

**1. Statement of Intent**

DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF COMMUNITY PLANNING  
BUREAU OF LOCAL PLANNING  
2555 Shumard Oak Blvd. - The Sadowski Building  
Tallahassee, Florida 32399

DEVELOPMENT OF REGIONAL IMPACT  
APPLICATION FOR DEVELOPMENT APPROVAL  
UNDER SECTION 380.06, FLORIDA STATUTES

I, Kenneth Tuma, the undersigned ~~owner~~/ authorized agent of Scripps Florida  
(Authorized agent)

Phase II / Briger Tract DRI, hereby propose to undertake a Development of Regional  
(name of development)

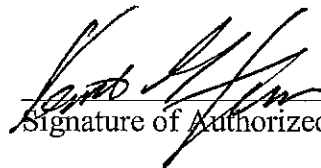
Impact as defined in Section 380.06, Florida Statutes (F.S.), and Chapter 28-24,

Florida Administrative Code (F.A.C.). In support thereof I submit the following

information concerning Scripps Florida Phase II / Briger Tract DRI, which information  
(name of development)

is true and correct to the best of my knowledge.

12-18-08  
Date

  
Signature of Authorized Agent

**2. Owner/Developer (name, address, phone). State whether or not the owner or developer is authorized to do business in the State of Florida pursuant to the provisions of the Florida Statutes.**

**Property Owners**

1. Patricia B. Lester and Howard Lester as Co-Successor Trustees of the David Minkin Florida Trust dated December 12, 1996
2. Richard Thall
3. Robert Thall
4. Peter L. Briger
5. Paul H. Briger
6. The Lester Family Investments, L.P., a Delaware limited partnership

c/o Howard Lester  
44 Cocoanut Row  
Palm Beach, Florida 33480  
Telephone: (561) 835-8118  
Fax: (561) 835-9447

7. Palm Beach County, a Political Subdivision of the State of Florida  
c/o Shannon Larocque-Bass, Assistant County Administrator  
301 N. Olive Avenue, 11<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Telephone: (561) 355-2428  
Fax: (561) 355-3982

**Property Developer**

Undetermined

**Contact Persons**

Ken Tuma, Principal, Urban Design Studio  
477 S. Rosemary Avenue, Suite 225  
West Palm Beach, Florida 33401  
Telephone: (561) 366-1100  
Fax: (561) 366-1111  
Email: ktuma@udsonline.com

Shannon Larocque-Bass, Assistant County Administrator, Palm Beach County  
301 N. Olive Avenue  
West Palm Beach, Florida 33401  
Telephone: (561) 355-2428  
Fax: (561) 355-3982  
Email: slarocqu@pbcgov.org

The property owners are authorized to do business in the State of Florida pursuant to the provisions of the Florida Statutes.

**3. Authorized Agent and Consultants (name, address, phone)**

**Planning & Landscape Architecture**

Urban Design Studio  
c/o Ken Tuma, Managing Partner  
477 S. Rosemary Avenue, Suite 225  
West Palm Beach, Florida 33401-5758  
Ph: 561-366-1100  
Fax: 561-366-1111

Ken Tuma: ktuma@udsonline.com  
Marty Minor: mminor@udsonline.com  
Lindsay Murphy: lmurphy@udsonline.com

**Legal Representation**

Casey Ciklin Lubitz Martens & O'Connell  
c/o Charles Lubitz  
Northbridge Tower  
515 N. Flagler Drive, 19<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Ph: 561-832-5900  
Fax: 561-832-0389  
Email: clubitz@caseyciklin.com

**Traffic Engineering & Transportation Planning**

Susan E. O'Rourke, PE, Inc.  
c/o Susan O'Rourke, President  
428 SW Akron Avenue, Suite 1A  
Stuart, Florida 34994  
Ph: 772-781-7918  
Fax: 772-781-9261  
Email: seorourke@comcast.net

**Environmental Review**

Environmental Services, Inc.  
c/o Mary Lindgren, Vice President  
1410 Park Lane South, Suite 1  
Jupiter, Florida 33458  
Ph: 561-743-5141  
Fax: 561-743-5441  
Email: mlindgren@esinc.cc

**Engineering**

Michael B. Schorah & Associates, Inc.  
c/o Michael Schorah, President  
1850 Forest Hill Boulevard, Suite 206  
West Palm Beach, Florida 33406  
Ph: 561-968-0080  
Fax: 561-642-9726

Michael Schorah: mschorah@schorah.com  
Fred Roth: froth@schorah.com  
Martha Carter: mcarter@schorah.com

**Surveying**

Landmark Surveying & Mapping, Inc.  
c/o Craig Pusey, Vice President, P.S.M.  
1850 Forest Hill Boulevard, Suite 100  
West Palm Beach, Florida 33406  
Ph: 561-433-5405  
Fax: 561-439-3882  
Email: cpusey@landmarksurveying.net

**Economic Analysis**

Thompson Consulting, Inc.  
c/o Carol Thompson, President  
801 S. Olive Avenue, Suite 104  
West Palm Beach, Florida 33401  
Ph: 561-659-6068  
Fax: 561-659-7845  
Email: TCECON@aol.com

*mailing address:*

P.O. Box 1010  
West Palm Beach, Florida 33402

**Archaeological Resources**

Archaeological and Historical Conservancy, Inc.  
c/o Robert Carr, President  
4800 SW 64<sup>th</sup> Avenue, Suite 107  
Davie, Florida 33314  
Ph: 954-792-9776  
Fax: 954-792-9954  
Email: archlgcl@bellsouth.net

**Air Quality**

Kimberly Ann Brown and Associates, Inc.  
c/o Kimberly Brown  
2841 North Ocean Boulevard, Suite 905  
Fort Lauderdale, Florida 33308  
Ph: 954-567-3497  
Fax: 954-567-2549  
Email: kabainc@bellsouth.net

**4. Attach a notarized authorization from all persons or corporations (or authorized agents of said persons or corporations) having fee simple or lessor estate in the site indicating that each of these parties is aware of, and concurs with, the development of this property as described in this Application for Development Approval. Include the names and addresses of all parties with an interest in the property. In addition, include descriptions of any other properties within one-half mile radius of the DRI site in which any of the parties with an interest in the DRI site hold a fee simple or lessor interest.**

Please refer to Exhibit 4-1 on the following pages for the Authorization of Persons or Corporations having Fee Simple or Lessor Estate in the DRI Site. The Persons or Corporations do not own any other properties within one-half mile radius of the DRI site. A Legal Description of the DRI site is attached as Exhibit 4-2.

**EXHIBIT 4-1**

**AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE**

Patricia B. Lester as a Co-Successor Trustee of the David Minkin Florida Realty Trust dated December 12, 1996, the owner of an undivided fractional interest in the fee simple ownership of approximately 611 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

**Witnesses**

Ann Z Anders

Print Name: Ann Z Anders

M Freeman

Print Name: Kellialexis Freeman

Patricia B. Lester

Name: Patricia B. Lester

Office: Co-Successor Trustee of the David Minkin  
Florida Realty Trust

STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of Dec., 2008, by Patricia B. Lester as Co-Successor Trustee of the David Minkin Florida Realty Trust. She personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARY SEAL]

Notary: Ann Z Anders

Notary Public, State of Florida

Print Name: Ann Z Anders

My Commission Expires: 6/13/2010

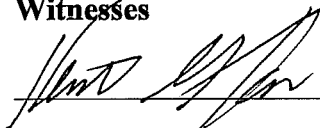


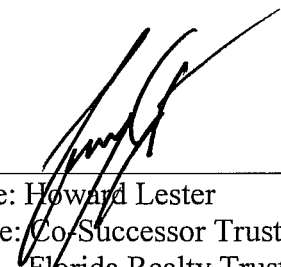
**EXHIBIT 4-1**

**AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE**

Howard Lester as a Co-Successor Trustee of the David Minkin Florida Realty Trust dated December 12, 1996, the owner of an undivided fractional interest in the fee simple ownership of approximately 611 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

**Witnesses**

  
\_\_\_\_\_  
Print Name: Kenneth Terbo

  
\_\_\_\_\_  
Name: Howard Lester  
Office: Co-Successor Trustee of the David Minkin  
Florida Realty Trust

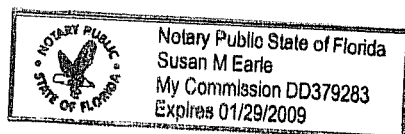
Print Name: Prescott E. Lester  
Prescott E. Lester

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of DECEMBER, 2008, by Howard Lester as Co-Successor Trustee of the David Minkin Florida Realty Trust. He personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARY SEAL]



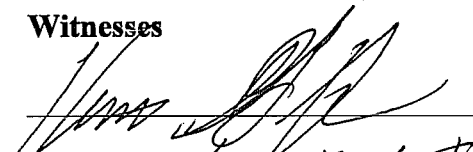
Notary: Susan M. Earle  
Notary Public, State of FLORIDA  
Print Name: SUSAN M. EARLE  
My Commission Expires: 1/29/09


**EXHIBIT 4-1**

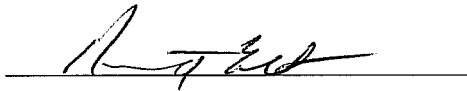
**AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE**

Richard Thall, the owner of an undivided fractional interest in the fee simple ownership of approximately 611 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

**Witnesses**

  
Print Name: Howard L. Lester

  
Name: Richard Thall, by Howard Lester, his Attorney-In-Fact

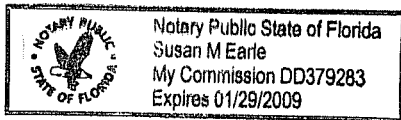
  
Print Name: Prescott E. Lester

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of DECEMBER, 2008, by Howard Lester as Attorney-In-Fact. He personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARY SEAL]



Notary: Susan M. Earle  
Notary Public, State of FLORIDA  
Print Name: SUSAN M. EARLE  
My Commission Expires: 1/29/09

**EXHIBIT 4-1**

**AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE**

Robert Thall, the owner of an undivided fractional interest in the fee simple ownership of approximately 611 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

**Witnesses**

[Signature]  
Print Name: Kimberly C. Turner

[Signature]  
Print Name: Prescott E. Lester

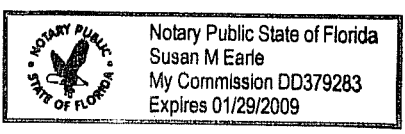
[Signature]  
Name: Robert Thall, by Howard  
Lester, his Attorney-In-Fact

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of DECEMBER, 2008, by Howard Lester as Attorney-In-Fact. He personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARY SEAL]

Notary: Susan M. Earle  
Notary Public, State of FLORIDA  
Print Name: SUSAN M. EARLE  
My Commission Expires: 1/29/09

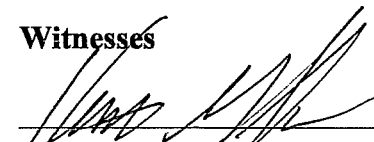


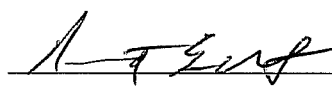
**EXHIBIT 4-1**

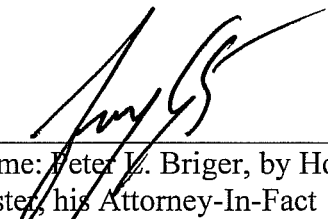
**AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE**

Peter L. Briger, the owner of an undivided fractional interest in the fee simple ownership of approximately 611 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

**Witnesses**

  
\_\_\_\_\_  
Print Name: Kenneth C. Fox

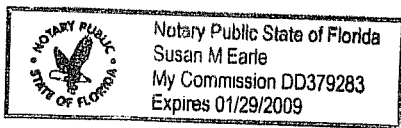
  
\_\_\_\_\_  
Print Name: Prescott E. Lester


  
\_\_\_\_\_  
Name: Peter L. Briger, by Howard Lester, his Attorney-In-Fact

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of DECEMBER, 2008, by Howard Lester as Attorney-In-Fact. He personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARY SEAL]



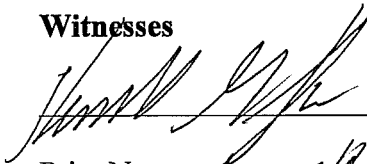
Notary:   
Notary Public, State of FLORIDA  
Print Name: SUSAN M. EARLE  
My Commission Expires: 1/29/09

**EXHIBIT 4-1**

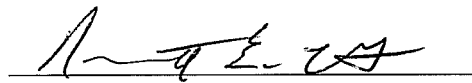
**AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE**

Paul H. Briger, the owner of an undivided fractional interest in the fee simple ownership of approximately 611 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

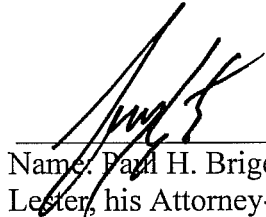
**Witnesses**



Print Name: Kenneth C. Terry



Print Name: Prescott E. Lester

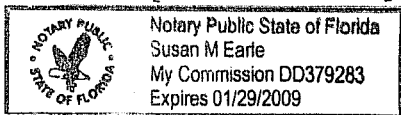
  
Name: Paul H. Briger, by Howard  
Lester, his Attorney-In-Fact

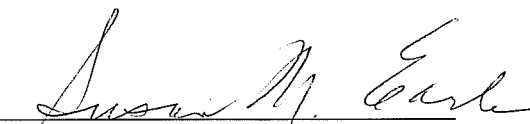
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of DECEMBER, 2008, by Howard Lester as Attorney-In-Fact. He personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARY SEAL]



Notary:   
Notary Public, State of FLORIDA  
Print Name: SUSAN M. EARLE  
My Commission Expires: 1/29/09

**EXHIBIT 4-1**

**AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE**

The Lester Family Investments, L.P. a Delaware limited partnership, the owner of an undivided fractional interest in the fee simple ownership of approximately 611 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

**Witnesses**

[Signature]  
Print Name: Kenneth G. TOWS

**The Lester Family Investments, L.P.  
a Delaware limited partnership**

By: PHL Financial Consulting Co., Inc., General Partner

[Signature]  
Print Name: Prescott E. Lester

By: [Signature]  
Name: Howard Lester  
Office: President

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of DECEMBER, 2008, by Howard Lester known to me to be the President of PHL Financial Consulting Co., Inc. and he acknowledged having executed the same under authority duly vested in him by said corporation. He personally appeared before me, is personally known to me or produced \_\_\_\_\_ as identification, and [did] [did not] take an oath.

[NOTARY SEAL]

Notary: [Signature]

Notary Public, State of FLORIDA

Print Name: SUSAN M. EARLE

My Commission Expires: 1/29/09

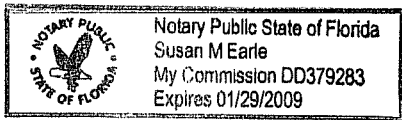


EXHIBIT 4-1

AUTHORIZATION OF PERSONS OR CORPORATIONS  
HAVING FEE SIMPLE OR LESSOR ESTATE IN THE SITE

Palm Beach County, a Political Subdivision of the State of Florida, the owner in fee simple of 70 acres of the property described within Exhibit 4-2, which is included in the Application for Development Approval for the Development of Regional Impact known as the Scripps Florida Phase II/Briger Tract DRI, hereby states that the Owner is aware of and concurs with the filing of the attached application for approval of the development of the property described in the Application for Development Approval. The Owner further attests that it does not own any other properties within a one-half mile radius of the Development of Regional Impact property.

Witnesses

Sandra Smith

Print Name: Sandra Smith

Louise Kelly

Print Name: LOUISE KELLY

Palm Beach County

a Political Subdivision of the State of Florida  
301 N. Olive Avenue  
West Palm Beach, Florida 33401

By:

Shannon LaRocque-Baas  
Name: Shannon LaRocque-Baas  
Office: Assistant County Administrator

STATE OF Florida

(Seal)

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 4th day of December, 2008, by Shannon LaRocque-Baas, Assistant County Administrator of Palm Beach County. She personally appeared before me, is ~~personally known to me or produced~~ as identification, and [~~did~~] [did not] take an oath.

[NOTARY SEAL]

Notary: Cathy M. Stewart

Notary Public, State of Florida

Print Name: Cathy M. Stewart

My Commission Expires: June 15, 2012



## Exhibit 4-2

### PARCEL 1

ALL OF SECTION 26, LESS THE WEST 3/4 OF THE SOUTH 1/8 OF THE SOUTHWEST 1/4 AND THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE PROPERTY DESCRIBED IN DEED BOOK 1036, PAGE 478, COVERING THE NORTH 75 FEET OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 42 EAST, AND ALSO LESS AND EXCEPT THAT PARCEL OF REAL PROPERTY VESTED IN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PURSUANT TO ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 4296, PAGE 1151, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

### PARCEL 2

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND THE SOUTH 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 42 EAST, LESS THAT PARCEL OF REAL PROPERTY VESTED IN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PURSUANT TO ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 4296, PAGE 1151, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

### PARCEL 3

THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 42 EAST, LESS THAT PARCEL OF REAL PROPERTY VESTED IN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PURSUANT TO ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 4296, PAGE 1151, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

### PARCEL 4

THE EAST 40 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4; THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; LESS THE EAST 40 FEET THEREOF; AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 41 SOUTH, RANGE 42 EAST; LESS THAT PARCEL OF REAL PROPERTY VESTED IN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PURSUANT TO ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 4296, PAGE 1151,

AND ALSO LESS THE RIGHT-OF-WAY OF HOOD ROAD AS DESCRIBED IN DEED BOOK 1146, PAGE 639, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 5

THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 41 SOUTH, RANGE 42 EAST, LESS THE RIGHT-OF-WAY FOR HOOD ROAD AS DESCRIBED IN DEED BOOK 1142, PAGE 334 AND ALSO LESS THE RIGHT-OF-WAY FOR THE FLORIDA TURNPIKE. TOGETHER WITH THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 41 SOUTH, RANGE 42 EAST.

THE ABOVE DESCRIBED PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTIONS 26 AND 35, TOWNSHIP 41 SOUTH, RANGE 42 EAST, IN PALM BEACH COUNTY, FLORIDA, DESCRIBED IN PARCELS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26; THENCE SOUTH 01°20'36" WEST ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 75.02 FEET TO A POINT ON A LINE PARALLEL WITH AND SOUTHERLY 75.00 FEET FROM THE NORTH LINE OF SAID SECTION, SAID POINT BEING THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH LINE OF DONALD ROSS ROAD; THENCE SOUTH 01°20'36" WEST ALONG SAID EAST LINE, A DISTANCE OF 2544.53 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 26; THENCE SOUTH 01°17'32" WEST ALONG SAID EAST LINE, A DISTANCE OF 2619.91 FEET TO THE NORTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 00°48'03" WEST ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 1373.03 FEET TO THE NORTH RIGHT-OF-WAY LINE OF HOOD ROAD, AS DESCRIBED IN DEED BOOK 1146, PAGE 639, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 08°06'56" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 639.65 FEET TO THE EAST LINE OF THE LAND DESCRIBED AS PARCEL 280 B(2) IN THE ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 4296, PAGE 1151 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG THE BOUNDARY OF SAID PARCEL 280 B(2), NORTH 01°53'04" EAST, A DISTANCE OF 70.00 FEET; THENCE NORTH 88°06'56" WEST, A DISTANCE OF 32.20 FEET; THENCE NORTH 83°32'30" WEST, A DISTANCE OF 52.96 FEET; THENCE NORTH 01°53'04" EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 83°32'30" WEST, A DISTANCE OF 140.45 FEET; THENCE SOUTH 01°53'04" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 83°32'30" WEST, A DISTANCE OF 308.19 FEET; THENCE NORTH 88°06'56" WEST, A DISTANCE OF 117.31 FEET; THENCE NORTH 00°49'08" EAST, A DISTANCE OF 291.34 FEET; THENCE NORTH 89°10'53" WEST, A DISTANCE OF 70.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 280 B(2), BEING ALSO ON THE WEST LINE OF THE EAST 40.00

FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 35; THENCE NORTH 00°49'08" EAST ALONG SAID WEST LINE, A DISTANCE OF 942.23 FEET TO THE NORTH LINE OF SAID SECTION 35; THENCE NORTH 89°24'49" WEST ALONG SAID NORTH LINE, A DISTANCE OF 658.23 FEET TO THE WEST LINE OF THE EAST 40.00 FEET OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 35; THENCE SOUTH 00°49'41" WEST ALONG SAID WEST LINE, A DISTANCE OF 549.73 FEET TO THE NORTHEAST LINE OF THE LAND DESCRIBED IN PARCEL 280 A(1) IN SAID ORDER OF TAKING RECORDED IN SAID OFFICIAL RECORD BOOK 4296, PAGE 1151; THENCE ALONG THE BOUNDARY OF SAID PARCEL 280 A(1), NORTH 28°00'09" WEST, A DISTANCE OF 626.06 FEET TO THE NORTH LINE OF SAID SECTION 35; THENCE CONTINUE NORTH 28°00'09" WEST ALONG SAID BOUNDARY, A DISTANCE OF 3541.88 FEET; THENCE NORTH 24°00'09" WEST ALONG SAID BOUNDARY, A DISTANCE OF 546.72 FEET TO THE BEGINNING OF A CURVE THEREIN, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 5635.58 FEET; THENCE NORTHWESTERLY, A DISTANCE OF 544.09 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°31'54" TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID BOUNDARY, NORTH 18°28'15" WEST, A DISTANCE OF 543.08 FEET; THENCE NORTH 14°39'25" WEST, A DISTANCE OF 177.27 FEET; THENCE NORTH 11°29'21" EAST, A DISTANCE OF 190.36 FEET; THENCE NORTH 63°46'51" EAST, A DISTANCE OF 190.36 FEET; THENCE NORTH 89°55'36" EAST, A DISTANCE OF 301.88 FEET; THENCE NORTH 87°37'27" EAST, A DISTANCE OF 296.35 FEET; THENCE NORTH 89°55'45" EAST, A DISTANCE OF 302.02 FEET; THENCE NORTH 00°04'15" WEST, A DISTANCE OF 6.00 FEET TO THE SOUTHWESTERLY CORNER OF THE LAND DESCRIBED IN PARCEL 280 B(3) IN SAID ORDER OF TAKING; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 280 B(3) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ADDITIONAL RIGHT-OF-WAY FOR DONALD ROSS ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 21129, PAGE 118, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, NORTH 89°55'45" EAST, A DISTANCE OF 1216.68 FEET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 45°04'14" EAST, A DISTANCE OF 56.57 FEET; THENCE ALONG THE EAST LINE OF SAID ADDITIONAL RIGHT-OF-WAY, NORTH 00°04'14" WEST, A DISTANCE OF 65.00 FEET TO SAID LINE PARALLEL WITH AND SOUTHERLY 75.00 FEET FROM THE NORTH LINE OF SAID SECTION 26; THENCE NORTH 89°55'46" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 2369.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 475.31 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE NORTH 00°36'37" EAST ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 4365.67 FEET TO THE SOUTHWESTERLY BOUNDARY OF THE LAND DESCRIBED AS PARCEL 280 A(1) IN THE ORDER OF TAKING RECORDED IN

OFFICIAL RECORD BOOK 4296, PAGE 1151 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY; THENCE ALONG SAID BOUNDARY, SOUTH 34°23'37" EAST, A DISTANCE OF 112.80 FEET; THENCE SOUTH 33°14'52" EAST, A DISTANCE OF 493.78 FEET ALONG SAID BOUNDARY TO THE BEGINNING OF A CURVE THEREIN, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 11365.16 FEET; THENCE SOUTHEASTERLY, A DISTANCE OF 813.16 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°05'58" TO A POINT OF TANGENCY; THENCE SOUTH 29°08'54" EAST, A DISTANCE OF 1199.30 FEET; THENCE SOUTH 28°00'09" EAST ALONG SAID BOUNDARY, A DISTANCE OF 2426.49 FEET TO THE SOUTH LINE OF SAID SECTION 26; THENCE CONTINUE SOUTH 28°00'09" EAST ALONG SAID BOUNDARY, A DISTANCE OF 1464.87 FEET; THENCE NORTH 89°04'14" WEST ALONG SAID BOUNDARY AND ALONG THE NORTH LINE OF THE LAND DESCRIBED IN PARCEL 280 B(1) OF SAID ORDER OF TAKING, A DISTANCE OF 339.10 FEET; THENCE SOUTH 86°53'01" WEST ALONG SAID NORTH LINE, A DISTANCE OF 401.53 FEET TO THE NORTHERLY LINE OF HOOD ROAD; THENCE NORTH 88°06'56" WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 518.05 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 35; THENCE NORTH 00°50'35" EAST ALONG SAID EAST LINE, A DISTANCE OF 628.52 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW 1/4); THENCE NORTH 89°02'37" WEST, A DISTANCE OF 658.29 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW 1/4); THENCE SOUTH 00°50'56" WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW 1/4), A DISTANCE OF 617.85 FEET TO SAID NORTH LINE OF HOOD ROAD; THENCE NORTH 88°06'56" WEST ALONG SAID NORTH LINE, A DISTANCE OF 392.92 FEET TO A POINT ON THE NORTH LINE OF THE FLORIDA'S TURNPIKE RIGHT-OF-WAY AS DESCRIBED IN MINUTES OF THE CIRCUIT COURT BOOK 70, PAGE 443, PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE FOR THE FOLLOWING FOUR [4] COURSES: NORTH 01°53'04" EAST, A DISTANCE OF 10.00 FEET; NORTH 88°06'56" WEST, A DISTANCE OF 350.00 FEET; THENCE NORTH 83°28'53" WEST, A DISTANCE OF 503.22 FEET; THENCE NORTH 89°02'28" WEST, A DISTANCE OF 73.33 FEET TO THE WEST LINE OF SAID SECTION 35; THENCE NORTH 00°51'38" EAST ALONG SAID WEST LINE, A DISTANCE OF 1204.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 206.38 ACRES, MORE OR LESS.

**5. Attach a legal description of the development site. Include section, township and range.**

The DRI site is located in Section 26 and 35, Township 41 and Range 42. A legal description of the site is attached as Exhibit 4-2.

**6. Have you requested a binding letter of interpretation of DRI status or vested rights, clearance letter, agreement or preliminary development agreement from the Department of Community Affairs? If so, what is the current status of this determination?**

**6. (from TCRPC ADA Addendum) If any binding letters, clearance letters, pre-development agreements, or other such agreements or findings have been requested or been processed, please include all related documents and correspondence in the ADA.**

Not applicable.

**7. List all local governments with jurisdiction over the proposed development.**

The City of Palm Beach Gardens  
10500 North Military Trail  
Palm Beach Gardens, Florida 33410  
Ph: 561-799-4100

Palm Beach County, a Political Subdivision of the State of Florida  
301 N. Olive Avenue  
West Palm Beach, Florida 33401  
Ph: (561) 355-2428

Northern Palm Beach County Improvement District  
359 Hiatt Drive  
Palm Beach Gardens, Florida 33418  
Ph: (561) 624-7830

**8. List all agencies (local, state and federal) from which approval and/or a permit must be obtained prior to initiation of development. Indicate the permit or approval for each agency and its status. Indicate whether the development is registered or whether registration will be required with the Division of Florida Land Sales, Condominiums and Mobile Homes under Chapter 478, Florida Statutes. Indicate whether the development will be registered with the H.U.D., Division of Interstate Land Sales Registration or with other states.**

**LOCAL OR REGIONAL ZONING PERMITS REQUIRED**

- |    |   |   |
|----|---|---|
| 1. | Permit Name & Description:<br>Governmental Unit:<br>Agency Name:<br><br>Date of Application:<br>Agency Contact Name/Phone Number<br>Status of Application & Application No.:  | Development of Regional Impact<br>State of Florida<br>Treasure Coast Regional Planning<br>Commission<br>December 30 <sup>th</sup> , 2008<br>Michael Busha, 772-221-4060<br>Pending                        |
| 2. | Permit Name & Description:<br>Governmental Unit:<br>Agency Name:<br>Date of Application:<br>Agency Contact Name/Phone Number:<br>Status of Application & Application No.:     | Comprehensive Plan Amendments<br>City of Palm Beach Gardens<br>Growth Management Department<br>Anticipated January 15 <sup>th</sup> , 2009<br>Kara Irwin, 561-799-4243<br>Pending                         |
| 3. | Permit Name & Description:<br><br>Governmental Unit:<br>Agency Name:<br>Date of Application:<br>Agency Contact Name/Phone Number:<br>Status of Application & Application No.: | Planned Community Development (PCD)<br>Zoning Overlay<br>City of Palm Beach Gardens<br>Growth Management Department<br>Anticipated January 15 <sup>th</sup> , 2009<br>Kara Irwin, 561-799-4243<br>Pending |
| 4. | Permit Name & Description:<br>Governmental Unit:<br>Agency Name:<br>Date of Application:<br>Agency Contact Name/Phone Number:<br>Status of Application & Application No.:     | Site Plan Approval for each Pod in PCD<br>City of Palm Beach Gardens<br>Growth Management Department<br>Phased over next 20 years<br>Kara Irwin, 561-799-4243<br>Pending                                  |

**OTHER DEVELOPMENT PERMITS REQUIRED**

- |    |   |   |
|----|---|---|
| 5. | Permit Name & Description:<br>Governmental Unit:<br>Agency Name:<br>Date of Application:<br>Agency Contact Name/Phone Number:<br>Status of Application & Application No.: | Certificate of Concurrency<br>Palm Beach County<br>PZB, Zoning Division<br>Anticipated January 15 <sup>th</sup> , 2009<br>(561) 233 5042<br>Pending |
|----|---|---|

6. Permit Name & Description: Driveway and/or Highway Access Permit  
Governmental Unit: Florida Department of Transportation  
Agency Name: District Four - Permits Office  
Date of Application: Engineering Design During Phase I  
Agency Contact Name/Phone Number: Christine Bacomo (954) 777- 4383  
Status of Application & Application No.: Pending
7. Permit Name & Description: Environmental Resources Individual Permit (ERP)  
Governmental Unit: Surface Water Management Division  
Agency Name: South Florida Water Management District  
Date of Application: Anticipated February 1<sup>st</sup>, 2009  
Agency Contact Name/Phone Number: Anita Bain, (561) 682-6866  
Status of Application & Application No.: Pending
8. Permit Name & Description: Formal Wetland Determination  
Governmental Unit: Surface Water Management Division  
Agency Name: South Florida Water Management District  
Date of Application: Anticipated January 15<sup>th</sup>, 2009  
Agency Contact Name/Phone Number: Anita Bain, (561) 682-6866  
Status of Application & Application No.: Pending
9. Permit Name & Description: Water Use Permit (Dewatering)  
Governmental Unit: Water Supply Department  
Agency Name: South Florida Water Management District  
Date of Application: Engineering Design During Phase I  
Agency Contact Name/Phone Number: Karin Smith, (561) 682-2026  
Status of Application & Application No.: Pending
10. Permit Name & Description: Water Use Permit (Consumptive Use – Irrigation)  
Governmental Unit: Water Supply Department  
Agency Name: South Florida Water Management District  
Date of Application: Anticipated February 1<sup>st</sup>, 2009  
Agency Contact Name/Phone Number: Karin Smith, (561) 682-2026  
Status of Application & Application No.: Pending
13. Permit Name & Description: Engineering Plan Review  
Governmental Unit: Engineering Department  
Agency Name: City of Palm Beach Gardens  
Date of Application: Phased over next 20 years  
Agency Contact Name/Phone Number: Leo Giangrande, (561) 799-4129  
Status of Application & Application No.: Pending
14. Permit Name & Description: Water and Sewer Plan Review  
Governmental Unit: Plan Review Section  
Agency Name: Seacoast Utility Authority  
Date of Application: Phased over next 20 years  
Agency Contact Name/Phone Number: Rim Bishop, (561) 627-2900  
Status of Application & Application No.: Pending

20. Permit Name & Description: Section 404 Individual Permit  
Governmental Unit: Palm Beach Gardens Regulatory Office  
Agency Name: Army Corps of Engineers (Jacksonville Dist)  
Date of Application: Anticipated February 1<sup>st</sup>, 2009  
Agency Contact Name/Phone Number: Tori White, (561) 472-3517  
Status of Application & Application No.: Pending
21. Permit Name and Description: Wildlife Monitoring & Gopher Tortoise  
Relocation  
Governmental Unit: Division of Species Conservation  
Agency Name: FL Fish & Wildlife Conservation  
Commission  
Date of Application: Anticipated February 1<sup>st</sup>, 2009  
Agency Contact Name/Phone Number: Rick McCann, (850) 410-0656, ex 17327  
Status of Application & Application No.: Pending

The project will not be required to register with the Division of Florida Land Sales, Condominiums and Mobile Homes under Chapter 478, Florida Statutes, and will not be required to register with H.U.D., Division of Interstate Land Sales.