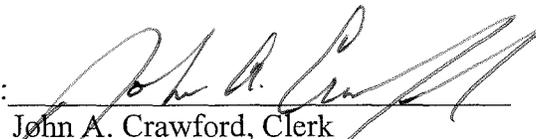
**DULY ADOPTED** this 9th day of January, 2006.

**BOARD OF COUNTY  
COMMISSIONERS OF NASSAU  
COUNTY, FLORIDA**

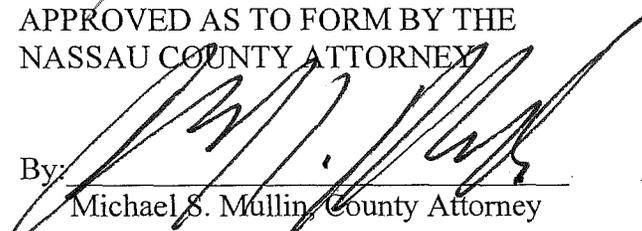
(SEAL)

By:   
Thomas D. Branan, Jr., Chairman

ATTEST:

By:   
John A. Crawford, Clerk

APPROVED AS TO FORM BY THE  
NASSAU COUNTY ATTORNEY

By:   
Michael S. Mullin, County Attorney

**APPENDIX A**

**FORM OF PUBLISHED NOTICE**

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Nassau County, Florida (the "Board"), will conduct a public hearing to consider (1) a transfer of ERU's from parcels within the geographic area to other parcels within the geographic area in the Amelia Concourse Assessment Area including a parcel that is within the geographic area within the assessment area; and (2) an additional assessment for the owner of Parcel E. The public hearing will be held at 7:00 p.m., or as soon thereafter as the matter can be heard, on December 12, 2005, in the Nassau County Commission Chambers, located at Nassau County Government Complex, 96135 Nassau Place, Yulee, Florida, 32097 for the purpose of receiving public comment on the matter. All affected property owners have a right to appear at the hearing and to file written objections with the Board prior to the public hearing. If a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Nassau County Clerk of Courts office at 904/548-4660 at least seven days prior to the date of the hearing.

The assessment for each parcel of property is based upon the number of vehicle trips generated by expected development on such property. A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution and the Final Assessment Resolution, adopted by the Board on August 11, 2003 and November 10, 2003, respectively. Copies of the Initial Assessment Resolution and the Final Assessment Resolution and the proposed assessment are available for inspection at the office of the Nassau County Clerk of Courts, located at 76347 Veterans Way, Yulee, Florida 32097, and the Office of the County Administrator, located at 96160 Nassau Place, Yulee, Florida 32097.

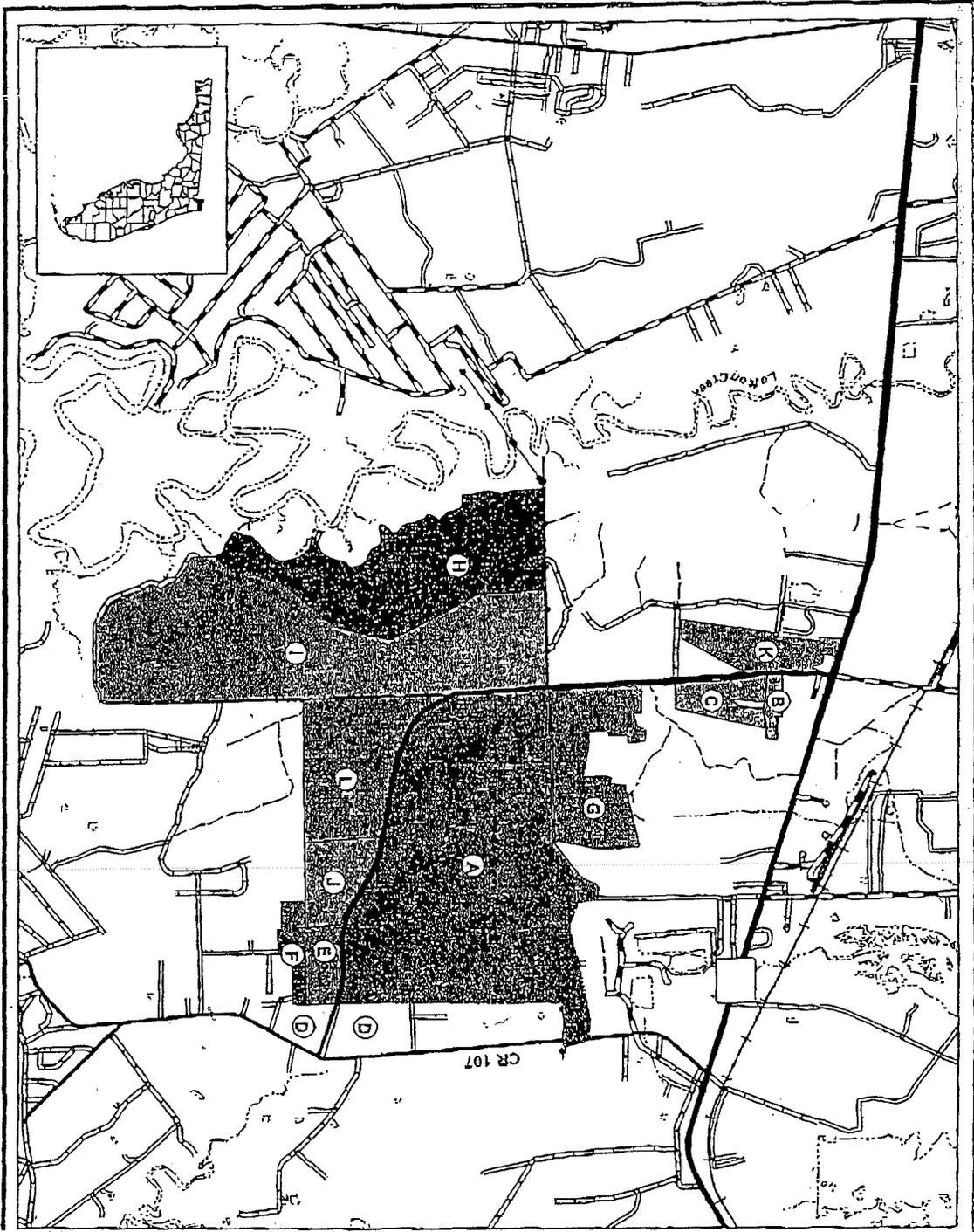
The assessments are collected on the ad valorem tax bill, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The County is collecting the installments in 10 annual installments, the first of which commenced in November 2004.

ATTEST:

/s/ JOHN A. CRAWFORD  
Ex-Officio Clerk

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

/s/ ANSLEY N. ACREE  
Chairman



**APPENDIX B**

**FORM OF MAILED NOTICE**

**NOTICE OF HEARING TO INCREASE ASSESSMENTS  
FOR PARCELS F AND J**

\_\_\_\_\_, 2005

[Property Owner Name]  
[Street Address]  
[City, State and zip]

Re: Tax Parcel Number [Insert Number]  
ERUs [Insert Number]  
Amelia Concourse Assessment Area

Dear Property Owner:

Notice is hereby given that the Board of County Commissioners of Nassau County, Florida (the "Board"), will conduct a public hearing to consider increasing the Assessments imposed in the Amelia Concourse Assessment Area for your parcel. This increase is based on the Acknowledgment of ERU Transfer received by the County signed by you indicating an ERU transfer has occurred. Your new amount of ERUs is located at the top of this letter. The maximum annual assessment amount is \$320.00 per ERU for capital costs and \$46.00 per ERU for maintenance costs.

The assessment for each parcel of property is based upon the number of vehicle trips generated by expected development on such property. A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution and the Final Assessment Resolution, adopted by the Board on August 11, 2003 and November 10, 2003, respectively. Copies of the Initial Assessment Resolution and the Final Assessment Resolution are available for inspection at the office of the Nassau County Clerk of Courts, located at 86026 Pages Dairy Road, Yulee, Florida 32097.

The public hearing will be held at \_\_\_:00 \_\_.m., or as soon thereafter as the matter can be heard, on December \_\_\_, 2005, in the Nassau County Commission Chambers, 86026 Pages Dairy Road, Yulee, Florida, 32907 for the purpose of receiving public comment on the increased assessments. You have a right to appear at the hearing and to file written objections with the Board prior to the public hearing. If you decide to appeal any decision made by the Board with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the

testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Nassau County Clerk of Court's office at 904/548-4660 at least seven days prior to the date of the hearing.

The assessments are collected on the ad valorem tax bill, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The County is collecting the installments in 10 annual installments, the first of which commenced in November 2004.

If you have any questions, please contact the Nassau County Clerk of Court's office at 904/548-4660.

**BOARD OF COUNTY  
COMMISSIONERS OF NASSAU  
COUNTY, FLORIDA**

**APPENDIX C**

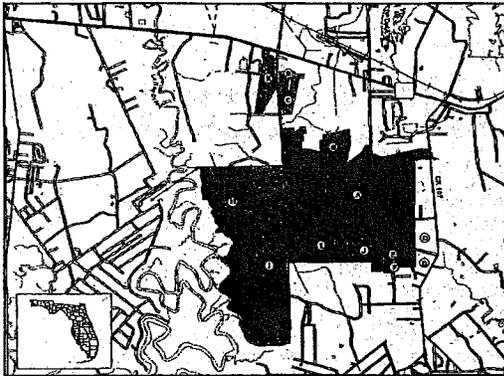
**PROOF OF PUBLICATION**

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696  
Fernandina Beach, Nassau County, Florida 32034

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Board of County Commissioners of the Nassau County, Florida (the "Board"), will conduct a public hearing to consider (1) a transfer of ERU's from parcels within the geographic area to other parcels within the geographic area in the Amelia Concourse Assessment Area including a parcel that is within the geographic area within the assessment area; and (2) an additional assessment for the owner of Parcel E. The public hearing will be held at 7:00 p.m., or as soon thereafter as the matter can be heard, on December 12, 2005, in the Nassau County Commission Chambers, located at Nassau County Governmental Complex, 96135 Nassau Place, Yulee, Florida 32097 for the purpose of receiving public comment on the matter. All affected property owners have a right to appear at the hearing and to file written objections with the Board prior to the public hearing. If a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Nassau County Clerk of Courts office at 904/548-4660 at least seven days prior to the date of the hearing.



The assessment for each parcel of property is based upon the number of vehicle trips generated by expected development on such property. A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution and the Final Assessment Resolution, adopted by the Board on August 11, 2003 and November 10, 2003, respectively. Copies of the Initial Assessment Resolution and the Final Assessment Resolution and the proposed assessment are available for inspection at the office of the Nassau County Clerk of Courts, located at 76347 Veterans Way, Yulee, Florida 32097, and the Office of the County Administrator, located at 96160 Nassau Place, Yulee, Florida 32097.

The assessments are collected on the ad valorem tax bill, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The County is collecting the installments in 10 annual installments in 10 annual installments, the first of which commenced in November 2004.

ATTEST:  
  
/s/ JOHN A. CRAWFORD  
Ex-Officio Clerk

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA  
  
/s/ ANSLEY N. ACREE  
Chairman

STATE OF FLORIDA  
COUNTY OF NASSAU:  
  
Before the undersigned authority personally appeared  
**Robert O. Fiege**  
Who on oath says that she is the Production Director of the Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a LEGAL ADVERTISEMENT in the matter of

**NASSAU COUNTY BOARD OF  
COUNTY COMMISSIONERS  
Notice of Public Hearing  
Amelia Concourse Assessment Area**

Was published in said newspaper in the issues of

11/23/05  
Display Legal

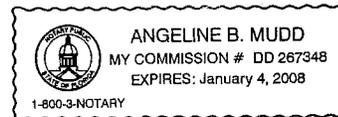
Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach, in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Robert O. Fiege*

Sworn to and subscribed before me  
This 29<sup>th</sup> Day of November, A.D. 2005.

*Angeline B. Mudd*  
Angeline B. Mudd, Notary Public

*AM* Personally Known



**APPENDIX D**

**AFFIDAVIT OF MAILING**

**AFFIDAVIT OF MAILING**

**STATE OF FLORIDA  
COUNTY OF LEON**

BEFORE ME, the undersigned authority, personally appeared Matt Matherne, who, after being duly sworn, deposes and say:

I, Matt Matherne, have been designated by the Assessment Coordinator of Nassau County, Florida, to mail the notices required by Section 2.06 of Ordinance No. 2000-37, enacted by the Board of County Commissioners of Nassau County, Florida on September 25, 2000 (the "Ordinance"). On or before August 23, 2005, I mailed or directed the mailing of, a notice in accordance with Section 2.06 of the Ordinance by first class mail, to the two owners of property within the Amelia Concourse Assessment Area which are the subject of the public hearing in conformance with the requirements of the Ordinance, at the address shown on the real property assessment tax roll maintained by the Nassau County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

  
\_\_\_\_\_  
Affiant

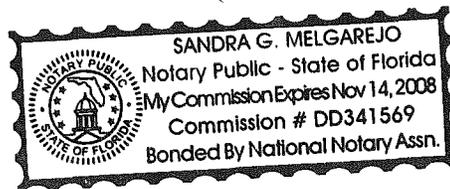
The foregoing instrument was acknowledged before me by Matt Matherne, who is personally known to me or who has produced \_\_\_\_\_ as identification and did (did not) take an oath.

WITNESS, my hand and official seal this 7<sup>th</sup> day of DECEMBER, A.D., 2005.

  
\_\_\_\_\_  
Signature of person taking acknowledgment

\_\_\_\_\_  
Name of acknowledger (printed)

My commission expires: \_\_\_\_\_



**APPENDIX E**

**ACKNOWLEDGEMENT OF ERU TRANSFER  
FROM PARCEL L TO PARCEL E**

**ACKNOWLEDGMENT OF ERU TRANSFER  
AMELIA CONCOURSE ASSESSMENT AREA**

AMELIA CONCOURSE DEVELOPMENT, LLC (the "Transferor"), a FLORIDA limited liability company and the sole owner of the land described in Schedule 1 attached hereto located in Nassau County, Florida (the "County") (the "Transferor Property") and AMELIA DEVELOPMENT, LLC (the "Transferee"), a FLORIDA limited liability company and the sole owner of the land described in Schedule 2 attached hereto located in the County (the "Transferee Property"), intending that they and their successors in interest shall be legally bound hereby, have executed and delivered this Acknowledgment of ERU Transfer to document the transfer of equivalent residential units or "ERUs", as defined in the Initial Assessment Resolution No. 2003-109 adopted by the Board of County Commissioners of the County (the "Board") on August 11, 2003 and the Final Assessment Resolution No. 2003-141, adopted by the Board on November 10, 2003, as amended (the "Assessment Resolutions"). Capitalized terms not otherwise defined herein shall have the meanings set forth in the Assessment Resolutions.

The Transferor and the Transferee, their successors and assigns, hereby acknowledge and agree as follows:

- (1) The Transferor is vested with fee simple title of record to the Transferor Property.
- (2) The Transferee is vested with fee simple title of record to the Transferee Property.
- (3) After giving effect to the transfer of ERUs described herein, it is fair and reasonable to approximate the special benefits to be provided by the construction and maintenance of the Road Improvements by imposing the Improvement Assessments and Maintenance Assessments (collectively, the "Assessments") based on the relative amount of vehicle trips estimated to be generated by the Transferor Property and Transferee Property in the Assessment Area.
- (4) The number of ERUs (based on estimated development) assigned to the Transferor Property is currently 486.00 (after giving effect to another transfer that is occurring this fiscal year), which are derived directly from Single-Family Residential Units.

(5) The number of ERUs (based on estimated development) assigned to the Transferee Property is currently 106.00, which are derived directly from Single-Family Residential Units.

(6) Subject to the approval by the Board, the number of ERUs to be transferred from the Transferor Property to the Transferee Property is 21.00. This transfer will result in 465.00 ERUs remaining with the Transferor Property and 127.00 ERUs remaining with the Transferee Property after such transfer.

IN WITNESS WHEREOF, the Transferor and Transferee have executed and delivered this Acknowledgment of ERU Transfer as of the 16<sup>th</sup> day of August, 2005.

AMELIA CONCOURSE  
DEVELOPMENT, LLC, a  
FLORIDA Limited Liability Company,  
as Transferor

WITNESSES:

  
Printed Name: BRUCE JASINSKY

By: William H. Hancock III  
Its: MEMBER

Paula Peters  
Printed Name: PAULA PETERS

AMELIA DEVELOPMENT, LLC, a  
FLORIDA Limited Liability Company,  
as Transferor

WITNESSES:

  
Printed Name: BRUCE JASINSKY

By: David A. Hancock  
Its: MEMBER

Paula Peters  
Printed Name: PAULA PETERS

**SCHEDULE 1**

**LEGAL DESCRIPTION FOR TRANSFEROR PROPERTY**

## LEGAL DESCRIPTION OF THE SUBJECT PROPERTY:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS 1/4 AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA SAID POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY (ACCORDING TO DEED RECORDED IN BOOK 933, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-38'-10" WEST, ALONG THE SOUTHERLY LINE OF 1/4 FEET TO THE SOUTHWEST CORNER THEREOF AND THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF LOUISE WILLIAMS (ACCORDING TO DEED RECORDED IN BOOK 805 OF THE OFFICIAL RECORDS OF SAID COUNTY).

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 89°-38'-10" WEST ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 3771.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE NORTH 01°-14'-16" WEST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 3420.44 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1104.93 FEET, A CHORD DISTANCE OF 577.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 38°-50'-48" EAST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 550.61 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 2059.86 FEET, A CHORD DISTANCE OF 926.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 67°-00'-00" EAST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 2049.03 FEET TO A POINT ON THE WESTERLY LINE OF THE AFOREMENTIONED LANDS NOW OR FORMERLY OF LOUISE WILLIAMS (ACCORDING TO DEED RECORDED IN BOOK 933, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 05°-00'-00" EAST, ALONG THE WESTERLY LINE OF SAID SECTION 30, A DISTANCE OF 1511.51 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 149.83 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

## LEGAL DESCRIPTION OF THE 150' WIDE INGRESS AND EGRESS EASEMENT:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A 150-FOOT WIDE EASEMENT FOR INGRESS AND EGRESS LYING OVER A PORTION OF SECTIONS 29 AND 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA SAID EASEMENT LYING 75.00 FEET (AS MEASURED AT RIGHT ANGLES) EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: FOR A POINT OF REFERENCE CURVATURE 1, THE POINT OF BEGINNING LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF ROBERT A. MARINO AND SOOK MARINO (ACCORDING TO DEED RECORDED IN BOOK 623, PAGE 801 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-38'-10" WEST, ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1511.51 FEET TO THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF LOUISE WILLIAMS (ACCORDING TO DEED RECORDED IN BOOK 548, PAGE 805 OF THE OFFICIAL RECORDS OF SAID COUNTY); CONTINUE THENCE SOUTH 89°-38'-10" WEST, ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 3771.54 FEET TO THE SOUTHWESTERLY CORNER OF SAID SECTION 30; RUN THENCE NORTH 01°-14'-16" WEST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 3420.44 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THENCE NORTH 66°-18'-24" EAST, A DISTANCE OF 75.00 FEET TO THE CENTERLINE OF THE 150-FOOT WIDE EASEMENT HEREAFTER AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 530.45 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 38°-50'-48" EAST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 550.61 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 2059.86 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 67°-00'-00" EAST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 2049.03 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1198.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 69°-51'-30" EAST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 550.61 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1125.00 FEET, A CHORD DISTANCE OF 1615.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 88°-42'-23" EAST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 1615.37 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1125.00 FEET, A CHORD DISTANCE OF 371.50 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 81°-47'-24" EAST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 391.07 FEET TO A POINT ON THE WESTERLY LINE OF SAID SECTION 30, SAID POINT ALSO LYING ON THE WESTERLY LINE OF LANDS NOW OR FORMERLY OF ROBERT A. PETERS & SHIRLEY D. PETERS, DAVID B. ZACHRY & BARBARA P. ZACHRY (ACCORDING TO DEED RECORDED IN BOOK 149, PAGE 499 OF THE OFFICIAL RECORDS OF SAID COUNTY) DESCRIBED HEREIN.

THE LAND THUS DESCRIBED CONTAINS 29.64 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

**SCHEDULE 2**

**LEGAL DESCRIPTION FOR TRANSFEREE PROPERTY**

## LEGAL DESCRIPTION OF THE SUBJECT PROPERTY:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN SECTION 29, AND SECTION 32, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 32; SAID POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF ROBERT A. MARINO AND SOOK MARINO (ACCORDING TO DEED RECORDED IN BOOK 933, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 89°-43'-40" EAST ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 660.00 FEET TO THE SOUTHEAST CORNER THEREOF; RUN THENCE NORTH 05°-34'-05" WEST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 911.75 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THENCE IN A EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1200.00 FEET, A CHORD DISTANCE OF 318.21 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 83°-40'-28" EAST; RUN THENCE NORTH 88°-42'-23" EAST, A DISTANCE OF 1015.37 FEET TO A POINT OF CURVATURE; RUN THENCE IN A EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1050.00 FEET, A CHORD DISTANCE OF 346.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 81°-47'-24" EAST; RUN THENCE SOUTH 72°-17'-11" EAST, A DISTANCE OF 415.16 FEET TO A POINT ON THE WESTERLY LINE OF LANDS NOW OR FORMERLY OF JAMES D. PETERS & SHIRLEY D. PETERS, DAVID B. ZACHRY & BARBARA P. ZACHRY (ACCORDING TO DEED RECORDED IN BOOK 149, PAGE 499 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 00°-05'-39" EAST, ALONG THE WESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 710.06 FEET TO THE NORTHEAST CORNER OF LANDS NOW OR FORMERLY OF THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS (ACCORDING TO DEED RECORDED IN BOOK 855, PAGE 1174 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-43'-40" WEST ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1599.32 FEET TO THE NORTHWEST CORNER THEREOF; RUN THENCE SOUTH 28°-19'-19" WEST ALONG THE NORTHWESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 712.17 FEET TO THE NORTHEAST CORNER OF LANDS NOW OR FORMERLY OF NORTH HAMPTON, LLC (ACCORDING TO DEED RECORDED IN BOOK 999, PAGE 346 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-59'-20" WEST ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 709.25 FEET TO THE NORTHWEST CORNER THEREOF, SAID POINT LYING ON THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF BARNEY L. NELSON AND KATIE E. NELSON (ACCORDING TO DEED RECORDED IN BOOK 16, PAGE 203 OF THE OFFICIAL RECORDS OF SAID COUNTY), SAID EASTERLY LINE ALSO BEING THE WESTERLY LINE OF SAID SECTION 32; RUN THENCE NORTH 00°-20'-26" EAST ALONG SAID SECTION 32, A DISTANCE OF 622.11 FEET TO THE POINT OF BEGINNING.

A PARCEL OF LAND LYING IN AND BEING A PART OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER AND A PART OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA.

SAID PARCEL BEING ALSO A PORTION OF THE LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SECTION 32 AFORESAID; AND RUN NORTH 89°23'55" EAST ALONG THE NORTH LINE OF SAID SECTION 32, A DISTANCE OF 1043.43' FEET TO THE POINT OF BEGINNING OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 AFORESAID; CONTINUE NORTH 89°23'55" EAST ALONG THE NORTH LINE OF SAID LANDS AND ALONG THE NORTH LINE OF SECTION 32 AFORESAID, A DISTANCE OF 265.24' FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE NORTH 89°23'55" EAST ALONG THE NORTH LINE OF SAID SECTION 32 AND ALONG THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 AFORESAID, A DISTANCE OF 1334.41' FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE SOUTH 00°59'55" EAST (SOUTH 00°58'09" EAST DEED) ALONG THE EASTERLY LINE OF SAID LANDS BEING ALSO THE EASTERLY LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER AFOREMENTIONED, A DISTANCE OF 330.09' FEET (329.65' FEET DEED) TO THE MOST SOUTHEASTERLY CORNER OF SAID LANDS; THENCE SOUTH 88°39'26" WEST (SOUTH 88°38'38" WEST DEED) ALONG THE PERIMETER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 AFORESAID, A DISTANCE OF 1318.42' FEET; THENCE NORTH 03°37'59" WEST, A DISTANCE OF 347.63' FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND THUS DESCRIBED CONTAINS 10.31 ACRES MORE OR LESS.

**APPENDIX F**

**ACKNOWLEDGEMENT OF ERU TRANSFER  
FROM PARCEL L TO PARCEL J**

**ACKNOWLEDGMENT OF ERU TRANSFER  
AMELIA CONCOURSE ASSESSMENT AREA**

AMELIA CONCOURSE DEVELOPMENT, LLC (the "Transferor"), a FLORIDA limited liability company and the sole owner of the land described in Schedule 1 attached hereto located in Nassau County, Florida (the "County") (the "Transferor Property") and ROUND HILL INVESTMENT COMPANY, LLC (the "Transferee"), a Florida limited liability company and the sole owner of the land described in Schedule 2 attached hereto located in the County (the "Transferee Property"), intending that they and their successors in interest shall be legally bound hereby, have executed and delivered this Acknowledgment of ERU Transfer to document the transfer of equivalent residential units or "ERUs", as defined in the Initial Assessment Resolution No. 2003-109 adopted by the Board of County Commissioners of the County (the "Board") on August 11, 2003 and the Final Assessment Resolution No. 2003-141, adopted by the Board on November 10, 2003, as amended (the "Assessment Resolutions"). Capitalized terms not otherwise defined herein shall have the meanings set forth in the Assessment Resolutions.

The Transferor and the Transferee, their successors and assigns, hereby acknowledge and agree as follows:

- (1) The Transferor is vested with fee simple title of record to the Transferor Property.
- (2) The Transferee is vested with fee simple title of record to the Transferee Property.
- (3) After giving effect to the transfer of ERUs described herein, it is fair and reasonable to approximate the special benefits to be provided by the construction and maintenance of the Road Improvements by imposing the Improvement Assessments and Maintenance Assessments (collectively, the "Assessments") based on the relative amount of vehicle trips estimated to be generated by the Transferor Property and Transferee Property in the Assessment Area.
- (4) The number of ERUs (based on estimated development) assigned to the Transferor Property is currently 500.00, which are derived directly from Single-Family Residential Units.

(5) The number of ERUs (based on estimated development) assigned to the Transferee Property is currently 149.00, which are derived directly from Single-Family Residential Units.

(6) Subject to the approval by the Board, the number of ERUs to be transferred from the Transferor Property to the Transferee Property is 14.00. This transfer will result in 486.00 ERUs remaining with the Transferor Property and 163.00 ERUs remaining with the Transferee Property after such transfer.

IN WITNESS WHEREOF, the Transferor and Transferee have executed and delivered this Acknowledgment of ERU Transfer as of the 16<sup>th</sup> day of August, 2005.

AMELIA CONCOURSE  
DEVELOPMENT, LLC, a  
FLORIDA Limited Liability Company,  
as Transferor

WITNESSES:

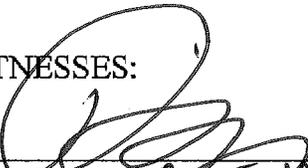
  
Printed Name: BRUCE JASINSKI.

By: Walter H. Howard, Jr.  
Its: MEMBER

  
Printed Name: PAULA PETERS

ROUND HILL INVESTMENT  
COMPANY, LLC, a Florida  
Limited Liability Company, as  
Transferee

WITNESSES:

  
Printed Name: BRUCE JASINSKI.

By: Walter A. Howard, Jr.  
Its: Managing member

  
Printed Name: PAULA PETERS

**SCHEDULE 1**

**LEGAL DESCRIPTION FOR TRANSFEROR PROPERTY**

## LEGAL DESCRIPTION OF THE SUBJECT PROPERTY:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, MASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 28 EAST, MASSAU COUNTY, FLORIDA SAID POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF LOUISE WILLIAMS (ACCORDING TO DEED RECORDED IN BOOK 933, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-38'-10" WEST, ALONG THE SOUTHERLY LINE OF 6 FEET TO THE SOUTHWEST CORNER THEREOF AND THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF LOUISE WILLIAMS (ACCORDING TO DEED RECORDED IN BOOK 933, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY).

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 89°-38'-10" WEST ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 3771.54 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THENCE NORTH 01°-14'-16" WEST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 3420.44 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1104.93 FEET, A CHORD DISTANCE OF 577.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 38°-50'-48" EAST, A DISTANCE OF 511.84 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 54°-00'-00" EAST, A DISTANCE OF 350.61 FEET TO A POINT OF TANGENCY OF SAID CURVE; RUN THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 2059.86 FEET, A CHORD DISTANCE OF 926.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THENCE SOUTH 67°-00'-00" EAST, A DISTANCE OF 2049.03 FEET TO A POINT ON THE WESTERLY LINE OF THE AFOREMENTIONED LANDS NOW OR FORMERLY OF LOUISE WILLIAMS (ACCORDING TO DEED RECORDED IN BOOK 933, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 05°-00'-00" EAST, ALONG THE WESTERLY LINE OF SAID SECTION 30, A DISTANCE OF 1911.51 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 149.83 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

## LEGAL DESCRIPTION OF THE 150' WIDE INGRESS AND EGRESS EASEMENT:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A 150-FOOT WIDE EASEMENT FOR INGRESS AND EGRESS LYING OVER A PORTION OF SECTIONS 29 AND 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, MASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: SAID EASEMENT LYING 75.00 FEET (AS MEASURED AT RIGHT ANGLES) EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: FOR A POINT OF REFERENCE CORNER AT THE SOUTHWEST CORNER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, MASSAU COUNTY, FLORIDA SAID POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF ROBERT A. MARINO AND SOOK WARDING (ACCORDING TO DEED RECORDED IN BOOK 533, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-38'-10" WEST, ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1513.24 FEET TO THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO LYING ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF LOUISE WILLIAMS (ACCORDING TO DEED RECORDED IN BOOK 548, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); CONTINUE THENCE SOUTH 89°-38'-10" WEST, ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 3771.54 FEET TO THE SOUTHWESTERLY CORNER OF SAID SECTION 30; RUN THENCE NORTH 01°-14'-16" WEST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 3420.44 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THENCE NORTH 66°-18'-24" EAST, A DISTANCE OF 75.00 FEET TO THE CENTERLINE OF THE 150-FOOT WIDE EASEMENT HEREINAFTER AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 538.45 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 38°-50'-48" EAST; RUN THENCE SOUTH 54°-00'-00" EAST, A DISTANCE OF 350.61 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 2059.86 FEET, A CHORD DISTANCE OF 926.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 67°-00'-00" EAST; RUN THENCE SOUTH 67°-00'-00" EAST, A DISTANCE OF 2049.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1198.34 FEET, A CHORD DISTANCE OF 577.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 69°-51'-30" EAST; RUN THENCE SOUTH 59°-43'-00" EAST, A DISTANCE OF 511.84 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1125.00 FEET, A CHORD DISTANCE OF 577.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 75°-30'-18" EAST; RUN THENCE SOUTH 88°-42'-23" EAST, A DISTANCE OF 1013.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE; RUN THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1125.00 FEET, A CHORD DISTANCE OF 577.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 81°-47'-24" EAST; RUN THENCE SOUTH 72°-17'-11" EAST, A DISTANCE OF 391.07 FEET TO A POINT ON THE WESTERLY LINE OF SAID SECTION 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, MASSAU COUNTY, FLORIDA SAID POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF ROBERT A. MARINO AND SOOK WARDING (ACCORDING TO DEED RECORDED IN BOOK 533, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 01°-14'-16" WEST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 30, A DISTANCE OF 3420.44 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THENCE NORTH 66°-18'-24" EAST, A DISTANCE OF 75.00 FEET TO THE CENTERLINE OF THE 150-FOOT WIDE EASEMENT HEREINAFTER AND THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 29.84 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

**SCHEDULE 2**

**LEGAL DESCRIPTION FOR TRANSFEREE PROPERTY**

LEGAL DESCRIPTION OF SUBJECT PROPERTY

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF SECTIONS 29 AND 30, TOWNSHIP 2 NORTH, RANGE 28 EAST, MASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 30 AND RUN SOUTH  $89^{\circ}-38'-10''$  WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 30, A DISTANCE OF 1513.44 FEET TO A POINT; RUN THENCE NORTH  $05^{\circ}-00'-00''$  WEST, A DISTANCE OF 1911.51 FEET TO A POINT; RUN THENCE SOUTH  $80^{\circ}-00'-00''$  EAST, A DISTANCE OF 483.25 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1123.34 FEET, A CHORD DISTANCE OF 395.60 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH  $65^{\circ}-51'-30''$  EAST; RUN THENCE SOUTH  $59^{\circ}-43'-00''$  EAST, A DISTANCE OF 1260.24 FEET TO A POINT OF CURVATURE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1200.00 FEET, A CHORD DISTANCE OF 341.03 FEET TO A POINT, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH  $67^{\circ}-53'-09''$  EAST; RUN THENCE SOUTH  $05^{\circ}-34'-05''$  EAST, A DISTANCE OF 911.75 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 29; RUN THENCE SOUTH  $89^{\circ}-43'-40''$  WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 29, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 73.57 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN

**APPENDIX G**

**LEGAL DESCRIPTION OF REVISED PARCEL E TO INCLUDE  
PROPERTY TRANSFERRED FROM  
PARCEL F TO PARCEL E**

## APPENDIX G

A PARCEL OF LAND LYING IN AND BEING A PART OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER AND A PART OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA.

SAID PARCEL BEING ALSO A PORTION OF THE LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SECTION 32 AFORESAID; AND RUN NORTH 89°23'55" EAST ALONG THE NORTH LINE OF SAID SECTION 32, A DISTANCE OF 1043.43' FEET TO THE POINT OF BEGINNING OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 AFORESAID; CONTINUE NORTH 89°23'55" EAST ALONG THE NORTH LINE OF SAID LANDS AND ALONG THE NORTH LINE OF SECTION 32 AFORESAID, A DISTANCE OF 265.24' FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE NORTH 89°23'55" EAST ALONG THE NORTH LINE OF SAID SECTION 32 AND ALONG THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 AFORESAID, A DISTANCE OF 1334.41' FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE SOUTH 00°59'55" EAST (SOUTH 00°58'09" EAST DEED) ALONG THE EASTERLY LINE OF SAID LANDS BEING ALSO THE EASTERLY LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER AFOREMENTIONED, A DISTANCE OF 330.09' FEET (329.65' FEET DEED) TO THE MOST SOUTHEASTERLY CORNER OF SAID LANDS; THENCE SOUTH 88°39'26" WEST (SOUTH 88°38'38" WEST DEED) ALONG THE PERIMETER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 855, PAGES 1174-1178 AFORESAID, A DISTANCE OF 1318.42' FEET; THENCE NORTH 03°37'59" WEST, A DISTANCE OF 347.63' FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND THUS DESCRIBED CONTAINS 10.31 ACRES MORE OR LESS.

## LEGAL DESCRIPTION OF THE SUBJECT PROPERTY:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN SECTION 29, AND SECTION 32, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 32; SAID POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF ROBERT A. MARINO AND SOOK MARINO (ACCORDING TO DEED RECORDED IN BOOK 933, PAGE 803 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 89°-43'-40" EAST ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 660.00 FEET TO THE SOUTHEAST CORNER THEREOF; RUN THENCE NORTH 05°-34'-05" WEST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 911.75 FEET TO A POINT ON A NON-TANGENT CURVE; RUN THENCE IN A EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1200.00 FEET, A CHORD DISTANCE OF 318.21 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 83°-40'-28" EAST; RUN THENCE NORTH 88°-42'-23" EAST, A DISTANCE OF 1015.37 FEET TO A POINT OF CURVATURE; RUN THENCE IN A EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1050.00 FEET, A CHORD DISTANCE OF 346.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 81°-47'-24" EAST; RUN THENCE SOUTH 72°-17'-11" EAST, A DISTANCE OF 415.16 FEET TO A POINT ON THE WESTERLY LINE OF LANDS NOW OR FORMERLY OF JAMES D. PETERS & SHIRLEY D. PETERS, DAVID H. ZACHRY & BARBARA P. ZACHRY (ACCORDING TO DEED RECORDED IN BOOK 149, PAGE 499 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 00°-05'-39" EAST, ALONG THE WESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 710.06 FEET TO THE NORTHEAST CORNER OF LANDS NOW OR FORMERLY OF THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS (ACCORDING TO DEED RECORDED IN BOOK 855, PAGE 1174 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-43'-40" WEST ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1599.32 FEET TO THE NORTHWEST CORNER THEREOF; RUN THENCE SOUTH 28°-19'-19" WEST ALONG THE NORTHWESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 712.17 FEET TO THE NORTHEAST CORNER OF LANDS NOW OR FORMERLY OF NORTH HAMPTON, LLC (ACCORDING TO DEED RECORDED IN BOOK 999, PAGE 346 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 89°-59'-20" WEST ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 709.26 FEET TO THE NORTHWEST CORNER THEREOF, SAID POINT LYING ON THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF BARNEY L. NELSON AND KATHIE E. NELSON (ACCORDING TO DEED RECORDED IN BOOK 16, PAGE 203 OF THE OFFICIAL RECORDS OF SAID COUNTY), SAID EASTERLY LINE ALSO BEING THE WESTERLY LINE OF SAID SECTION 32; RUN THENCE NORTH 09°-20'-26" EAST ALONG SAID SECTION 32, A DISTANCE OF 622.11 FEET TO THE POINT OF BEGINNING.