

## CONTRACT, LEASE, AGREEMENT CONTROL FORM

Date: 11/19/2013

Contract/Lease Control #: C14-2116-PW

Bid #: N/A

Contract/Lease Type: AGREEMENT

Award To/Lessee: SYNOVUS BANK

Owner/Lessor: OKALOOSA COUNTY

Effective Date: 11/05/2013

Term: 11/05/2018

Description of Contract/Lease: KELLY PLANTATION RIGHT TURN LANES

Department: PW

Department Monitor: HOFSTAD

Monitor's Telephone #: 850-689-5772

Monitor's FAX # or E-mail: JHOFSTAD@CO.OKALOOSA.FL.US

Closed: \_\_\_\_\_

cc: Finance Department Contracts & Grants Office

## AMENDED TRANSPORTATION INFRASTRUCTURE AGREEMENT

This Amended Transportation Infrastructure Agreement is made and entered into as of the 7<sup>th</sup> day of ~~September~~<sup>October</sup>, 2014, by and between Synovus Bank (hereinafter "Bank") and Okaloosa County, Florida, (hereinafter "the County") a political subdivision of the State of Florida.

WHEREAS, Bank is the owner or agent for all that certain, real property located in Okaloosa County, Florida and more particularly described in **Composite Exhibit "A"** attached hereto (hereafter referred to as "the Property"), located on the north side of U.S. Hwy 98 between Triumph Drive and Kelly Plantation Drive, Destin, FL, and referred to as the Kelly Plantation commercial properties parcels 1A-2, 1B-1, 1B-2, 3-B; and

WHEREAS, Bank proposes to develop 44,105 square feet of commercial development consisting of retail, restaurants, banks, office buildings, or other uses (hereafter referred to as the "Bank Development") on the Property; and

WHEREAS, the Bank Development is expected to impact three segments included in the Okaloosa County Transportation Concurrency System. These segments include U.S. Hwy 98 from CR 2378 to Walton County Line, Commons Drive from Matthew Boulevard to Kelly Plantation, and Commons Drive from Kelly Plantation Drive to Indian Bayou Trail; and

WHEREAS, Bank submitted and the County approved a Transportation Infrastructure Agreement on November 5, 2013, which was designated as Contract #C14-216-PW and is attached and incorporated herein (without enclosures) as **Exhibit "B"**; and

WHEREAS, after review of the original traffic safety plan by Florida Department of Transportation (hereafter "FDOT"), the plan was modified to accommodate the required stormwater run off and permits were issued for both the drainage and driveway connection; and

WHEREAS, Bank has prepared and submitted to the County an amended Traffic Impact Analysis (hereafter referred to as the "Amended Traffic Analysis") which has been reviewed and accepted by the County and is attached to the original traffic analysis and incorporated herein as **Composite Exhibit "C"**; and

WHEREAS, the Amended Traffic Analysis shows that the impacted segment of U.S. Hwy 98 would operate at an acceptable level of service with the additional trips to be generated by the Bank Development. Furthermore, using the FDOT Generalized Tables indicates Commons Drive has sufficient capacity for the Bank Development. However, using the City of Destin Interlocal Agreement/Unified Transportation Concurrency Methodology (UTCMS) shows that Commons Drive is over capacity; and

WHEREAS, to mitigate this capacity deficiency on Commons Drive, the Bank will ensure the safety improvements and modifications (westbound right turn lanes) on U.S. Hwy 98 are built at an estimated total cost of \$500,000.00; and

WHEREAS, as part of the safety improvements, the Bank will ensure the design of the Bank Development complies with and has in place legally enforceable cross access connections as addressed in the variance attached and incorporated herein as **Exhibit "D"**; and

WHEREAS, other site-related operational improvements will be solely at Bank's cost and are not addressed herein;

**CONTRACT # C14-2116-PW**  
**SYNOVUS BANK**  
**KELLY PLANTATION RIGHT TURN LANES**  
**EXPIRES: 11/05/2018**

Page 1 of 4

CERTIFIED A TRUE  
AND CORRECT COPY  
DON W. HOWARD  
CLERK CIRCUIT COURT  
BY Teresa Ward  
DEPUTY CLERK

DATE Oct 14, 2014



NOW, THEREFORE, the parties agree as follows:

1. Recitals Incorporated. The foregoing recitals are true and correct and are incorporated as part of this Agreement.

2. Net Amount Due from Bank. Bank agrees to (or cause to be) designed and implemented certain roadway improvements and modifications described in **Exhibit "E"**. The improvements are expected to be developed in conjunction with the site development of the parcels that are directly associated with the improvements. The improvements may be constructed in three phases as follows:

	<u>Parcels</u>	<u>Associated improvements</u>
Phase I	Parcels 1A-2 & 1B-1	Commons #1 plus access road and FDOT #2
Phase II	Parcel 1B-2	FDOT #1 and FDOT #3
Phase III	Parcel 3-B	FDOT #4

3. Capacity to be Reserved. The County agrees to reserve 262 pm peak hour trips for the Bank Development as described in the Amended Traffic Analysis. The County agrees that Bank, in its sole discretion, shall be allowed to assign some or all of the 262 pm peak, hour trips to successors or assigns for the Bank Development, or for another project within the boundary of the Property. Provided, however, that if the 262 pm peak hour reserved trips is insufficient for build out of the Bank Development or other project within the boundary of the Property, Bank or its successors or assigns shall apply for additional concurrency approval under then-existing traffic conditions and pursuant to the County concurrency management regulations then in effect before proceeding with such development.

4. Satisfaction of Traffic Mitigation Requirements. The County acknowledges and agrees that, upon execution of this Amended Agreement, and conditioned on the improvements being built, Bank shall be conclusively deemed, to have satisfied all requirements of the County Comprehensive Plan and the County land development code relating to the mitigation of traffic impacts, transportation concurrency, and/or financial feasibility for development that would generate a total 262 new pm peak hour trips located on the Property.

5. City of Destin Review. The County and Bank acknowledge that the connections to Hwy 98 are within the city limits of Destin, FL and the City must concur with the mitigation described herein. Accordingly, the Bank submitted this proposed mitigation to the city for review. Written confirmation that the City approved this project is attaches as **Exhibit "F"**.

6. Agreement Binds Successors and Assigns; Notice to Successors and Assigns. This Amended Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. A copy of this Amended Agreement and all exhibits shall be recorded in the public records of Okaloosa County with all recordation expenses paid by Bank; further, a copy will be provided to all successors and assigns. The Amended Agreement may be assigned by the Bank and any such assignment will be effective upon notice to the County.

7. Duration of Agreement. The duration of the Amended Agreement shall be for five (5) years commencing with the effective date of this Amended Agreement. This Amended Agreement may be extended by the mutual consent of the parties for an additional five (5) years.

8. Effective Date; Notices. This Amended Agreement shall be effective on the date of the last execution below. Notices required under this Amended Agreement shall be sent to the

following addresses unless written notice of change of address has been previously given:

To the County: John Hofstad  
Okaloosa County Director of Public Works  
1759 S. Ferdon Blvd  
Crestview, FL 32536

To Bank: Joseph Sumner  
REO Management & Disposition Officer; Synovus Bank  
8025 Westside Parkway  
Alpharetta, Georgia 30009

With a copy to: William J. Dunaway  
Clark, Partington, Hart, et al.  
125 W. Romana St., Suite 800  
Pensacola, FL 32502

IN WITNESS WHEREFOR, the parties hereto have executed this Amended Agreement on the day and year set out below.

Signed, sealed and delivered  
In the presence of

Mary J. Stanford



Charles K. Windes, Jr.  
OKALOOSA COUNTY, FLORIDA



Print Name: CHARLES K. WINDES, JR.

Title: Chair

Date: 10/8/14

STATE OF FLORIDA  
COUNTY OF OKALOOSA :

SWORN TO AND SUBSCRIBED to before me this 8th day of October, 2014, by Charles K. Windes on behalf of OKALOOSA COUNTY, FL, who is: (notary must check applicable line)

is personally known to me.  
 produced a current \_\_\_\_\_ driver's license as identification.  
 produced \_\_\_\_\_ as identification.

[SEAL]



Mary L. Carson  
Notary Public  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Signed, sealed and delivered  
In the presence of

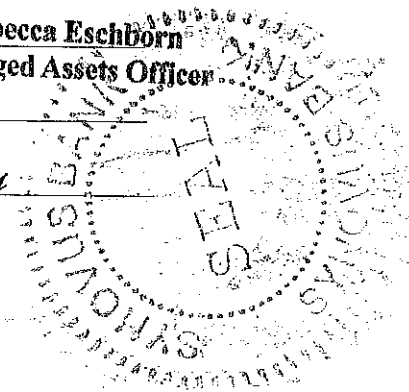
J.T. 29.

Rebecca Eschborn  
SYNOVUS BANK

Print Name: Rebecca Eschborn  
Title: Managed Assets Officer

Title: \_\_\_\_\_

Date: 9-10-14

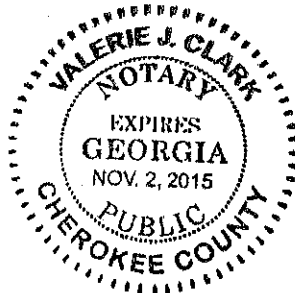


STATE OF Georgia :  
COUNTY OF Cherokee :

SWORN TO AND SUBSCRIBED to before me this 10 day of September, 2014, by Rebecca Eschborn on behalf of SYNOVUS BANK, who is: (notary **must** check applicable line)

- is personally known to me.
- produced a current \_\_\_\_\_ driver's license as identification.
- produced \_\_\_\_\_ as identification.

[SEAL]



Valerie J. Clark  
Notary Public  
Commission No.: \_\_\_\_\_  
My Commission Expires: 11/2/15



**Composite Exhibit "A"**

Legal Descriptions

## PARCEL 1A-2:

COMMENCE AT AN EXISTING CONCRETE MONUMENT (NO NUMBER) MARKING THE SOUTHEAST CORNER OF LOT 4, BLOCK 6 OF SILVER BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 15 1/2 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 03 DEGREES 58 MINUTES 48 SECONDS EAST ON THE EAST LINE OF SAID LOT 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1177.28 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FLORIDA STATE ROAD 30 (RIGHT-OF-WAY VARIES); THENCE SOUTH 88 DEGREES 01 MINUTES 23 SECONDS EAST ON SAID CENTERLINE, FOR A DISTANCE OF 3848.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS 8729.58 FEET; THENCE GO ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 8729.58 FEET, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 334.15 FEET (CHORD BEARING: SOUTH 87 DEGREES 41 MINUTES 38 SECONDS EAST, CHORD DISTANCE: 334.11 FEET); THENCE DEPARTING SAID CENTERLINE, GO NORTH 00 DEGREES 38 MINUTES 07 SECONDS EAST, FOR A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING ON A CURVE HAVING A RADIUS OF 5629.58 FEET, THENCE GO ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING A CURVE HAVING A RADIUS OF 5629.58 FEET AND CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 328.32 FEET (CHORD BEARING: N87°41'38"W, CHORD DISTANCE: 328.28 FEET) TO THE POINT OF TANGENCY; THENCE GO NORTH 86 DEGREES 01 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, FOR A DISTANCE OF 97.78 FEET FOR THE POINT OF BEGINNING; THENCE GO NORTH 86 DEGREES 01 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, FOR A DISTANCE OF 238.20 FEET TO THE SOUTHWEST CORNER OF PARKWAY PARCEL 1A-2 AS RECORDED IN OFFICIAL RECORDS BOOK 2948 AT PAGE 1183 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, GO NORTH 03 DEGREES 58 MINUTES 37 SECONDS EAST, FOR A DISTANCE OF 289.51 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS DRIVE WEST (RIGHT-OF-WAY VARIES); THENCE GO SOUTH 74 DEGREES 27 MINUTES 11 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 3.69 FEET TO A POINT OF CURVATURE; THENCE GO ALONG A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 525.00 FEET; THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 525.00 FEET THROUGH A CENTRAL ANGLE OF 09 DEGREES 31 MINUTES 29 SECONDS FOR A DISTANCE OF 87.28 FEET (CHORD BEARING SOUTH 79 DEGREES 12 MINUTES 58 SECONDS EAST, CHORD DISTANCE OF 87.18 FEET); THENCE GO SOUTH 73 DEGREES 22 MINUTES 53 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 52.00 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE BEING CONCAVE NORTH, HAVING A RADIUS OF 537.00 FEET; THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 537.00 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 39 SECONDS FOR AN ARC DISTANCE OF 103.20 FEET (CHORD BEARING NORTH 85 DEGREES 03 MINUTES 18 SECONDS EAST, CHORD DISTANCE OF 103.04 FEET); TO THE POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 983.00 FEET BEING CONCAVE SOUTH, THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 983.00 FEET THROUGH A CENTRAL ANGLE OF 03 DEGREES 48 MINUTES 08 SECONDS FOR AN ARC DISTANCE OF 63.35 FEET (CHORD BEARING NORTH 81 DEGREES 26 MINUTES 02 SECONDS EAST, CHORD DISTANCE 63.34 FEET); THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE GO SOUTH 07 DEGREES 24 MINUTES 39 SECONDS EAST, FOR A DISTANCE OF 10.72 FEET TO A POINT OF CURVATURE; THENCE GO ALONG A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 100.00 FEET, FOR AN ARC OF 97.98 FEET (DELTA = 58 DEGREES 07 MINUTES 38 SECONDS, CHORD BEARING = SOUTH 20 DEGREES 39 MINUTES 09 SECONDS WEST, CHORD DISTANCE = 94.09 FEET) TO A POINT OF REVERSE CURVATURE; THENCE GO SOUTHERLY ALONG A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 150.00 FEET, FOR AN ARC OF 117.13 FEET (DELTA = 44 DEGREES 44 MINUTES 20 SECONDS, CHORD BEARING = SOUTH 26 DEGREES 20 MINUTES 47 SECONDS WEST, CHORD DISTANCE = 114.17 FEET) TO A POINT OF TANGENCY; THENCE GO SOUTH 03 DEGREES 58 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 90.57 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL OF LAND BEING SITUATED IN TOWNSHIP-2-SOUTH, RANGE-22-WEST, OKALOOSA COUNTY, FLORIDA, AND CONTAINS 1.67 ACRES MORE OR LESS.

*E. Wayne Parker* 9/20/13

E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR  
FLORIDA REGISTRATION NUMBER 3883, CORPORATE NUMBER 7174  
STATE OF FLORIDA

NOT VALID WITHOUT  
ORIGINAL RAISED SEAL  
OF FLORIDA REGISTERED  
LAND SURVEYOR

SHEET 1 OF 2



MERRILL PARKER SHAW, INC.  
PROFESSIONAL SURVEYING SERVICES

4028 N. Davis Highway  
Panama City, Florida 32503

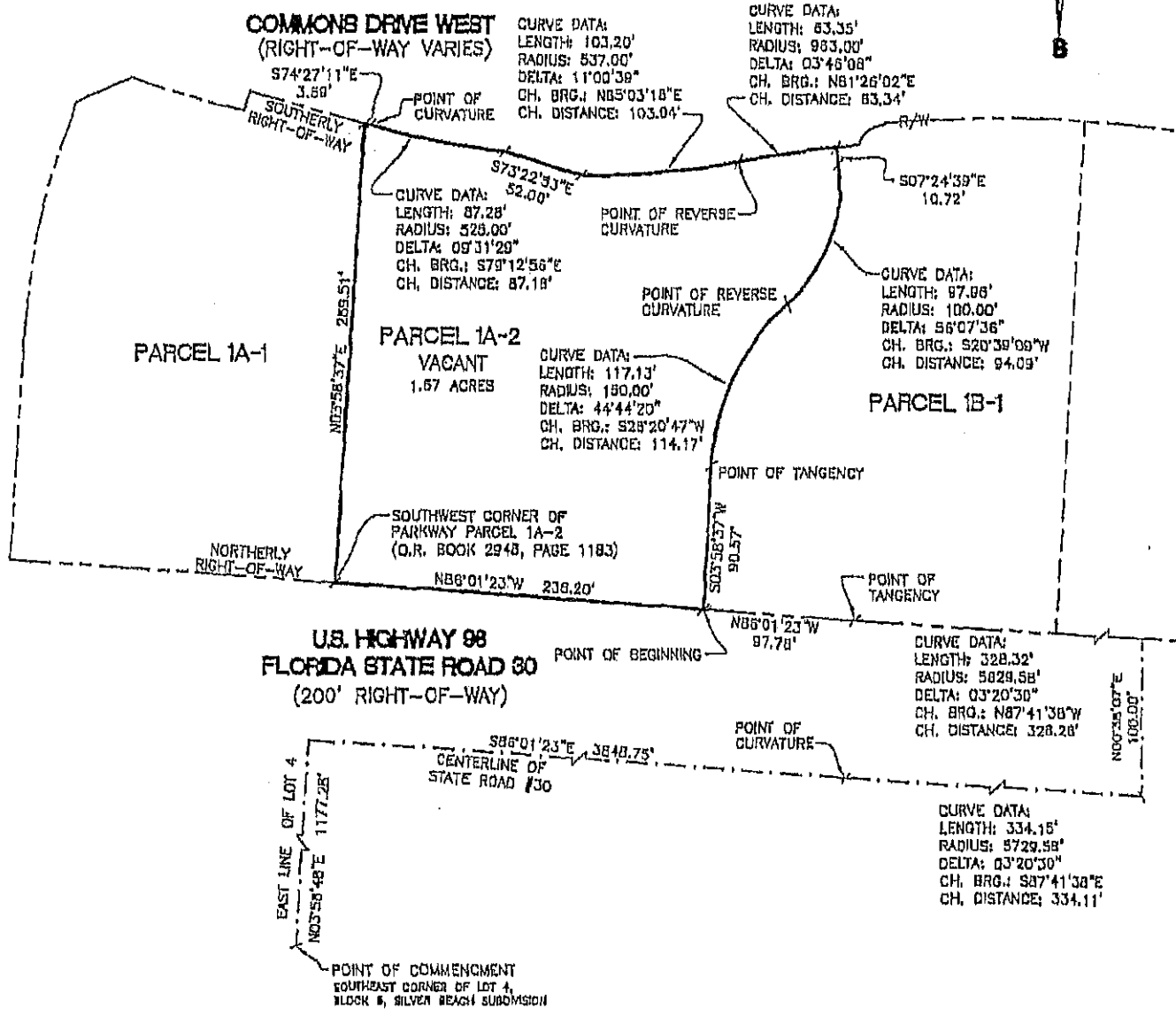
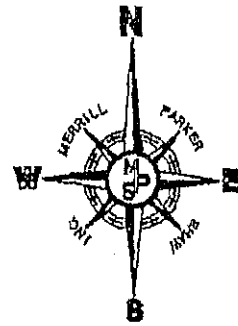
Phone: (850) 478-4923  
Fax: (850) 478-4924

DESCRIPTION/DESCRIPTION

PARCEL 1A-2

1.67 ACRES

PREPARED BY: AES, CHECKED BY: EWP



SCALE 1"=100'

SHEET 2 OF 2



**MERRILL PARKER SHAW, INC.**  
PROFESSIONAL SURVEYING SERVICES

4928 N. Davis Highway  
Panama City, Florida 32503

Phone: (850) 478-4923  
Fax: (850) 478-4924

**DESCRIPTION/DESCRIPTION**  
**PARCEL 1A-2**  
**1.67 ACRES**

PREPARED BY: AES, CHECKED BY: EWP



## RIGHT OF WAY PARCEL:

COMMENCE AT AN EXISTING CONCRETE MONUMENT (NO NUMBER) MARKING THE SOUTHEAST CORNER OF LOT 4, BLOCK 8 OF SILVER BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 16 1/2 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 03 DEGREES 58 MINUTES 48 SECONDS EAST ON THE EAST LINE OF SAID LOT 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1177.28 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FLORIDA STATE ROAD 30 (RIGHT-OF-WAY VARIES); THENCE SOUTH 88 DEGREES 01 MINUTES 23 SECONDS EAST ON SAID CENTERLINE, FOR A DISTANCE OF 3848.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS 5729.58 FEET; THENCE GO ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5729.58 FEET, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 334.18 FEET (CHORD BEARING: SOUTH 87 DEGREES 41 MINUTES 38 SECONDS EAST, CHORD DISTANCE: 334.11 FEET); THENCE DEPARTING SAID CENTERLINE, GO NORTH 00 DEGREES 38 MINUTES 07 SECONDS EAST, FOR A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING ON A CURVE HAVING A RADIUS OF 5629.58 FEET, THENCE GO ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING A CURVE HAVING A RADIUS OF 5829.58 FEET AND CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 328.32 FEET (CHORD BEARING: N87°41'38"W, CHORD DISTANCE: 328.28 FEET) TO THE POINT OF TANGENCY; THENCE GO NORTH 86 DEGREES 01 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, FOR A DISTANCE OF 333.98 FEET TO THE SOUTHWEST CORNER OF PARKWAY PARCEL 1A-2 AS RECORDED IN OFFICIAL RECORDS BOOK 2948 AT PAGE 1183 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, GO NORTH 03 DEGREES 58 MINUTES 37 SECONDS EAST, FOR A DISTANCE OF 289.51 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS DRIVE WEST (RIGHT-OF-WAY VARIES); THENCE GO SOUTH 74 DEGREES 27 MINUTES 11 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 3.89 FEET TO A POINT OF CURVATURE; THENCE GO ALONG A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 525.00 FEET; THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 525.00 FEET THROUGH A CENTRAL ANGLE OF 08 DEGREES 31 MINUTES 29 SECONDS FOR A DISTANCE OF 87.28 FEET (CHORD BEARING SOUTH 79 DEGREES 12 MINUTES 56 SECONDS EAST, CHORD DISTANCE OF 87.18 FEET) FOR THE POINT OF BEGINNING; THENCE GO EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE BEING A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 525.00 FEET FOR AN ARC OF 150.84 FEET (DELTA = 18 DEGREES 28 MINUTES 23 SECONDS, CHORD BEARING = NORTH 87 DEGREES 47 MINUTES 08 SECONDS EAST, CHORD DISTANCE = 150.42 FEET) TO A POINT OF REVERSE CURVATURE; THENCE GO EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 975.00 FEET, FOR AN ARC OF 96.84 FEET (DELTA = 05 DEGREES 41 MINUTES 47 SECONDS, CHORD BEARING = NORTH 82 DEGREES 23 MINUTES 52 SECONDS EAST, CHORD DISTANCE = 98.90 FEET); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, GO SOUTH 04 DEGREES 45 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 0.75 FEET; THENCE GO SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 19.50 FEET, FOR AN ARC OF 22.29 FEET (DELTA = 85 DEGREES 30 MINUTES 00 SECONDS, CHORD BEARING = SOUTH 52 DEGREES 29 MINUTES 45 SECONDS WEST, CHORD DISTANCE = 21.10 FEET); THENCE GO WESTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 963.00 FEET, FOR AN ARC OF 78.00 FEET (DELTA = 04 DEGREES 38 MINUTES 27 SECONDS, CHORD BEARING = SOUTH 81 DEGREES 52 MINUTES 11 SECONDS WEST, CHORD DISTANCE = 77.98 FEET) TO A POINT OF REVERSE CURVATURE; THENCE GO WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 537.00 FEET FOR AN ARC OF 103.20 FEET (DELTA = 11 DEGREES 00 MINUTES 39 SECONDS, CHORD BEARING = SOUTH 85 DEGREES 03 MINUTES 18 SECONDS WEST, CHORD DISTANCE = 103.04 FEET) THENCE GO NORTH 73 DEGREES 22 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 82.00 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL OF LAND BEING SITUATED IN TOWNSHIP-2-SOUTH, RANGE-22-WEST, OKALOOSA COUNTY, FLORIDA, AND CONTAINS 0.06 ACRES MORE OR LESS.

*E. Wayne Parker* 9/20/13

E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR  
FLORIDA REGISTRATION NUMBER 3683, CORPORATE NUMBER 7174  
STATE OF FLORIDA

NOT VALID WITHOUT  
ORIGINAL RAISED SEAL  
OF FLORIDA REGISTERED  
LAND SURVEYOR

SHEET 1 OF 2



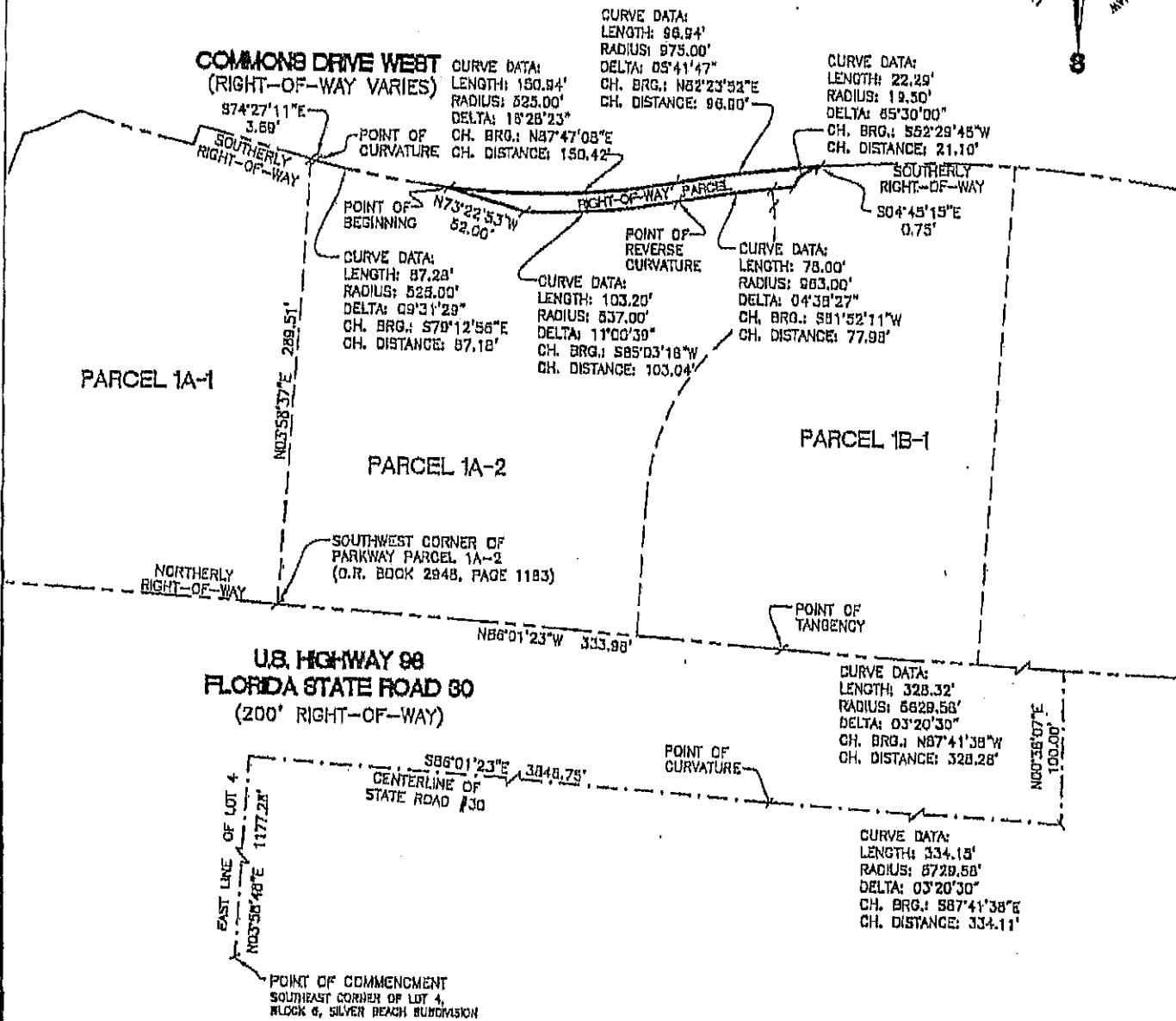
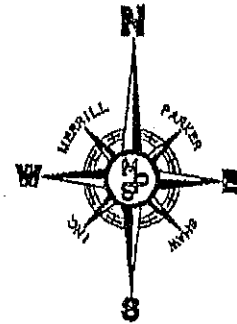
MERRILL PARKER SHAW, INC.  
PROFESSIONAL SURVEYING SERVICES

4928 N. Davis Highway  
Pensacola, Florida 32503

Phones (850) 470-4923  
Fax (850) 478-4924

DESCRIPTION/DESCRIPTION  
RIGHT-OF-WAY PARCEL

PREPERED BY: AES, CHECKED BY: EWP



SCALE 1"=100'

SHEET 2 OF 2



**MERRILL PARKER SHAW, INC.**  
PROFESSIONAL SURVEYING SERVICES

4828 N. Davis Highway  
Panama City, Florida 32603

Phone: (850) 478-4923  
Fax: (850) 478-4924

**DESCRIPTION/DESCRIPTION**  
**RIGHT-OF-WAY PARCEL**

PREPARED BY: AES, CHECKED BY: EWP

PARKWAY PARCEL 1B:

COMMENCE AT AN EXISTING CONCRETE MONUMENT (NO NUMBER) MARKING THE SOUTHEAST CORNER OF LOT 4, BLOCK 6 OF SILVER BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 16 1/7 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED N 03° 58' 48" E ON THE EAST LINE OF SAID LOT 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1177.28 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FLORIDA STATE ROAD 30 (RIGHT OF WAY VARIES); THENCE S 86° 01' 23" E ON SAID CENTERLINE, A DISTANCE OF 3848.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5729.58 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 03° 20' 30", AN ARC DISTANCE OF 334.15 FEET, (CHORD BEARING = S 87° 41' 38" E, CHORD = 334.11 FEET); THENCE DEPARTING SAID CENTERLINE, PROCEED N 00° 38' 07" E, A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID FLORIDA STATE ROAD 30, LYING IN A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5629.58 FEET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 03° 20' 30", AN ARC DISTANCE OF 328.32 FEET, (CHORD BEARING = N 87° 41' 38" W, CHORD = 328.28 FEET), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 86° 01' 23" W, A DISTANCE OF 29.99 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE, PROCEED N 03° 58' 37" E, A DISTANCE OF 308.90 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF COMMONS DRIVE WEST (RIGHT OF WAY WIDTH VARIES), LYING IN A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 975.00 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 20° 06' 40", AN ARC DISTANCE OF 342.23 FEET, (CHORD BEARING = S 86° 31' 33" E, CHORD = 340.48 FEET); THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE, PROCEED S 00° 38' 07" W, A DISTANCE OF 302.83 FEET TO THE POINT OF BEGINNING.

PARKWAY PARCEL 3B:

COMMENCE AT AN EXISTING CONCRETE MONUMENT (NO NUMBER) MARKING THE SOUTHEAST CORNER OF LOT 4, BLOCK 6 OF SILVER BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 16 1/2 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED N 03° 58' 48" E ON THE EAST LINE OF SAID LOT 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1177.28 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FLORIDA STATE ROAD 30 (RIGHT OF WAY VARIES); THENCE S 86° 01' 23" E ON SAID CENTERLINE, A DISTANCE OF 3848.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5729.58 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 14° 00' 04", AN ARC DISTANCE OF 1400.11 FEET, (CHORD BEARING = N 86° 58' 35" E, CHORD = 1396.63 FEET), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 79° 58' 33" E, A DISTANCE OF 208.15 FEET; THENCE DEPARTING SAID CENTERLINE, PROCEED N 10° 01' 27" W, A DISTANCE OF 90.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID FLORIDA STATE ROAD 30, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N 10° 12' 32" W, A DISTANCE OF 268.85 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF COMMONS DRIVE WEST, LYING IN A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 850.00 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 06° 14' 37", AN ARC DISTANCE OF 92.02 FEET, (CHORD BEARING = N 67° 49' 06" E, CHORD = 92.58 FEET), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 64° 41' 48" E, A DISTANCE OF 157.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 35.00 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 98° 57' 57", AN ARC DISTANCE OF 60.45 FEET, (CHORD BEARING = S 65° 49' 14" E, CHORD = 53.21 FEET), TO A POINT OF COMPOUND CURVATURE WITH THE CURVED WESTERLY RIGHT OF WAY LINE OF KELLY PLANTATION PARKWAY, CONCAVE WESTERLY AND HAVING A RADIUS OF 420.00 FEET; THENCE ON SAID CURVED WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 06° 18' 49", AN ARC DISTANCE OF 46.28 FEET, (CHORD BEARING = S 13° 10' 51" E, CHORD = 46.26 FEET), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 10° 01' 27" E, A DISTANCE OF 32.74 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, PROCEED S 80° 09' 16" W, A DISTANCE OF 37.34 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 52.88 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 92° 01' 40", AN ARC DISTANCE OF 84.93 FEET, (CHORD BEARING = S 34° 08' 26" W, CHORD = 76.09 FEET); THENCE S 11° 42' 39" E, A DISTANCE OF 79.51 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A

RADIUS OF 49.61 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF  $38^{\circ}17'12''$ , AN ARC DISTANCE OF 33.15 FEET, (CHORD BEARING =  $S 07^{\circ}25'57'' W$ , CHORD = 32.54 FEET), TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 174.41 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF  $09^{\circ}44'03''$ , AN ARC DISTANCE OF 29.63 FEET, (CHORD BEARING =  $S 31^{\circ}26'34'' W$ , CHORD = 29.60 FEET), TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 48.03 FEET; THENCE ON SAID CURVE, THROUGH A CENTRAL ANGLE OF  $45^{\circ}19'45''$ , AN ARC DISTANCE OF 38.00 FEET, (CHORD BEARING =  $S 13^{\circ}38'43'' W$ , CHORD = 37.01 FEET), TO A POINT ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF FLORIDA STATE ROAD 30; THENCE  $S 79^{\circ}58'33'' W$  ON SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 156.05 FEET TO THE POINT OF BEGINNING.

**Exhibit "B"**

Transportation Infrastructure Agreement

*Dated 11/05/2013*

**NOTE - DATE:** The Okaloosa County Board of County Commissioners did not consider this item until November 5, 2013 and did not enter into the agreement until that date. Teresa Ward, Clerk to BCC.

## TRANSPORTATION INFRASTRUCTURE AGREEMENT

**NOTE - DATE**

This Transportation Infrastructure Agreement is made and entered into as of the 30th day of July, 2013, by and between Synovus Bank (hereinafter "Bank") and Okaloosa County, Florida, (hereinafter "the County") a political subdivision of the State of Florida.

WHEREAS, Bank is the owner of all that certain, real property located in Okaloosa County, Florida and more particularly described in **Composite Exhibit "A"** attached hereto (hereafter referred to as "the Property"), located on the north side of U.S. Hwy 98 between Triumph Drive and Kelly Plantation Drive, Destin, FL, and referred to as the Kelly Plantation commercial properties parcels 1A-2, 1B-1, 1B-2, 3-B; and

WHEREAS, Bank proposes to develop 44,105 square feet of commercial development consisting of retail, restaurants, banks, office buildings, or other uses (hereafter referred to as the "Bank Development") on the Property; and

WHEREAS, the Bank Development is expected to impact three segments included in the Okaloosa County Transportation Concurrency System. These segments include U.S. Hwy 98 from CR 2378 to Walton County Line, Commons Drive from Matthew Boulevard to Kelly Plantation, and Commons Drive from Kelly Plantation Drive to Two Trees Road.

WHEREAS, Bank has prepared and submitted to the County a Traffic Impact Analysis (hereafter referred to as the "Traffic Analysis") which has been reviewed and accepted by the County and is attached and incorporated herein as **Composite Exhibit "B"**; and

WHEREAS, the Traffic Analysis shows that the impacted segment of U.S. Hwy 98 would operate at an acceptable level of service with the additional trips to be generated by the Bank Development. Furthermore, using the FDOT Generalized Tables indicates Commons Drive has sufficient capacity for the Bank Development. However, using the City of Destin Interlocal Agreement/Unified Transportation Concurrency Methodology (UTCMS) shows that Commons Drive is over capacity.

WHEREAS, to mitigate this capacity deficiency on Commons Drive, the Bank will ensure the safety improvements and modifications (westbound right turn lanes) on U.S. Hwy 98 are built at an estimated total cost of \$517,596.00;

WHEREAS, as part of the safety improvements, the Bank will ensure the design of the Bank Development complies with and has in place legally enforceable cross easement connections as approved by the variance attached and incorporated herein as **Exhibit "C"**; and

WHEREAS, other site-related operational improvements will be solely at Bank's cost and are not addressed herein;

NOW, THEREFORE, the parties agree as follows:

1. Recitals Incorporated. The foregoing recitals are true and correct and are incorporated as part of this Agreement.
2. Net Amount Due from Bank. Bank agrees to (or cause to be) designed and implemented certain roadway improvements and modifications described in **Exhibit "D"**. The improvements are expected to be developed in conjunction with the site development of the parcels

CONTRACT# C14-2116-PW  
SYNOVUS BANK  
KELLY PLANTATION RIGHT TURN LANES  
EXPIRES: 11/05/2018

that are directly associated with the improvements. The improvements will be constructed in three phases as follows:

	<u>Parcels</u>	<u>Associated improvements</u>
Phase I	Parcels 1A-2 & 1B-1	Commons #1 plus access road and FDOT #2
Phase II	Parcel 1B-2	FDOT #1 and FDOT #3
Phase III	Parcel 3-B	FDOT #4 and FDOT #5

3. Capacity to be Reserved. The County agrees to reserve 262 pm peak hour trips for the Bank Development as described in the Traffic Analysis. The County agrees that Bank, in its sole discretion, shall be allowed to assign some or all of the 262 pm peak, hour trips to successors or assigns for the Bank Development, or for another project within the boundary of the Property. Provided, however, that if the 262 pm peak hour reserved trips is insufficient for build out of the Bank Development or other project within the boundary of the Property, Bank or its successors or assigns shall apply for additional concurrency approval under then-existing traffic conditions and pursuant, to the County concurrency management regulations then in effect before proceeding with such development.

4. Satisfaction of Traffic Mitigation Requirements. The County acknowledges and agrees that, upon execution of this Agreement, and conditioned on the improvements being built, Bank shall be conclusively deemed, to have satisfied all requirements of the County Comprehensive Plan and the County land development code relating to the mitigation of traffic impacts, transportation concurrency, and/or financial feasibility for development that would generate a total 262 new pm peak hour trips located on the Property.

5. City of Destin Review. The County and Bank acknowledge that the connections to Hwy 98 are within the city limits of Destin, FL and the City must concur with the mitigation - described herein. Accordingly, the Bank submitted this proposed mitigation to the city for review. Written confirmation that the City approves this project is attaches as **Exhibit "E"**.

6. Agreement Binds Successors and Assigns; Notice to Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. A copy of this Agreement and all exhibits shall be recorded in the public records of Okaloosa County with all recordation expenses paid by Bank; further, a copy will be provided to all successors and assigns. The Agreement may be assigned by the Bank and any such assignment will be effective upon notice to the County.

7. Duration of Agreement. The duration of the Agreement shall be for five (5) years commencing with the effective date of this Agreement. This Agreement may be extended by the mutual consent of the parties for an additional five (5) years.

8. Effective Date; Notices. This Agreement shall be effective on the date of the last execution below. Notices required under this Agreement shall be sent to the following addresses unless written notice of change of address has been previously given:

To the County:           John Hofstad  
                                  Okaloosa County Director of Public Works  
                                  1759 S. Ferdon Blvd  
                                  Crestview, FL 32536

To Bank: Ken Daniel  
Asset Manager; Synovus Bank  
Post Office Box 1747  
Athens, GA 30603

With a copy to: William J. Dunaway  
Clark, Partington, Hart, et al.  
125 W. Romana St., Suite 800  
Pensacola, FL 32502

IN WITNESS WHEREFOR, the parties hereto have executed this Agreement on the day and year set out below.

Signed, sealed and delivered  
In the presence of

Henry J. Stapel  
DEPUTY CLERK

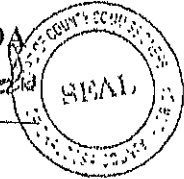


OKALOOSA COUNTY, FLORIDA

Print Name: Don R. Amadio

Title: CHAIRMAN

Date: Nov. 5, 2013



STATE OF FLORIDA  
COUNTY OF Okaloosa:

SWORN TO AND SUBSCRIBED to before me this 12<sup>th</sup> day of November 2013, by Chairman & Deputy Clerk on behalf of OKALOOSA COUNTY, FL, who is: (notary must check applicable line)

- is personally known to me.  
 produced a current \_\_\_\_\_ driver's license as identification.  
 produced \_\_\_\_\_ as identification.

[SEAL]



Mary L. Carson  
Notary Public  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



Signed, sealed and delivered  
In the presence of  
St O Kelly  
Steven O Kelly

SYNOVUS BANK  
R. McKenzie Daniel  
Print Name: R. MCKENZIE DANIEL  
Title: Special Assets Officer  
Date: 10/22/13

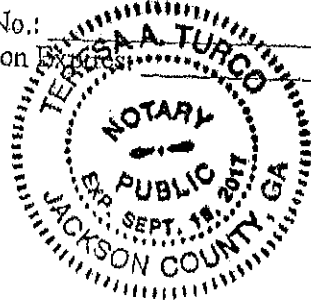
STATE OF GEORGIA :  
COUNTY OF JACKSON :

R. MCKENZIE DANIEL SWORN TO AND SUBSCRIBED to before me this 23<sup>rd</sup> day of October, 2013, by  
(line) on behalf of SYNOVUS BANK, who is: (notary must check applicable

- is personally known to me.
- produced a current \_\_\_\_\_ driver's license as identification.
- produced \_\_\_\_\_ as identification.

[SEAL]

Teresa A Turco  
Notary Public  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**Composite Exhibit "C"**

Original & Amended Traffic Impact Analysis



## Southern Traffic Services, Inc.

Gulf Breeze, Florida    Tallahassee, Florida    Tampa, Florida    Baton Rouge, Louisiana  
Georgetown, Texas    Frankfort, Kentucky    Atlanta, Georgia

July 15, 2014

Joe P. Poole, P.E.  
2943 Golden Eagle Drive  
Tallahassee, Florida 32312

Ms. Marissa L. Martinez  
Okaloosa County Department of Growth Management  
1804 Lewis Turner Boulevard, Suite 200  
Fort Walton Beach, Florida 32547-1285

**RE: Revision - Kelly Plantation Parcels Traffic Mitigation, Okaloosa County  
Project on Commons Drive, Destin Project Number: 13-12-OK**

Dear Ms. Martinez:

On May 8, 2013, Edwin Sanguyo and I had a telephone discussion about the total project trip calculation for the Kelly Plantation Parcels project. Mr. Sanguyo clarified the County's position regarding vested trips. The total project trip value is the critical one in determining the total vested trips for a project not the entering or exiting trip values for each parcel. Based on this information the project trip generation summary was revised as follows:

Previously Submitted Trip Generation Summary

Parcel	Enter Trips (vph)	Exit Trips (vph)	Total Trips (vph)
1A-2	23	30	53
1B-1	22	23	45
1B-2	12	16	28
3-B	48	99	147
Total	105	168	273

Revised Trip Generation Summary

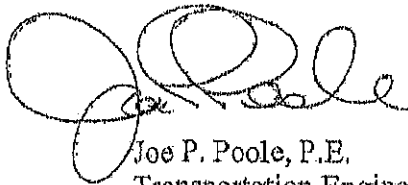
Parcel	Enter Trips (vph)	Exit Trips (vph)	Total Trips (vph)
1A-2	23	30	53
1B-1	22	23	45
1B-2	12	16	28
3-B	17	99	116
Total	94	168	262

The change results in less trips than reflected in the study dated May 1, 2013. Since the revised total project trip generation value is less than the previous one and the submitted SYNCHRO results show US 98 would operate at an acceptable level of service, we agreed no additions to the report are necessary.

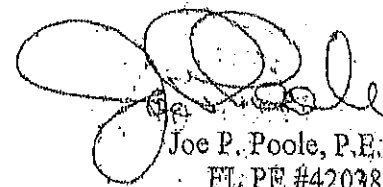
Due to the design impact of the westbound right turn lane on US 98 for Parcel 3B-2 the construction of this turn lane is not feasible. This change does not have any impact on the traffic impact analysis, except the trip distribution diagram was revised to reflect the re-distribution of the 5 project trips using this access. The trips would now enter the access for the adjacent parcel (to the west).

If you have any questions, please contact me at (850) 449-0807.

Sincerely,



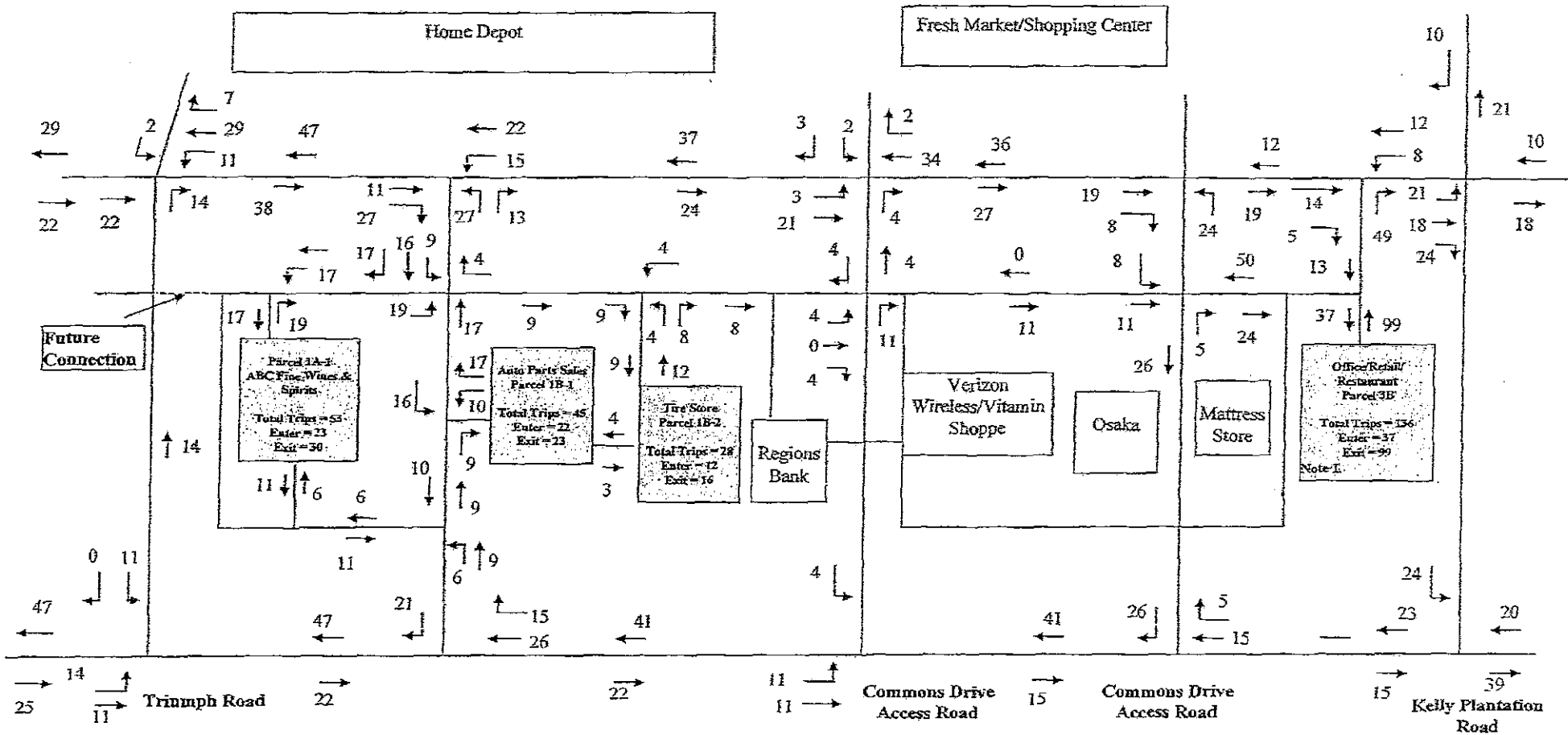
Joe P. Poole, P.E.  
Transportation Engineer



Joe P. Poole, P.E.  
FL PE #42038  
Southern Traffic Services, Inc.  
FL License No.: 00007809

7/15/14

**PM Peak Hour Trip Distribution Revision**  
**Parkway Parcels at Kelly Plantation**  
**US 98 & Commons Drive**  
**Okaloosa County, Florida**  
**July 10, 2014**  
**Page 2 of 2**





## Southern Traffic Services, Inc.

Gulf Breeze, Florida    Tallahassee, Florida    Tampa, Florida    Baton Rouge, Louisiana  
Georgetown, Texas    Frankfort, Kentucky    Atlanta, Georgia

May 16, 2013

Joe P. Poole, P.E.  
2943 Golden Eagle Drive  
Tallahassee, Florida 32312

Ms. Marissa L. Martinez  
Okaloosa County Department of Growth Management  
1804 Lewis Turner Boulevard, Suite 200  
Fort Walton Beach, Florida 32547-1285

**RE: Kelly Plantation Parcels Traffic Mitigation, Okaloosa County Project on  
Commons Drive, Destin Project Number: 13-12-OK**

Dear Ms. Martinez:

On May 8, 2013, Edwin Sanguyo and I had a telephone discussion about the total project trip calculation for the Kelly Plantation Parcels project. Mr. Sanguyo clarified the County's position regarding vested trips. The total project trip value is the critical one in determining the total vested trips for a project not the entering or exiting trip values for each parcel. Based on this information the project trip generation summary was revised as follows:

Previously Submitted Trip Generation Summary

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1A-2	23	30	53
1B-1	22	23	45
1B-2	12	16	28
3-B			
Total	105	168	273

Ms. Martinez  
Kelly Plantation Parcels  
May 16, 2013  
Page 2 of 2

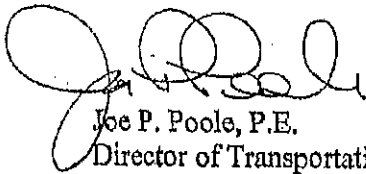
### Revised Trip Generation Summary

Parcel	Enter Trips (vph)	Exit Trips (vph)	Total Trips (vph)
1A-2	23	30	53
1B-1	22	23	45
1B-2	12	16	28
3-B			
Total	94	168	262

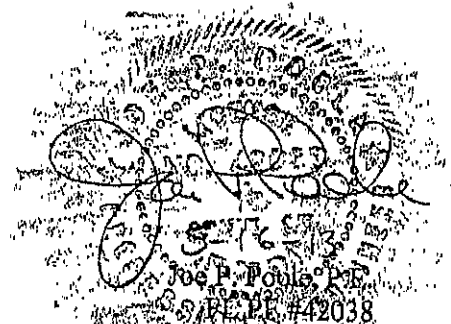
The change results in less trips than reflected in the study dated May 1, 2013. Since the revised total project trip generation value is less than the previous one and the submitted SYNCHRO results show US 98 would operate at an acceptable level of service, we agreed no additions to the report are necessary.

If you have any questions, please contact me at (850) 449-0807.

Sincerely,



Joe P. Poole, P.E.  
Director of Transportation Engineering



Southern Traffic Services, Inc.  
FL License No.: 00007809

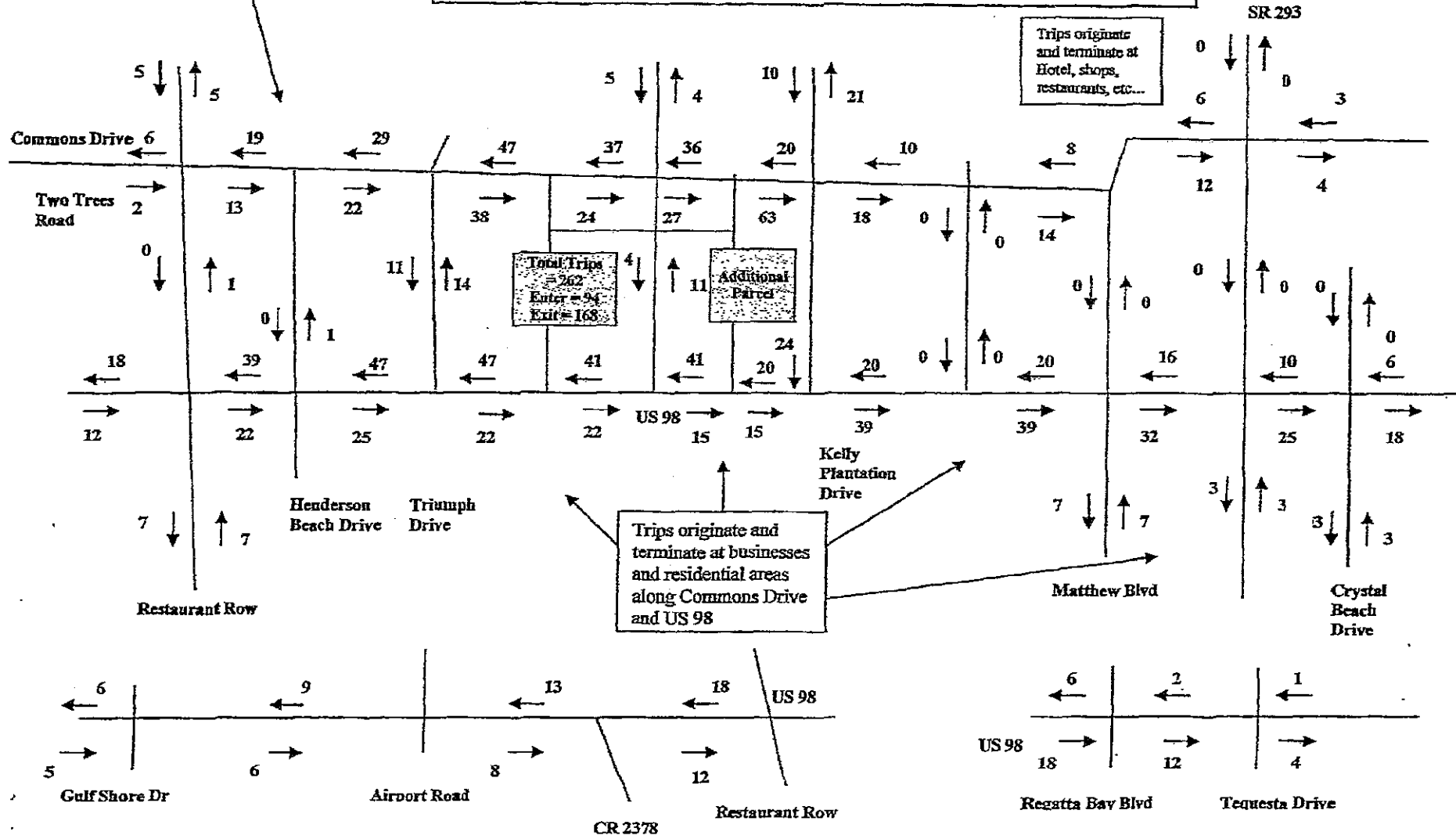
PM Peak Hour Trip Distribution Revision

Parkway Parcels at Kelly Plantation  
 US 98 & Commons Drive  
 Okaloosa County, Florida

May 14, 2013  
 Page 1 of 2

Trips originate and terminate at businesses and residential areas along Commons Drive and US 98

Trips originate and terminate at Hotel, shops, restaurants, etc...





**PM Peak Hour Trip Distribution Revision**  
**Parkway Parcels at Kelly Plantation**  
**US 98 & Commons Drive**  
**Okaloosa County, Florida**  
**May 14, 2013**  
**Page 2 of 2**

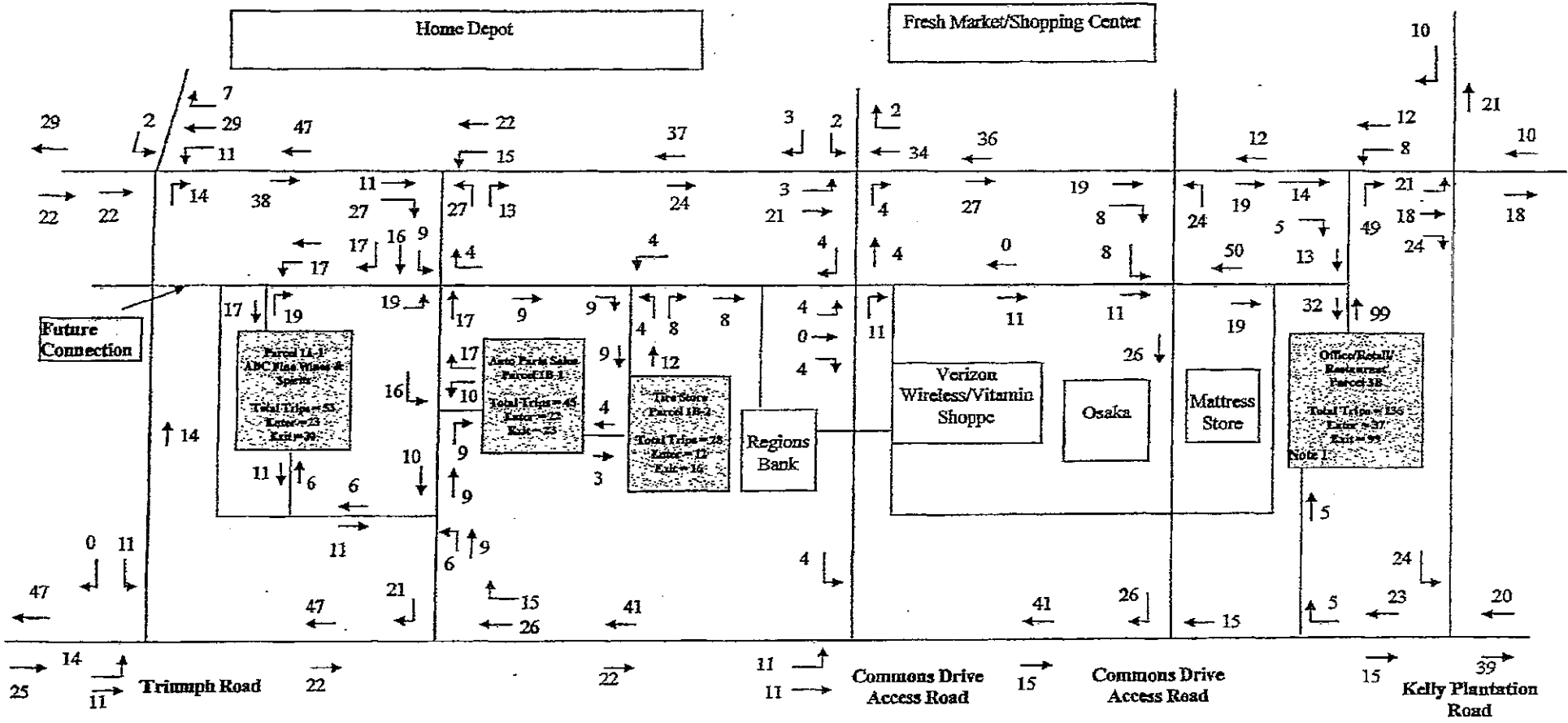


Table 1

**PM Peak Hour Bi-directional New Project Trips Distribution  
Parkway Parcels at Kelly Plantation**

Total Trips = 282  
Entering Trips = 94  
Exiting Trips = 168

**City of Destin Segment Evaluation**

Road	Destin Segment	Segment	PM Peak Hour Bi-directional MSV	Existing Bi-directional	City Committed Trips	County Committed Trips	Existing Bi-directional Plus City/County Committed Trips	Distribution	New Project Trips Bi-directional	PM Peak Hour Total Demand	Remaining Available Capacity
US 98	A	East Pass Bridge to Stahiman Ave	4,782	2,904	183	0	3,067	0%	0	3,067	1715
		Stahiman Ave to Benning Drive	4,979	3,237	272	0	3,509	1%	3	3,512	1467
		Benning Drive to Beach Drive	4,204	3,373	210	0	3,583	2%	5	3,588	818
		Beach Drive to Main Street	4,570	3,282	199	0	3,481	3%	8	3,489	1081
		Main Street to Gulf Shore Drive	4,544	3,215	173	0	3,389	4%	11	3,400	1144
	B	Gulf Shore Drive to Airport	4,771	3,519	221	0	3,740	6%	15	3,755	1016
		Airport Rd to Emerald Coast Pkwy	4,948	3,839	142	0	3,781	6%	21	3,802	1144
	C	Scenic Hwy 98 to Henderson Bch Blvd	4,410	3,478	120	533	4,131	23%	61	4,192	218
		Henderson Road to Triumph Drive	5,798	3,738	85	557	4,378	28%	72	4,450	1348
		Triumph Drive to Matthew Blvd	5,552	3,955	80	555	4,580	29%	69	4,558	893
		Matthew Blvd to Danny Wuerffel Way	5,385	3,774	67	713	4,554	18%	48	4,502	783
		Danny Wuerffel Way to Crystal Beach Dr	6,278	3,853	48	828	4,725	14%	35	4,760	1518
		Crystal Beach Dr to Regatta Bay Blvd	5,803	3,811	26	375	4,212	9%	24	4,236	1567
		Regatta Bay Blvd to Tequesta Drive	4,344	3,857	22	374	4,253	6%	14	4,267	77
		Tequesta Drive to Walton Co Line	4,638	3,888	16	355	4,267	2%	5	4,272	386
Airport Road		US 98 to Commons Drive	2,248	623	40	0	683	1%	2	665	1583
		Commons Drive to Main Street	4,252	1,767	27	0	1,794	2%	4	1,798	2454
Commons Blvd		Airport Rd to Indian Bayou Trail	1,191	2,019	39	109	2,167	3%	8	2,175	-864
		Indian Bayou Trail to Diamond Cove	1,191	1,531	66	109	1,706	7%	19	1,725	-534
		Diamond Cove to Henderson Bch Rd	1,191	1,578	68	109	1,753	12%	32	1,785	-594
		Henderson Bch Rd to Triumph Drive	1,250	1,202	60	109	1,391	20%	51	1,442	-192
		Triumph Drive to Kelly Plantation	1,250	1,161	43	109	1,303	33%	85	1,388	-138
		Kelly Plantation to Matthew Blvd	1,191	1,112	35	205	1,352	11%	28	1,380	-188
Crystal Beach Drive		Scenic Hwy 98 and US 98	907	447	5	0	452	2%	8	458	449
Gulf Shore Dr		US 98 to Curve	2,683	779	70	0	849	1%	3	852	1841
Henderson Bch Rd		US 98 to Commons Drive	1,191	501	22	0	523	4%	9	532	659
Hutchinson St		US 98 to Scenic 98	1,191	677	16	0	693	2%	6	699	492
Indian Bayou Trail		Commons Drive to Country Club Drive	1,191	259	14	0	273	4%	10	283	908
		US 98 to Commons Drive	1,191	442	12	0	454	1%	1	465	736
Main Street		US 98 and Airport Road	1,975	658	35	0	693	1%	3	696	1279
		Airport Road and Kelly Street	1,191	798	8	0	797	1%	1	798	393
Matthew Blvd		Scenic 98 and US 98	1,191	485	19	0	504	5%	14	518	673
Regatta Bay Boulevard		Scenic Hwy 98 and US 98	1,191	218	2	0	220	2%	5	225	966
Restaurant Row		US 98 to Emerald Coast Parkway	1,191	175	15	0	190	5%	14	204	987
Scenic Hwy 98		Matthew Boulevard and Dolphin Street	1,191	804	35	0	838	4%	11	850	341
		Dolphin Street and Walton County Line	1,191	833	23	0	856	2%	5	861	330

**Exhibit "D"**

Variance

VARIANCE

NOTICE IS HEREBY GIVEN that the Okaloosa County Board of Adjustment has granted a variance from Sections 6.03.08 (A); Section 6.08.03 (B) and Section 6.08.03 (G) Okaloosa County Land Development Code, Ordinance 91-1, as amended. Section 6.03.08 (A) Access points shall be located no closer than six hundred sixty (660) feet apart measured from center line to center line of the driveway, from 660' to 319.54' from the new "Commons Drive Connection #1" to the new "Commons Drive Connection #2" and that the allowable connection distance be decreased from 660' to 280.23' from the new "Commons Drive Connection #2" to the exit lanes of the Home Depot, from 660' to 346.64' from the entrance lanes of the Home Depot to the new "Commons Drive Connection #3" and from 660' to 315.24' from the new "Commons Drive Connection #3" to the existing Commons Drive Access Road (east of the existing Osaka Restaurant), from 660' to 241.81' from the existing Commons Drive Access Road (east of the existing Osaka Restaurant) to the new "Commons Drive Connection #4" and from 660' to 319.62' from the new "Commons Drive Connection #4" to the existing Kelly Plantation One-Way Exit Drive; Section 6.08.03 (B) Median cuts shall be located no closer than 1,320' apart measured from center line to center line of the roadway, from 1,320' to 536.04' from the Triumph Road Access Road (roundabout west of Home Depot) to a new "Commons Drive Connection #1" and from 1,320' to 599.77' from the new "Commons Drive Connection #1" to the exit lanes of the Home Depot; Section 6.08.03 (G) This ordinance is now intended to deny access to any existing lot, parcel or tract of land for which the only means of access to the same would be by the limited access road, but is intended to limit further divisions into parcels or lots unless compliance herewith is accomplished, to subdivide the five existing parcels into a total of 8 parcels. The property is zoned RESIDENTIAL GENERAL DEVELOPMENT DISTRICT (RGD) and the Future Land Use Map Designation is Mixed Use-2 (MU-2). A general location of the property is Parkway Parcels 1A-1, 1A-2, 1B, 1C, 2A, Osaka Restaurant, 3A & 3B on Commons Drive between Triumph Road Access Road and Kelly Plantation Exit Lanes, within Kelly Plantation, Destin, Florida.

On that certain real property described as: 00-2S-22-0000-0001-A220 & 00-2S-22-0000-0001-A17W

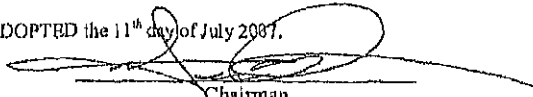
LEGAL: See Attached "Exhibit A"

The Board of Adjustment has found that this relaxation of the terms of the zoning ordinance will not be contrary to the public interest and the Comprehensive Plan and owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

Said variance is granted subject to the following conditions and safeguards:

Cross Access agreements shall be required between Parkway Parcels 1A-1, 1A-2, 1B and 1C, Parkway Parcel 2 and the Osaka Restaurant and between Parkway Parcels 3A and 3B. The cross access easement shall be a blanket easement. This variance does not constitute approval of any connection to State Highway 98. This variance does not grant a subdivision of the property.

PASSED AND ADOPTED the 11<sup>th</sup> day of July 2007.

  
Chairman  
Board of Adjustment

The foregoing instrument was acknowledged before me this 8 day of August 2007 by Bruce Rawan who is personally known to me and who did not take an oath.

Teresa A. Mullins  
NOTARY PUBLIC  
2/6/2010  
My Commission Expires:



**Exhibit "E"**

Site plans & Roadway Improvements

# MEMORANDUM

TO: Marissa Martinez, Planner III  
Growth Management Dept.

FROM: <sup>AMS</sup> Edwin S. Sanguyo, P.E., Engineer III  
Public Works Department

DATE: July 24, 2014

SUBJECT: **Transportation Safety Upgrade @ Kelly Plantation**

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Plans reviewed with the following comments and/or conditions:

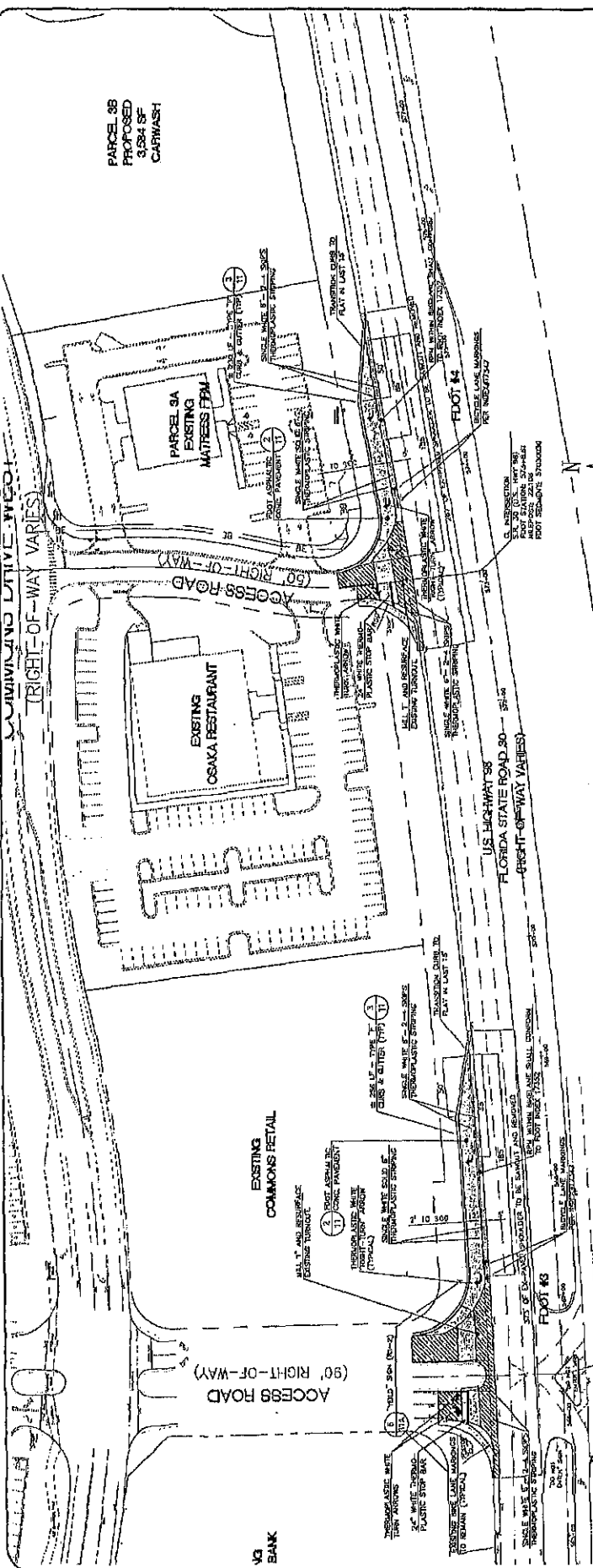
1. Traffic concurrency requirements of the commercial parcels (1A-2, 1B-1, 1B-2, and 3B) are met through the Okaloosa County BCC approval of the proposed transportation infrastructure agreement (Nov. 5, 2013).
2. The Transportation Infrastructure Agreement and/or potential traffic impact of the proposed project has been approved by the City of Destin (Okaloosa County/City of Destin Interlocal Agreement, July 2002).
3. Stormwater Management Plans demonstrating conformance with Chapter 6, Section 6.06.00 of the Okaloosa County LDC and all appropriate construction drawings shall be provided for the development plan review and approval of each phase of construction.
4. All roadway improvements that will be dedicated to Okaloosa County are required to enter the eighteen (18) month warranty period and must meet the requirements of Section 6.01.053 and Section 6.03.14 of the Okaloosa County LDC. The minimum right-of-way width shall be fifty feet (50').
5. Okaloosa County BCC approval of the proposed transportation safety upgrade amendment (removal of FDOT #5) shall be required prior to the development approval of Phase 3B.
6. Permits required by the FDEP, FDOT, and any other agencies exercising jurisdiction shall be obtained prior to start of construction of each phase of development.

Plans **APPROVED** 7/24/14.

/ess

Cc: Matthew R. Parker, P.E., JP Engineering  
Jason T. Autrey, P.E., County Engineer





- GENERAL NOTES**
1. SERVICES PROVIDED BY MERRILL PARKER SHAW, INC.
  2. PAVEMENT DIMENSIONS ARE MEASURED TO THE BACK OF CURB OR EDGE OF PAVEMENT.
  3. THIS PROJECT IS LOCATED IN PLANNED ZONE JC, NO MINIMUM FLOOR ELEVATION REQUIRED. AS DEVELOPED BY SCALE FROM PLANNING NUMBER 120301C PAGES 4-489 TH, DATED NOVEMBER 6, 2002, CALHOUN COUNTY, FLORIDA.
  4. OWNER SHALL BE RESPONSIBLE FOR SUBMITTING THE NOTICE OF CONSTRUCTION.
  5. CONSTRUCTION SHALL BE RESPONSIBLE FOR MONITORING CONSTRUCTION ON A MINIMUM OF A WEEKLY BASIS AND FOR SUBMITTING AN ANNUAL CONTRIBUTION TO THE ANNUAL FUND TO BE RESPONSIBLE FOR SUBMITTING THE ANNUAL CONTRIBUTION TO THE ANNUAL FUND.
  6. A RAIN GARDEN SHALL BE PROVIDED AS A PART OF THE IMPROVEMENT DESIGN AND CONSTRUCTION.

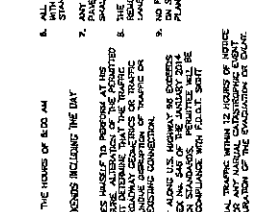
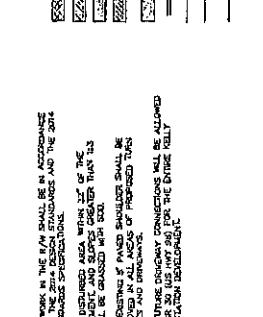
- FOOT NOTES**
1. ALL WORK IN THE 5' WIDE AREA SHALL BE IN ACCORDANCE WITH THE 2014 DESIGN STANDARDS AND SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
  2. ANY EXISTING AREA WITHIN THE 5' WIDE AREA SHALL BE GRADED TO MATCH THE SURROUNDING TERRAIN.
  3. THE EXISTING DRIVE SHALL BE GRADED TO MATCH THE SURROUNDING TERRAIN.
  4. THE DRIVE SHALL BE GRADED TO MATCH THE SURROUNDING TERRAIN.
  5. ALL LANSIS SHALL BE OPEN TO NORMAL TRAFFIC WITHIN 12 HOURS OF NOTICE.

- DETAILS**
- REFER TO THE FOLLOWING FDOT STANDARD INDEX DRAWINGS FOR ADDITIONAL DETAILS:
- | INDEX NO.           | DETAILS                      |
|---------------------|------------------------------|
| 300                 | TYPE T CURB                  |
| 513                 | PASADENA HIGHWAYS & ROADWAYS |
| 17032, 17046, 17049 | THROUGH                      |
| 17060, 17063, 17066 | THROUGH                      |
| 17068, 17072        | THROUGH                      |
| 1004, 1010, 1013    | THROUGH                      |
| 813                 | THROUGH                      |
| 821                 | THROUGH                      |
- AS SHOWN ON THE CONSTRUCTION DRAWINGS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE NECESSARY PERMITS AND APPROVALS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION PRIOR TO BEGINNING WORK.



**LEGEND**

- ADJUSTED PAVEMENT (OPTION 7.1)
- ADJUSTED PAVEMENT (OPTION 7.2)
- POST ASPHALT
- WALLED & RESURFACED ASPHALT
- CONCRETE DRIVE
- CONCRETE DRIVE
- POST-ON-WAY LINE
- PROPERTY LINE
- CONTRIBUTION OF DRIVE OR LOT



PARCEL 3B PROPOSED 3,284 SF CARWASH

EXISTING RESTAURANT

PARCEL 3A EXISTING MATRESS FARM

US BANK

COMMONS RETAIL

ACCESS ROAD

TRIGHT-OF-WAY VARIES

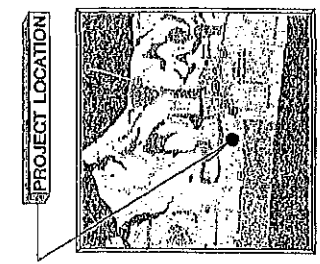
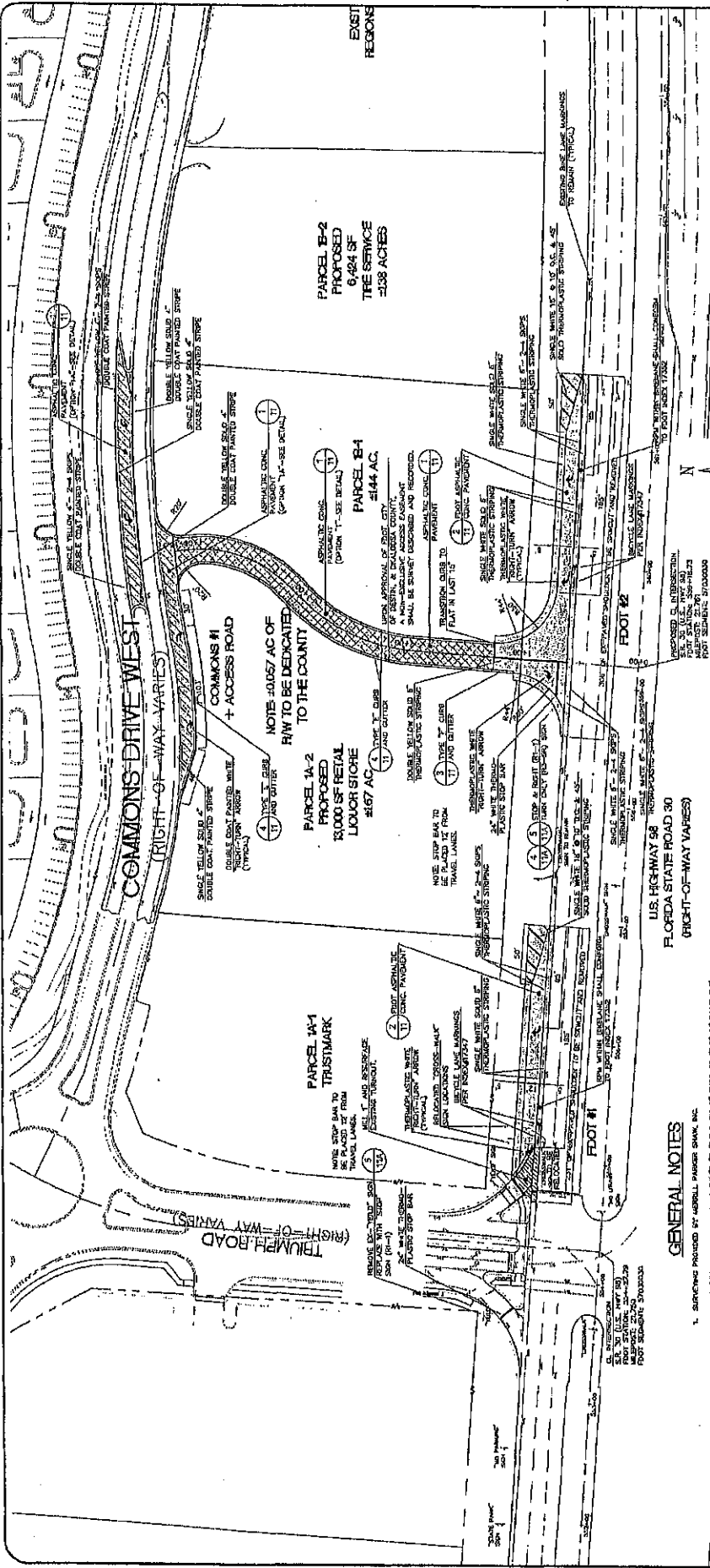
FOOT #3

FOOT #4

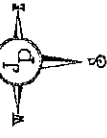
US HIGHWAY 88

FLORIDA STATE ROAD 50





VICINITY MAP



**LEGEND**

[Symbol]	ASPHALT PAVEMENT (OPTION 1*)
[Symbol]	ASPHALT PAVEMENT (OPTION 2*)
[Symbol]	FOOT PATHWAY
[Symbol]	WELDED WIRE REINFORCED ASPHALT
[Symbol]	CONCRETE SIDEWALK
[Symbol]	CONCRETE CURB
[Symbol]	RIGHT-OF-WAY LINE
[Symbol]	PROPERTY LINE
[Symbol]	CONTOUR OF DRAIN ON 1/4" = 1' V

- F.D.O.T. NOTES**
- NO DRAINAGE LANE CLOSURES DURING THE HOURS OF 8:00 AM TO 8:00 PM.
  - NO LANE CLOSURES ON HOV-3 HIGHWAY NETWORKS INCLUDING THE DAY BEFORE AND FOLLOWING.
  - THE RESURFACE, PATCHES AND PATCHES SHOULD BE PERFORMED AT THE CONSTRUCTION SITE. THE DEPARTMENT DEEMING THAT THE TRAFFIC CONTROL PLAN IS ADEQUATE TO MAINTAIN THE SAFETY OF TRAVEL OR CREATING SAFETY HAZARDS AT THE EXISTING CONNECTION.
  - THE SHORT DISTANCE EAST AND WEST ALONG U.S. HIGHWAY 58 EXCEEDS THE MAXIMUM LENGTH OF 1/4 MILE PERmitted BY THE DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION IN COMPLIANCE WITH F.D.O.T. SHORT DISTANCE REQUIREMENTS.
  - CONSTRUCTION SHALL BE LIMITED TO NORMAL BUSINESS HOURS. THE DEPARTMENT SHALL BE RESPONSIBLE FOR CONSTRUCTION TO MAINTAIN AN APPROPRIATE LEVEL OF EXHAUSTION TO MAINTAIN AN APPROPRIATE LEVEL OF EXHAUSTION AND SHALL REMAIN OPEN FOR THE DURATION OF THE EMULCATION OF EXIST.

- GENERAL NOTES**
- SURVEYING PROVIDED BY GIBSON PARRISH SURVEY, INC.
  - PAVEMENT DIMENSIONS ARE MEASURED TO THE BACK OF CURB OR EDGE OF PAVEMENT.
  - THIS PARCEL IS LOCATED IN FLOOD ZONE X-1. NO MINIMUM FLOOR ELEVATION REQUIRED, BUT FINISH FLOOR SHOULD BE AT LEAST 1' ABOVE THE FLOOD ZONE ELEVATION.
  - OWNER SHALL BE RESPONSIBLE FOR SUBMITTING THE NOTICE OF CONSTRUCTION TO THE DEPARTMENT OF TRANSPORTATION AND MAINTENANCE.
  - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE F.D.O.T. STANDARD DRAWINGS.
  - A BURN BAN SHALL BE PROVIDED AS A PART OF THE REGULATION DESIGN AND CONSTRUCTION.

**REFER TO THE FOLLOWING F.D.O.T. STANDARD INDEX DRAWINGS FOR ADDITIONAL DETAILS:**

INDEX NO.	DETAILS
209	TYPE 1" CURB
210	TURNOUT
1728D, 1234L, 1734F	PAVEMENT MARKINGS & DIMENSIONS
672	MANAGEMENT OF TRAFFIC PLAN
1304A, 1704-B	SIGNAL
112	TEMPORARY EROSION AND SEDIMENT CONTROL
104, 823	TRAFFIC CONTROL THROUGH WORK ZONES
273	WEDGES AND STRIPS

\* AN ON-SITE PRE-CONSTRUCTION MEETING SET UP BY THE DESIGN ENGINEER SHALL BE HELD PRIOR TO BEGINNING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE DEPARTMENT PRIOR TO BEGINNING WORK.

**Exhibit "F"**

City of Destin Approval of Traffic Plan



# Community Development Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-837-7949 | [www.cityofdestin.com](http://www.cityofdestin.com)

September 17, 2013

Ms. Marissa L. Martinez  
Okaloosa County Department of Growth Management  
1804 Lewis Turner Boulevard, Suite 200  
Fort Walton Beach, Florida 32547-1285

**Subject: Kelly Plantation Parcels Traffic Mitigation  
an Okaloosa County Project, Commons Dr  
Destin Project Number: 13-12-OK**

Dear Ms. Martinez:

The Planning Division has reviewed the revised Transportation Infrastructure Agreement dated July 30, 2013 and received by the City of Destin on September 4, 2013.

The City of Destin Planning Division approves this project and has no objection to the revised Transportation Infrastructure Agreement and the potential traffic impacts of the proposed project as presented in the May 1, 2013 Traffic Analysis by Southern Traffic Services, Inc.

The City of Destin offers the following comment regarding the Traffic Analysis:

The ITE Trip Generation Manual "Users Guide and Handbook" (9<sup>th</sup> Edition) establishes a pass-by rate for Land Use Code 932 (High-Turnover (Sit-Down) Restaurant) at 43%. The applicant is using a maximum pass-by rate of 25% based on the Okaloosa County Land Development Code and Inter-Governmental Technical Review Committee (ITRC). So long as the 25% pass-by rate is an acceptable figure within established County requirements, then the City of Destin has no objection with the applicant using this rate.

The City of Destin has been paid in full for the cost of our traffic consultant reviewing this project.

If you have questions or need further assistance, please do not hesitate to call me at (850) 337-3130.

Sincerely,

David M. Forstrom, CFM  
Planner & Stormwater/Flood Plain Manager

cc: Project File & Letter Log

**NOTE - DATE:** The Okaloosa County Board of County Commissioners did not consider this item until November 5, 2013 and did not enter into the agreement until that date. Teresa Ward, Clerk to BCC.

## **TRANSPORTATION INFRASTRUCTURE AGREEMENT**

**NOTE - DATE**

This Transportation Infrastructure Agreement is made and entered into as of the 30th day of July, 2013, by and between Synovus Bank (hereinafter "Bank") and Okaloosa County, Florida, (hereinafter "the County") a political subdivision of the State of Florida.

WHEREAS, Bank is the owner of all that certain, real property located in Okaloosa County, Florida and more particularly described in **Composite Exhibit "A"** attached hereto (hereafter referred to as "the Property"), located on the north side of U.S. Hwy 98 between Triumph Drive and Kelly Plantation Drive, Destin, FL, and referred to as the Kelly Plantation commercial properties parcels 1A-2, 1B-1, 1B-2, 3-B; and

WHEREAS, Bank proposes to develop 44,105 square feet of commercial development consisting of retail, restaurants, banks, office buildings, or other uses (hereafter referred to as the "Bank Development") on the Property; and

WHEREAS, the Bank Development is expected to impact three segments included in the Okaloosa County Transportation Concurrency System. These segments include U.S. Hwy 98 from CR 2378 to Walton County Line, Commons Drive from Matthew Boulevard to Kelly Plantation, and Commons Drive from Kelly Plantation Drive to Two Trees Road.

WHEREAS, Bank has prepared and submitted to the County a Traffic Impact Analysis (hereafter referred to as the "Traffic Analysis") which has been reviewed and accepted by the County and is attached and incorporated herein as **Composite Exhibit "B"**; and

WHEREAS, the Traffic Analysis shows that the impacted segment of U.S. Hwy 98 would operate at an acceptable level of service with the additional trips to be generated by the Bank Development. Furthermore, using the FDOT Generalized Tables indicates Commons Drive has sufficient capacity for the Bank Development. However, using the City of Destin Interlocal Agreement/Unified Transportation Concurrency Methodology (UTCMS) shows that Commons Drive is over capacity.

WHEREAS, to mitigate this capacity deficiency on Commons Drive, the Bank will ensure the safety improvements and modifications (westbound right turn lanes) on U.S. Hwy 98 are built at an estimated total cost of \$517,596.00;

WHEREAS, as part of the safety improvements, the Bank will ensure the design of the Bank Development complies with and has in place legally enforceable cross easement connections as approved by the variance attached and incorporated herein as **Exhibit "C"**; and

WHEREAS, other site-related operational improvements will be solely at Bank's cost and are not addressed herein;

NOW, THEREFORE, the parties agree as follows:

1. Recitals Incorporated. The foregoing recitals are true and correct and are incorporated as part of this Agreement.
2. Net Amount Due from Bank. Bank agrees to (or cause to be) designed and implemented certain roadway improvements and modifications described in **Exhibit "D"**. The improvements are expected to be developed in conjunction with the site development of the parcels

**CONTRACT# C14-2116-PW  
SYNOVUS BANK  
KELLY PLANTATION RIGHT TURN LANES  
EXPIRES: 11/05/2018**

that are directly associated with the improvements. The improvements will be constructed in three phases as follows:

	<u>Parcels</u>	<u>Associated improvements</u>
Phase I	Parcels 1A-2 & 1B-1	Commons #1 plus access road and FDOT #2
Phase II	Parcel 1B-2	FDOT #1 and FDOT #3
Phase III	Parcel 3-B	FDOT #4 and FDOT #5

3. Capacity to be Reserved. The County agrees to reserve 262 pm peak hour trips for the Bank Development as described in the Traffic Analysis. The County agrees that Bank, in its sole discretion, shall be allowed to assign some or all of the 262 pm peak, hour trips to successors or assigns for the Bank Development, or for another project within the boundary of the Property. Provided, however, that if the 262 pm peak hour reserved trips is insufficient for build out of the Bank Development or other project within the boundary of the Property, Bank or its successors or assigns shall apply for additional concurrency approval under then-existing traffic conditions and pursuant, to the County concurrency management regulations then in effect before proceeding with such development.

4. Satisfaction of Traffic Mitigation Requirements. The County acknowledges and agrees that, upon execution of this Agreement, and conditioned on the improvements being built, Bank shall be conclusively deemed, to have satisfied all requirements of the County Comprehensive Plan and the County land development code relating to the mitigation of traffic impacts, transportation concurrency, and/or financial feasibility for development that would generate a total 262 new pm peak hour trips located on the Property.

5. City of Destin Review. The County and Bank acknowledge that the connections to Hwy 98 are within the city limits of Destin, FL and the City must concur with the mitigation described herein. Accordingly, the Bank submitted this proposed mitigation to the city for review. Written confirmation that the City approves this project is attaches as **Exhibit "E"**.

6. Agreement Binds Successors and Assigns; Notice to Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. A copy of this Agreement and all exhibits shall be recorded in the public records of Okaloosa County with all recordation expenses paid by Bank; further, a copy will be provided to all successors and assigns. The Agreement may be assigned by the Bank and any such assignment will be effective upon notice to the County.

7. Duration of Agreement. The duration of the Agreement shall be for five (5) years commencing with the effective date of this Agreement. This Agreement may be extended by the mutual consent of the parties for an additional five (5) years.

8. Effective Date; Notices. This Agreement shall be effective on the date of the last execution below. Notices required under this Agreement shall be sent to the following addresses unless written notice of change of address has been previously given:

To the County: John Hofstad  
Okaloosa County Director of Public Works  
1759 S. Ferdon Blvd  
Crestview, FL 32536

To Bank: Ken Daniel  
Asset Manager; Synovus Bank  
Post Office Box 1747  
Athens, GA 30603

With a copy to: William J. Dunaway  
Clark, Partington, Hart, et al.  
125 W. Romana St., Suite 800  
Pensacola, FL 32502

IN WITNESS WHEREFOR, the parties hereto have executed this Agreement on the day and year set out below.

Signed, sealed and delivered  
In the presence of

Mary J. Stapel  
DEPUTY CLERK



OKALOOSA COUNTY, FLORIDA

Print Name: Don R. Amundson

Title: CHAIRMAN

Date: Nov. 5, 2013



STATE OF FLORIDA  
COUNTY OF Okaloosa :

SWORN TO AND SUBSCRIBED to before me this 12<sup>th</sup> day of November 2013, by Chairman & Deputy Clerk on behalf of OKALOOSA COUNTY, FL, who is: (notary **must** check applicable line)

- is personally known to me.
- produced a current \_\_\_\_\_ driver's license as identification.
- produced \_\_\_\_\_ as identification.

[SEAL]



Mary L. Carson  
Notary Public  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Signed, sealed and delivered  
In the presence of

St O'Reilly  
Steven O'Reilly

SYNOVUS BANK

R. McKenzie Daniel  
Print Name: R. MCKENZIE DANIEL

Title: Special Assets Officer

Date: 10/23/13

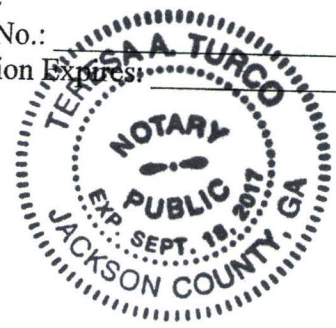
STATE OF GEORGIA :  
COUNTY OF JACKSON :

R. MCKENZIE DANIEL SWORN TO AND SUBSCRIBED to before me this 23<sup>rd</sup> day of October, 2013, by  
line) on behalf of SYNOVUS BANK, who is: (notary **must** check applicable

- is personally known to me.
- produced a current \_\_\_\_\_ driver's license as identification.
- produced \_\_\_\_\_ as identification.

[SEAL]

Teresa A Turco  
Notary Public  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



Composite Exhibit "A"  
Property Legal Descriptions



## PARCEL 1A-2:

COMMENCE AT AN EXISTING CONCRETE MONUMENT (NO NUMBER) MARKING THE SOUTHEAST CORNER OF LOT 4, BLOCK 6 OF SILVER BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 16 1/2 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 03 DEGREES 58 MINUTES 48 SECONDS EAST ON THE EAST LINE OF SAID LOT 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1177.28 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FLORIDA STATE ROAD 30 (RIGHT-OF-WAY VARIES); THENCE SOUTH 86 DEGREES 01 MINUTES 23 SECONDS EAST ON SAID CENTERLINE, FOR A DISTANCE OF 3848.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS 5729.58 FEET; THENCE GO ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5729.58 FEET, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 334.15 FEET (CHORD BEARING: SOUTH 87 DEGREES 41 MINUTES 38 SECONDS EAST, CHORD DISTANCE: 334.11 FEET); THENCE DEPARTING SAID CENTERLINE, GO NORTH 00 DEGREES 38 MINUTES 07 SECONDS EAST, FOR A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING ON A CURVE HAVING A RADIUS OF 5629.58 FEET, THENCE GO ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING A CURVE HAVING A RADIUS OF 5629.58 FEET AND CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 328.32 FEET (CHORD BEARING: N87°41'38"W, CHORD DISTANCE: 328.28 FEET) TO THE POINT OF TANGENCY; THENCE GO NORTH 86 DEGREES 01 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, FOR A DISTANCE OF 97.78 FEET FOR THE POINT OF BEGINNING; THENCE GO NORTH 86 DEGREES 01 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, FOR A DISTANCE OF 238.20 FEET TO THE SOUTHWEST CORNER OF PARKWAY PARCEL 1A-2 AS RECORDED IN OFFICIAL RECORDS BOOK 2948 AT PAGE 1183 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, GO NORTH 03 DEGREES 58 MINUTES 37 SECONDS EAST, FOR A DISTANCE OF 289.51 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS DRIVE WEST (RIGHT-OF-WAY VARIES); THENCE GO SOUTH 74 DEGREES 27 MINUTES 11 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 3.69 FEET TO A POINT OF CURVATURE; THENCE GO ALONG A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 525.00 FEET; THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 525.00 FEET THROUGH A CENTRAL ANGLE OF 09 DEGREES 31 MINUTES 29 SECONDS FOR A DISTANCE OF 87.28 FEET (CHORD BEARING SOUTH 79 DEGREES 12 MINUTES 58 SECONDS EAST, CHORD DISTANCE OF 87.18 FEET); THENCE GO SOUTH 73 DEGREES 22 MINUTES 53 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 52.00 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE BEING CONCAVE NORTH, HAVING A RADIUS OF 537.00 FEET; THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 537.00 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 39 SECONDS FOR AN ARC DISTANCE OF 103.20 FEET (CHORD BEARING NORTH 85 DEGREES 03 MINUTES 18 SECONDS EAST, CHORD DISTANCE OF 103.04 FEET); TO THE POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 983.00 FEET BEING CONCAVE SOUTH, THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 983.00 FEET THROUGH A CENTRAL ANGLE OF 03 DEGREES 46 MINUTES 08 SECONDS FOR AN ARC DISTANCE OF 63.35 FEET (CHORD BEARING NORTH 81 DEGREES 26 MINUTES 02 SECONDS EAST, CHORD DISTANCE 63.34 FEET); THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE GO SOUTH 07 DEGREES 24 MINUTES 39 SECONDS EAST, FOR A DISTANCE OF 10.72 FEET TO A POINT OF CURVATURE; THENCE GO ALONG A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 100.00 FEET, FOR AN ARC OF 97.96 FEET (DELTA = 56 DEGREES 07 MINUTES 36 SECONDS, CHORD BEARING = SOUTH 20 DEGREES 39 MINUTES 09 SECONDS WEST, CHORD DISTANCE = 94.09 FEET) TO A POINT OF REVERSE CURVATURE; THENCE GO SOUTHERLY ALONG A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 150.00 FEET, FOR AN ARC OF 117.13 FEET (DELTA = 44 DEGREES 44 MINUTES 20 SECONDS, CHORD BEARING = SOUTH 26 DEGREES 20 MINUTES 47 SECONDS WEST, CHORD DISTANCE = 114.17 FEET) TO A POINT OF TANGENCY; THENCE GO SOUTH 03 DEGREES 58 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 90.57 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL OF LAND BEING SITUATED IN TOWNSHIP-2-SOUTH, RANGE-22-WEST, OKALOOSA COUNTY, FLORIDA, AND CONTAINS 1.67 ACRES MORE OR LESS.

*E. Wayne Parker 9/20/13*

E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR  
FLORIDA REGISTRATION NUMBER 3683, CORPORATE NUMBER 7174  
STATE OF FLORIDA

NOT VALID WITHOUT  
ORIGINAL RAISED SEAL  
OF FLORIDA REGISTERED  
LAND SURVEYOR

SHEET 1 OF 2



**MERRILL PARKER SHAW, INC.**  
PROFESSIONAL SURVEYING SERVICES

4928 N. Davis Highway  
Pensacola, Florida 32503

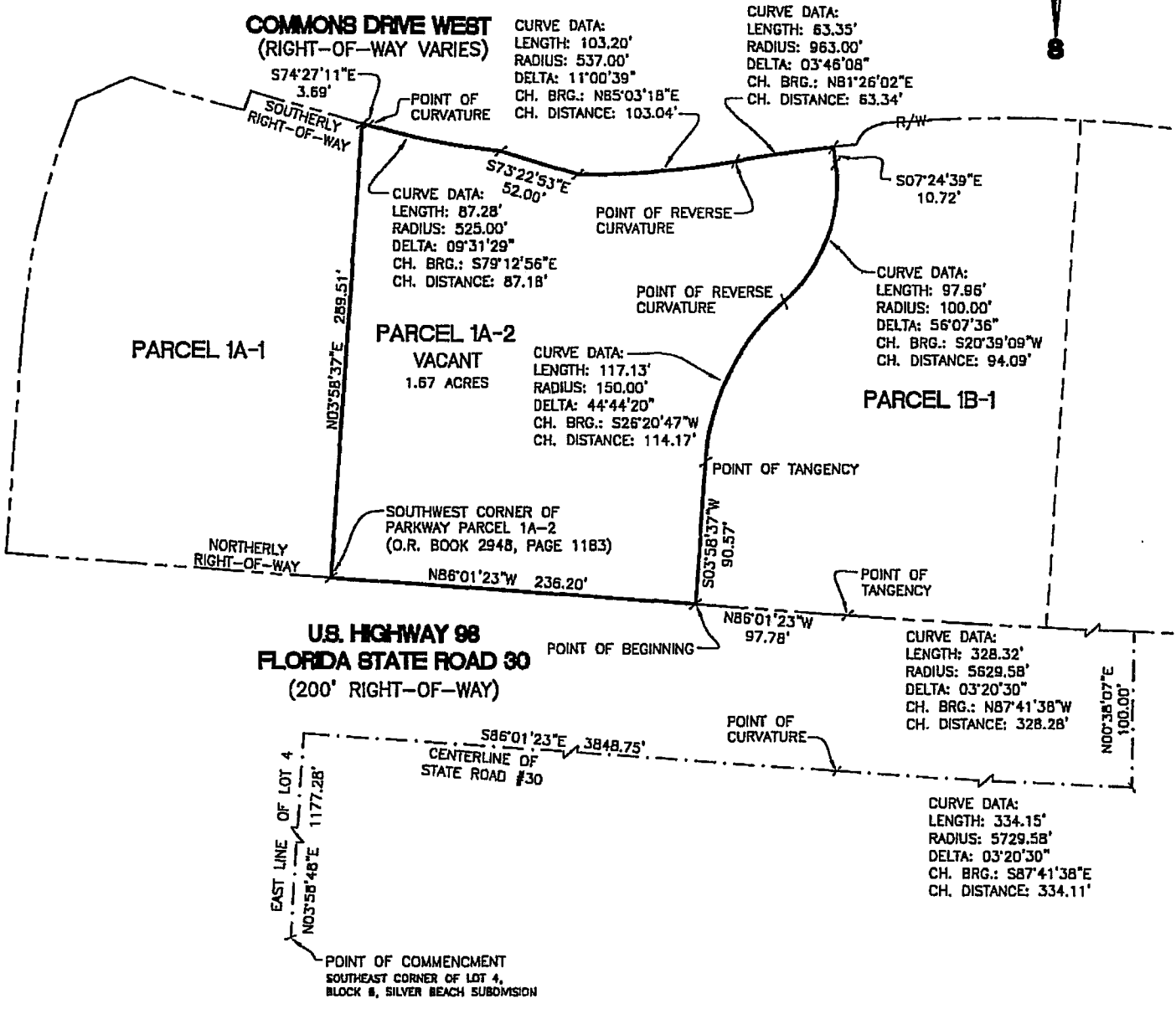
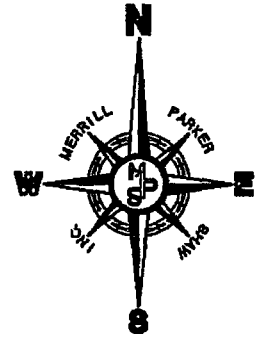
Phone: (850) 478-4923  
Fax: (850) 478-4924

**DESCRIPTION/DESCRIPTION**

**PARCEL 1A-2**

**1.67 ACRES**

PREPARED BY: AES, CHECKED BY: EWP



SCALE 1"=100'

SHEET 2 OF 2



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**DESCRIPTION/DESCRIPTION**  
**PARCEL 1A-2**  
**1.67 ACRES**

PREPERED BY: AES, CHECKED BY: EWP

## RIGHT OF WAY PARCEL:

COMMENCE AT AN EXISTING CONCRETE MONUMENT (NO NUMBER) MARKING THE SOUTHEAST CORNER OF LOT 4, BLOCK 6 OF SILVER BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 16 1/2 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 03 DEGREES 58 MINUTES 48 SECONDS EAST ON THE EAST LINE OF SAID LOT 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1177.28 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FLORIDA STATE ROAD 30 (RIGHT-OF-WAY VARIES); THENCE SOUTH 86 DEGREES 01 MINUTES 23 SECONDS EAST ON SAID CENTERLINE, FOR A DISTANCE OF 3848.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 5729.58 FEET; THENCE GO ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5729.58 FEET, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 334.15 FEET (CHORD BEARING: SOUTH 87 DEGREES 41 MINUTES 38 SECONDS EAST, CHORD DISTANCE: 334.11 FEET); THENCE DEPARTING SAID CENTERLINE, GO NORTH 00 DEGREES 38 MINUTES 07 SECONDS EAST, FOR A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING ON A CURVE HAVING A RADIUS OF 5629.58 FEET, THENCE GO ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING A CURVE HAVING A RADIUS OF 5629.58 FEET AND CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 328.32 FEET (CHORD BEARING: N87°41'38"W, CHORD DISTANCE: 328.28 FEET) TO THE POINT OF TANGENCY; THENCE GO NORTH 86 DEGREES 01 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, FOR A DISTANCE OF 333.98 FEET TO THE SOUTHWEST CORNER OF PARKWAY PARCEL 1A-2 AS RECORDED IN OFFICIAL RECORDS BOOK 2948 AT PAGE 1183 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, GO NORTH 03 DEGREES 58 MINUTES 37 SECONDS EAST, FOR A DISTANCE OF 289.51 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COMMONS DRIVE WEST (RIGHT-OF-WAY VARIES); THENCE GO SOUTH 74 DEGREES 27 MINUTES 11 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 3.69 FEET TO A POINT OF CURVATURE; THENCE GO ALONG A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 525.00 FEET; THENCE GO ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 525.00 FEET THROUGH A CENTRAL ANGLE OF 09 DEGREES 31 MINUTES 29 SECONDS FOR A DISTANCE OF 87.28 FEET (CHORD BEARING SOUTH 79 DEGREES 12 MINUTES 56 SECONDS EAST, CHORD DISTANCE OF 87.18 FEET) FOR THE POINT OF BEGINNING; THENCE GO EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE BEING A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 525.00 FEET FOR AN ARC OF 150.94 FEET (DELTA = 16 DEGREES 28 MINUTES 23 SECONDS, CHORD BEARING = NORTH 87 DEGREES 47 MINUTES 08 SECONDS EAST, CHORD DISTANCE = 150.42 FEET) TO A POINT OF REVERSE CURVATURE; THENCE GO EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 975.00 FEET, FOR AN ARC OF 96.94 FEET (DELTA = 05 DEGREES 41 MINUTES 47 SECONDS, CHORD BEARING = NORTH 82 DEGREES 23 MINUTES 52 SECONDS EAST, CHORD DISTANCE = 96.90 FEET); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, GO SOUTH 04 DEGREES 45 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 0.75 FEET; THENCE GO SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 19.50 FEET, FOR AN ARC OF 22.29 FEET (DELTA = 65 DEGREES 30 MINUTES 00 SECONDS, CHORD BEARING = SOUTH 52 DEGREES 29 MINUTES 45 SECONDS WEST, CHORD DISTANCE = 21.10 FEET); THENCE GO WESTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 963.00 FEET, FOR AN ARC OF 78.00 FEET (DELTA = 04 DEGREES 38 MINUTES 27 SECONDS, CHORD BEARING = SOUTH 81 DEGREES 52 MINUTES 11 SECONDS WEST, CHORD DISTANCE = 77.98 FEET) TO A POINT OF REVERSE CURVATURE; THENCE GO WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 537.00 FEET FOR AN ARC OF 103.20 FEET (DELTA = 11 DEGREES 00 MINUTES 39 SECONDS, CHORD BEARING = SOUTH 85 DEGREES 03 MINUTES 18 SECONDS WEST, CHORD DISTANCE = 103.04 FEET) THENCE GO NORTH 73 DEGREES 22 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 52.00 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL OF LAND BEING SITUATED IN TOWNSHIP-2--SOUTH, RANGE-22--WEST, OKALOOSA COUNTY, FLORIDA, AND CONTAINS 0.06 ACRES MORE OR LESS.

*E. Wayne Parker 9/20/13*

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FLORIDA REGISTRATION NUMBER 3683, CORPORATE NUMBER 7174  
STATE OF FLORIDA

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SHEET 1 OF 2



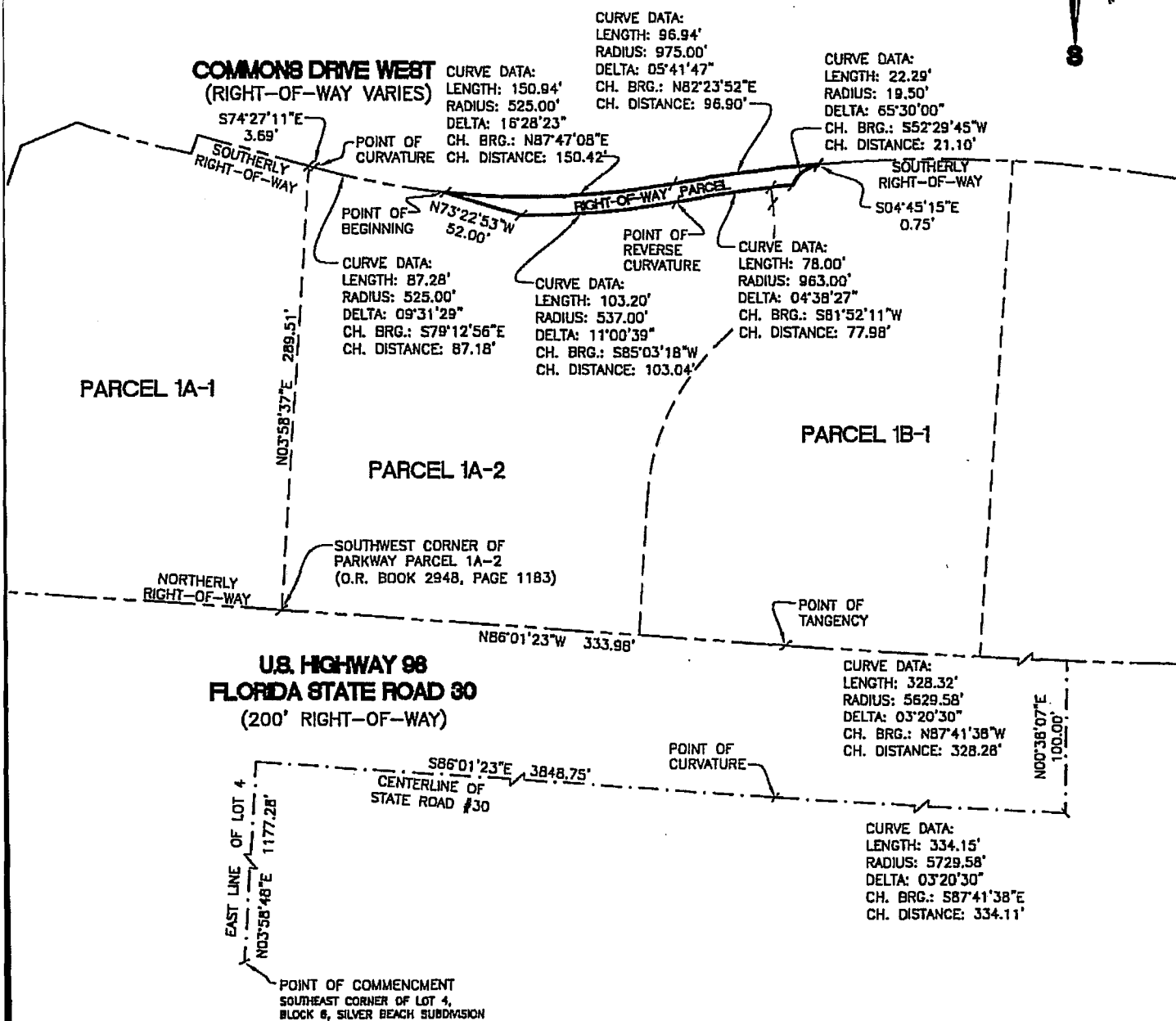
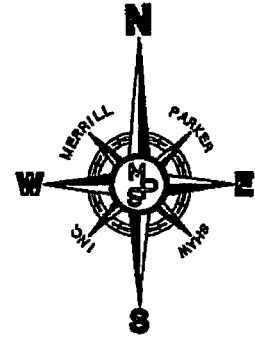
**MERRILL PARKER SHAW, INC.**  
PROFESSIONAL SURVEYING SERVICES

4928 N. Davis Highway  
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Phone: (850) 478-4923  
Fax: (850) 478-4924

**DESCRIPTION/DESCRIPTION**  
**RIGHT-OF-WAY PARCEL**

PREPERED BY: AES, CHECKED BY: EWP



SCALE 1"=100'

SHEET 2 OF 2



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Fax: (850) 478-4924

**DESCRIPTION/DESCRIPTION**  
**RIGHT-OF-WAY PARCEL**

PREPARED BY: AES, CHECKED BY: EWP

## PARCEL 1B-1:

COMMENCE AT AN EXISTING CONCRETE MONUMENT (NO NUMBER) MARKING THE SOUTHEAST CORNER OF LOT 4, BLOCK 6 OF SILVER BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 16 1/2 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 03 DEGREES 58 MINUTES 48 SECONDS EAST ON THE EAST LINE OF SAID LOT 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1177.28 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FLORIDA STATE ROAD 30 (RIGHT-OF-WAY VARIES); THENCE SOUTH 86 DEGREES 01 MINUTES 23 SECONDS EAST ON SAID CENTERLINE, FOR A DISTANCE OF 3848.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS 5729.58 FEET; THENCE GO ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5729.58 FEET, THROUGH A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 30 SECONDS, FOR AN ARC DISTANCE OF 334.15 FEET (CHORD BEARING: SOUTH 87 DEGREES 41 MINUTES 38 SECONDS EAST, CHORD DISTANCE: 334.11 FEET); THENCE DEPARTING SAID CENTERLINE, GO NORTH 00 DEGREES 38 MINUTES 07 SECONDS EAST, FOR A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FLORIDA STATE ROAD, BEING ON A CURVE CONCAVE NORTHERLY; THENCE GO WESTERLY ALONG SAID CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 5629.58 FEET, FOR AN ARC OF 199.20 FEET (DELTA = 02 DEGREES 01 MINUTE 39 SECONDS, CHORD BEARING = NORTH 88 DEGREES 21 MINUTES 03 SECONDS WEST, CHORD DISTANCE = 199.20 FEET) FOR THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG SAID CURVE AND NORTHERLY RIGHT OF WAY LINE HAVING A RADIUS OF 5629.58 FEET, FOR AN ARC OF 129.12 FEET (DELTA = 01 DEGREE 18 MINUTES 51 SECONDS, CHORD BEARING = NORTH 86 DEGREES 40 MINUTES 49 SECONDS WEST, CHORD DISTANCE = 129.12 FEET) TO A POINT OF TANGENCY; THENCE CONTINUE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE, GO NORTH 86 DEGREES 01 MINUTE 23 SECONDS WEST FOR A DISTANCE OF 97.78 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, GO NORTH 03 DEGREES 58 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 90.57 FEET TO A POINT OF CURVATURE; THENCE GO NORTHERLY ALONG A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 150.00 FEET FOR AN ARC OF 117.13 FEET (DELTA = 44 DEGREES 44 MINUTES 20 SECONDS, CHORD BEARING = NORTH 26 DEGREES 20 MINUTES 47 SECONDS EAST, CHORD DISTANCE = 114.17 FEET) TO A POINT OF REVERSE CURVATURE; THENCE GO NORTHERLY ALONG A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 100.00 FEET, FOR AN ARC OF 97.96 FEET (DELTA = 56 DEGREES 07 MINUTES 36 SECONDS, CHORD BEARING = NORTH 20 DEGREES 39 MINUTES 09 SECONDS EAST, CHORD DISTANCE = 94.09 FEET) TO A POINT OF TANGENCY; THENCE GO NORTH 07 DEGREES 24 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 10.72 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF COMMONS DRIVE WEST (RIGHT OF WAY WIDTH VARIES); THENCE GO EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 963.00 FEET, FOR AN ARC OF 14.65 FEET (DELTA = 00 DEGREES 52 MINUTES 18 SECONDS, CHORD BEARING = NORTH 83 DEGREES 45 MINUTES 15 SECONDS EAST, CHORD DISTANCE = 14.65 FEET); THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 19.50 FEET, FOR AN ARC OF 22.29 FEET (DELTA = 65 DEGREES 30 MINUTES 00 SECONDS, CHORD BEARING = NORTH 52 DEGREES 29 MINUTES 45 SECONDS EAST, CHORD DISTANCE = 21.10 FEET); THENCE GO NORTH 04 DEGREES 45 MINUTES 15 SECONDS WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 0.75 FEET; THENCE GO EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 975.00 FEET, FOR AN ARC OF 129.02 FEET (DELTA = 07 DEGREES 34 MINUTES 54 SECONDS, CHORD BEARING = NORTH 89 DEGREES 02 MINUTES 12 SECONDS EAST, CHORD DISTANCE OF 128.92 FEET); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, GO SOUTH 03 DEGREES 58 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 323.73 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL OF LAND BEING SITUATED IN TOWNSHIP-2-SOUTH, RANGE-22-WEST, OKALOOSA COUNTY, FLORIDA, AND CONTAINS 1.44 ACRES MORE OR LESS.

*E. Wayne Parker 9/20/13*

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FLORIDA REGISTRATION NUMBER 3683, CORPORATE NUMBER 7174  
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SHEET 1 OF 2



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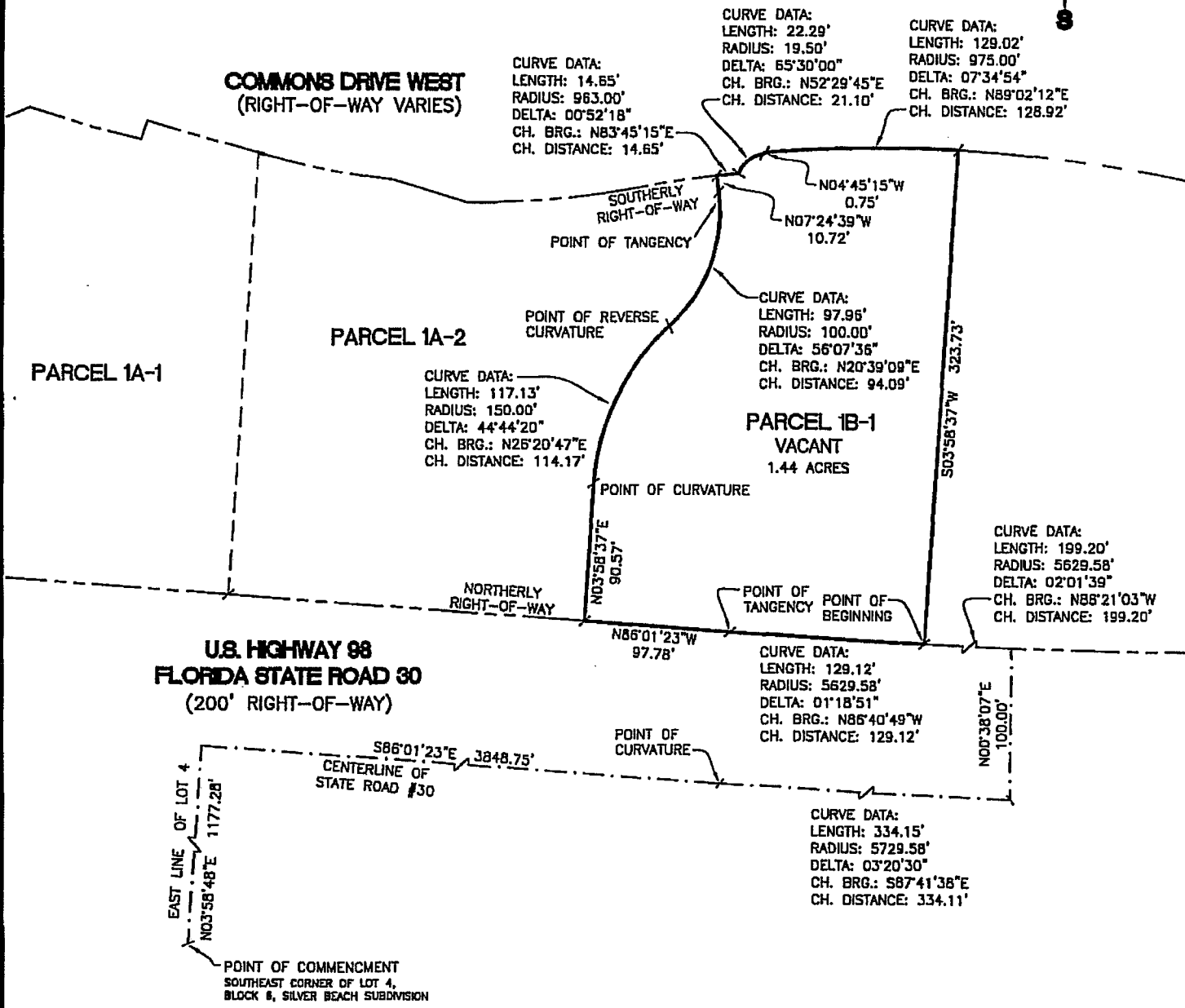
4928 N. Davis Highway  
Pensacola, Florida 32503

Phone: (850) 478-4923  
Fax: (850) 478-4924

**DESCRIPTION/DESCRIPTION**

**PARCEL 1B-1**  
**1.44 ACRES**

PREPARED BY: AES, CHECKED BY: EWP



SCALE 1"=100'

SHEET 2 OF 2



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**DESCRIPTION/DESCRIPTION**

**PARCEL 1B-1**

**1.44 ACRES**

PREPERED BY: AES, CHECKED BY: EWP

Composite Exhibit "B"

Traffic Analysis



# Southern Traffic Services, Inc.

Gulf Breeze, Florida    Tallahassee, Florida    Tampa, Florida    Baton Rouge, Louisiana  
Georgetown, Texas    Frankfort, Kentucky    Atlanta, Georgia

May 16, 2013

Joe P. Poole, P.E.  
2943 Golden Eagle Drive  
Tallahassee, Florida 32312

Ms. Marissa L. Martinez  
Okaloosa County Department of Growth Management  
1804 Lewis Turner Boulevard, Suite 200  
Fort Walton Beach, Florida 32547-1285

**RE: Kelly Plantation Parcels Traffic Mitigation, Okaloosa County Project on Commons Drive, Destin Project Number: 13-12-OK**

Dear Ms. Martinez:

On May 8, 2013, Edwin Sanguyo and I had a telephone discussion about the total project trip calculation for the Kelly Plantation Parcels project. Mr. Sanguyo clarified the County's position regarding vested trips. The total project trip value is the critical one in determining the total vested trips for a project not the entering or exiting trip values for each parcel. Based on this information the project trip generation summary was revised as follows:

Previously Submitted Trip Generation Summary

Parcel	Enter Trips (vph)	Exit Trips (vph)	Total Trips (vph)
1A-2	23	30	53
1B-1	22	23	45
1B-2	12	16	28
3-B			
Total	105	168	273



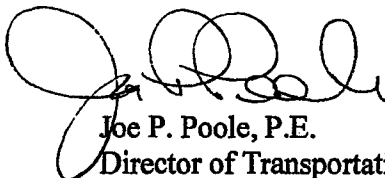
Revised Trip Generation Summary

Parcel	Enter Trips (vph)	Exit Trips (vph)	Total Trips (vph)
1A-2	23	30	53
1B-1	22	23	45
1B-2	12	16	28
3-B			
Total	94	168	262

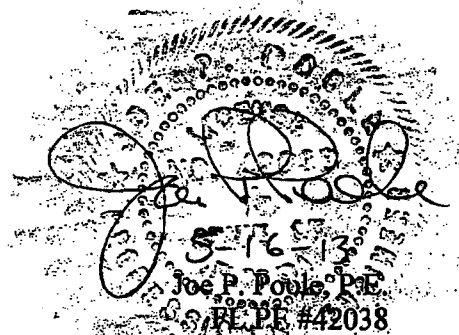
The change results in less trips than reflected in the study dated May 1, 2013. Since the revised total project trip generation value is less than the previous one and the submitted SYNCHRO results show US 98 would operate at an acceptable level of service, we agreed no additions to the report are necessary.

If you have any questions, please contact me at (850) 449-0807.

Sincerely,



Joe P. Poole, P.E.  
Director of Transportation Engineering



Southern Traffic Services, Inc.  
FL License No.: 00007809

# PM Peak Hour Trip Distribution Revision

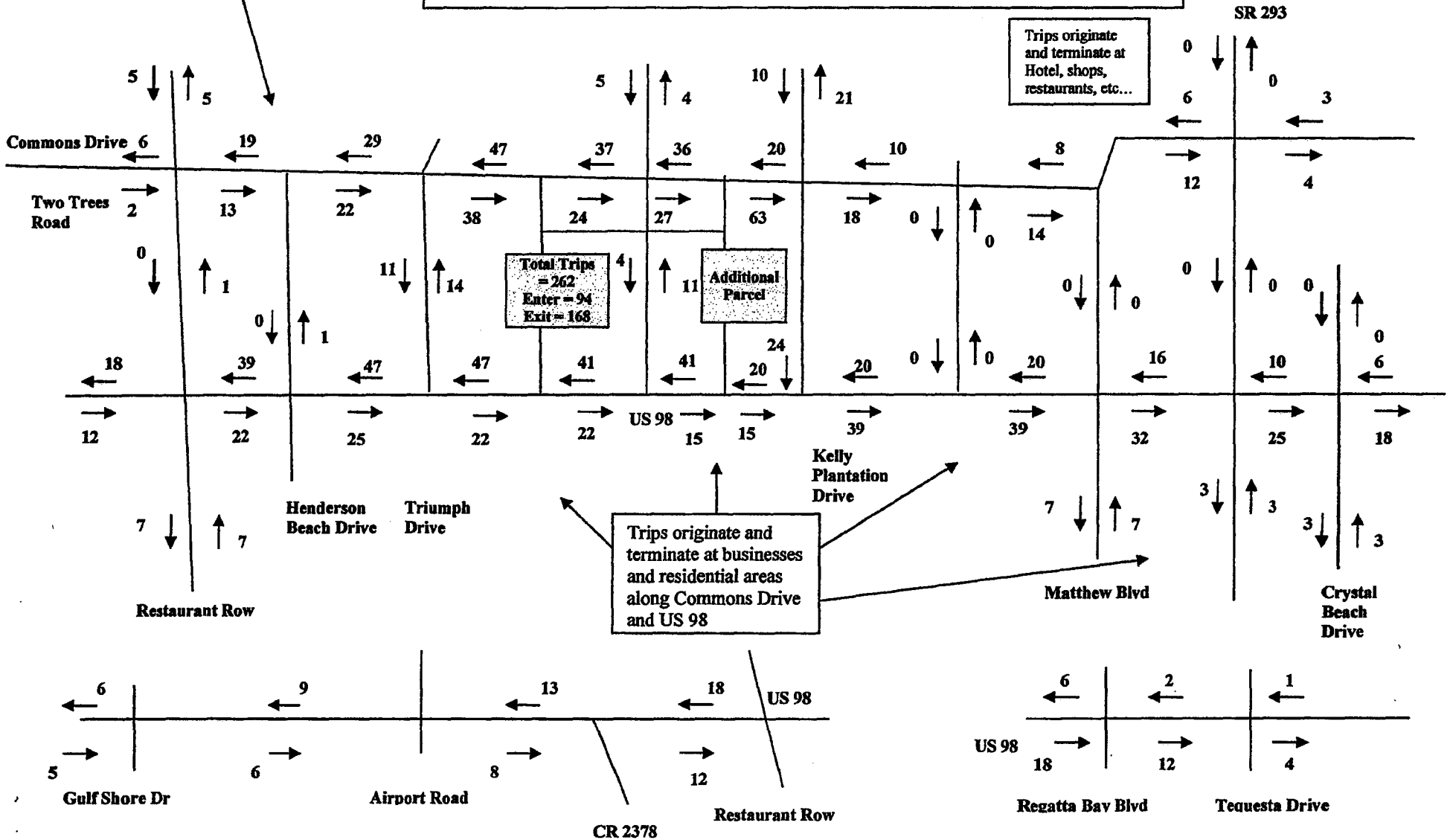
## Parkway Parcels at Kelly Plantation US 98 & Commons Drive Okaloosa County, Florida

May 14, 2013

Page 1 of 2

Trips originate and terminate at businesses and residential areas along Commons Drive and US 98

Trips originate and terminate at Hotel, shops, restaurants, etc...



**PM Peak Hour Trip Distribution Revision  
 Parkway Parcels at Kelly Plantation  
 US 98 & Commons Drive  
 Okaloosa County, Florida  
 May 14, 2013  
 Page 2 of 2**

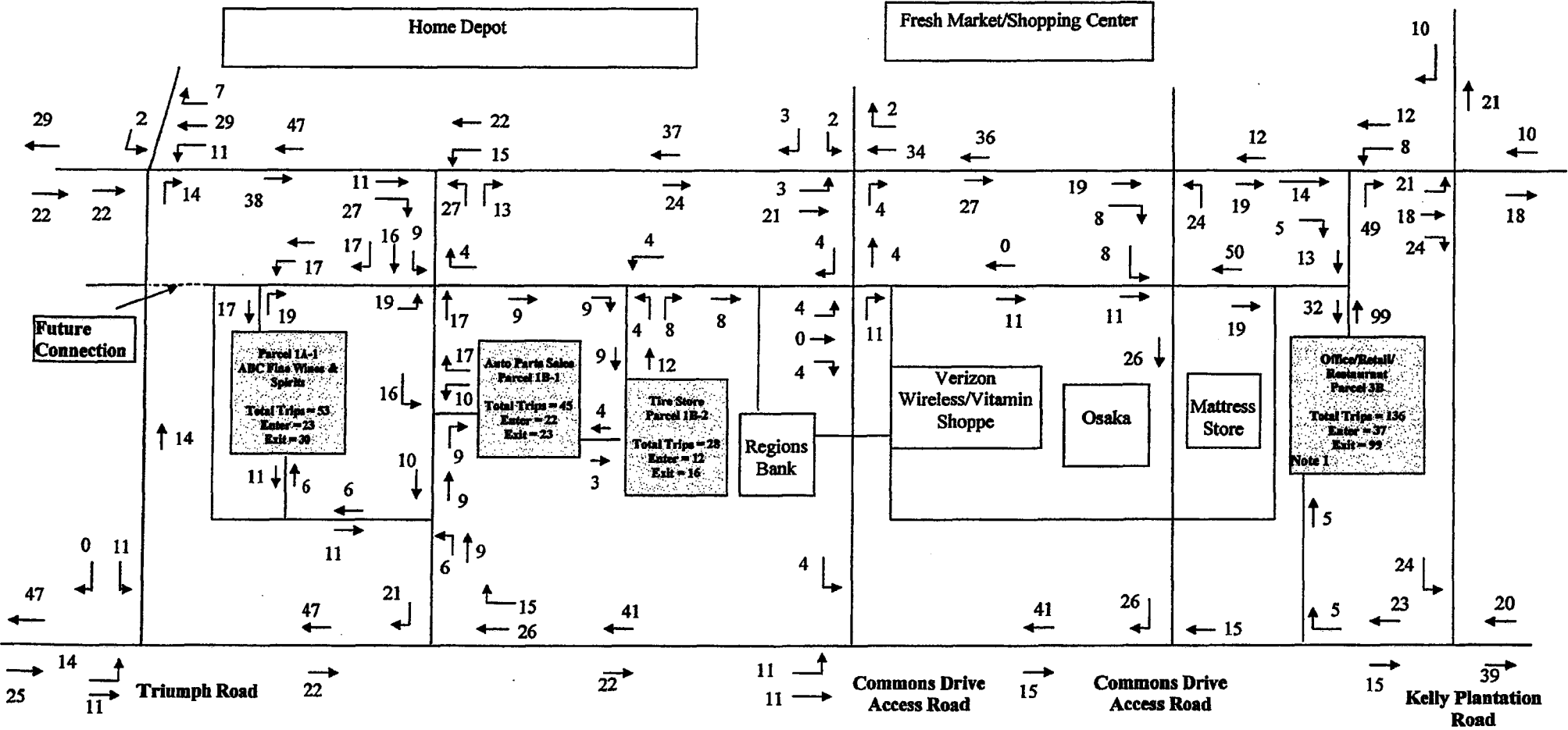


Table 1

**PM Peak Hour Bi-directional New Project Trips Distribution  
Parkway Parcels at Kelly Plantation**

**Total Trips = 282**  
**Entering Trips = 94**  
**Exiting Trips = 168**

**City of Destin Segment Evaluation**

Road	Destin Segment	Segment	PM Peak Hour Bi-directional MSV	Existing Bi-directional	City Committed Trips	County Committed Trips	Existing Bi-directional Plus City/County Committed Trips	Distribution	New Project Trips Bi-directional	PM Peak Hour Total Demand	Remaining Available Capacity
<b>US 98</b>	<b>A</b>	East Pass Bridge to Stahlman Ave	4,782	2,904	163	0	3,067	0%	0	3,067	1715
		Stahlman Ave to Benning Drive	4,979	3,237	272	0	3,509	1%	3	3,512	1467
		Benning Drive to Beach Drive	4,204	3,373	210	0	3,583	2%	5	3,588	816
		Beach Drive to Main Street	4,570	3,282	189	0	3,481	3%	8	3,489	1081
		Main Street to Gulf Shore Drive	4,544	3,216	173	0	3,389	4%	11	3,400	1144
	<b>B</b>	Gulf Shore Drive to Airport	4,771	3,519	221	0	3,740	6%	15	3,755	1016
		Airport Rd to Emerald Coast Pkwy	4,948	3,639	142	0	3,781	8%	21	3,802	1144
	<b>C</b>	Scenic Hwy 98 to Henderson Bch Blvd	4,410	3,478	120	533	4,131	23%	61	4,192	218
		Henderson Road to Triumph Drive	5,798	3,736	85	557	4,378	28%	72	4,450	1348
		Triumph Drive to Matthew Blvd	5,552	3,955	80	555	4,590	28%	69	4,659	893
		Matthew Blvd to Danny Wuerffel Way	5,385	3,774	67	713	4,554	18%	48	4,602	783
		Danny Wuerffel Way to Crystal Beach Dr	6,278	3,853	46	828	4,725	14%	35	4,760	1518
		Crystal Beach Dr to Regatta Bay Blvd	5,803	3,811	26	375	4,212	9%	24	4,236	1567
		Regatta Bay Blvd to Tequesta Drive	4,344	3,857	22	374	4,253	6%	14	4,267	77
		Tequesta Drive to Walton Co Line	4,638	3,888	18	365	4,267	2%	5	4,272	368
<b>Airport Road</b>		US 98 to Commons Drive	2,248	623	40	0	663	1%	2	665	1583
		Commons Drive to Main Street	4,252	1,767	27	0	1,794	2%	4	1,798	2454
<b>Commons Blvd</b>		Airport Rd to Indian Bayou Trail	1,191	2,019	39	108	2,167	3%	8	2,175	-984
		Indian Bayou Trail to Diamond Cove	1,191	1,531	66	109	1,706	7%	19	1,725	-534
		Diamond Cove to Henderson Bch Rd	1,191	1,578	68	109	1,753	12%	32	1,785	-594
		Henderson Bch Rd to Triumph Drive	1,250	1,202	80	109	1,391	20%	51	1,442	-192
		Triumph Drive to Kelly Plantation	1,250	1,151	43	109	1,303	33%	85	1,388	-138
		Kelly Plantation to Matthew Blvd	1,191	1,112	35	205	1,352	11%	28	1,380	-189
<b>Crystal Beach Drive</b>		Scenic Hwy 98 and US 98	907	447	5	0	452	2%	6	458	449
<b>Gulf Shore Dr</b>		US 98 to Curve	2,893	779	70	0	849	1%	3	852	1841
<b>Henderson Bch Rd</b>		US 98 to Commons Drive	1,191	501	22	0	523	4%	9	532	859
<b>Hutchinson St</b>		US 98 to Scenic 98	1,191	677	16	0	693	2%	6	699	492
<b>Indian Bayou Trail</b>		Commons Drive to Country Club Drive	1,191	259	14	0	273	4%	10	283	908
<b>Main Street</b>		US 98 to Commons Drive	1,191	442	12	0	454	1%	1	455	736
		US 98 and Airport Road	1,975	658	35	0	693	1%	3	696	1279
<b>Matthew Blvd</b>		Airport Road and Kelly Street	1,191	788	9	0	797	1%	1	798	393
		Scenic 98 and US 98	1,191	485	19	0	504	5%	14	518	673
<b>Regatta Bay Boulevard</b>		Scenic Hwy 98 and US 98	1,191	218	2	0	220	2%	5	225	966
<b>Restaurant Row</b>		US 98 to Emerald Coast Parkway	1,191	175	15	0	190	5%	14	204	987
<b>Scenic Hwy 98</b>		Matthew Boulevard and Dolphin Street	1,191	804	35	0	839	4%	11	850	341
		Dolphin Street and Walton County Line	1,191	833	23	0	856	2%	5	861	330

Exhibit "C"

Approved Variance

VARIANCE

NOTICE IS HEREBY GIVEN that the Okaloosa County Board of Adjustment has granted a variance from Sections 6.03.08 (A); Section 6.08.03 (B) and Section 6.08.03 (G) Okaloosa County Land Development Code, Ordinance 91-1, as amended. Section 6.03.08 (A) Access points shall be located no closer than six hundred sixty (660) feet apart measured from center line to center line of the driveway, from 660' to 319.54' from the new "Commons Drive Connection #1" to the new "Commons Drive Connection #2" and that the allowable connection distance be decreased from 660' to 280.23' from the new "Commons Drive Connection #2 to the exit lanes of the Home Depot, from 660' to 346.64' from the entrance lanes of the Home Depot to the new "Commons Drive Connection #3" and from 660' to 315.24' from the new "Commons Drive Connection #3" to the existing Commons Drive Access Road (east of the existing Osaka Restaurant), from 660' to 241.81' from the existing Commons Drive Access Road (east of the existing Osaka Restaurant) to the new "Commons Drive Connection #4" and from 660' to 319.62' from the new "Commons Drive Connection #4" to the existing Kelly Plantation One-Way Exit Drive; Section 6.08.03 (B) Median cuts shall be located no closer than 1,320' apart measured from center line to center line of the roadway, from 1,320' to 536.04' from the Triumph Road Access Road (roundabout west of Home Depot) to a new "Commons Drive Connection #1" and from 1,320' to 599.77' from the new "Commons Drive Connection #1" to the exit lanes of the Home Depot; Section 6.08.03 (G) This ordinance is new intended to deny access to any existing lot, parcel or tract of land for which the only means of access to the same would be by the limited access road, but is intended to limit further divisions into parcels or lots unless compliance herewith is accomplished, to subdivide the five existing parcels into a total of 8 parcels. The property is zoned RESIDENTIAL GENERAL DEVELOPMENT DISTRICT (RGD) and the Future Land Use Map Designation is Mixed Use-2 (MU-2). A general location of the property is Parkway Parcels 1A-1, 1A-2, 1B, 1C, 2A, Osaka Restaurant, 3A & 3B on Commons Drive between Triumph Road Access Road and Kelly Plantation Exit Lanes, within Kelly Plantation, Destin, Florida.

On that certain real property described as: 00-2S-22-0000-0001-A220 & 00-2S-22-0000-0001-A17W

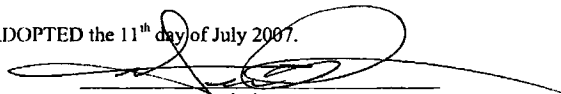
LEGAL: See Attached "Exhibit A"

The Board of Adjustment has found that this relaxation of the terms of the zoning ordinance will not be contrary to the public interest and the Comprehensive Plan and owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

Said variance is granted subject to the following conditions and safeguards:

**Cross Access agreements shall be required between Parkway Parcels 1A-1, 1A-2, 1B and 1C, Parkway Parcel 2 and the Osaka Restaurant and between Parkway Parcels 3A and 3B. The cross access easement shall be a blanket easement. This variance does not constitute approval of any connection to State Highway 98. This variance does not grant a subdivision of the property.**

PASSED AND ADOPTED the 11<sup>th</sup> day of July 2007.

  
Chairman  
Board of Adjustment

The foregoing instrument was acknowledged before me this 8 day of August 2007 by Bruce Raven who is personally known to me and who did not take an oath.

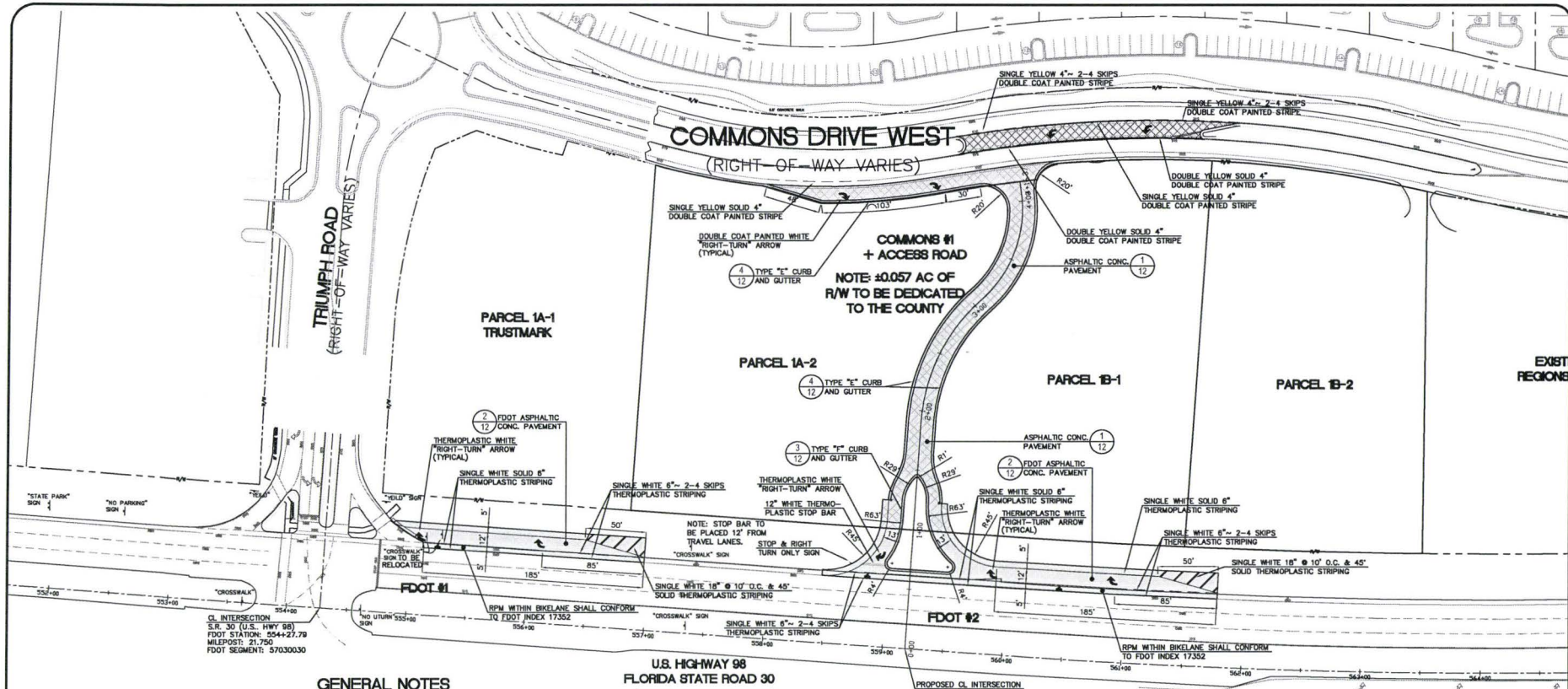
Teresa A. Mullins  
NOTARY PUBLIC

2/6/2010  
My Commission Expires:



Exhibit "D"

Site Plans



**GENERAL NOTES**

1. SURVEYING PROVIDED BY MERRILL PARKER SHAW, INC.
2. PAVEMENT DIMENSIONS ARE MEASURED TO THE BACK OF CURB OR EDGE OF PAVEMENT.
3. THIS PARCEL IS LOCATED IN FLOOD ZONE "X", NO MINIMUM FLOOR ELEVATION REQUIRED, AS DETERMINED BY SCALE FROM F.E.M.A. PANEL NUMBER 12091C 0493 & 489 H, DATED DECEMBER 8, 2002, OKALOOSA COUNTY, FLORIDA.
4. OWNER SHALL BE RESPONSIBLE FOR SUBMITTING THE NOTICE OF CONSTRUCTION
5. JP-ENGINEERING SHALL BE RESPONSIBLE FOR MONITORING CONSTRUCTION ON A MINIMUM OF A WEEKLY BASIS. UPON SATISFACTORY COMPLETION OF THE PROJECT, JP-ENGINEERING WILL BE RESPONSIBLE FOR SUBMITTING THE AS-BUILT CERTIFICATION TO THE NYPMD.
6. A RAIN SENSOR SHALL BE PROVIDED AS A PART OF THE IRRIGATION DESIGN AND CONSTRUCTION.

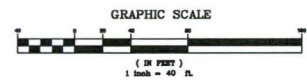
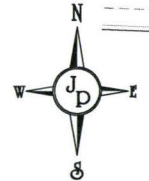
**REFER TO THE FOLLOWING F.D.O.T. STANDARD INDEX DRAWINGS FOR ADDITIONAL DETAILS:**

INDEX NO.	DETAILS
300	TYPE "T" CURB
515	TURNOUT
17352	PAVEMENT MARKINGS & DELINEATORS
612	MANAGEMENT OF TRAFFIC PLAN
11860, 17349	SIGNAGE
102	TEMPORARY EROSION AND SEDIMENT CONTROL
105	PERMANENT EROSION CONTROL
600, 602, 603	TRAFFIC CONTROL THROUGH WORK ZONES

\* AN ON-SITE PRE-CONSTRUCTION MEETING SET UP BY THE DESIGN ENGINEER COMPANY SHOULD BE HELD PRIOR TO BEGINNING WORK. THE CONTRACTOR SHALL PROVIDE A QC PLAN TO THE PERMITTING DEPARTMENT PRIOR TO BEGINNING WORK.

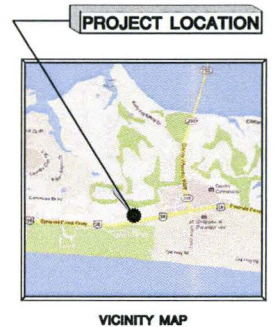
**F.D.O.T. NOTES**

1. NO LANE CLOSURES DURING THE HOURS OF 8:00 AM TO 9:00 AM AND 3:00 PM TO 6:00 PM.
2. NO LANE CLOSURES ON HOLIDAY WEEKENDS INCLUDING THE DAY PRECEDING AND FOLLOWING.
3. THE PERMITTEE AGREES AND OBLIGATES HIMSELF TO PERFORM AT HIS OWN EXPENSE THE RELOCATION, CLOSURE, ALTERATION OF THE PERMITTED CONNECTION SHOULD THE DEPARTMENT DETERMINE THAT THE TRAFFIC PATTERNS, POINTS OF CONNECTION, ROADWAY GEOMETRICS OR TRAFFIC CONTROL DEVICES ARE CAUSING AN UNDESIRABLE DISRUPTION OF TRAFFIC OR CREATING SAFETY HAZARDS AT THE EXISTING CONNECTION.
4. THE SIGHT DISTANCE EAST AND WEST ALONG U.S. HIGHWAY 331 EXCEEDS 990 FEET WHICH IS REQUIRED BY INDEX No. 546 OF THE JANUARY 2010 F.D.O.T. ROADWAY AND TRAFFIC DESIGN STANDARDS. PERMITTEE WILL BE RESPONSIBLE FOR CONSTRUCTION IN COMPLIANCE WITH F.D.O.T. SIGHT DISTANCE REGULATION.
5. ALL LANES SHALL BE OPEN TO NORMAL TRAFFIC WITHIN 12 HOURS OF NOTICE OF EVACUATION DUE TO HURRICANE OR ANY NATURAL CATASTROPHIC EVENT AND SHALL REMAIN OPEN FOR THE DURATION OF THE EVACUATION OR EVENT.
6. ALL WORK IN THE R/W SHALL BE IN ACCORDANCE WITH THE 2008 DESIGN STANDARDS AND THE 2007 STANDARDS SPECIFICATIONS.
7. ANY DISTURBED AREA WITHIN 32' OF THE PAVEMENT, AND SLOPES GREATER THAN 1:3 SHALL BE GRASSED WITH 500.

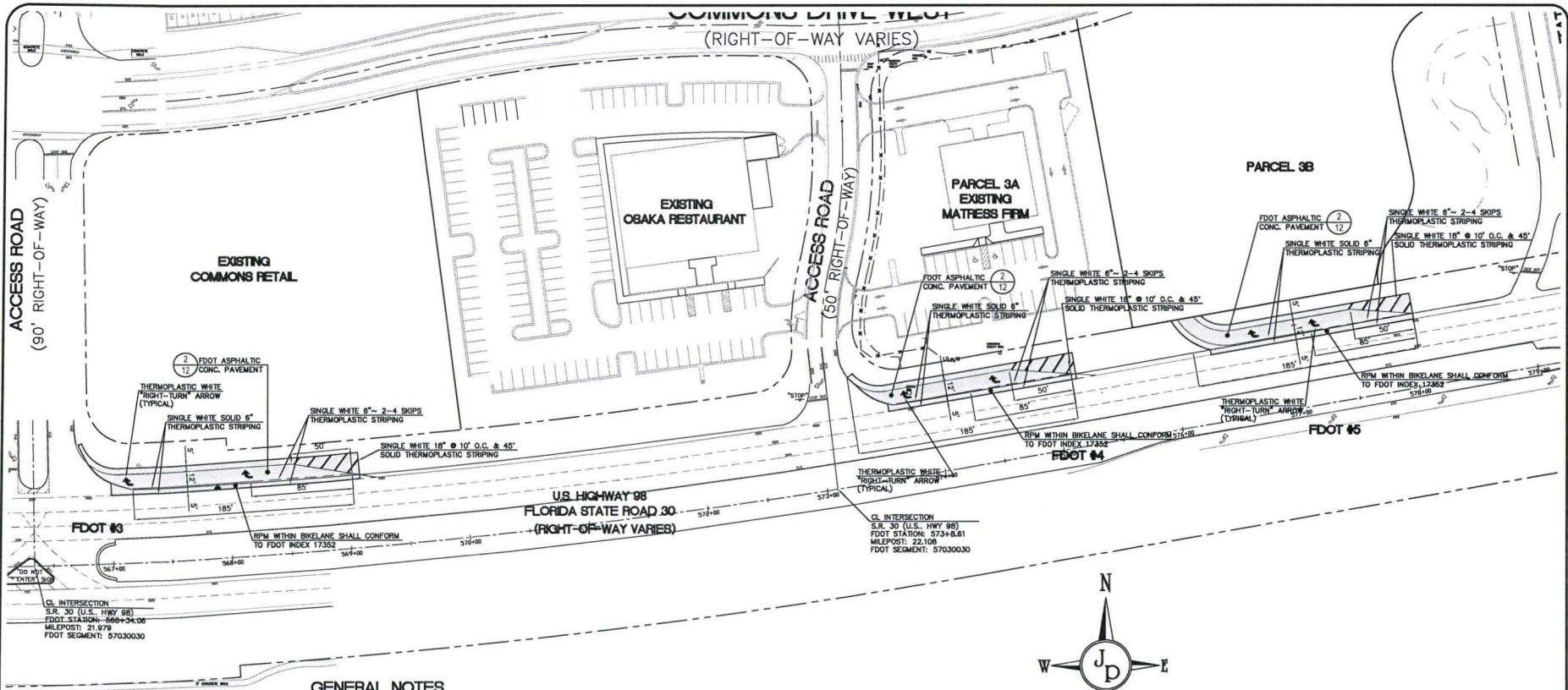


**LEGEND**

	ASPHALT PAVEMENT
	FDOT ASPHALT
	CONCRETE SIDEWALK
	CONCRETE CURB
	RIGHT-OF-WAY LINE
	PROPERTY LINE
	CENTERLINE OF DRIVES OR R/W







**GENERAL NOTES**

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2. PAVEMENT DIMENSIONS ARE MEASURED TO THE BACK OF CURB OR EDGE OF PAVEMENT.
3. THIS PARCEL IS LOCATED IN FLOOD ZONE "X", NO MINIMUM FLOOR ELEVATION REQUIRED, AS DETERMINED BY SCALE FROM F.E.M.A. PANEL NUMBER 12081C 0493 & 489 H, DATED DECEMBER 8, 2002, OKALOOSA COUNTY, FLORIDA.
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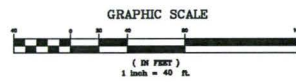
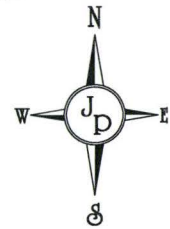
**F.D.O.T. NOTES**

1. NO LANE CLOSURES DURING THE HOURS OF 6:00 AM TO 9:00 AM AND 3:00 PM TO 6:00 PM.
2. NO LANE CLOSURES ON HOLIDAY WEEKENDS INCLUDING THE DAY PRECEDING AND FOLLOWING.
3. THE PERMITTEE AGREES AND OBLIGATES HIMSELF TO PERFORM AT HIS OWN EXPENSE THE RELOCATION, CLOSURE, ALTERATION OF THE PERMITTED CONNECTION SHOULD THE DEPARTMENT DETERMINE THAT THE TRAFFIC PATTERNS, POINTS OF CONNECTION, ROADWAY GEOMETRICS OR TRAFFIC CONTROL DEVICES ARE CAUSING AN UNDUE DISRUPTION OF TRAFFIC OR CREATING SAFETY HAZARDS AT THE EXISTING CONNECTION.
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5. ALL LANES SHALL BE OPEN TO NORMAL TRAFFIC WITHIN 12 HOURS OF NOTICE OF EVACUATION DUE TO HURRICANE OR ANY NATURAL CATASTROPHIC EVENT AND SHALL REMAIN OPEN FOR THE DURATION OF THE EVACUATION OR EVENT.
6. ALL WORK IN THE R/W SHALL BE IN ACCORDANCE WITH THE 2008 DESIGN STANDARDS AND THE 2007 STANDARDS SPECIFICATIONS.
7. ANY DISTURBED AREA WITHIN 32" OF THE PAVEMENT, AND SLOPES GREATER THAN 1:3 SHALL BE GRASSSED WITH 500.

**REFER TO THE FOLLOWING F.D.O.T. STANDARD INDEX DRAWINGS FOR ADDITIONAL DETAILS :**

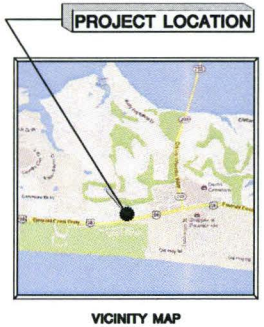
INDEX NO.	DETAILS
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**LEGEND**

	ASPHALT PAVEMENT
	FDOT ASPHALT
	CONCRETE SIDEWALK
	CONCRETE CURB
	RIGHT-OF-WAY LINE
	PROPERTY LINE
	CENTERLINE OF DRIVES OR R/W



JP-Engineering  
Civil Engineering/Land Planning  
P.O. Box 1000  
Crestview, Florida 32117  
Phone: 904-998-8817

STEELPLAN  
"EAST"

TRANSP. UPGRADE  
AT KELLY PLANTATION

REVISIONS  
DATE: SEPTEMBER 26, 2013  
DRAWN: S. PETERS  
CHECKED: M. PARKER  
APPROVED: M. PARKER  
SHEET NO. OF 12  
FILE NO.: 2013-03  
SCALE: 1" = 40'  
P.L. NO.:

Exhibit "E"

City of Destin Approval Letter



# Community Development Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-837-7949 | [www.cityofdestin.com](http://www.cityofdestin.com)

September 17, 2013

Ms. Marissa L. Martinez  
Okaloosa County Department of Growth Management  
1804 Lewis Turner Boulevard, Suite 200  
Fort Walton Beach, Florida 32547-1285

**Subject: Kelly Plantation Parcels Traffic Mitigation  
an Okaloosa County Project, Commons Dr  
Destin Project Number: 13-12-OK**

Dear Ms. Martinez:

The Planning Division has reviewed the revised Transportation Infrastructure Agreement dated July 30, 2013 and received by the City of Destin on September 4, 2013.

The City of Destin Planning Division **approves this project** and has no objection to the revised Transportation Infrastructure Agreement and the potential traffic impacts of the proposed project as presented in the May 1, 2013 Traffic Analysis by Southern Traffic Services, Inc.

The City of Destin offers the following comment regarding the Traffic Analysis:

The ITE Trip Generation Manual "Users Guide and Handbook" (9<sup>th</sup> Edition) establishes a pass-by rate for Land Use Code 932 (High-Turnover (Sit-Down) Restaurant) at 43%. The applicant is using a maximum pass-by rate of 25% based on the Okaloosa County Land Development Code and Inter-Governmental Technical Review Committee (ITRC). So long as the 25% pass-by rate is an acceptable figure within established County requirements, then the City of Destin has no objection with the applicant using this rate.

The City of Destin has been paid in full for the cost of our traffic consultant reviewing this project.

If you have questions or need further assistance, please do not hesitate to call me at (850) 337-3130.

Sincerely,

David M. Forstrom, CFM  
Planner & Stormwater/Flood Plain Manager

cc: Project File & Letter Log

