

**RESOLUTION NO. 2009-182**

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 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

**WHEREAS**, the Board amended the Final Assessment Resolution to account for certain ERU transfers by its Resolution No. 2006-07, adopted on January 9, 2006 (the "2006 ERU Transfer");

**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**, in order to permit the increased development potential in P.I.D. 29-2N-28-0000-0002-0000 (which forms part of "Parcel E" indentified in the Initial Assessment Resolution), 15.00 ERUs need to be transferred from another parcel (P.I.D. 26-2N-28-0000-0001-0000) owned by another property owner within the Amelia Concourse Assessment Area (hereinafter referred to as "Parcel G") to Parcel E and the corresponding potential development of Parcel G will be reduced by 15.00 ERUs, with the net effect of zero ERUs added or subtracted from the Amelia Concourse Assessment Area; and

**WHEREAS**, the acknowledgment of each owner to the above transfer has been obtained and is attached hereto as APPENDIX E; 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 APPENDIX 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 the owner of the transferee parcel notifying such property owner of the opportunity to be heard; the proof of publication is attached hereto as APPENDIX C and the acknowledgement of the sole property owner required to receive mailed notice of public hearing is attached hereto as APPENDIX D; and

**WHEREAS**, a public hearing was duly held on September 14, 2009, continued until September 28, 2009, 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 transfer 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 still consist of approximately 62.31 acres (52.00 acres originally, plus 10.31 acres added with the 2006 Transfer) and will now yield 142.00 ERUs (106.00 original ERUs, plus 21.00 ERUs added with the 2006 Transfer, plus 15.00 ERUs now transferred from Parcel G). The legal description for this parcel remains unchanged since the 2006 transfer. Since Parcel E currently consists of three (3) separately identified parcels, the 142.00 ERU assignment is now as follows: (A) P.I.D. 29-2N-28-0000-0002-0000 is 68.00 ERUs (inclusive of the 15.00 transferred ERUs); (B) P.I.D. 32-2N-28-0000-0003-0000 is still 53.00 ERUs (no change); and (C) P.I.D. 32-2N-28-0000-0003-0040 is still 21.00 ERUs (no change).

Parcel G Transfer. This parcel still consists of approximately 120.00 acres and will now yield 195.00 ERUs (210.00 original ERUs, less 15.00 ERUs transferred to Parcel E). 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 the 2006 Transfer and 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.

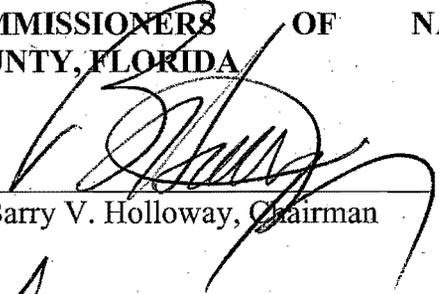
**SECTION 8. SEVERABILITY.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

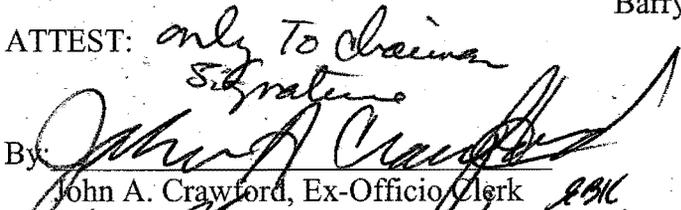
**SECTION 9. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

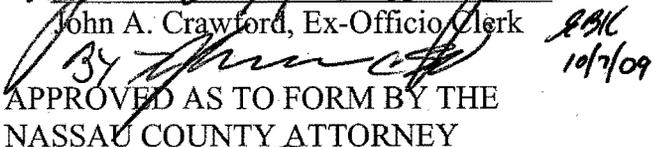
**DULY ADOPTED BY THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS, this 28th day of September, 2009.**

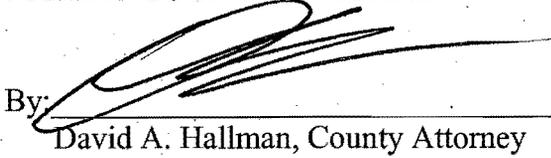
**BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA**

(SEAL)

By:   
Barry V. Holloway, Chairman

ATTEST: *only to Chairman Signature*  
By:   
John A. Crawford, Ex-Officio Clerk

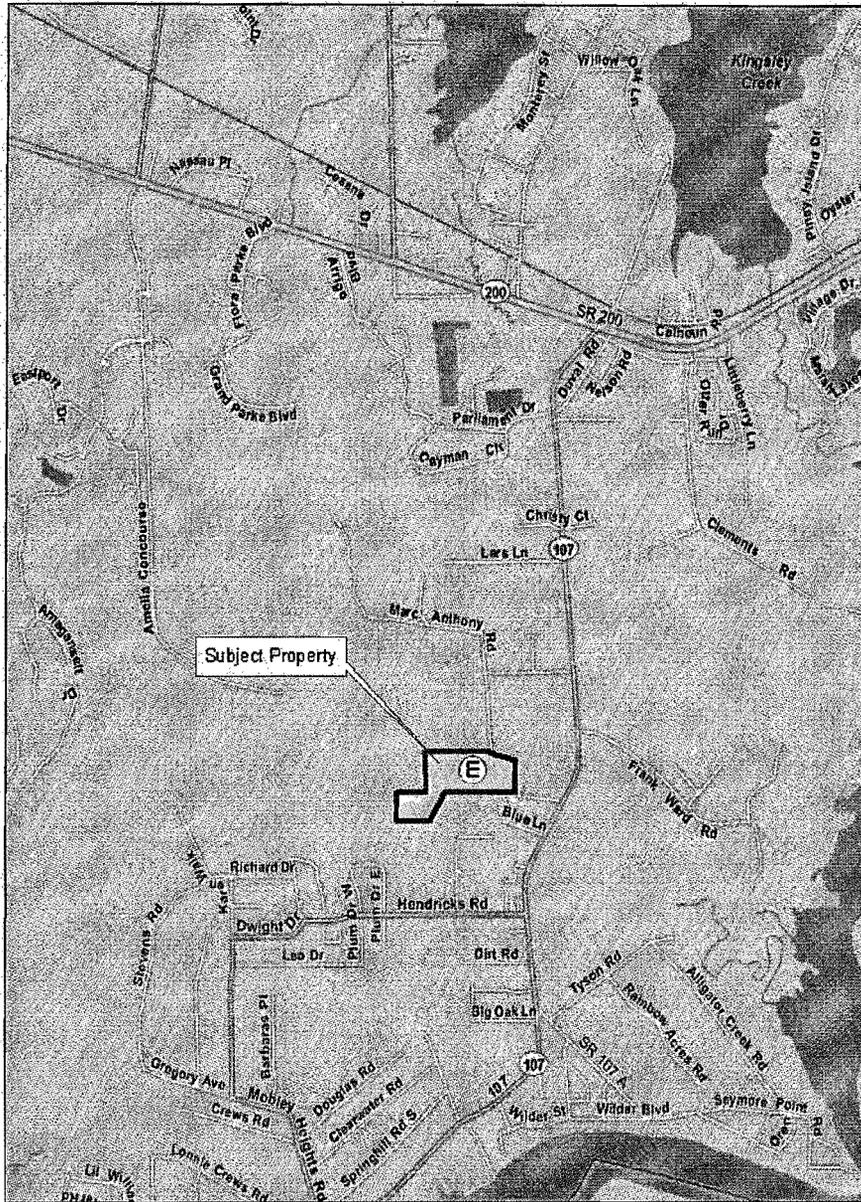
By:   
APPROVED AS TO FORM BY THE NASSAU COUNTY ATTORNEY

By:   
David A. Hallman, 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 increasing the Assessments imposed against one parcel in the Amelia Concourse Assessment Area (a portion of parcel E as shown on the above map). The public hearing will be held at 7:00 p.m., or as soon thereafter as the matter can be heard, on

September 14, 2009, at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida, 32907, for the purpose of receiving public comment on the increased assessment on the one parcel. 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 Growth Management Department at 904/491-7328 or Florida Relay Service at 800/955-8771 at least twenty-four (24) hours in advance 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 are available for inspection at the office of the Nassau County Clerk of Courts, located at 76347 Veterans Way, 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.

If you have any questions, please contact the Nassau County Growth Management Office at 904/491-7328.

**NASSAU COUNTY, FLORIDA**

**APPENDIX B**

**FORM OF MAILED NOTICE**

**NOTICE OF HEARING TO INCREASE ASSESSMENTS  
FOR A PORTION OF PARCEL E**

August 26, 2009

Amelia Development, LLC  
311 Centre Street  
Amelia Island, Florida 32034

Re: Tax Parcel Number 29-2N-28-0000-0002-0000  
Old ERU Total 53.00  
New ERU Total 68.00  
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 will be based on the "Acknowledgment of ERU Transfer" to be received by the County signed by you indicating an ERU transfer has occurred with respect to your property. 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; provided, however, the new ERUs being transferred to you have already been prepaid as to capital 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 7:00 p.m., or as soon thereafter as the matter can be heard, on September 14, 2009, at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, 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 Growth Management Department at 904/491-7328 or Florida Relay Service at 800/955-8771 at least twenty-four (24) hours in advance 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 capital installments in 10 annual installments, the first of which commenced in November 2004.

If you have any questions, please contact the Nassau County Growth Management Office at 904/491-7328.

**NASSAU COUNTY, FLORIDA**

**APPENDIX C**  
**PROOF OF PUBLICATION**

# 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 increasing the Assessments imposed against one parcel in the Amelia Concourse Assessment Area (a portion of parcel E1 as shown on the above map). The public hearing will be held at 7:00 p.m. or as soon thereafter as the matter can be heard, on September 14, 2009, at the Commission Chambers, James S. Page Governmental Complex, #6135 Nassau Place, Yulee, Florida, 32907, for the purpose of receiving public comment on the increased assessment on the one parcel. 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 appeals 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 Growth Management Department at 904/491-7328 or Florida Relay Service at 800/955-8771 at least twenty-four (24) hours in advance 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 are available for inspection at the office of the Nassau County Clerk of Courts, located at 76347 Veterans Way, 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.

If you have any questions, please contact the Nassau County Growth Management Office at 904/491-7328.

NASSAU COUNTY, FLORIDA

FLORIDA'S OLDEST WEEKLY NEWSPAPER

# NEWS LEADER

Published Weekly

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

STATE OF FLORIDA  
COUNTY OF NASSAU:

Before the undersigned authority personally appeared  
**Michael B. Hankins**

Who on oath says that he is the Advertising 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 Display Legal Notice in the matter of

**NOTICE OF PUBLIC HEARING**  
**Board of County Commissioners**  
**September 14, 2009**

Was published in said newspaper in the issues of  
**09/02/2009**

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.

*Michael B. Hankins*

Sworn to and subscribed before me  
This 14th day of September A.D. 2009.

*Robert O. Fiege*  
Robert O. Fiege, Notary Public

*[Signature]* Personally Known



**APPENDIX D**

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

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

SEDA CONSTRUCTION COMPANY (the "Transferor"), a Florida corporation and the sole owner of the land assigned P.I.D. 26-2N-28-0000-0001-0000 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 assigned P.I.D. 29-2N-28-0000-0002-0000 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 and supplemented from time to time (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:

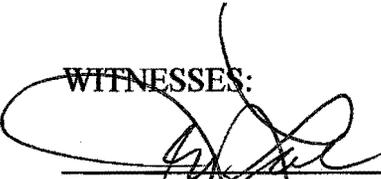
- (1) The Transferor is vested with fee simple title of record to the Transferor Property.
- (2) The Transferee is vested with fee simple title of record to the Transferee Property.
- (3) After giving effect to the transfer of ERUs described herein, it is fair and reasonable to approximate the special benefits to be provided by the maintenance of the Road Improvements by imposing the Maintenance Assessments (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 - it being understood the ERUs subject to this transfer have been prepaid with respect to the Improvement Assessments imposed by the Assessment Resolutions.
- (4) The number of ERUs assigned to the Transferor Property is currently 210.00 and the number of ERUs assigned to the Transferee Property is currently 53.00.
- (5) Subject to the approval by the Board, the number of ERUs to be transferred from the Transferor Property to the Transferee Property is 15.00. This transfer will result in 195.00 ERUs remaining with the Transferor Property and 68.00 ERUs remaining with the Transferee Property after such transfer.

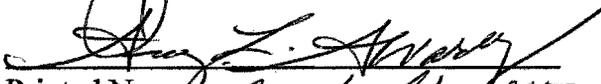
(6) The Transferee hereby acknowledges receipt from the County of the notice of public hearing for September 14, 2009 and hereby waives any additional notice time afforded to the Transferee under the Assessment Resolutions.

**IN WITNESS WHEREOF**, the Transferor and Transferee have executed and delivered this Acknowledgment of ERU Transfer as of the 9 day of September, 2009.

**SEDA CONSTRUCTION  
COMPANY, a Florida corporation,  
as Transferor**

WITNESSES:

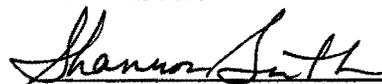
  
Printed Name: Jennie M. Lesnick

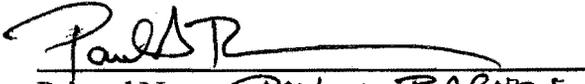
  
Printed Name: Amy L. Alvarez

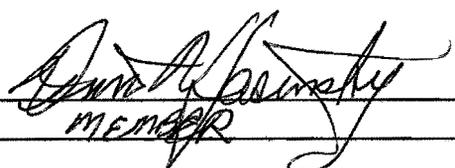
By:   
Its: President

**AMELIA DEVELOPMENT, LLC, a  
Florida limited liability company,  
as Transferor**

WITNESSES:

  
Printed Name: Shannon Smith

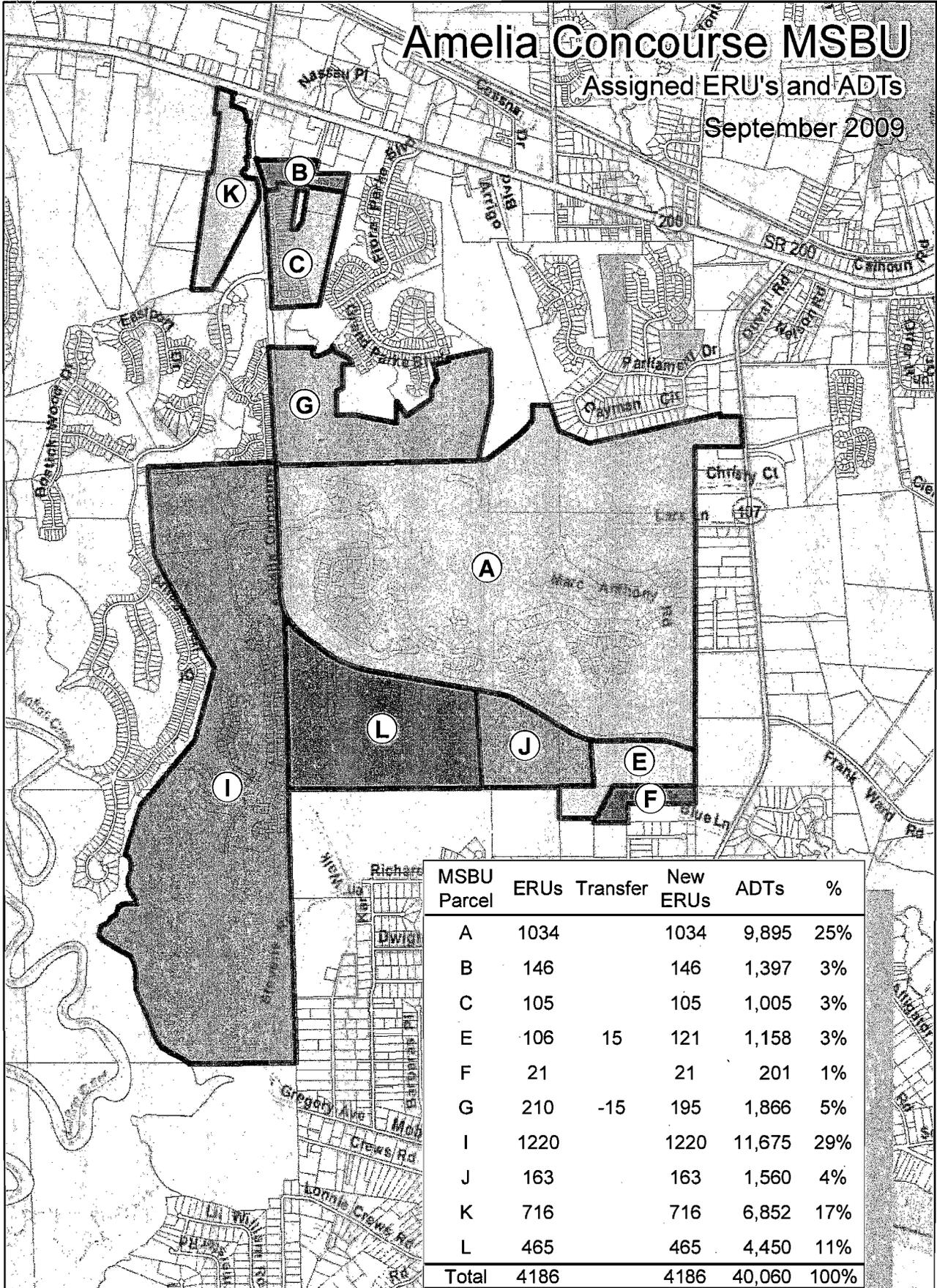
  
Printed Name: PAUL A. BARNES

By:   
Its: MEMBER

# Amelia Concourse MSBU

Assigned ERU's and ADTs

September 2009



MSBU Parcel	ERUs	Transfer	New ERUs	ADTs	%
A	1034		1034	9,895	25%
B	146		146	1,397	3%
C	105		105	1,005	3%
E	106	15	121	1,158	3%
F	21		21	201	1%
G	210	-15	195	1,866	5%
I	1220		1220	11,675	29%
J	163		163	1,560	4%
K	716		716	6,852	17%
L	465		465	4,450	11%
<b>Total</b>	<b>4186</b>		<b>4186</b>	<b>40,060</b>	<b>100%</b>

Prepared by/Return to:  
Nassau County Attorney's Office  
96135 Nassau Place STE 6  
Yulee, FL 32097

**NOTICE OF RESOLUTION EFFECTING LAND**

**PLEASE TAKE NOTICE** that on the 28th day of September, 2009, the Nassau County Board of County Commissioners adopted Resolution 2009- 182, recorded in Nassau County Official Record Book 1643, Page 1645, which Resolution was altered assessments in the Amelia Concourse MSBU on the following parcels:

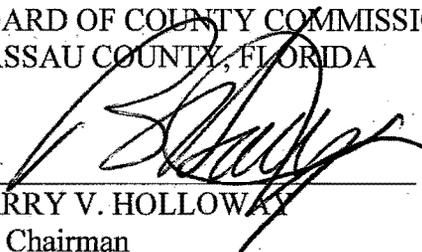
**Parcel Identification No.: 26-2N-28-0000-0001-0000 SEDA CONSTRUCTION COMPANY**  
**Said parcel being more particularly described as set forth in Exhibit "A"**

**Parcel Identification No.: 29-2N-28-0000-0002-0000 AMELIA DEVELOPMENT, LLC.**  
**Said parcel being more particularly described as set forth in Exhibit "B"**

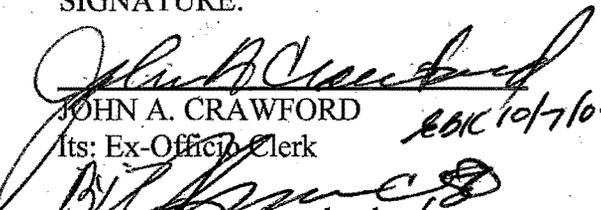
The assessments were altered pursuant to a transfer of ERU's between these two parcels. Information concerning the development rights of these parcels can be found by making inquiry to the Nassau County Growth Management Department.

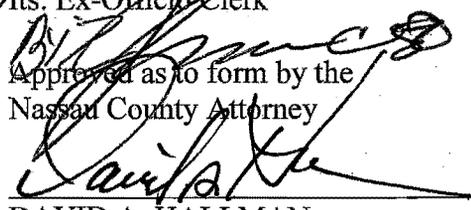
This the 28th day of September, 2009.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
BARRY V. HOLLOWAY  
Its: Chairman

ATTEST AS TO CHAIRMAN'S  
SIGNATURE:

  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

  
Approved as to form by the  
Nassau County Attorney

DAVID A. HALLMAN

INSTR # 200927392, Book 1643, Page 1662  
Pages 3  
Doc Type UNK, Recorded 10/14/2009 at 03:17 PM,  
John A Crawford, Nassau County Clerk of Circuit Court  
Rec. Fee \$27.00  
#2

LEGAL DESCRIPTION: Parcel G Amelia-Concourse MSBU

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 28 EAST, TOGETHER WITH A PORTION OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 27 EAST, ALL IN HASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 28 EAST, HASSAU COUNTY, FLORIDA AND RUN THENCE NORTH 00°-26'-42" WEST ALONG THE EASTERLY LINE OF SAID SECTION 26, A DISTANCE OF 1038.85 FEET TO A POINT ON THE CENTERLINE OF A 50 FOOT WIDE CONSTRUCTION - MAINTENANCE EASEMENT AND RIGHT-OF-WAY (ACCORDING TO DEED RECORDED IN BOOK 21, PAGE 44 OF THE OFFICIAL RECORDS OF SAID COUNTY) AND RUN THENCE SOUTH 88°-35'-04" WEST ALONG LAST MENTIONED CENTERLINE, A DISTANCE OF 1514.87 FEET TO A POINT; RUN THENCE NORTH 01°-04'-58" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTHERLY LINE OF AN 80 FOOT WIDE UTILITY EASEMENT (ACCORDING TO DEED RECORDED IN BOOK 673, PAGE 1432 OF THE OFFICIAL RECORDS OF SAID COUNTY) AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THIS DESCRIBED RUN THENCE THE FOLLOWING FOUR COURSES ALONG THE SOUTHERLY LINE OF THE LAST MENTIONED 80 FOOT WIDE UTILITY EASEMENT, THE SAME BEING THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF AMELIA NATIONAL ENTERPRISE, LLC (ACCORDING TO DEED RECORDED IN DEED BOOK 1090, PAGE 1213 OF THE PUBLIC RECORDS OF SAID COUNTY): (1) SOUTH 88°-35'-04" WEST, A DISTANCE OF 200.68 FEET TO A POINT; (2) RUN THENCE SOUTH 88°-09'-54" WEST, A DISTANCE OF 1,418.45 FEET TO A POINT; (3) RUN THENCE SOUTH 88°-40'-24" WEST, A DISTANCE OF 820.40 FEET TO A POINT; (4) RUN THENCE SOUTH 87°-43'-44" WEST, A DISTANCE OF 1,426.82 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AMELIA CONCOURSE (A 125 FOOT WIDE EASEMENT ACCORDING TO DEED RECORDED IN BOOK 901, PAGE 1870 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 03°-27'-00" WEST ALONG THE EASTERLY LINE OF THE LAST MENTIONED 125 FOOT WIDE EASEMENT, A DISTANCE OF 2302.82 FEET TO THE SOUTHWEST CORNER OF LANDS NOW OR FORMERLY OF FLORA PARK DEVELOPMENT V, INC. (ACCORDING TO DEED RECORDED IN BOOK 1053, PAGE 1793 OF THE PUBLIC RECORDS OF SAID COUNTY); RUN THENCE NORTH 88°-50'-55" EAST ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 753.29 FEET TO THE SOUTHEAST CORNER THEREOF, SAID POINT LYING ON THE NORTHWESTERLY LINE OF LANDS NOW OR FORMERLY OF FLORA PARK DEVELOPMENT, INC. (ACCORDING TO DEED RECORDED IN BOOK 940, PAGE 919 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE THE FOLLOWING 21 COURSES GENERALLY ALONG THE NORTHWESTERLY AND SOUTHERLY LINE OF LAST MENTIONED LANDS (1) SOUTH 25°-36'-46" WEST, A DISTANCE OF 70.08 FEET TO A POINT; (2) RUN THENCE SOUTH 12°-28'-20" WEST, A DISTANCE OF 43.16 FEET TO A POINT; (3) RUN THENCE SOUTH 37°-55'-37" EAST, A DISTANCE OF 69.41 FEET TO A POINT; (4) RUN THENCE SOUTH 86°-25'-21" EAST, A DISTANCE OF 70.91 FEET TO A POINT; (5) RUN THENCE NORTH 76°-02'-02" EAST, A DISTANCE OF 73.29 FEET TO A POINT; (6) RUN THENCE NORTH 64°-43'-49" EAST, A DISTANCE OF 76.71 FEET TO A POINT; (7) RUN THENCE NORTH 86°-33'-46" EAST, A DISTANCE OF 44.69 FEET TO A POINT; (8) RUN THENCE NORTH 78°-07'-19" EAST, A DISTANCE OF 42.39 FEET TO A POINT; (9) RUN THENCE NORTH 49°-21'-01" EAST, A DISTANCE OF 34.42 FEET TO A POINT; (10) RUN THENCE NORTH 30°-03'-33" EAST, A DISTANCE OF 44.46 FEET TO A POINT; (11) RUN THENCE NORTH 18°-01'-53" EAST, A DISTANCE OF 30.18 FEET TO A POINT; (12) RUN THENCE NORTH 27°-46'-16" EAST, A DISTANCE OF 46.39 FEET TO A POINT; (13) RUN THENCE NORTH 12°-04'-46" EAST, A DISTANCE OF 44.21 FEET TO A POINT; (14) RUN THENCE NORTH 46°-20'-03" EAST, A DISTANCE OF 33.00 FEET TO A POINT; (15) RUN THENCE NORTH 73°-45'-12" EAST, A DISTANCE OF 32.37 FEET TO A POINT; (16) RUN THENCE NORTH 79°-33'-19" EAST, A DISTANCE OF 18.01 FEET TO A POINT; (17) RUN THENCE NORTH 86°-15'-44" EAST, A DISTANCE OF 25.07 FEET TO A POINT; (18) RUN THENCE SOUTH 89°-58'-42" EAST, A DISTANCE OF 34.81 FEET TO A POINT; (19) RUN THENCE SOUTH 75°-08'-15" EAST, A DISTANCE OF 37.29 FEET TO A POINT; (20) RUN THENCE NORTH 82°-16'-46" EAST, A DISTANCE OF 38.89 FEET TO A POINT; (21) RUN THENCE SOUTH 84°-01'-43" EAST, A DISTANCE OF 121.16 FEET TO THE NORTHWEST CORNER OF LANDS NOW OR FORMERLY OF FLORA PARK DEVELOPMENT V, INC. (ACCORDING TO DEED RECORDED IN BOOK 1053, PAGE 1793 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 04°-06'-30" EAST ALONG THE WESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 427.90 FEET TO A POINT; RUN THENCE SOUTH 89°-59'-55" WEST ALONG A NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 174.83 FEET TO A POINT; RUN THENCE SOUTH 00°-00'-05" EAST ALONG THE WESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 438.80 FEET TO A POINT; RUN THENCE SOUTH 58°-06'-54" WEST ALONG A NORTHWESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 147.75 FEET TO A POINT; RUN THENCE SOUTH 00°-00'-05" EAST ALONG THE WESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 470.17 FEET TO THE SOUTHWEST CORNER THEREOF; RUN THENCE NORTH 88°-32'-55" EAST ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 327.78 FEET TO A POINT; RUN THENCE SOUTH 79°-00'-09" EAST CONTINUING ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 870.03 FEET TO THE SOUTHEAST CORNER THEREOF; RUN THENCE NORTH 00°-00'-05" WEST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 737.46 FEET TO A POINT; RUN THENCE NORTH 89°-59'-55" EAST ALONG A SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 156.94 FEET TO A POINT; RUN THENCE NORTH 05°-20'-39" EAST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 344.43 FEET TO A POINT; RUN THENCE NORTH 77°-16'-16" EAST ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1,610.86 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF LANDS NOW OR FORMERLY OF FLORA PARK DEVELOPMENT, INC. (ACCORDING TO DEED RECORDED IN BOOK 1053, PAGE 1397 OF THE PUBLIC RECORDS OF SAID COUNTY); RUN THENCE SOUTH 56°-15'-37" EAST ALONG LAST MENTIONED SOUTHWESTERLY LINE, A DISTANCE OF 71.50 FEET TO A POINT; RUN THENCE SOUTH 02°-04'-04" EAST ALONG THE WESTERLY LINE OF LAST MENTIONED LANDS, TO AND ALONG THE WESTERLY LINE OF LANDS NOW OR FORMERLY OF FLORA PARK DEVELOPMENT V, INC. (ACCORDING TO DEED RECORDED IN BOOK 1053, PAGE 1793 OF THE PUBLIC RECORDS OF SAID COUNTY), A DISTANCE OF 975.00 FEET TO A POINT; RUN THENCE SOUTH 11°-33'-06" WEST CONTINUING ALONG THE WESTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1,155.23 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"

**EXHIBIT "B"**

**LEGAL DESCRIPTION**

**PARCEL 1**

**Parcel E Amelia Concourse MSBU - Transferee**

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN SECTION 29, AND SECTION 32, TOWNSHIP 2 NORTH, RANGE 28 EAST, MASSAU 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 MASSAU 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 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.

TOGETHER WITH:

**PARCEL 2**

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, MASSAU 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 MASSAU 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°58'08" EAST DEED) ALONG THE EASTERLY LINE OF SAID LANDS BEING ALSO THE EASTERLY LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER AFORESAID, A DISTANCE OF 330.09 FEET (329.55 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 347.65 FEET TO THE POINT OF BEGINNING.

PARCEL 1 = 52.47 ACRES, PARCEL 2 = 10.31 ACRES = 62.78 TOTAL ACRES, MORE OR LESS