

RESOLUTION 25- R12

A RESOLUTION OF THE CITY COUNCIL OF PORT ST. LUCIE, FLORIDA, AMENDING AND RESTATING THE DEVELOPMENT ORDER FOR THE TRADITION DEVELOPMENT OF REGIONAL IMPACT APPROVED BY RESOLUTION 03-R67 ON SEPTEMBER 22, 2003, AMENDED BY RESOLUTION 03-R84 ON NOVEMBER 6, 2003, AMENDED BY RESOLUTION 06-R11 ON JANUARY 23, 2006, AMENDED BY RESOLUTION 07-R61 ON JULY 23, 2007, AMENDED BY RESOLUTION 08-R82 ON AUGUST 25, 2008; AMENDED BY RESOLUTION 10-R59 ON AUGUST 23, 2010; AMENDED BY RESOLUTION 16-R25 ON APRIL 25, 2016; MAKING FINDINGS OF FACT AND DETERMINING CONCLUSIONS OF LAW PERTAINING TO THE TRADITION DEVELOPMENT OF REGIONAL IMPACT, AND CONSTITUTING THIS RESOLUTION AS A DEVELOPMENT ORDER BY THE CITY OF PORT ST. LUCIE IN COMPLIANCE WITH LAW; AND PROVIDING FOR AN EFFECTIVE DATE AND A TERMINATION DATE.

WHEREAS, an Application for Development Approval for the Tradition Development of Regional Impact (DRI) was originally submitted on May 15, 2002, and was supplemented with additional information submitted on October 4, 2002, October 7, 2002, and March 27, 2003, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the developer proposes to develop a mixed use master planned community on 2,727.45+ acres, constituting a Development of Regional Impact (DRI) on the property fully described in Exhibit "A" attached hereto and located in the City of Port St. Lucie, Florida; and

WHEREAS, the developer entered into a Preliminary Development Agreement with the Department of Community Affairs on May 14, 2001 (recorded in St. Lucie County O.R. Book 1394 at Page 641) authorizing construction of 800 dwelling units, 78,500 gross square feet of office with not more than 262 parking spaces, 75,000 gross square feet of retail with not more than 375 parking spaces, ancillary uses including a school, a church, common areas and lakes, and associated infrastructure, including the extension of Gatlin Boulevard, internal roads, drainage facilities, and water/sewer facilities; and

WHEREAS, the City Council, as the governing body of the City of Port St. Lucie, pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider applications for development approval and notifications of proposed change for developments of regional impact; and

WHEREAS, the City Council adopted Resolution 03-R67, the Tradition Development Order, on September 22, 2003; and

WHEREAS, the City Council adopted Resolution 03-R84, amending the Tradition Development Order, on November 6, 2003, to modify Exhibit "E" which exhibit sets forth the calculation of the developer's proportionate share contribution; and

WHEREAS, the City Council adopted Resolution 06-R11, amending the Tradition Development Order on January 26, 2006 to: add 490 acres to the Tradition DRI; modify the Development Plan (Map H) to specify the permitted uses on the land added to the DRI, to make

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adjustments to the overall road network and the master lake and drainage system, to integrate the regional park and the western Town Center, and to remove wetland 72; correct the acreage for the conservation/mitigation and open space/parks areas; to delete the transportation condition which is inconsistent with the adjustments to the overall road network; and revise the transportation conditions as a result of adjustments to the overall roadway network; and

WHEREAS, the City Council adopted Resolution 07-R61, amending the Tradition Development Order on July 23, 2007 to: modify the Development Plan (Map H) and Section 4.3 of the development order to remove wetland 78 and 79; to amend Section 4 of the development order to add an equivalency matrix to allow for increases and decreases in the amount of approved land uses without filing a notification of proposed change pursuant to Section 380.06(19), Florida Statutes; to amend Section 5 O to require biennial reports per Section 380.06(18), Florida Statutes; and to modify the Development Plan (Map H) to relocate the 1.75 acre commercial site located on the northwest corner of Tradition Parkway and Cromwell Lane to the northeast corner, thereby increasing the size of the existing commercial site to 4.65 acres; and

WHEREAS, the City Council adopted Resolution 08-R82, amending the Tradition Development Order on August 25, 2008 to: amend Section 4 to decrease the hotel rooms from 300 to 150, decrease the office square footage from 1,295,567 to 350,000, increase the commercial square footage from 675,512 to 1,123,000 and eliminate the hospital use with corresponding changes in the amount of PM Peak Hour Trips and to add day care centers as an ancillary use; to update certain conditions to designate completion including Conditions 5.B. Conservation Management Plan, 5.E. Education, 5.G. Fire and Emergency Medical Service; 5.L.1 Air Quality, and 5.N.3. and portions of 4., 5., and 6. _Transportation; to delete 5.H. Police Service and Condition 5.N.6.f. Transportation; to amend Condition 5.D., Recreation and Open Space to provide date for property transfer; to amend Condition 5.J., Hurricane Preparedness, to extend date for providing plan for provision of shelter space; to amend Conditions 5.N.1. and 5.N.4., Transportation, to extend the date by which Village Parkway is required; to amend Condition 5.N.5.d., Transportation, to provide for a biennial analysis as part of the biennial status report; to amend Condition 5.N.6.b., Transportation, to provide a date certain for dedication of right of way for Village Parkway; to amend Condition 5.N.6.h., Transportation, to extend the date for dedication of certain road right of ways to the City; to amend Condition 5.N.6.h. and add Condition 5.N.6.i., Transportation, providing for platting and completion of road right of way as adjacent properties are developed; to add Condition 5.P. to address exemption of certain property from specific conditions within the development order; to document the automatic three year extension to all phase, buildout, and expiration dates granted by Section 380.06 (19) (c); and to make other minor changes; and

WHEREAS, the City Council adopted Resolution 10-R59, amending the Tradition Development Order on August 23, 2010 to: amend Section 4 to increase the office square footage from 350,000 to 700,000, decrease the commercial square footage from 1,123,000 to 950,000, and add warehouse square footage of 90,000 with corresponding changes in the amount of PM Peak Hour Trips; to revise conditions 5.J, 5.N.6.b, and 5.N.6.h to extend the compliance dates to December 31, 2010; and to revise Map H to eliminate the western Town Center designation; and

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WHEREAS, in recognition of the 2011 real estate market conditions, Section 380.06(19)(c), Florida Statutes was amended to provide for a four year extension to all DRI phase, buildout, and expiration dates which extension is not subject to further DRI review and may not be considered when determining whether a subsequent extension constitutes a substantial deviation; and

WHEREAS, Section 252.363, Florida Statutes, provides for the tolling and extension of DRI buildout dates during a state of emergency declared by the Governor and for an additional six months after the emergency expires pursuant to which the Tradition DRI was extended by 126 days and six months as a result of Executive Orders 11-128, 11-172, and 11-202 due to the ongoing threat of wild fires in the State of Florida; and

WHEREAS, Section 252.363, Florida Statutes, provides for the tolling and extension of DRI buildout dates during a state of emergency declared by the Governor and for an additional six months after the emergency expires pursuant to which the Tradition DRI was extended by an additional 510 days pursuant to Executive Order 12-140 for Tropical Storm Debby and Executive Order 12-199 and Executive Order 12-240 for Tropical Storm Isaac all of which Executive Orders pertained to certain counties including St. Lucie County; and

WHEREAS, Section 252.363, Florida Statutes, provides for the tolling and extension of DRI buildout dates during a state of emergency declared by the Governor and for an additional six months after the emergency expires pursuant to which the Tradition DRI was extended by 60 days and six months as a result of Executive Order 15-173 declaring a state of emergency throughout the State of Florida due to the threat of Tropical Storm Erika; and

WHEREAS, on August 31, 2015, as amended on December 14, 2015, Tradition Land Company, LLC, as successor in interest to Tradition Development Company, LLC and Horizons St. Lucie Development, LLC submitted a Notification of Proposed Change requesting to amend the Tradition Development Order to: amend Exhibit A to remove 348.18± acres of property from the Tradition DRI thereby reducing the total acreage in the DRI to 2,727.43± acres and to amend Exhibits A, B and C accordingly, to reduce the number of single family units from 5,945 to 4,990, to document the statutory extensions, and to extend the compliance dates for Conditions for Conditions J and N.6.h to December 31, 2016; and

WHEREAS, on August 25, 2016, the Developer noticed the City of a change in the development program via the conversion of 29,205 square feet of retail to 171 multi-family residential units per the Conversion Matrix included in Exhibit F of the adopted Development Order; and

WHEREAS, on May 3, 2017, by virtue of the Executive Order 17-146, the Governor declared a state of emergency for 57 days throughout the entire State of Florida due to the Opioid Epidemic. The Governor subsequently extended Executive Order 17-146 11 (eleven) times –by virtue of Executive Orders 17-177/178, 17- 230, 17-285, 17-329, 18-47, 18-110, 18-177, 18-235, 18-279, and 18-362 for a total tolled period of 641 days and 6 months; and

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WHEREAS, on October 2, 2017, by virtue of the Executive Order 17-259, the Governor declared a state of emergency for 57 days throughout the entire State of Florida due to Hurricane Maria and the catastrophic damage caused to the families in Puerto Rico and whereas Florida must assist the people of Puerto Rico. The Governor subsequently extended Executive Order 17-259 six times by virtue of Executive Orders 17-304, 18-17, 18-80, 18-135, 18-214, and 18-236 for a total period of 381 days plus 6 months; and

WHEREAS, on May 26, 2018, by virtue of the Executive Order 18-150, the Governor declared a state of emergency for 14 days (plus 6 months) throughout the entire State of Florida due to the threat of danger from Tropical Storm Alberto; and

WHEREAS, on July 9, 2018, by virtue of the Executive Order 18-191, the Governor declared a state of emergency for 60 days for St. Lucie County due to the release of water from Lake Okeechobee and increase in algae blooms, including overwhelming amounts of cyanobacteria which can produce hazardous toxins. The Governor subsequently extended Executive Order 18-191 two times by virtue of Executive Orders 18-249 and 18-311 for a total period of 179 days plus 6 months; and

WHEREAS, on October 4, 2018, by virtue of the Executive Order 18-275, the Governor declared a state of emergency for 60 days for St. Lucie County due to the presence of algal blooms. The Governor subsequently extended Executive Order 18-275 by virtue of Executive Orders 19-190, 19-206, 19-234, 19-281, 20-43, and 20-106 for a total period of 293 days plus 6 months; and

WHEREAS, on August 28, 2019, by virtue of the Executive Order 19-189, the Governor declared a state of emergency for 60 days for St. Lucie County due to the threat posed by Hurricane Dorian. The Governor subsequently extended Executive Order 18-189 six times by virtue of Executive Orders 18-249 and 18-311 for a total period of 179 days; and

WHEREAS, on March 4, 2020, the Developer noticed the City of a change in the development program via the conversion of 72,117 square feet of office entitlement to 87,046 square feet of warehouse use per the Conversion Matrix submitted (and approved) for the Tradition Storage P19-133 site plan application; and

WHEREAS, on July 31, 2020, the Governor issued Executive Order 20-181. Executive Order 20-181 declared a state of emergency for the threat posed by Hurricane Isaias. Executive Order 20-181 was approved with an original expiration date of 60 days, however it was terminated after only eleven days. Based on this Executive Orders, Section 252.363, F.S. authorizes a time extension of 11 days. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 11 days and 6 months, thereby extending: 1) Resolution 03-R67 Buildout Date until November 11, 2037; and 2) Resolution 03-R67 Development Order expiration until December 27, 2048; and

WHEREAS, on March 7, 2020, the Governor issued Executive Order 20-52. Executive Order 20-52 declared a state of emergency for the threat posed by the Covid-19 Virus. Executive Order 20-52 was approved with an expiration date of 60 days. However, Executive Orders 20-114, 20-166, 20-192, 20-213, 20-276, 20-316, 21-45, and 21-94 extended the original Executive

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Order for a total of 474 days; however due to an overlap with Executive Orders for Hurricane(s) Dorian and Isaias, Section 252.363, F.S authorized a time extension of 355 days. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 355 days and 6 months, thereby extending: 1) Resolution 03-R67 Buildout Date until June 20, 2040; and 2) Resolution 03-R67 Development Order expiration until June 17, 2050; and

WHEREAS, on September 24, 2022, the Governor issued Executive Order 22-219 as an amendment to Executive Order 22-218 to now include the entire state of Florida. Executive Order 22-219 declared a state of emergency for the threat posed by Hurricane Ian. Executive Order 22-219 was approved with an expiration date of 60 days. Based on this Executive Order, Section 252.363, F.S authorizes a time extension of 60 days. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 60 days and 6 months, thereby extending: 1) Resolution 03-R67 Buildout Date until February 18, 2041; and 2) Resolution 03-R67 Development Order expiration until February 15, 2051; and

WHEREAS, on November 7, 2022, the Governor issued Executive Order 22-253. Executive Order 22-253 declared a state of emergency for the threat posed by Hurricane Nicole. Executive Order 22-253 was approved with an expiration date of 60 days. Based on this Executive Order, Section 252.363, F.S authorizes a time extension of 60 days; however based on the overlapping with Executive Order 22-219 the tolling overlap is counted only once and is not added together. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 6 months, thereby extending: **1) Resolution 03-R67 Buildout Date until August 18, 2041; and 2) Resolution 03-R67 Development Order expiration until August 15, 2051.**

WHEREAS, on March 2, 2022, Mattamy Palm Beach LLC, as successor in interest to Tradition Land Company, LLC and Tradition Development Company, LLC and Horizons St. Lucie Development, LLC submitted an application to amend the Tradition Development Order as amended to: amend Section 4 to decrease commercial square footage from 950,000 to 904,295, decrease the office square footage from 700,000 to 467,823, increase the warehouse square footage from 90,000 to 177,046, increase multi-family dwelling units from 1,000 to 1,568, and increase assisted living facilities from 300 dwelling units to 420 dwelling units with corresponding changes in the amount of PM Peak Hour Trips, amend Exhibit F, Trip Conversion Matrix, to reflect revised entitlements, and to document the statutory extensions; and

WHEREAS, the public notice requirements of the City of Port St. Lucie Code of Ordinances and Section 380.06(11), Florida Statutes, have been satisfied; and

WHEREAS, on April 1, 2025 the Planning and Zoning Board of the City of Port St. Lucie held a duly noticed public hearing on the Application for Amendment to the Development Order; and

WHEREAS, the City Council on April 28, 2025 held a duly noticed public hearing on the Notification of Proposed Change, and has heard and considered the testimony taken thereat; and

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WHEREAS, the City Council has received and considered the assessment report and recommendations of the Treasure Coast Regional Planning Council; and

WHEREAS, the City Council has made the following FINDINGS OF FACT and CONCLUSIONS OF LAW with regard to the Application for Development Approval and the Notification of Proposed Change:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PORT ST. LUCIE, FLORIDA, as follows:

Section 1. Findings of Fact

The City Council, having considered all documents, comments, testimony and evidence presented to it, finds as follows:

1. The above recitals are true and correct, and are incorporated into this Development Order by this reference.
2. The proposed development is not in an Area of Critical State Concern designated pursuant to the provisions of Section 380.05, Florida Statutes.
3. The proposed development is consistent with Section 380.06 Florida Statutes.
4. This Development Order makes adequate provisions for the public facilities needed to accommodate the impacts of the proposed development.
5. The proposed development is consistent with the City of Port St. Lucie's comprehensive plan and land development regulations.
6. The Amendment to the Development Order and its supporting documentation were reviewed as required by the local land development regulations.
7. The developer has elected to mitigate the proposed development's DRI transportation obligations and satisfy the City of Port St. Lucie's road concurrency requirements by constructing the improvements identified in Section 5N. In addition, the developer has agreed to pay \$3,000,000 to the City of Port St. Lucie in accordance with the Second Capacity Agreement dated January 27, 2003. However, additional site related specific and internal roadway network improvements may also be required.
7. This Resolution 25-R12, Tradition DRI Development Order as amended and restated, hereby supersedes and replaces the Preliminary Development Agreement for the Westchester Development of Regional Impact recorded at Official Record Book 1394, Page 641 of the Official Records of St. Lucie County, Resolution 03-R67, Resolution 03-R84, Resolution 06-R11, Resolution 07-R61, Resolution 08-

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R82, Resolution 10-R59, and Resolution 16-R25 approved by the City of Port St. Lucie for the Tradition DRI.

Section 2. Conclusions of Law

The City Council, having made the above findings of fact, reaches the following conclusions of law:

1. The Council, as the governing body of the City of Port St. Lucie, has legal jurisdiction over the Tradition DRI and is authorized and empowered by Chapter 380, Florida Statutes, to issue this Development Order.
2. The Tradition DRI is approved for the development authorized in this Development Order subject to the conditions of approval contained in this Development Order, and its attachments.

Section 3. Application for Development Approval

The Tradition Application for Development Approval is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the Application for Development Approval, as modified by Development Order conditions, is a condition for approval.

For the purpose of this condition, the Application for Development Approval shall therefore only include the following items:

- a. Consolidated Application for Development Approval and Appendices dated March 27, 2003, containing the Application for Development Approval dated May 15, 2002; the Supplemental Application for Development Approval dated October 7, 2002; and the Supplemental Information dated October 4, 2002 and March 27, 2003; and
- b. Question 21 Appendices dated March 27, 2003.

Section 4. General Conditions of Approval

1. The Tradition DRI shall be developed in accordance with the General Conditions of Approval set forth herein and in Exhibit “1” attached hereto.
2. Development within the Tradition DRI shall be located substantially as depicted on the Master Development Plan (Map H), attached as Exhibit “B” to Exhibit “1”.

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3. Development within the Tradition DRI shall be consistent with the Port St. Lucie Comprehensive Plan, the Port St. Lucie Land Development Regulations and this Development Order.
4. Within 10 days after adoption of this Development Order, the City Clerk shall render copies of this Development Order with all attachments, certified as complete and accurate, by certified mail (return receipt requested) to the Developer.
5. This Development Order shall take effect upon its approval by the City Council of the City of Port St. Lucie. Any appeal or challenge to this Development Order shall: i) stay the effectiveness of this Development Order; and ii) extend the phase, buildout, and termination dates and the time in which the Developer must fulfill obligations imposed by the Development Order by a period of time equal to the length of time that the appeal proceedings remain pending.
6. Notice of the adoption of this Amendment to the Development Order shall be recorded by the Developer, in accordance with Sections 28.222 and 380.06(4)(c), Florida Statutes, with the Clerk of the Circuit Court of St. Lucie County, Florida. The notice shall specify that this Development Order runs with the land and is binding on the Developer, its agents, lessees, successors or assigns. A copy of such notice shall be forwarded to the Port St. Lucie Planning and Zoning Department within seven days after recordation.
7. The property within the Tradition DRI shall not be subject to downzoning, unit density reduction or intensity reduction or other reduction of approved land uses before the expiration date of this Development Order, unless either (a) the Developer consents to such a change, or (b) the City demonstrates that a substantial change in the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the City as essential to the public health, safety, or welfare.
8. This Development Order shall not preclude the City from requiring the payment of impact fees and/or other fees for development or construction within the Tradition DRI, provided such fees are assessed in accordance with a duly adopted ordinance and are charged to all similarly situated developers for the same activities within all other areas of the City.
9. In the event that the Developer violates any condition of this Development Order, or otherwise fails to act in substantial compliance with this Development Order, the City may stay the effectiveness of this Development Order on the identifiable tract or parcel, or portion of the tract or parcel owned by the person or entity violating the condition, and within the DRI Property described in Exhibit "A" attached to Exhibit "1", after a stated compliance date. The Developer shall be given a written notice of violation by the City and a reasonable period of time to cure the violation. The Developer may petition the City Council for review of the notice of violation, prior to the stated compliance date, and said review shall be conducted at a public hearing. Filing of a petition for review shall delay the effectiveness of the notice of violation until the review has been conducted. If the violation has not been cured or corrected by the stated compliance date, all further development

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permits, approvals and services for the development said tract or parcel, or portion of tract or parcel, shall be withheld until the violation is corrected. For the purposes of this condition, the terms “tract” and “parcel” shall mean “any quantity of land capable of being described with such definiteness that its boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, located within the DRI Property legally described in Exhibit “A” attached to Exhibit “1” and the Master Development Plan (Map H) attached as Exhibit “B” to Exhibit “1”.

10. Upon request, and in accordance with the City’s adopted development review fee schedule, the City shall provide to the Developer a letter stating whether the portion of the development at issue is in compliance with applicable conditions of this Development Order.
11. The Tradition DRI shall be bound by the rules adopted pursuant to Chapters 373 and 403, Florida Statutes, in effect at the time of issuance of this Development Order.
12. Compliance with the Development Order shall be monitored through normal City permitting procedures, the procedures listed in specific conditions of approval, and review of the biennial report. The local official responsible for assuring compliance with this Development Order is the Director of Planning and Zoning.
13. The Development Order shall be binding upon the Developer and its assignees or successors in interest. Any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced government agency in existence on the effective date of this Development Order.
14. It is declared to be the City’s intent that, if any section, subsection, sentence, clause, condition or provision of this Development Order is held to be invalid by a court of competent jurisdiction, the remainder of this Development Order shall be construed as not having contained said section, subsection, sentence, clause, condition or provision and shall not be affected by such holding.

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PASSED AND ADOPTED on this _____ day of _____, 2021. .

CITY COUNCIL OF THE CITY OF
PORT ST. LUCIE, FLORIDA

Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney

Exhibit “1”

Conditions of Approval

Commencement of Development and Section 4. Plan of Development

1. Physical development within the Tradition DRI has commenced.
2. The project shall be developed in four phases with a build-out date of ~~November 29, 2032~~ August 18, 2041 with development of each phase as follows:

Phase I November 29, 2017,

Phase II November 30, 2017 to November 29, 2022,

Phase III November 30, 2022 to November 30, 2027, and

Phase IV December 1, 2027 to ~~November 29, 2032~~ August 18, 2041.
3. The developer is hereby authorized to develop the property legally described in Exhibit “A” (~~Second Revised~~) attached hereto as follows:

Use	Density/Intensity	PM Peak Hour Trips
Residential		
Single-Family	4,990 dwelling units	<u>3,922</u> 3,576
Multi-Family	<u>1,568</u> 1,000 dwelling units	<u>695</u> 560
Assisted Living Facilities	<u>420</u> 300 dwelling units	<u>101</u> 51
Hotel	150 rooms	<u>83</u> 107
Commercial	<u>904,295</u> 950,000 square feet	2,775
Office	<u>467,823</u> 700,000 square feet	<u>562</u> 864
Warehouse	<u>177,046</u> 90,000 square feet	<u>48</u> 88
Conservation/Mitigation	207.3 acres	
Open Space/Parks	245 acres	32
Total		<u>8,218</u> 8,053

4. In addition to those uses described above, the developer is authorized to develop ancillary and support uses on the property including but not limited to, cellular communication and cable television towers, civic buildings, community centers, irrigation treatment plant and pumping facilities, libraries, places of worship, public service facilities, recreational facilities, day care centers and schools as permitted within each Planned Unit Development Zoning.
5. All development, except agricultural uses, shall be consistent with the Development Plan (Map H), attached hereto as Exhibit “B” (~~Second Revised~~) to Exhibit “1”. Agriculture and agriculture related activities, such as citrus, cash crops and ranching, shall be permitted on all property within the Tradition DRI until such property is platted for non-agricultural uses.

In order to accommodate changing market demands, at the Developer’s request in an application for a specific development permit, and without the Developer filing for an Amendment to the Development Order ~~a notification of proposed change pursuant to Section 380.06(19), Florida Statutes~~, the City may increase or decrease the amount of an approved land use by applying the Equivalency Matrix attached as Exhibit “F”, which is incorporated into this development order by this reference. The use of the Equivalency Matrix does not allow impacts to water, wastewater, solid waste, transportation or affordable housing to exceed the aggregate impacts projected in the ADA. In addition, to ensure the basic character of the Tradition DRI is not altered, residential and commercial and office land uses may not be increased or decreased by more than 25 percent. The mix of uses shall be consistent with that allowed in the Port St. Lucie Comprehensive Plan. The Developer shall report in each biennial report use of the Equivalency Matrix to increase the amount of one land use with a concurrent reduction in one or more land uses.

Section 5. Conditions of Approval

A. Vegetation and Wildlife

1. Upland Preservation

- a. The developer shall maintain the native upland communities in the nine (9) upland Conservation Areas shown in the Tradition Development Plan Map H (~~Exhibit “B” (Second Revised)~~) Attached as Exhibit “B” to Exhibit “1”. Conservation Areas UC-1, UC-2, UC-3, UC-4, and UC-5 shall maintain 19.9 acres of live oak and cabbage palm communities. Conservation Area UC-6 shall maintain 19.14 acres of pine flatwoods. Conservation Areas UC-7, UC-8, and UC-9 shall maintain 36.8 acres of relatively open grassland with interspersed stands of live oak and slash pine. The continued viability and maintenance of the Conservation Areas shall be assured through Conservation Easements granted to the South Florida Water Management District (“SFWMD”), a Community Development District or other entity acceptable to the City of Port St. Lucie. The upland

preservation required by this Development Order exceeds, and thereby satisfies, the 25% upland preservation requirement of the City of Port St. Lucie.

- b. The developer shall install temporary fencing around the conservation areas prior to commencing site clearing adjacent to the conservation areas. The fencing shall clearly identify and designate the boundaries of the conservation area and minimize the potential disturbance of the conservation area during land clearing and construction. The temporary fencing shall be established at least 15 feet outside of the boundary of the conservation area and shall remain in place until the completion of the finish grading on the area adjacent to the fencing.

2. Listed Species

- a. In order to protect Audubon's Crested Caracara, the developer shall conduct additional surveys for Audubon's Crested Caracara and their nests on those lands shown on Exhibit "C" attached hereto, which lands are not subject to the U.S. Army Corps of Engineers ("ACOE") Permit No. 200103272 (IP-TA) issued April 26, 2002. The surveys shall be coordinated with the U.S. Fish and Wildlife Service ("USFWS") in association with the submittal of Wetland Resource Permit application(s) or permit modification requests to the ACOE for the lands (or any portion thereof) shown on attached as Exhibit "C" to Exhibit "1" Exhibit "C" Revised.
- b. In order to protect the Florida Sandhill Crane, the developer shall maintain foraging habitat in the form of relatively open grassland with interspersed stands of live oak and slash pine in Conservation Areas UC-7, UC-8 and UC-9 identified on the Tradition Development Plan Map H attached as Exhibit "B" to Exhibit "1" (Exhibit "B" (Second Revised)).
- c. In addition to maintaining the existing oak and cabbage palm communities in Conservation Areas UC-1, UC-2, UC-3, UC-4 and UC-5, the developer shall plant live oak and slash pine in landscape areas adjacent to said Conservation Areas in order to provide additional foraging area for the Sherman's fox squirrel.
- d. The developer shall maintain Wood Stork foraging habitat on site by ensuring no additional net loss of wetland function and value. Plans for any additional wetland mitigation on lands shown in attached as Exhibit "C" to Exhibit "1" Exhibit "C" Revised, which are not subject to the U.S. Army Corps of Engineers (ACOE) Permit No. 200103272 (IP-TA) issued April 26, 2002, shall consider the creation of suitable foraging habitat for the Wood Stork.

- e. In the event that it is determined that any additional representative of a state or federally listed threatened or endangered plant or animal species or state wildlife species of special concern is resident on, or otherwise is significantly dependent upon the project site, the developer shall cease all activities which would have a material adverse affect on individual population and immediately notify the City of Port St. Lucie. The developer shall provide proper protection for the plant or animal species to the satisfaction of the City of Port St. Lucie in consultation with the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission.

3. Wetlands

- a. The developer shall retain the 131.65 acres of wetlands shown on the Tradition Development Plan Map H attached as Exhibit "B" to Exhibit "1" (~~Exhibit "B" (Second Revised)~~). The developer shall comply with all wetland mitigation requirements of the U. S. Army Corps of Engineers.
- b. The developer shall maintain a buffer zone around all preserved and created wetlands consistent with SFWMD criteria. The buffer zones shall include canopy and under-story where existing, and ground cover of native upland species, except around Conservation Areas UC-6, UC-7, UC-8, and UC-9 where a relatively open grassland with interspersed stands of live oak and slash pine shall be maintained for Florida Sandhill Crane foraging habitat.

4. Exotic Plants

Prior to obtaining a certificate of occupancy for any development parcel, the developer shall remove from said parcel the nuisance and invasive exotic vegetation identified on the Florida Exotic Pest Plant Council's List of Invasive Species attached hereto as Exhibit "D" to Exhibit "1". Removal shall be in a manner that minimizes seed dispersal by any of these species. There shall be no planting of these exotic vegetation species on site.

B. Conservation Management Plan

- 1. Within 180 days of the effective date of the Development Order, the developer shall prepare a Conservation Area Management Plan for the Conservation Areas, upland buffers around all preserved and created wetlands, and retained wetlands identified on the Tradition Development Plan Map H, attached as Exhibit "B" to Exhibit "1" (~~Exhibit "B" (Second Revised)~~). The plan shall:
 - a. Identify management procedures and provide a schedule for their implementation;

- b. Include methods to remove the nuisance and exotic vegetation identified on the Florida Exotic Pest Plant Council's List of Invasive Species attached hereto as Exhibit "D";
 - c. Include plans to permanently mark the conservation areas and allow only limited access for passive recreation, nature appreciation, education, or scientific study;
 - d. Include procedures for maintaining suitable habitat for state and federally listed species.
2. The management plan shall be approved by the City of Port St. Lucie in consultation with the Florida Fish and Wildlife Conservation Commission.

Condition 5.B. has been completed and satisfied. Resolution 08-R82.

C. Stormwater Management

1. The developer shall design and construct a stormwater management system to retain the maximum volumes of water consistent with SFWMD criteria for flood control and to prevent negative impacts to adjacent areas and to the receiving bodies of water. Post-development runoff volumes and rates shall not exceed predevelopment runoff volumes and rates. Required retention volumes may be accommodated in a combination of vegetated swales, dry retention areas, lakes or other suitable detention/retention structures. A water quality monitoring system shall be established if required by the SFWMD. The developer shall comply with all applicable National Pollution Discharge Elimination System (NPDES) regulations.
2. The developer shall work with the City of Port St. Lucie to minimize the amount of impervious surface constructed for automobile parking on the project site. The developer and the City should consider the use of pervious parking lot materials where feasible.
3. Maintenance and management efforts required to assure the continued viability of all components of the surface water management system shall be the financial and physical responsibility of the developer, a community development district or other entity acceptable to the City of Port St. Lucie.
4. The developer shall allow the City to design and discharge stormwater as needed from the proposed 150' right of way and road extension adjacent to the northern boundary of the Tradition DRI, into the Peacock Canal waterway for stormwater management related to development of this road.

D. Recreation and Open Space

1. By December 31, 2008, the developer shall submit a subdivision plat that includes access and identification of a 100 acre property to the City of Port S. Lucie to be used as an active recreation park site. The property shall contain no more than 5 acres of wetlands and be 95% useable land. The property may be sold to the City with the price to be set by a letter of agreement between the developer and the City for a fee not to exceed \$7,500 per acre. The site may be provided for on developer owned lands that are adjacent to the DRI if approved by the City Council. Recreational facilities provided by the developer shall not mitigate the need for facilities by other developments unless the other development shares in the cost of the facility provided by the developer.
2. St. Lucie County has adopted an impact fee ordinance to provide for the provision of park and recreation facilities within the county. The impact fees assessed by St. Lucie County will be sufficient to fund the demand for beach and boat access points and parking facilities created by the residential development within the Tradition DRI.

E. Education

Prior to January 1, 2005, the developer shall provide the City of Port St. Lucie and the St. Lucie County School Board a plan for the provision of necessary school facilities concurrent with the development of the residential portion of the Tradition DRI. The plan shall be subject to School Board and City of Port St. Lucie approval. School facilities shall be available to serve projected demand in accordance with the approved plan. If requested by the City, the developer shall provide written evidence from St. Lucie County School Board that the developer has met its obligations as identified by the plan at the time of each Planned Unit

Development or site plan approval as needed.

Completed pursuant to that Agreement dated June 26, 2006 and recorded at OR Book 2597, Page 2157, of the Official Records of St. Lucie County, Florida. Resolution 08-R82.

F. Public Facilities

1. Water Supply
 - a. No residential subdivision plat shall be recorded or final site plan approved for any development parcel beyond that allowed by the existing Preliminary Development Agreement until the developer has provided written

confirmation from the providing utility that adequate capacity of treated potable water will be available to serve such development parcel and that the providing utility will have service/distribution infrastructure that will be operational to serve such development parcel.

- b. Irrigation will be provided by the reclaimed water main running down North/South A from Crosstown Parkway to the Tradition Regional Park site. ~~The preferred source of irrigation water shall be treated wastewater effluent at such time as a sufficient and feasible source is made available to the site.~~ The project shall be equipped with a dual water distribution system to provide reclaimed water to all domestic (residential) users. No individual home wells shall be constructed on the project site. Prior to availability of a sufficient and feasible source of reclaimed water, other water supply sources may be used for landscape irrigation subject to meeting SFWMD permitting criteria in effect at the time of permit application.
- c. In order to reduce irrigation water demand, xeriscape landscaping shall be implemented throughout the project in accordance with the City of Port St. Lucie's existing requirements for xeriscaping.
- d. The project shall use water-saving plumbing fixtures and other water conserving methods that meet the criteria outlined in the water conservation plan of the public water supply permit issued to the City of Port St. Lucie by the SFWMD.
- e. ~~Prior to the issuance of building permits for phase two of the development,~~ The developer shall dedicate a 10 acre site to the City of Port St. Lucie by deed on or before Sept 30, 2025 for utility related needs, including a water repump station and storage facility, well sites or other utility service needs at a location mutually agreeable to the City and the developer. The site shall not be used for yard or vehicle storage and shall be constructed in a manner compatible with the adjacent development and meet all relevant architectural standards applicable to other nonresidential parcels in the Tradition DRI. Utility facilities provided within the Tradition DRI by the developer shall not mitigate the need for facilities created by other developments unless the other development shares in the cost of the facility located within the Tradition DRI. Failure to meet the requirements noted above will result in the Utility Systems Department not clearing any parcels for building permits in the development.

2. Wastewater

- a. No residential subdivision plat shall be recorded or final site plan approved for any development parcel beyond that allowed by the existing Preliminary Development Agreement until the developer has provided written confirmation from the providing utility that adequate capacity of

wastewater treatment will be available to serve such development parcel and that the providing utility has service/distribution infrastructure that will be operational to serve such development parcel.

- b. Septic systems and/or storage tanks may be used to provide sewer service to construction and marketing trailers or structures until central sewer lines are installed and in use where feasible.

G. Fire and Emergency Medical Service

Prior to January 1, 2005, the developer shall provide a plan for the provision of fire and emergency medical service to meet the demand created as a result of permanent employment and residential development for the project. The methodology used to determine the demand and the standards used to determine adequate services shall be agreed upon by the developer and the St. Lucie County Fire District. The plan shall be subject to Fire District approval. Such fire and emergency medical service facilities shall be available to serve projected demand in accordance with the approved plan.

Plan is completed. See that Agreement dated June 13, 2007 and recorded at OR Book 2833, Page 2770. Resolution 08-R82.

H. **Deleted by Resolution 08-R82.**

I. Libraries

St. Lucie County has adopted an impact fee ordinance to provide for the provision of library services and other public buildings. The impact fees assessed by St. Lucie County are sufficient to fund the demand for public library facilities and services and other public buildings created by the residential development within the Tradition DRI.

J. Hurricane Preparedness

Prior to December 31, 2016, the developer shall provide a plan for provision of usable emergency shelter space which meets the minimum requirements of American Red Cross Standard 4496. The methodology used to project demand shall be agreed upon by the developer and the City of Port St. Lucie, in consultation with the St. Lucie County Division of Emergency Management and the Treasure Coast Regional Planning Council prior to plan initiation and shall be submitted as part of the complete plan. The plan shall be subject to City of Port St. Lucie approval; in consultation with the St. Lucie County Division of

Emergency Management and the Treasure Coast Regional Planning Council. The intent of this condition is to ensure that adequate public shelter space is available to meet the demand of Tradition residents.

Should at any time beyond 2016, a biennial status report show that the plan is not being implemented, no further residential building permits for the Tradition DRI shall be issued. Issuance of building permits for the Tradition DRI shall resume when either a) compliance with the plan is approved or b) assurances are provided to the City that alternative measures are being implemented to provide adequate public shelter space for the residents of the Tradition DRI.

K. Energy

The developer shall incorporate energy conservation measures into the design and operation of the development. At a minimum, the developer shall construct all development so that it is in conformance with the specifications of the State of Florida Energy Efficiency Code for Building Construction (State Energy Code).

L. Air Quality

1. Within 180 days of the effective date of the Development Order, the developer shall complete a carbon monoxide air quality study. Before conducting the study the developer shall meet with the Department of Environmental Protection and the Treasure Coast Regional Planning Council to establish parameters for the study. The study shall be submitted to the Department of Environmental Protection and the Treasure Coast Regional Planning Council within fifteen days of its completion and shall be completed to the satisfaction of the Department of Environmental Protection in consultation with the Treasure Coast Regional Planning Council. The study results shall be provided to the City of Port St. Lucie. Remediation for any problems projected by the study shall be undertaken consistent with the DCA Air Quality Uniform Standard Rule 9J-2.046, FAC. Approval of the study by the Department of Environmental Protection must be obtained before receiving any final site plan approval beyond Phase 1 development as described in the Application for Development Approval.

Completed, pursuant to letter dated June 25, 2004 from Florida Department of Environmental Protection. Resolution 08-R82.

2. During land clearing and site preparation, soil treatment techniques appropriate for controlling unconfined particulate emissions shall be undertaken. If construction

on a parcel will not begin within ninety days of clearing, the soil shall be stabilized until construction on the parcel begins. Cleared areas shall be sodded, seeded, landscaped or mulched to stabilize the soil. Minimal clearing for access roads, survey lines, fence installation, or construction trailers and equipment staging areas shall be allowed without the need for soil stabilization. The purpose of this condition is to minimize the production of dust and soil erosion during land clearing and to prevent soil from becoming airborne between the time of clearing and construction. The development shall comply with all applicable National Pollutant Discharge Elimination System requirements.

M. Archaeological Sites

In the event of discovery of any archaeological artifacts during project construction, construction shall stop in the area of discovery and immediate notification shall be provided to the City of Port St. Lucie and the Division of Historical Resources in the Florida Department of State.

N. Transportation

1. No building permits shall be issued for development beyond May 1, 2009, until completion of the improvement in the table below.

	A	B		C	D
No.	Roadway	Link	Exist. Lanes	Improvement	Date Required
1	Crosstown Pkwy	C-24 Canal to Reserve Blvd.	0	Build 4 Lanes	5/1/2009

Condition Section 5.N.1. is completed. Resolution 10-R59.

2. The Tradition DRI is within the New Community Development District added to the City of Port St. Lucie's Future Land Use Element and Future Land Use Map by Ordinance No. 02-143, adopted March 24, 2003. In accordance with Policy 1.2.4.1 of the City's Comprehensive Plan, the Tradition DRI may mitigate all or a portion of its DRI transportation obligations and road concurrency by making a proportionate share contribution.

3. The developer has elected to mitigate a portion its DRI transportation obligations and to satisfy road concurrency by making a proportionate share contribution. The developer's proportionate share obligation for the remaining impacted roadways is \$10,040,855.60. Exhibit "E" to Exhibit "1" (~~Revised~~) illustrates the proportionate share calculation. The City of Port St. Lucie has no obligation to construct any of the improvements listed in Exhibit "E" to Exhibit "1" (~~Revised~~).

Condition Section 5.N.3 is completed. Resolution 08-R82.

4. The developer has elected to satisfy its proportionate share obligation by constructing the improvements identified in the following table. In addition, the developer has agreed to pay \$3,000,000 to the City of Port St. Lucie in accordance with the Second Capacity Agreement dated January 27, 2003.

	A	B		C	D
No.	Roadway	Link	Exist. Lanes	Improvement	Date Required
1	Tradition Parkway	Community Boulevard to I-95	0	Build 4 Lanes	12/31/2003
2		Village Parkway to I-95	4	Add 2 Lanes	6/30/2009
3	Village Parkway	Tradition Parkway to Westcliffe Lane	0	Build 4 Lanes	6/30/2006
4		Westcliffe Lane to Crosstown Pkwy.	0	Build 4 Lanes	5/1/2009
5	Crosstown Pkwy.	Village Parkway to C-24 Canal	0	Build 4 Lanes	5/1/2009

- a. Capacity in excess of that required by the Tradition DRI will be created by the developer's construction of the improvements in Section 5 N.4. The value of that excess capacity to the City of Port St. Lucie is \$9,663,736.90, based upon the percentage of excess capacity created by the developer's construction of the

improvement, which amount shall be credited against the developer's proportionate share obligation set forth in Section 5 N.3.

- b. The City of Port St. Lucie shall cease issuing building permits for development within the Tradition DRI if the developer does not fulfill its construction obligations in Section 5 N.4.
- c. The developer's construction of the improvements identified in Section 5 N.4.a. together with the developer's payment to the City in accordance with the Second Capacity Agreement dated January 27, 2003 satisfies the developer's proportionate share obligations.

Condition Section 5.N.4. is completed. Resolution 10-R59.

5. Internal Roadway Improvements

- a. Exclusive of approved residential development allowed under the approved Preliminary Development Agreement, a traffic study may be requested for submittal by site plan review applicants to determine lane geometry, including turn lanes and signal improvements and for access connecting to the internal roadway system.
- b. Commencing in the year 2005, a signal warrant analysis shall be performed at the intersection of Village Parkway and Tradition Parkway. The signal warrant analysis shall be continued on an annual basis until a signal is warranted. The analysis shall be performed during the peak season and presented as part of the annual report. The developer may provide data (such as traffic volume, pedestrian, accident history, etc.) that demonstrates that a full signal warrant analysis is not required. This information shall clearly demonstrate that signal warrants cannot be met. Beginning one year after approval of the warrant study, no building permits shall be issued until contracts have been let by the developer for the construction of a traffic signal, including the appropriate lane geometry, pavement markings, signing, lighting and associated improvements as approved by the City.

At a minimum, the intersection of Village Parkway and Tradition Parkway shall have the following lane geometry:

Eastbound	Two through lanes
	One left-turn lane
Westbound	Two through lanes
	One right-turn lane

Southbound One left-turn lane

One right-turn lane

Condition Section 5.N.5.b. is completed. Resolution 08-R82.

- c. Commencing in the year 2005, signal warrant analyses shall be performed and submitted as part of the annual report at the intersections of Gatlin Boulevard and the I-95 ramps. The signal warrant analyses shall be continued on an annual basis until the signals are warranted. The analyses shall be performed during the peak season and presented as part of the annual report. The developer may provide data (such as traffic volume, pedestrian, accident history, etc.) that demonstrates that a full signal warrant analysis is not required. This information shall clearly demonstrate that signal warrants cannot be met. Within sixty days after a signal is warranted, a letter of credit equivalent to 120% of the design and construction costs of the applicable signal, including the appropriate lane geometry, pavement markings, signing, lighting and associated improvements, shall be posted by the developer assuring that the applicable signal will be installed within 12 months after the annual report indicates a signal is warranted. Beginning one year after approval of the warrant study, no building permits shall be issued until contracts have been let by the developer for the associated improvements approved by the City.

Condition Section 5.N.5.c. is completed, all signals installed. Resolution 08-R82.

- d. Commencing in the year 2005, operational analysis of the Tradition Parkway roundabout within the Tradition DRI shall be conducted. Commencing in the year 2007, operational analyses of all other roundabouts within the Tradition DRI shall be conducted. The analyses shall be performed on a biennial basis during the peak season and presented as a part of the biennial report. The developer may provide data (such as traffic volume, geometrical information, pedestrian, accident history, etc.) that demonstrates that a full roundabout analysis is not required. The operational analysis shall include monitoring of current safety and operational conditions and shall project operating conditions for two years from the date of review. The methodology of such analysis (i.e Sidra) shall be approved by the City of Port St. Lucie. In the event the overall operating conditions of the roundabout are projected to be below a level of service "E" or safety deficiencies are identified, operational or geometric improvements shall be implemented to provide a level of service "E" or better. The final configuration of the roundabout shall be approved by the City of Port St. Lucie and may include the elimination of the roundabout. Building permits

projected to be below a level of service “E” or safety deficiencies are identified until the developer has funded and let contracts for the identified roadway improvements.

- e. ~~A time frame for the construction or installation of an improvement required by the Development Order for the funding and letting of contracts shall be approved by the City which approval shall not be unreasonably withheld. Failure to complete the construction or installation of an improvement within such specified time frame shall result in the city withholding the issuance of building permits or other development approvals. The developer may petition the City Council for relief from this provision and upon a showing of good cause, the City Council may extend the time frame established for the construction or installation of an improvement, allow the developer to bond the required improvement, or provide such other relief as the City Council deems appropriate. The Tradition Parkway & Community Boulevard roundabout must be converted from a 1-lane roundabout to a 2-lane roundabout and turned over to the City by April 1, 2026.~~
- f.Commencing in the year 2025, a signal warrant analysis shall be performed and submitted as part of the biennial report at the Tradition Parkway & Community Boulevard roundabout. The signal warrant analysis shall be continued on a biennial basis until the signal is warranted. The analysis shall be performed during the peak season and presented as part of the biennial report. Within sixty days after a signal is warranted, a letter of credit equivalent to 120% of the design and construction costs of the applicable signal, including the appropriate lane geometry, pavement markings, signing, lighting and associated improvements, shall be posted by the developer assuring that the applicable signal will be installed within 12 months after the signal warrant analysis indicates a signal is warranted. Beginning one year after approval of the warrant study, no building permits shall be issued until contracts have been let by the developer for the associated improvements approved by the City.
- g. Fernlake Avenue to Westcliffe Lane must be constructed and turned over to the City, as a 2-lane road prior to the 100th residential building permit being issued within the Brynlie Subdivision Plat (PB130-32).
- h. Westcliffe Lane to North/South A, including the intersection of North/South A and Westcliffe Lane, must be platted and conveyed to the City, via special warranty deed, free and clear of all liens and material encumbrances prior to the start of site work on Phase I of the development of Parcel 4 B, Tradition Plat No. 4 (PB 113-3). The road must be constructed and turned over to the City prior to the start of vertical construction.
- i. A time frame for the construction or installation of an improvement required by the Development Order for the funding and letting of contracts shall be

approved by the City which approval shall not be unreasonably withheld. Failure to complete the construction or installation of an improvement within such specified time frame shall result in the city withholding the issuance of building permits or other development approvals. The developer may petition the City Council for relief from this provision and upon a showing of good cause, the City Council may extend the time frame established for the construction or installation of an improvement, allow the developer to bond the required improvement, or provide such other relief as the City Council deems appropriate.

6. Rights of Way

- a. No building permits for development beyond that approved in the Preliminary Development Agreement shall be issued until right-of-way within the Tradition DRI along Tradition Parkway from I-95 to Village Parkway and all intersections thereof has been dedicated free and clear of all liens and material encumbrances to the community development district or other applicable governmental entity acceptable to the City of Port St. Lucie.

Condition 5.N. 6.a. is completed. Resolution 08-R82

- b. No building permits for development beyond December 31, 2009~~10~~ shall be issued until a 130' right-of-way within the Tradition DRI along Village Parkway from Tradition Parkway to the north property line as depicted on the Tradition Development Plan Map H, attached as Exhibit "B" to Exhibit "1" (~~Exhibit "B" (Revised)~~) and all intersections thereof has been dedicated free and clear of all liens and material encumbrances to the community development district or other applicable governmental entity acceptable to the City of Port St. Lucie.

- c. **Deleted by Resolution 06-R11.**

- d. The developer shall reserve a 130' road right-of-way corridor for the western extension of Tradition Parkway to the DRI boundary as depicted on the Tradition Development Plan Map H attached as Exhibit "B" to Exhibit "1" (~~Exhibit "B" (Revised)~~). The roadway shall be constructed to allow for its extension on property that is west of the land within the Tradition DRI. This shall be provided for at the time of development of that area and depicted on any PUD zoning maps.

Condition 5.N. 6.d. is completed. The right-of-way has been deeded to the City of Port St. Lucie. Resolution 10-R59.

e. Deleted by Resolution 06-R11.

f. Deleted by Resolution 08-R82.

g. The developer shall dedicate by plat and convey by deed, free and clear of all liens and material encumbrances, to the City of Port St. Lucie, an 80' right of way for Fern Lake Avenue from Westcliffe Lane as depicted on Map H attached as Exhibit "B" to Exhibit "1" (~~Exhibit B (Revised)~~).

Condition 5.N. 6.g. is partially completed. The right-of-way has been deeded to the City of Port St. Lucie. Resolution 10-R59.

h. No building permits shall be issued after December 31, 2016, until the following roads, depicted on Map H attached as Exhibit "B" to Exhibit "1" (~~Exhibit "B" (Revised)~~) are conveyed by deed free and clear of all liens and material encumbrances to the City of Port St. Lucie:

Road	Link	ROW width
Tradition Parkway	I-95 to Town Park Avenue Platted (Tradition Plat Nos. 6, 11).	200'
	Town Park Avenue to FPL easement Platted for a portion (Tradition Plat No. 23); unplatted portions deeded to City of Port St. Lucie via Special Warranty Deeds (OR Book 3071, Pages 2612-2650, Exhibit "F") and (OR Book 3071, Pages 2651-2685, Exhibit "E").	130'
Village Parkway	Tradition Parkway to Westcliffe Lane Platted (Tradition Plat Nos. 6, 10).	130'
	Westcliffe Lane to Crosstown Parkway Platted (Tradition Plat Nos. 10, 32). Plat 32 portion deeded to City of Port St. Lucie via Quit Claim Deed (OR Book 3225, Pages 2007-2009)	130'

Community Boulevard	Tradition Parkway to Meeting Street Platted (Tradition Plat Nos. 6, 17).	120'
	Meeting Street to Road H Platted (Tradition Plat No. 12).	100'
Fern Lake Avenue	Westcliffe Lane to Tradition Parkway Deeded to City of Port St. Lucie via Special Warranty Deed (OR Book 3071, Pages 2612-2650, Exhibit "G") .	80'
	Westcliffe Lane to Crosstown Parkway Deeded to City of Port St. Lucie via Special Warranty Deed (OR Book 3071, Pages 2651-2685, Exhibit "B")	80'
Westcliffe Lane	Village Parkway to FPL easement Platted for a portion (Tradition Plat Nos. 12, 15); unplatted portion deeded to City of Port St. Lucie via Special Warranty Deed (OR Book 3071, Pages 2651-2685, Exhibit "F") .	100'

Condition 5.N. 6.h. is partially completed as described above. Resolution 10-R59

- i. The developer shall be responsible for platting the roads identified in Condition 5.N.6.h. above. The roads may be platted in segments at the option of the developer, so long as that portion of each road adjacent to a development parcel is platted concurrent with the platting of that development parcel. To the extent that the right of way has previously been deeded to the City, the City agrees to cooperate with the developer to plat said roads and to join in the plat to the extent required by law.

Condition 5.N. 6.i. is partially completed as described in Condition 5.N.6.h . above. Resolution 10-R59

7. Impact Fees

The developer will not seek, nor shall they be entitled to any form of transportation impact fee credits for this development unless otherwise approved by the City.

O. Biennial Status Report

1. A biennial status report shall be submitted for the preceding two calendar years beginning on July 31, 2005 until build out. This status report shall be submitted to the City of Port St. Lucie until the expiration of this Development Order and to any such additional parties as may be appropriate or required by the City. The contents of the report shall include those items required by this Development Order and former Rule 73C-40.025(7) (a) through (h), (j) and (k), Florida Administrative Code (effective date June 1, 2003). The City of Port St. Lucie Planning and Zoning Director shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development Order. Notice of transfer of all or a portion of the Property shall be filed with the City of Port St. Lucie and included in the biennial report.~~eo, regional planning agency, and the state land planning agency and shall include the information required by 73C-40.024, FAC.~~
2. If no additional development pursuant to the Development Order has occurred since the submission of the previous report, a letter from the developer stating that no development has occurred shall satisfy the requirement for a biennial report.

P. Development Exemptions

1. Regardless of whether permits are withheld for other Tradition DRI property, and regardless of any compliance issues by developer under the Tradition Application for Development Approval or pursuant to the Development Order including but not limited to Conditions 5.A.1.a., 5.A.1.b., 5.A.2.a., 5.A.2.b., 5.A.2.c., 5.A.2.d., 5.A.3.a., 5.A.3.b., 5.C.4., 5.D.1., 5.D.2., 5.E., 5.F.1.e., 5.I., 5.J., 5.N., and 5.O., such compliance issues shall not impede, restrict, or otherwise interfere with the development, permitting, approvals, use or transfer of the property described in Exhibit "G" except as to those Conditions of the Development Order which arise in connection with the site specific development of the property described in Exhibit "G".

Section 6. Community Development Districts

Pursuant to Chapter 190, Florida Statutes, Community Development Districts ("CDDs") with jurisdiction over all or a portion of the property described in Exhibit "A" ~~(Revised)~~ attached hereto have been established to ensure that property owners within the Tradition DRI pay for the establishment and maintenance of the infrastructure needed to serve the development, including but not limited to transportation, school, police, fire and park improvements set forth in this Development Order. Additional CDDs may be established or the existing CDDs may be amended

from time to time. However, no reference to CDDs in this Development Order shall constitute any approval of or acquiescence by the City of Port St. Lucie to the formation of additional CDDs or the amendment of the existing CDDs, and the City of Port St. Lucie shall not be precluded by any provision of this Development Order from objecting to the formation or amendment of a CDD.

~~Section 7.~~ Compliance

~~In accordance with Section 380.06(17) Florida Statutes, in the event the developer, its successors, grantees or assigns, violates any of the conditions of the Development Order, as amended, or otherwise fails to act in substantial compliance with the Development Order, as amended, the City of Port St. Lucie may stay the effectiveness of the Development Order, as amended, on the identifiable tract or parcel, or the portion of a tract or parcel owned by the person or entity violating a condition of the Development Order, as amended, and within the property described in Exhibit "A" (Revised) attached hereto, and all further development permits, approvals and services for the development of said tract or parcel, or portion of tract or parcel shall be withheld until the violation is corrected. For purposes of this section, the term "tract" and "parcel" shall be defined to mean:~~

~~Any quantity of land capable of being described with such definiteness that its boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit, located within the legal description set out in Exhibit "A" (Second Revised) attached hereto and the Tradition Development Plan (Map H) attached as Exhibit "B" (Second Revised).~~

~~The developer, its successors, grantees, or assignees shall be given a written notice of violation by the City of Port St. Lucie and a reasonable period of time to cure the violation. The developer may petition the City Council for review of the notice of violation, prior to the stated compliance date, and said review shall be conducted at a public hearing. Filing of a petition for review shall delay the effectiveness of the notice of violation until the review has been concluded.~~

~~Section 8.~~ Compliance Letters

~~Upon the request of the developer and in accordance with the City's development review fee schedule, the City of Port St. Lucie shall provide the developer, its successors, assignees, grantees, or designee, a letter stating whether the portion of the Tradition DRI at issue is in compliance with the applicable Development Order conditions.~~

~~Section 9.~~ Monitoring

~~Compliance with the Development Order shall be monitored through normal City permitting procedures, the procedures listed in specific conditions of approval, and review of the biennial~~

~~report. The local official responsible for assuring compliance with this Development Order is the City Manager of the City of Port St. Lucie.~~

~~Section 10. —~~ Downzoning

~~The City of Port St. Lucie specifically agrees that the approved Development of Regional Impact shall not be subject to downzoning, unit density reduction or intensity (square footage) reduction for a period of November 29, 2042, unless the City of Port St. Lucie demonstrates that substantial changes in the conditions underlying the approval of the development order have occurred or the Development Order was based on substantially inaccurate information provided by the developer or that the change is clearly established by the City of Port St. Lucie to be essential to the public health, safety or welfare.~~

~~Section 11. —~~ Successors and Assigns

~~This Development Order shall be binding upon the developer and its assignees or successors in interest. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced government agency in existence on the effective date of this Development Order.~~

~~Section 12. —~~ Rules

~~Pursuant to Section 380.06(5)(c), Florida Statutes, the Tradition DRI shall be bound by the rules adopted pursuant to Chapters 373 and 403, Florida Statutes, in effect at the time of issuance of this Development Order.~~

~~Section 13. —~~ Local State and Federal Permitting Requirements

~~The approval granted by this Development Order is conditional and shall not be construed to obviate the duty of the developer to comply with all other applicable local, state, and federal permitting requirements.~~

~~Section 14. —~~ Approvals

Any reviews or approvals required by Sections 5.A.1.a.; 5.A.2.e.; 5.B.2.; 5.C.3.; 5.E.; 5.F.1.a; 5.F.1.e; 5.F.2.a; 5.H.; 5.J.; 5.N.5.b; 5.N.5.c; 5.N.5.d; 5.N.5.e; 5.N.6.a.; and 5.N.6.b of this Development Order shall be issued within 60 days of receipt of the plans or documents which are subject to such review or approval. If within 30 days of receipt of the documents or plans, the City of Port St. Lucie requests in writing additional information, then the 60 day period shall not commence to run until the additional information has been received by the City or the developer informs the City in writing that the requested information will not be provided. If the City does not act within the required 60 day period, the developer shall, via hand delivery with

acknowledgement of receipt requested, provide the City Manager written notice that the City has failed to act within the required 60 day period. A copy of the notice shall be provided the City Attorney and the City Planning and Zoning Director. The City shall be afforded an additional 30 days from receipt of such notice to review the developer's submittal. The City may request from the developer a further time extension, not to exceed 30 days, in which to review the developer's submittal. The failure to approve or deny the developer's submittal within 30 days of receipt of the developer's notice or within such additional time as requested shall constitute approval of any plans or documents which are subject to review by the City's administrative staff. For any plan or document that also requires another governmental agency's action or approval in order for the City to determine if it can act upon such request, the time requirements for review as noted above shall not commence until such time that the agency has approved the proposed plan or document.

~~Section 15. — Determination of Validity~~

~~If any clause, section or other part of this Development Order shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and so not affecting the validity of the remaining portions of the Development Order which shall remain in full force and effect.~~

~~Section 16. — Transmittal~~

~~Copies of this Development Order shall be transmitted immediately by certified mail to the state land planning agency, the regional planning agency and Tradition Development Company, LLC and Horizons St. Lucie Development, LLC.~~

~~Section 17. — Recording.~~

~~Within ten days of the effective date of this Development Order, the developer shall cause notice of the adoption of the Development Order and a copy of this Development Order to be recorded in accordance with Section 28.222, Florida Statutes.~~

~~Notice of the adoption of this Amendment to the Development Order shall be recorded by the Developer, in accordance with Sections 28.222 and 380.06(4)(c), Florida Statutes, with the Clerk of the Circuit Court of St. Lucie County, Florida. The notice shall specify that this Development Order runs with the land and is binding on the Developer, its agents, lessees, successors or assigns. A copy of such notice shall be forwarded to the Port St. Lucie Planning and Zoning Department within seven days after recordation.~~

Section 8. Expiration Date

This Development Order shall expire on ~~November 29, 2042~~ August 15, 2051.

Section 19. — Effective Date

~~This resolution shall take effect upon transmittal by the City to the state land planning agency, the regional planning agency and the developer. Any appeal of this resolution shall: 1) stay the effectiveness of this Development Order; and 2) extend the phase, buildout, and termination dates and the times in which the developer must fulfill obligations imposed by the Development Order by a period of time equal to the length of time that the appeal proceedings remains pending.~~

EXHIBIT "A"
LEGAL DESCRIPTION

NEW TRADITION DRI

A PARCEL OF LAND BEING ALL OF SECTION 9 AND A PORTION OF SECTIONS 4, 5, 6, 7, 8, 10, 15, 16, 17 AND 18, TOWNSHIP 37 SOUTH, RANGE 39 EAST, A PORTION OF SECTION 33, TOWNSHIP 36 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND ALL OF TRADITION PLAT NO. 2, RECORDED IN PLAT BOOK 42, PAGES 3, 3A THRU 3D, ALL OF TRADITION PLAT NO. 3, RECORDED IN PLAT BOOK 43, PAGES 4, 4A AND 48, ALL OF TRADITION PLAT NO. 4, RECORDED IN PLAT BOOK 43, PAGES 5 AND 5A, ALL OF TRADITION PLAT NO. 5, RECORDED IN PLAT BOOK 42, PAGES 4, 4A THRU 41, ALL OF TRADITION PLAT NO. 6, RECORDED IN PLAT BOOK 42, PAGES 5, 5A THRU 5F, ALL OF TRADITION PLAT NO. 7, RECORDED IN PLAT BOOK 44, PAGES 7 AND 7A, ALL OF TRADITION PLAT NO. 9, RECORDED IN PLAT BOOK 44, PAGES 2, 2A AND 2B, ALL OF TRADITION PLAT NO. 10, RECORDED IN PLAT BOOK 43, PAGES 19, 19A THRU 19C, ALL OF TRADITION PLAT NO. 12, RECORDED IN PLAT BOOK 44, PAGES 3, 3A THRU 3D, ALL OF TRADITION PLAT NO. 13, RECORDED IN PLAT BOOK 43, PAGES 20 AND 20A, ALL OF TRADITION PLAT NO. 16, RECORDED IN PLAT BOOK 44, PAGES 12, 12A THRU 12J AND ALL OF TRADITION PLAT NO. 17, RECORDED IN PLAT BOOK 43, PAGES 22, 22A THRU 22F, ALL RECORDED IN THE PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE SAID PLAT OF TRADITION PLAT NO. 6 AND THE WESTERLY LIMITS OF GATLIN BOULEVARD RIGHT-OF-WAY AND THE WESTERLY LIMITS OF THOSE LANDS DESCRIBED IN AN ORDER OF TAKING DATED JULY 24, 1979 AND RECORDED IN OFFICIAL RECORDS BOOK 311, PAGES 2946 THROUGH 2952, INCLUSIVE PUBLIC RECORDS OF SAID ST. LUCIE COUNTY AND AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR STATE ROAD NO.9 (1-95), SECTION 94001-2412, DATED 06/02/77, WITH LAST REVISION OF 09/11/79; THENCE NORTH 00°01'45" EAST AS A BASIS OF BEARINGS ALONG THE EAST LINE OF SAID PLAT AND SAID WESTERLY LIMITS OF GATLIN BOULEVARD, A DISTANCE OF 200.00 FEET. THENCE TRAVERSING SAID WESTERLY LIMITS OF THOSE LANDS DESCRIBED IN AN ORDER OF TAKING BY THE FOLLOWING TWELVE (12) COURSES;

1. SOUTH 89°58'16" EAST DEPARTING SAID EAST LINE, A DISTANCE OF 262.61 FEET;
2. SOUTH 89°58'15" EAST, A DISTANCE OF 372.63 FEET;
3. NORTH 82°24'53" EAST, A DISTANCE OF 317.56 FEET;
4. NORTH 00°01'45" EAST, A DISTANCE OF 64.09 FEET;
5. NORTH 70°02'50" EAST, A DISTANCE OF 289.50 FEET;
6. NORTH 34°39'50" EAST, A DISTANCE OF 207.78 FEET;
7. NORTH 15°33'28" EAST, A DISTANCE OF 491.49 FEET;
8. NORTH 06°58'16" EAST, A DISTANCE OF 373.49 FEET;

9. NORTH 07°32'07" WEST, A DISTANCE OF 374.37 FEET;
10. NORTH 17°47'19" WEST, A DISTANCE OF 510.88 FEET;
11. NORTH 18°47'19" WEST, A DISTANCE OF 714.03 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 5983.58 FEET;
12. NORTHERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 23°41'41", AN ARC DISTANCE OF 2474.52 TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS SOUTH 85°05'37" EAST FROM THIS POINT). SAID LINE ALSO BEING THE NORTH LINE OF SAID SECTION 10 AND THE BOUNDARY OF THE PLAT OF PORT ST. LUCIE SECTION 35, RECORDED IN PLAT BOOK 15, PAGES 10, 10A THRU 10P, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY;

THENCE TRAVERSING THE BOUNDARY OF SAID PLAT OF PORT ST. LUCIE SECTION 35, THE NORTH LINE OF SAID SECTION 10 AND THE EAST LINE OF SAID SECTION 4 THE FOLLOWING THREE (3) COURSES;

1. SOUTH 29°54'10" WEST DEPARTING SAID WESTERLY LIMITS, A DISTANCE OF 1793.84 FEET;
2. NORTH 00°36'27" EAST, A DISTANCE OF 2651.97 FEET;
- 3, NORTH 00°35'12" EAST, A DISTANCE OF 2833.04 FEET; THENCE CONTINUE NORTH 00°35'12" EAST DEPARTING SAID BOUNDARY, ALONG THE NORTHERLY PROLONGATION OF THE EAST OF THE NORTHEAST ONE QUARTER OF SAID SECTION 4, A DISTANCE OF 259.15 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE O.L. PEACOCK CANAL AS DESCRIBED BY DRAINAGE AND IRRIGATION EASEMENT IN EXHIBIT "A" AND RECORDED IN OFFICIAL RECORDS BOOK 675, PAGE 1942, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY; THENCE TRAVERSING SAID SOUTHERLY LINE BY THE FOLLOWING FOURTEEN (14) COURSES;

- 1, CONTINUE NORTH 00°35'12" EAST, A DISTANCE OF 12.29 FEET;
- 2, SOUTH 66°21'07" WEST, A DISTANCE OF 557.84 FEET;
- 3, SOUTH 56°25'29" WEST, A DISTANCE OF 121.35 FEET;
- 4, SOUTH 70°54'29" WEST, A DISTANCE OF 143.67 FEET;
5. SOUTH 85°53'58" WEST, A DISTANCE OF 132.02 FEET;
- 6, SOUTH 54°34'18" WEST, A DISTANCE OF 298.73 FEET;
7. SOUTH 33°56'01" WEST, A DISTANCE OF 30.15 FEET;
- B. SOUTH 56°01'38" WEST, A DISTANCE OF 31.64 FEET;
9. NORTH 50°55'52" WEST, A DISTANCE OF 7.43 FEET;
10. SOUTH 73°43'1 5" WEST, A DISTANCE OF 14.12 FEET;
11. SOUTH 59°06'39" WEST, A DISTANCE OF 424.13 FEET;
12. SOUTH 65°11'40" WEST, A DISTANCE OF 178.69 FEET;
13. SOUTH 76°04'00" WEST, A DISTANCE OF 1244.50 FEET;
14. SOUTH 74°14'30" WEST, A DISTANCE OF 2525.46 FEET; THENCE SOUTH 13°31'07" WEST DEPARTING SAID SOUTHERLY LINE, A DISTANCE OF 51.88 FEET TO THE NORTHEAST CORNER OF GROVE 3; THENCE SOUTH 74°03'19" WEST ALONG THE

NORTH LINE OF SAID GROVE 3, A DISTANCE OF 2476.84 FEET; THENCE SOUTH 13°12'00" EAST, A DISTANCE OF 4,316.53 FEET; THENCE SOUTH 81°33'53" WEST, A DISTANCE OF 621.46 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,130.00 FEET, A CENTRAL ANGLE OF 05°23'17"; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 106.26 FEET; THENCE NORTH 53°22'26" WEST, A DISTANCE OF 15.42 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 760.00 FEET, THE CHORD OF WHICH BEARS SOUTH 08°09'53" EAST, 138.82 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 139.01 FEET THROUGH A CENTRAL ANGLE OF 10°28'48"; THENCE SOUTH 75°54'42" WEST, A DISTANCE OF 80.01 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 50.00 FEET, THE CHORD OF WHICH BEARS SOUTH 14°17'13" WEST, 46.57 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 48.45 FEET THROUGH A CENTRAL ANGLE OF 55°30'50" TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 110.00 FEET AND A CENTRAL ANGLE OF 08°37'53"; THENCE SOUTHWESTERLY ALONG THE ARC, A DISTANCE OF 16.57 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 51°19'04"; THENCE SOUTHWESTERLY ALONG THE ARC, A DISTANCE OF 44.78 FEET; THENCE SOUTH 84°43'49" WEST, A DISTANCE OF 174.38 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 1,100.00 FEET, A CENTRAL ANGLE OF 45°17'00"; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 869.38 FEET; THENCE NORTH 49°59'11" WEST, A DISTANCE OF 1,546.87 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,200.00 FEET, A CENTRAL ANGLE OF 39°18'59"; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 823.44 FEET; THENCE NORTH 89°18'10" WEST, A DISTANCE OF 211.19 FEET; THENCE SOUTH 00°41'50" WEST, A DISTANCE OF 5372.25 FEET; THENCE SOUTH 00°08'18" WEST, A DISTANCE OF 317.26 FEET; THENCE NORTH 31°45'23" EAST DEPARTING SAID WEST LINE, A DISTANCE OF 287.45 FEET; THENCE SOUTH 90°00'00" EAST. A DISTANCE OF 479.11 FEET; THENCE NORTH 26°42'03" EAST, A DISTANCE OF 706.40 FEET; THENCE NORTH 55°58'12" WEST, A DISTANCE OF 41.35 FEET; THENCE NORTH 64°04'09" WEST, A DISTANCE OF 36.99 FEET; THENCE NORTH 34°18'02" WEST, A DISTANCE OF 57.12 FEET; THENCE NORTH 04°58'20" EAST, A DISTANCE OF 32.40 FEET; THENCE NORTH 29°38'11" EAST, A DISTANCE OF 56.90 FEET; THENCE NORTH 55°08'19" EAST, DISTANCE OF 39.86 FEET; THENCE NORTH 67°58'26" EAST, A DISTANCE OF 76.12 FEET; THENCE NORTH 79°45'14" EAST, A DISTANCE OF 78.71 FEET; THENCE NORTH 36°56'06" EAST, A DISTANCE OF 47.36 FEET; THENCE SOUTH 83°49'59" EAST, A DISTANCE OF 32.61 FEET; THENCE SOUTH 76°45'58" EAST, A DISTANCE OF 32.93 FEET; THENCE SOUTH 58°01'15" EAST, A DISTANCE OF 59.29 FEET: THENCE NORTH 67°14'46" EAST, A DISTANCE OF 365.78 FEET; THENCE NORTH 60°50'57" EAST, A DISTANCE OF 312.09 FEET; THENCE SOUTH 39°35'38" EAST. A DISTANCE OF 373.31 FEET: THENCE SOUTH 62°56'57" WEST, A DISTANCE OF 710.69 FEET; THENCE SOUTH 09°44'53" WEST, A DISTANCE OF 529.29 FEET; THENCE NORTH 89°57'05" EAST, A DISTANCE OF 1118.66 FEET; THENCE NORTH 35°27'24" EAST, A DISTANCE OF 161.02 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE

SOUTH AND HAVING A RADIUS OF 200.00 FEET; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 130°29'58", AN ARC DISTANCE OF 455.53; THENCE SOUTH 14°02'38" EAST, A DISTANCE OF 439.21 FEET; THENCE SOUTH 11°24'07" WEST, A DISTANCE OF 156.51 FEET; THENCE SOUTH 71°27'22" EAST, A DISTANCE OF 42.42 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 590.92 FEET, THE CHORD OF WHICH BEARS NORTH 15°05'33" EAST, 71.15 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 71.19 FEET THROUGH A CENTRAL ANGLE OF 06°54'10"; THENCE NORTH 18°32'38" EAST, A DISTANCE OF 400.72 FEET; THENCE NORTH 26°27'22" WEST, A DISTANCE OF 35.36 FEET; THENCE NORTH 18°32'38" EAST, A DISTANCE OF 53.26 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 58.00 FEET, A CENTRAL ANGLE OF 49°08'12", AND A CHORD BEARING OF NORTH 06°01'28" WEST, 48.23 FEET; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 49.74 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 130.00 FEET, THE CHORD OF WHICH BEARS SOUTH 68°33'21" EAST, 159.94 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 172.27 FEET THROUGH A CENTRAL ANGLE OF 75°55'32" TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 58.00 FEET, THE CHORD OF WHICH BEARS SOUTH 46°00'46" WEST, 53.51 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 55.61 FEET THROUGH A CENTRAL ANGLE OF 54°56'15"; THENCE SOUTH 18°32'38" WEST, A DISTANCE OF 56.55 FEET; THENCE SOUTH 63°32'38" WEST, A DISTANCE OF 14.14 FEET; THENCE SOUTH 18°32'38" WEST, A DISTANCE OF 400.72 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 510.92 FEET, A CENTRAL ANGLE OF 10°54'07", AND A CHORD BEARING OF SOUTH 13°05'35" WEST, 97.07 FEET; THENCE SOUTHERLY ALONG THE ARC A DISTANCE OF 97.22 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 52°41'52"; THENCE SOUTHERLY ALONG THE ARC, A DISTANCE OF 27.59 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 85°47'17"; THENCE SOUTHERLY ALONG THE ARC, A DISTANCE OF 112.30 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 30.00 FEET, THE CHORD OF WHICH BEARS NORTH 64°49'38" EAST, 24.49 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 25.23 FEET THROUGH A CENTRAL ANGLE OF 48°11'23"; THENCE NORTH 88°55'19" EAST, A DISTANCE OF 154.21 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 11°32'34", AND A CHORD BEARING OF NORTH 83°09'02" EAST, 56.31 FEET; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 56.41 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1,480.00 FEET, THE CHORD OF WHICH BEARS SOUTH 35°57'58" WEST, 2.91 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 2.91 FEET THROUGH A CENTRAL ANGLE OF 00°06'46"; THENCE SOUTH 35°54'36" WEST, A DISTANCE OF 835.47 FEET; THENCE

SOUTH 00°28'44" WEST ALONG SAID NON-RADIAL LINE, A DISTANCE OF 2288.82 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY PROLONGATION OF THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED BY SPECIAL WARRANTY DEED TO METROPOLITAN LIFE INSURANCE COMPANY RECORDED IN OFFICIAL RECORDS BOOK 477, PAGE 560 PUBLIC RECORDS OF SAID ST, LUCIE COUNTY; THENCE SOUTH 89°50'39" EAST ALONG SAID NORTH LINE, A DISTANCE OF 5976.30 FEET; THENCE NORTH 00°02'54" WEST DEPARTING SAID NORTH LINE, A DISTANCE OF 3277.26 FEET; THENCE NORTH 89°67'06" EAST, A DISTANCE OF 200.00 FEET; THENCE NORTH 00°02'34" WEST, A DISTANCE OF 12.84 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 54°35'41", AN ARC DISTANCE OF 166.75 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 300.00 FEET, SAID POINT ALSO BEING THE SOUTHERLY BOUNDARY OF THE SAID PLAT OF TRADITION PLAT NO. 6; THENCE TRAVERSING THE SAID SOUTHERLY BOUNDARY BY THE FOLLOWING THREE (3) COURSES;

1. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 19°13'06", AN ARC DISTANCE OF 100.63 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 175.00 FEET;
2. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 54°37'37", AN ARC DISTANCE OF 166.85 FEET TO A POINT OF TANGENCY WITH A LINE;
3. NORTH 89°57'05" EAST ALONG SAID LINE, A DISTANCE OF 2428.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 2727.453 ACRES, MORE OR LESS.

EXHIBIT “B”to EXHIBIT “1”
MAP H PLAN OF DEVELOPMENT

EXHIBIT B TRADITION Map H

DRI MAP H LEGEND:

- PROPOSED RIGHTS-OF-WAY
- UTILITY EASEMENT
- STORMWATER MANAGEMENT
- RESIDENTIAL
- TOWN CENTER
- VILLAGE CENTER
- MIXED USE
- PARK/OPEN SPACE
- SCHOOL
- COMMERCIAL GENERAL
- CONSERVATION AREA (W-#)

NOTES:

1/ PROPOSED RIGHTS-OF-WAY AND STORMWATER MANAGEMENT PONDS, PBD/BIKE PATHS, SCHOOLS, PARKS, FIRE STATION, AND CIVIC SITES SHOWN FOR ILLUSTRATION ONLY. LOCATIONS SUBJECT TO CHANGE.

2/ ALL ACRES ARE APPROXIMATE

TRADITION		
Wetlands		
ID		Wetland (ac)
W-1		3.930
W-22		3.760
W-22A		0.250
W-24		1.210
W-24A		0.69
W-27		0.71
W-28		0.16
W-29		1.76
W-30		1.460
W-31		5.750
W-32		10.270
W-40		1.710
W-48		3.340
W-56		0.160
W-73		1.960
W-75		3.090
W-77		1.440
W-80		1.130
W-81		0.610
AW-12		11.310
AW-40A		7.170
AW-40B		1.570
AW-41		5.260
AW-43		6.730
AW-46		3.700
AW-52A		7.080
AW-52B		1.610
AW-55		5.000
AW-61		2.850
AW-62A		12.260
AW-62B		2.830
Total		110.760

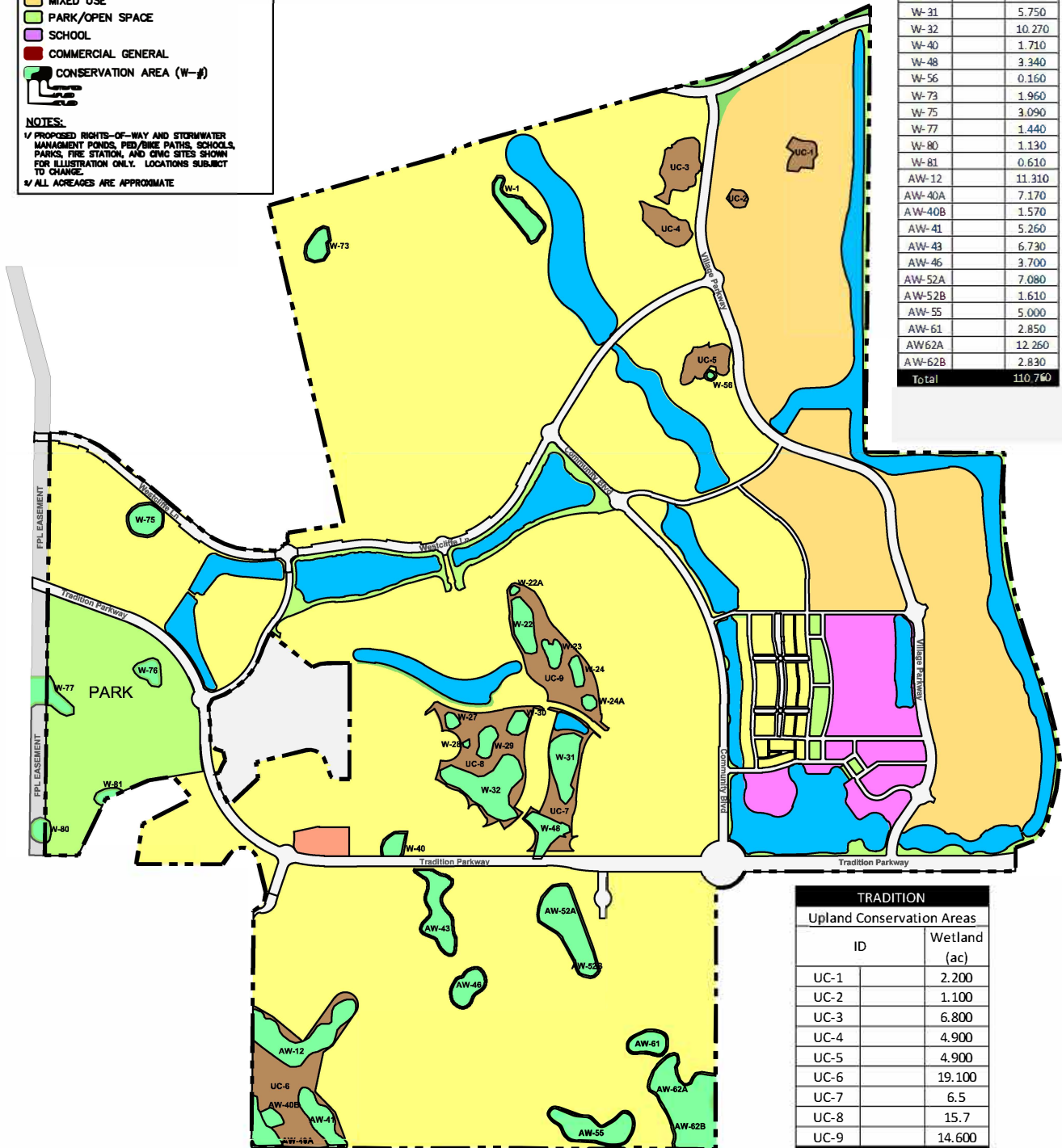


EXHIBIT “C”
AUDUBON CRESTED CARACARA STUDY AREA

**Revised
Exhibit C
Audubon Crested Caracara
Study Area**

The diagram shows a square plot labeled "10 AC." with a crosshair in the center. To the right, a quarter-circle arc is drawn with its center at the bottom-right corner of the square. The arc starts at a point labeled "1500 FT." on the left and ends at a point labeled "0 FT." on the right. The text "5 MIN. WALK" is written below the arc.

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REVISED: Jun. 06, 2003

Exhibit D

DEFINITIONS: *Exotic*—a species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida. *Native*—a species whose natural range included Florida at the time of European contact (1500 AD). *Naturalized exotic*—an exotic that sustains itself outside cultivation (it has not "become" native). *Invasive exotic*—an exotic that not only has naturalized but is expanding on its own in Florida plant communities.

Abbreviations used: for "Gov. List": **P** = Prohibited by Fla. Dept. of Environ. Protection, **N** = Noxious Weed listed by Fla. Dept. of Agriculture & Consumer Services, **U** = Noxious Weed listed by U.S. Dept. of Agriculture. for "Reg. Dis.": N = north, C = central, S = south, referring to each species' current distribution in general regions of Florida (not its potential range in the state). See map.



LIST PREPARED BY THE *Florida*
Exotic Pest Plant Council's

PEST PLANT LIST COMMITTEE:

- Keith A. Bradley, Institute for Regional Conservation, 22601 S.W. 152nd Ave., Miami, FL 33170
Kathy Craddock Burks (CHAIR), Invasive Plant Management, Florida Dept. of Environmental Protection, 3800 Commonwealth Blvd., MS 705, Tallahassee, FL 32399
Nancy Craft Coile, Botanist Emeritus, Division of Plant Industry, Florida Dept. of Agriculture and Consumer Services, 22804 N.W. CR-2054, Alachua, FL 32615
James G. Duquesnel, Florida Park Service, Fla. Dept. of Environmental Protection, P.O. Box 487, Key Largo, FL 33037
Edward Freeman, The Nature Conservancy, 1413 Boulevard of the Arts, Sarasota, FL 34236
David W. Hall, Private Consulting Botanist, 3666 N.W. 13th Place, Gainesville, FL 32605
Roger L. Hammer, Miami-Dade Parks Department, Castellow Hammock Nature Center, 22301 S.W. 162nd Ave., Miami, FL 33030
Kenneth A. Langeland, Center for Aquatic and Invasive Plants, IFAS, University of Florida, 7922 N.W. 71st St., Gainesville, FL 32606
Robert W. Pemberton, Agricultural Research Station, U.S. Department of Agriculture, 2305 College Ave., Ft. Lauderdale, FL 33314
Daniel B. Ward, Department of Botany, 220 Bartram Hall, University of Florida, Gainesville, FL 32611
Richard P. Wunderlin, Institute for Systematic Botany, Department of Biological Sciences, University of South Florida, Tampa, FL 33620

For more information on invasive exotic plants, including links to related web pages, visit the

Florida EPPC web site: <http://www.fleppc.org>

Category I - Invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives. *This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused.*

Scientific Name	Common Name	Reg. Dis.	Gov. List	Scientific Name	Common Name	Reg. Dis.	Gov. List
<i>Abrus precatorius</i>	rosary pea	C, S		<i>Lygodium japonicum</i>	Jap. climbing fern	NCS	N
<i>Acacia auriculiformis</i>	earleaf acacia	S		<i>Lygodium microphyllum</i>	Old World climbing fern	C, S	N
<i>Albizia julibrissin</i>	mimosa, silk tree	N, C		<i>Macfadyena unguis-cati</i>	cat's-claw vine	NCS	
<i>Albizia lebbbeck</i>	woman's tongue	C, S		<i>Manilkara zapota</i>	sapodilla	S	
<i>Ardisia crenata</i>	coral ardisia	N, C		<i>Melaleuca</i>	melaleuca	C, S	P, N, U
<i>Ardisia elliptica</i>	shoebutton ardisia	S		<i>quinquenervia</i>			
<i>Asparagus densiflorus</i>	asparagus-fern	C, S		<i>Melia azedarach</i>	Chinaberry	NCS	
<i>Bauhinia variegata</i>	orchid-tree	C, S		<i>Mimosa pigra</i>	catclaw mimosa	C, S	P, N, U
<i>Bischofia javanica</i>	bischofia	C, S		<i>Nandina domestica</i>	heavenly bamboo	N	
<i>Calophyllum antillanum</i>	santa maria ("mast wood," "Alexandrian laurel" used in cultivation)	S		<i>Nephrolepis cordifolia</i>	sword fern	NCS	
<i>Casuarina equisetifolia</i>	Australian pine	NCS	P	<i>Nephrolepis multiflora</i>	Asian sword fern	C, S	
<i>Casuarina glauca</i>	suckering Australian pine	C, S	P	<i>Neyraudia reynaudiana</i>	Burma reed	C, S	N
<i>Cinnamomum camphora</i>	camphor tree	NCS		<i>Paederia cruddasiana</i>	sewer vine	S	N
<i>Colocasia esculenta</i>	taro, wild taro	NCS		<i>Paederia foetida</i>	skunk vine	N, C	N
<i>Colubrina asiatica</i>	latherleaf	S		<i>Panicum repens</i>	torpedo grass	NCS	
<i>Cupaniopsis anacardioides</i>	carrotwood	C, S	N	<i>Pennisetum purpureum</i>	Napier grass	C, S	
<i>Dioscorea alata</i>	winged yam	NCS	N	<i>Pistia stratiotes</i>	water-lettuce	NCS	P
<i>Dioscorea bulbifera</i>	air-potato	NCS	N	<i>Psidium cattleianum</i>	strawberry guava	C, S	
<i>Eichhornia crassipes</i>	water-hyacinth	NCS	P	<i>Psidium guajava</i>	guava	C, S	
<i>Eugenia uniflora</i>	Surinam-cherry	C, S		<i>Pueraria montana</i>	kudzu vine	NCS	N, U
<i>Ficus microcarpa</i>	laurel fig	S		<i>Rhodomyrtus tomentosa</i>	downy rose-myrtle	C, S	N
<i>Hydrilla verticillata</i>	hydrilla	NCS	P, U	<i>Ruellia brittoniana</i>	Mexican petunia	NCS	
<i>Hygrophila polysperma</i>	green hygro	NCS	P, U	<i>Sapium sebiferum</i>	Chinese tallow	NCS	N
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass	C, S		<i>Scaevola sericea</i>	beach naupaka	C, S	
<i>Imperata cylindrica</i>	cogon grass	NCS	N, U	<i>Schefflera actinophylla</i>	schefflera	C, S	
<i>Ipomoea aquatica</i>	water-spinach	C	P, U	<i>Schinus terebinthifolius</i>	Brazilian pepper	NCS	P, N
<i>Jasminum dichotomum</i>	Gold Coast jasmine	C, S		<i>Senna pendula</i>	Christmas senna	C, S	
<i>Jasminum fluminense</i>	Brazilian jasmine	C, S		<i>Solanum tampicense</i>	wetland nightshade	C, S	N, U
<i>Lantana camara</i>	lantana	NCS		<i>Solanum viarum</i>	tropical soda apple	NCS	N, U
<i>Ligustrum lucidum</i>	glossy privet	N, C		<i>Syngonium podophyllum</i>	arrowhead vine	C, S	
<i>Ligustrum sinense</i>	Chinese privet	NCS		<i>Syzygium cumini</i>	Java plum	S	
<i>Lonicera japonica</i>	Japanese honeysuckle	NCS		<i>Tectaria incisa</i>	incised halberd fern	S	
				<i>Thespesia populnea</i>	seaside mahoe	C, S	
				<i>Tradescantia fluminensis</i>	white-flowered wandering Jew	N, C	
				<i>Tradescantia spathacea</i>	oyster plant	S	
				<i>Urochloa mutica</i>	Pará grass	C, S	

Category II - Invasive exotics that have increased in abundance or frequency but have not yet altered Florida plant communities to the extent shown by Category I species. *These species may become ranked as Category I, if ecological damage is demonstrated.*

Scientific Name	Common Name	Reg. Dis.	Gov. List
<i>Adenanthera pavonina</i>	red sandalwood	S	P
<i>Agave sisalana</i>	sisal hemp	C, S	
<i>Aleurites fordii</i>	tung oil tree	N, C	
<i>Alstonia macrophylla</i>	devil-tree	S	
<i>Alternanthera philoxeroides</i>	alligator weed	NCS	
<i>Antigonon leptopus</i>	coral vine	NCS	P
<i>Aristolochia littoralis</i>	calico flower	N, C	
<i>Asystasia gangetica</i>	Ganges primrose	C, S	
<i>Begonia cucullata</i>	wax begonia	N, C	
<i>Broussonetia papyrifera</i>	paper mulberry	N, C	
<i>Callisia fragrans</i>	inch plant	C, S	P
<i>Casuarina cunninghamiana</i>	Australian pine	C, S	
<i>Cecropia palmata</i>	trumpet tree	S	
<i>Cestrum diurnum</i>	day jessamine	C, S	
<i>Chamaedorea seifrizii</i>	bamboo palm	S	
<i>Cryptostegia madagascariensis</i>	rubber vine	C, S	P
<i>Cyperus involucratus</i> (C. alternifolius mis-applied)	umbrella plant	C, S	
<i>Cyperus prolifer</i>	dwarf papyrus	C	
<i>Dalbergia sissoo</i>	Indian rosewood	C, S	
<i>Elaeagnus pungens</i>	silverthorn	N, C	
<i>Epipremnum pinnatum</i> cv. Aureum	pothos	C, S	P
<i>Ficus altissima</i>	false banyan, council tree	S	
<i>Flacourtia indica</i>	governor's plum	S	
<i>Hemarthria altissima</i>	limpo grass	C, S	
<i>Hibiscus tiliaceus</i>	mahoe	C, S	
<i>Ipomoea fistulosa</i> (= I. carnea ssp. fistulosa)	shrub morning-glory	C, S	
<i>Jasminum sambac</i>	Arabian jasmine	S	P
<i>Kalanchoe pinnata</i>	life plant	C, S	
<i>Koelreuteria elegans</i>	flamegold	C, S	

Scientific Name	Common Name	Reg. Dis.	Gov. List
<i>Leucaena leucocephala</i>	lead tree	NCS	P
<i>Limnophila sessiliflora</i>	Asian marshweed	NCS	
<i>Livistona chinensis</i>	Chinese fan palm	C, S	
<i>Merremia tuberosa</i>	wood-rose	S	
<i>Murraya paniculata</i>	orange-jessamine	S	
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil	NCS	P
<i>Nymphoides cristata</i>	snowflake	C, S	
<i>Panicum maximum</i>	Guinea grass	C, S	
<i>Passiflora biflora</i>	2-flowr. passion v.	S	
<i>Pennisetum setaceum</i>	green fountain grass	S	
<i>Phoenix reclinata</i>	Senegal date palm	C, S	P
<i>Phyllostachys aurea</i>	golden bamboo	N, C	
<i>Pteris vittata</i>	Chinese brake fern	NCS	
<i>Ptychosperma elegans</i>	solitaire palm	S	
<i>Rhynchelytrum repens</i>	Natal grass	NCS	
<i>Ricinus communis</i>	castor bean	NCS	P
<i>Sansevieria hyacinthoides</i>	bowstring hemp	C, S	
<i>Sesbania punicea</i>	purple sesban	NCS	
<i>Solanum diphyllum</i>	2-leaf nightshade	NCS	
<i>Solanum jamaicense</i>	Jamaica nightshade	C	
<i>Solanum torvum</i>	turkey berry	NCS	P
<i>Syagrus romanzoffiana</i> (= <i>Arecastrum romanzoffianum</i>)	queen palm	C, S	
<i>Syzygium jambos</i>	rose-apple	C, S	
<i>Terminalia catappa</i>	tropical almond	C, S	
<i>Terminalia muelleri</i>	Australian almond	C, S	
<i>Tribulus cistoides</i>	puncture vine	NCS	P
<i>Urena lobata</i>	Caesar's weed	NCS	
<i>Wedelia trilobata</i>	wedelia	NCS	
<i>Wisteria sinensis</i>	Chinese wisteria	N,C	
<i>Xanthosoma sagittifolium</i>	elephant ear	NCS	



Application for Membership
in the
Florida **Exotic Pest Plant Council**

Annual Membership Levels
(CIRCLE ONE)

Individual

Institutional

Student	\$10	Library	\$100
General	\$20	Contributor	\$500
Contributor	\$50	Donor	\$501 - \$10,000
Donor	over \$50	Patron	over \$10,000

Name

Organization

Mailing Address

City, State, Zip

Telephone

Fax

E-mail

Mail application & dues to:

Kris Serbesoff-King
3301 Gun Club Rd.
West Palm Beach, FL 33406

(Or sign up on-line at www.fleppc.org .)



Florida
Exotic Pest Plant Council's
2003 List of
Invasive Species

PURPOSE OF THE LIST:

To focus attention on 1) the adverse effects exotic pest plants currently have on Florida's native biodiversity and the functioning of native plant communities, 2) the habitat losses from exotic pest plant infestations, 3) the impacts on endangered species via habitat loss and alteration, 4) the need to prevent habitat losses through pest-plant management, 5) the socio-economic impacts of these plants (e.g., increased wildfires in Melaleuca areas), 6) changes in the seriousness of different pest plants over time, and 7) the need to provide information that helps natural area managers set priorities for control programs.

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Exhibit E (Revised)
Tradition DRI
Developer Proportionate Share and Construction Contributions

Roadway	Link	Construction Type (1)	Exist. Lanes	Exist. Peak Hour Capacity	Required Improvement	Improvement Length (Miles)	Future Peak Hour Capacity	Additional Peak Hour Capacity	Project Trips	Proportionate Share (%)	Construction Cost per Centerline Mile (3)	R.O.W. Cost per Mile (3)	Engineering Cost per Mile (3)	Total Cost per Mile	Total Cost	Proportionate Share Cost	Construction Contribution Credit
Gatlin Blvd.	Road "B" to I-95	R	0		Build 2 Lanes	1.00	890	890	890	100.00%	\$ 2,172,500	\$ 434,460	\$ 782,028	\$ 3,388,788	\$ 3,388,788	\$	-
	Road "B" to I-95	R	2	890	Add 2 Lanes	1.00	1860	970	335	34.54%	\$ 2,381,600	\$ 476,320	\$ 857,376	\$ 3,715,296	\$ 3,715,296	\$	2,432,033
	Commerce Center Pkwy to I-95	U	4	1860	Add 2 Lanes	0.55	2790	930	646	69.46%	\$ 2,754,600	\$ 550,920	\$ 991,656	\$ 4,297,176	\$ 2,363,447	\$ 1,641,650	\$ 721,797
	Sub-Total						2790		1871 (2)	67.06%	\$ -	\$ -	\$ -	\$ -	\$ 9,467,531	\$ 6,348,926	
Commerce Centre Pkwy.	Gatlin to N Westchester	U	0		Build 2 Lanes	2.55	890	890	890	100.00%	\$ 2,821,800	\$ 564,360	\$ 1,015,848	\$ 4,402,008	\$ 11,225,120	\$ 11,225,120	\$ -
	Gatlin to N Westchester	U	2	890	Add 2 Lanes	2.55	1620	730	257	35.21%	\$ 2,812,900	\$ 562,580	\$ 1,012,644	\$ 4,388,124	\$ 11,189,716	\$ 3,999,899	\$ 7,248,817
	Sub-Total						1620		1147 (2)	70.80%	\$ -	\$ -	\$ -	\$ -	\$ 22,414,836	\$ 15,869,704	
TOTALS											\$ 12,945,200	\$ 2,586,640	\$ 4,659,552	\$ 20,191,392	\$ 31,882,367	\$ 22,218,630	\$ 9,663,737

Tradition DRI
Proportionate Share

Roadway	Link	Construction Type (1)	Exist. Lanes	Exist. Peak Hour Capacity	Required Improvement	Improvement Length (Miles)	Future Peak Hour Capacity	Additional Peak Hour Capacity	Project Trips (2)	Proportionate Share	Construction Cost per Centerline Mile (3)	R.O.W. Cost per Mile (3)	Engineering Cost per Mile (3)	Total Cost per Mile	Total Cost	Proportionate Share Cost
Port St. Lucie Blvd.	Del Rio Blvd to Bayshore Blvd. (4)	U	6	2790	Add 2 Lanes	0.75	3540	750	302	40.267%	\$ 3,100,100	\$ 620,020	\$ 1,116,036	\$ 4,836,156	\$ 3,827,117	\$ 1,460,531
	Airosso Blvd to Floresta Dr.	U	6	2790	Add 2 Lanes	0.60	3540	750	242	32.267%	\$ 3,100,100	\$ 620,020	\$ 1,116,036	\$ 4,836,156	\$ 2,901,684	\$ 936,290
St Lucie West Blvd./Prima Vista Blvd.	Commerce Center Pkwy. to I-95	R	2	890	Add 2 Lanes	0.50	1860	970	625	64.433%	\$ 2,381,600	\$ 476,320	\$ 857,376	\$ 3,715,296	\$ 1,857,648	\$ 1,196,938
	I-95 Bridge (5)	R	2	890	Add 2 Lanes	15000 SF	1860	970	625	64.433%	\$ 1,425,000	\$ 57,000	\$ 513,000	\$ 1,995,000	\$ 1,995,000	\$ 1,285,438
	I-95 to NW Peacock Blvd.	R	4	1860	Add 2 Lanes	0.30	2790	930	625	67.204%	\$ 2,652,200	\$ 530,440	\$ 954,792	\$ 4,137,432	\$ 1,241,230	\$ 834,156
	NW Peacock Blvd to California Blvd.	R	4	1860	Add 2 Lanes	0.40	2790	930	483	51.935%	\$ 2,652,200	\$ 530,440	\$ 954,792	\$ 4,137,432	\$ 1,654,973	\$ 859,510
	California Blvd to Country Club	R	4	1860	Add 2 Lanes	0.25	2790	930	341	36.667%	\$ 2,652,200	\$ 530,440	\$ 954,792	\$ 4,137,432	\$ 1,034,358	\$ 379,268
	Country Club Dr. to Bethany Dr.	R	4	1860	Add 2 Lanes	0.60	2790	930	341	36.667%	\$ 2,652,200	\$ 530,440	\$ 954,792	\$ 4,137,432	\$ 2,462,459	\$ 910,243
California Blvd.	Bethany Dr. to Cashmere Blvd.	R	4	1860	Add 2 Lanes	0.40	2790	930	341	36.667%	\$ 2,652,200	\$ 530,440	\$ 954,792	\$ 4,137,432	\$ 1,654,973	\$ 866,629
	Heatherwood Blvd to Prima Vista Blvd.	R	2	760	Add 2 Lanes	0.80	1620	860	60	6.977%	\$ 2,381,600	\$ 476,320	\$ 857,376	\$ 3,715,296	\$ 2,972,237	\$ 207,373
West Midway Rd.	East Torino Pkwy to Selvitz Rd.	R	2	890	Add 2 Lanes	2.40	1860	970	113	11.649%	\$ 2,381,600	\$ 476,320	\$ 857,376	\$ 3,715,296	\$ 8,916,710	\$ 1,098,708
	Selvitz Rd to 25th St.	R	2	890	Add 2 Lanes	1.00	1860	970	85	8.763%	\$ 2,381,600	\$ 476,320	\$ 857,376	\$ 3,715,296	\$ 3,715,296	\$ 325,571
TOTALS											\$ 5,854,520	\$ 10,948,536	\$ 47,215,656	\$ 34,053,695	\$ 10,040,855	\$ 10,040,855
Balance																\$ 377,118

(1) "R" represents a roadway with an open swale drainage system and "U" represents a roadway with a closed drainage system.
(2) Project Trips are total trips at project buildout.
(3) 2002 Transportation Costs, FDOT, March 2003.
(4) Link includes required intersection improvements at PSU/Bayshore.
(5) Bridge is 300' long and 50' wide at \$95.00 per Square Foot.

EXHIBIT F

TRADITION DRIVE
TRIP CONVERSION MATRIX
TOTAL BUILDOUT PM PEAK HOUR

TO			1 Resid. Single Family Unit	1 Resid. Multi- Family Unit	1000 SF Commercial	1000 SF Office	1000 SF Warehouse	1 Hotel room	1 ALF bed
	ITE Code	PM New Total Trip Rate							
FROM			0.717	0.560	3.279	1.182	0.980	0.710	0.170
1 Residential Single Family Unit	210	0.717	1.000	1.280	0.219	0.607	0.732	1.010	4.218
1 Residential Multi-Family Unit	220	0.560	0.781	1.000	0.171	0.474	0.571	0.789	3.294
1000 SF Commercial	820	3.279	4.573	5.855	1.000	2.774	3.346	4.618	19.288
1000 SF Office	710	1.182	1.649	2.111	0.360	1.000	1.206	1.665	6.953
1000 SF Warehouse	110	0.980	1.367	1.750	0.299	0.829	1.000	1.380	5.765
1 Hotel room	310	0.710	0.990	1.268	0.217	0.601	0.724	1.000	4.176
1 ALF bed	252	0.170	0.237	0.304	0.052	0.144	0.173	0.239	1.000

Land Use	DO	Minimum	Maximum
SF Residential (DU)	5,945	4,459	7,431
MF Residential (DU)	1,000	750	1,250
Commercial (SF)	950,000	712,500	1,187,500
Office (SF)	700,000	525,000	875,000
Warehouse (SF)	90,000	67,500	112,500
Hotel (rooms)	150	113	188
ALF (beds)	300	225	375

REVISED EXHIBIT F
TRADE-OFF EQUIVALENCY MATRIX

TRADITION DRI
 Trip conversion Matrix
 Total Buildout PM Peak Hour

		TRADE OFF TO CREATE THIS USE								
		Use		Residential SF	Residential MF	Commercial	Office	Warehouse	1 Hotel Room	Assisted Living Facility
	Use	Unit	PM Trip Rate	DU	DU	1000 SF	1000 SF	1000 SF	RM	Bed
				0.717	0.560	3.279	1.182	0.980	0.710	0.170
	1 Residential SF	DU	0.717	1,000	1.280	0.219	0.607	0.732	1.010	4.218
	1 Residential MF	DU	0.560	0.781	1,000	0.171	0.474	0.571	0.789	3.294
	Commercial	1000 SF	3.279	4.573	5.855	1,000	2.774	3.346	4.618	19.288
	Office	1000 SF	1.182	1.649	2.111	0.360	1,000	1.206	1.665	6.953
	Warehouse	1000 SF	0.980	1.367	1.750	0.299	0.829	1,000	1.380	5.765
	1 Hotel Room	RM	0.710	0.990	1.168	0.217	0.601	0.724	1,000	4.176
	Assisted Living Facility	Bed	0.170	0.237	0.287	0.622	0.144	0.173	0.239	1,000

Land Use	Unit	DO	Minimum	Maximum
SF Residential	DU	4,990	3,743	6,238
MF Residential	DU	1,568	1,176	1,960
Commercial	SF	904,295	678,221	1,130,369
Office	SF	467,823	350,867	584,779
Warehouse	SF	177,046	132,785	354,092
Hotel Room	RM	150	113	188
Assisted Living Facility	Bed	420	315	525

Exhibit G

PROPERTY

LEGAL DESCRIPTION

BEING A PARCEL OF LAND LYING IN A PORTION OF LOT 1, ACCORDING TO THE PLAT OF TRADITION PLAT NO. 59, AS RECORDED IN PLAT BOOK 60, PAGE 8, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

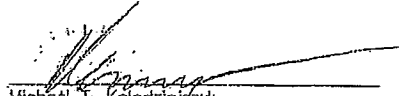
COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING 4 COURSES AND DISTANCES; THENCE N08°20'33"W A DISTANCE OF 22.76 FEET; THENCE N05°33'00"W A DISTANCE OF 296.59 FEET; THENCE N06°47'54"W A DISTANCE OF 44.39 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

THENCE S85°21'57"W A DISTANCE OF 778.41 FEET; THENCE N04°38'03"W A DISTANCE OF 340.46 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1,092.61 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 170.41 FEET THROUGH A CENTRAL ANGLE OF 08°56'10"; THENCE S82°05'00"W A DISTANCE OF 349.90 FEET TO THE EASTERLY LINE OF TRACT R-39 ACCORDING TO THE PLAT OF TRADITION PLAT NO. 36, AS RECORDED IN PLAT BOOK 49, PAGE 28, AND TO AN INTERSECTION WITH A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 745.21 FEET, THE CHORD OF WHICH BEARS N18°34'10"W; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID EASTERLY LINE OF TRACT R-39, A DISTANCE OF 61.07 FEET THROUGH A CENTRAL ANGLE OF 04°41'43" TO THE SOUTH LINE OF PARCEL 3 OF SAID TRADITION PLAT NO. 36; THENCE N82°05'00"E, ALONG SAID SOUTH LINE, A DISTANCE OF 289.39 FEET TO THE EASTERLY LINE OF SAID PARCEL 3; THENCE N07°55'00"W, ALONG SAID EASTERLY LINE, A DISTANCE OF 250.00 FEET TO THE NORTHERLY LINE OF SAID LOT 1; THENCE ALONG THE NORTHERLY AND EASTERLY LINE OF SAID LOT 1 THE FOLLOWING 9 COURSES AND DISTANCES; THENCE N79°05'50"E A DISTANCE OF 178.09 FEET; THENCE N81°30'32"E A DISTANCE OF 158.84 FEET; THENCE N79°11'01"E A DISTANCE OF 39.04 FEET; THENCE N85°27'23"E A DISTANCE OF 147.21 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 350.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 387.97 FEET THROUGH A CENTRAL ANGLE OF 63°30'39" TO THE POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 500.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE 259.03 FEET THROUGH A CENTRAL ANGLE OF 29°40'59"; THENCE S01°20'59"E A DISTANCE OF 147.45 FEET; THENCE S04°31'55"E A DISTANCE OF 100.31 FEET; THENCE S06°47'54"E A DISTANCE OF 156.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 15.485 ACRES, MORE OR LESS.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.


Michael T. Kolodziejczyk
Professional Surveyor and Mapper
Florida Certificate No. 3864

7-27-09
Signature Date

REVISION: CHANGED AREA & LEGAL DESCRIPTION GLM 7-27-09

Sheet 1 of 2

DESCRIPTION
OF
15 ACRE PARCEL

File: 08-242-WA05
sdc-15ac-A.dwg
Date: 7-08-2009

Tech: GLM

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET
FORT PIERCE, FLORIDA 34981
PHONE 772-464-3537 FAX 772-464-9497
www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. 18 426

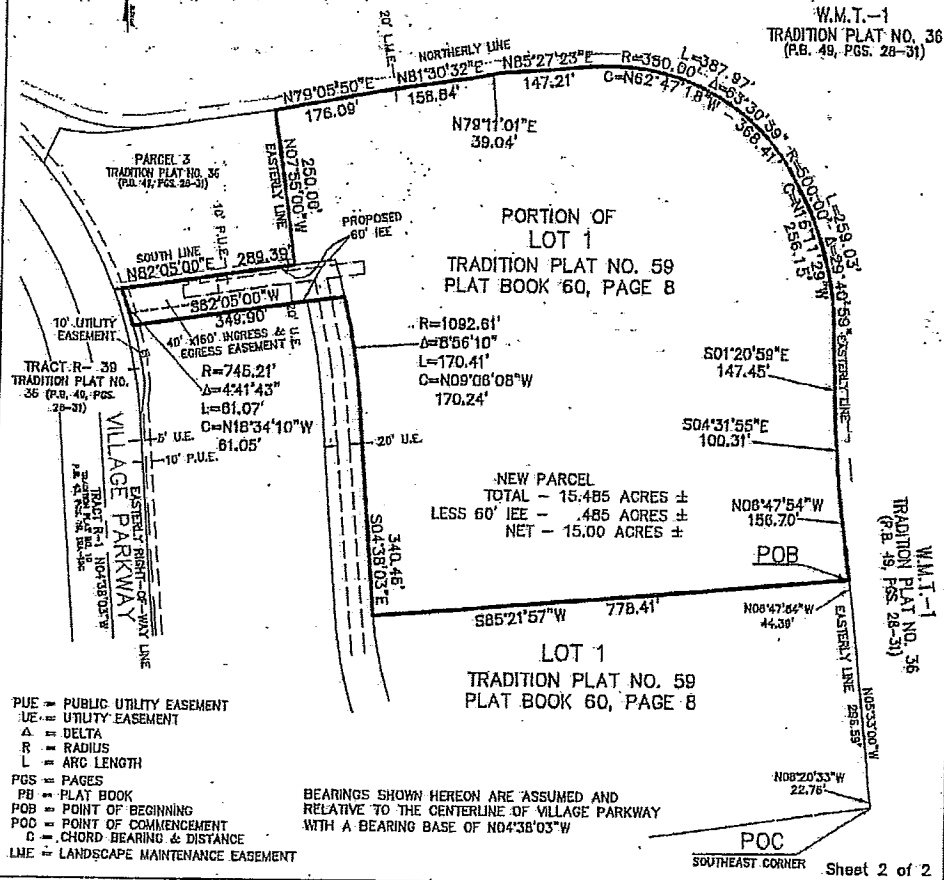
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY



W.M.T.-1
TRADITION PLAT NO. 36
(P.B. 49, PGS. 28-31)

W.M.T.-1
TRADITION PLAT NO. 36
(P.B. 49, PGS. 28-31)



SKETCH OF DESCRIPTION
OF
15 ACRE PARCEL

File: 08-242-WA05
s&d-15ac-A.dwg
Date: 7-08-2009
Tech: GLM



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