

**DEVELOPER COMMITMENTS**

<b>Development Agreement Section</b>	<b>Commitment</b>	<b>Start / Complete</b>
Part II, Section 3	Submit Application to rezone Ormond Crossings to Planned Mixed-Use Development.	August 16, 2010. (Submitted on August 16, 2010).
Part II, Section 6	Provide the City with a written accurate status report, which shall include all information necessary for the City to conduct its 12 month review.	August 16, 2011 and annually thereafter.
Part III, Section 1	<p>Necessary extensions, upgrades and improvements to the City's utilities, to wit:</p> <ul style="list-style-type: none"> <li>• Build 1,000,000 gallon water storage tank and pump station.</li> <li>• Construct 16" potable water main extension along Tymber Creek Road from Southern Pines PUD to Durrance Lane.</li> <li>• Construct 16" potable water main along Tymber Creek Road from Durrance Lane to Ormond Crossings.</li> <li>• Construct 12" sewage force main along US-1 from Airport Road to Ormond Crossings.</li> <li>• Construct appropriately sized reclaimed water transmission line along US-1 to Ormond Crossings.</li> <li>• Install the internal water, sewer and reclaimed water utility systems.</li> </ul>	<p>Concurrently with the first phase of construction.</p> <p>As required when west side is developed. Currently estimated in 2017.</p> <p>As required when west side is developed. Currently estimated in 2017.</p> <p>Concurrent with the first phase of construction.</p> <p>To be constructed when appreciable amount of effluent is available. Estimated in 2019.</p> <p>As needed to serve utility customers.</p>
Part III, Section 2	<p>Mitigate offsite transportation impacts for Ormond Crossings equal to 4,551 external peak hour trips, to wit:</p> <ul style="list-style-type: none"> <li>• Pay the FDOT \$500,000 as funding for a PD&amp;E study for general consideration of SR-40 improvements from Tymber Creek Road to I-95.</li> </ul>	July 31, 2013

Development Agreement Section	Commitment	Start / Complete
	<ul style="list-style-type: none"> <li>• Upgrade the approximately 4.15 miles segment of Tymber Creek Road from Airport Road to the I-95 underpass. *</li> <li>• Design, permit and construct the segment of Crossings Boulevard from US-1, including a railroad fly-over to a roundabout as shown on the Phase A plat of Ormond Crossings (Segment 1) and loan the CRA authority sufficient funds to construct Segment 1.</li> <li>• Design, permit and construct the segment of Crossings Boulevard from Segment 1, including an I-95 fly-over, to connect to an internal roadway within Ormond Crossings, west of I-95 (Segment 2).</li> <li>• Construct an internal roadway system that provides a connection from the point of terminus of Segment 2 to US-1, northwest of its interchange with I-95.</li> <li>• Construct a road segment from the point of terminus of Segment 1 northward to connect to Tymber Creek Road via an I-95 underpass.</li> <li>• Install a traffic signal at US-1 and Broadway Avenue and turn lane improvements.</li> <li>• Install a traffic signal and additional turn lanes at US-1 and Hull Road.</li> </ul>	<p>Unless sooner constructed by Volusia County, start within 1 year of the 1<sup>st</sup> subdivision or site plan approval for the portion of Ormond Crossings that is located west of I-95 and complete in 1 year.</p> <p>Start within 5 years after the plat of Ormond Crossings Phase A is recorded and complete prior to Ormond Crossings exceeding 2,017 net external peak hour trips.</p> <p>Start at such time as the CRA Authority provides written notice that it can reasonably foresee having the ability, within 2 years, to repay the loan for construction of Segment 1 and complete prior to Ormond Crossings exceeding 4,000 net external peak hour trips.</p> <p>Prior to buildout of 1,000 residential units at Ormond Crossings, regardless of whether or not Segment 2 has been constructed by that time.</p> <p>Start within 6 months following commencement of construction of Segment 1 by the CRA Authority and complete within 1 year following commencement or when Segment 1 is completed, whichever is later.</p> <p>Construct turn lanes prior to the east bound (Broadway Avenue) approach traffic exceeding 53 vehicles during the 8 highest hours of an average weekday and install the traffic signal 1 year after the east bound (Broadway Avenue) approach meets traffic signal warrants based on FDOT's study procedures.</p> <p>Complete by December 31, 2012, provided that if the traffic signal is not warranted or if there has been no certificates of occupancy issued within Ormond Crossings, then within 1 year following the date the traffic signal is warranted or the 1<sup>st</sup> certificate of occupancy has been issued, whichever is later.</p>

\* Eligible for County transportation impact fee credits if constructed by the Developer.

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	<ul style="list-style-type: none"> <li>• Install traffic signals at the entrances to Ormond Crossings from US-1 north and south of the I-95 interchange and install communication cable or wireless devices connecting those traffic signals and the traffic signal on US-1 at Broadway Avenue.</li> <li>• Provide the City and Volusia County with a timing study for the traffic signals on US-1 from the northern entrance of Ormond Crossings on US-1 to the southern entrance on US-1 at Crossings Boulevard/Pine Tree Road.</li> <li>• To the I-95 south bound ramps, add a second south bound I-95 to south bound US-1 left turn lane, convert the existing inside left turn lane to a shared through/left turn lane and extend the south bound I-95 to north bound US-1 right turn lane to 550 feet.</li> <li>• To the I-95 north bound ramps, add a second I-95 north bound to US-1 south bound left turn lane and extend the north bound I-95 to north bound US-1 right turn lane to 550 feet.</li> <li>• Make adjustments to existing traffic signals if necessary in connection with the improvements to the I-95 south bound and north bound interchange ramps.</li> <li>• Construct new roadways and improvements to portions of Pineland Trail and Harmony Avenue that are within or bordering Ormond Crossings. **</li> <li>• Adhere to transient oriented development design, principles and concepts within an area appropriate for future transit.</li> <li>• Enter into an agreement with the City and Voltran which addresses roadway and transit capital, operations and maintenance funding.</li> </ul>	<p>When traffic meets traffic signal warrants based on FDOT's study procedures.</p> <p>Complete within 6 months following a request from the City or County but not later than December 31, 2020.</p> <p>Complete prior to Ormond Crossings exceeding 2,275 net external peak hour trips.</p> <p>Prior to Ormond Crossings exceeding 2,275 net external peak hour trips.</p> <p>Following completion of the interchange improvements.</p> <p>In conjunction with the construction of subdivision improvements required for the adjacent land in Ormond Crossings.</p> <p>Ongoing.</p> <p>Prior to the issuance of the 1<sup>st</sup> certificate of occupancy at Ormond Crossings and then meet annually with the City and Voltran to decide on appropriate multi-modal transportation strategies and operations for the following year.</p>

\*\* May qualify for City transportation impact fee credits.

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	<ul style="list-style-type: none"> <li>• Install left and right turn deceleration lanes at all entrances to Ormond Crossings on collector and arterial roadways as determined by the appropriate maintaining agency.</li> <li>• Provide the following bicycle and pedestrian systems: connect onsite bicycle systems to any adjacent external bicycle systems existing at the time of construction; design covered walkways into non-residential structures to the extent practicable; install appropriate signage identifying bike routes; provide connections for bicyclists and pedestrians between residential neighborhoods, employment centers and commercial areas to the maximum extent practical; provide bicycle support facilities (e.g., parking and lockers) at commercial areas and all work areas.</li> <li>• Take the following transit related actions: construct bicycle lockers or bicycle racks, transit passenger shelters and transit parking bays where necessary to augment and facilitate the operations of transit services to Ormond Crossings as determined by the City in consultation with Votran; construct transit pull out bays and transit shelters as required by the City in consultation with Votran; provide a site for multiple future transit stops to accommodate buses at a location determined by the City in consultation with Votran; at the City's request, enter into an agreement with the City in consultation with Votran in order to determine the appropriate number and location of pull out bays, transit shelters, covered walkways and their location on the site, the size of a future transit super stop if determined by the City to be appropriate for the estimated ridership, and the viability of a community development district operated internal tram system to provide transportation to destinations and transit stops within Ormond Crossings; and when studies are conducted to implement bus service,</li> </ul>	<p>In conjunction with the construction or improvements to entrance roads.</p> <p>Ongoing.</p> <p>Ongoing.</p>

Development Agreement Section	Commitment	Start / Complete
	<p>cooperate fully with the City and donate necessary right-of-way that may be necessary for the route, transit stations, park-and-ride facilities and other accoutrements deemed warranted by Votran, in consultation with the City.</p> <ul style="list-style-type: none"> <li>• Promote and encourage variable work hours and flexible participation by onsite employers, including making known to tenants and residents that Ormond Crossings has access to an existing ride sharing program operated by Votran and permanently displaying transit and current ride sharing information in all public gathering areas, employment centers and other areas as suggested by Votran and the City.</li> <li>• Coordinate with the City, Votran, the community development district and any property owners' association to assure the provision of park-and-ride space is onsite and construct an area for use as a rider-share lot to lessen the overall impacts on regional roadways.</li> </ul>	<p>Ongoing.</p> <p>At the time of site development.</p>
Part III, Section 3	<p>Deed to the City title to the 17 acre park site.</p> <p>Deed to the City up to 5 sites containing a total of 45 acres of uplands to serve as park sites.</p> <p>Provide the following recreational facilities: 1 community center, consisting of 6,000 sq. ft. of space which shall be owned and operated by the City; a trail system, including a minimum of .75 miles of hard surface walkways; a picnic shelter with restrooms; 1 soccer/football field; 1 baseball/softball field; 2 outside basketball courts with lights; 2 shuffleboard courts; 1 bocce ball court; 1 tennis court; and 1 racquetball court. ***</p>	<p>Within 90 days following the effective date of the comp plan amendment. (deeded on July 29, 2010).</p> <p>Prior to buildout of 2,000 residential units.</p> <p>Prior to buildout of 1,000 residential units at Ormond Crossings.</p>

\*\*\* Eligible for City recreation impact fee credits.

Development Agreement Section	Commitment	Start / Complete
	<p>Provide the following additional recreational facilities: 1 or more community centers consisting of an aggregate of 4,000 sq. ft. of space which shall be owned and operated by the City, the community development district or one or more property owners' associations; a trail system, including a minimum of .525 miles of hard surface walkways; passive park area of 36.5 acres; an off-lease dog park; a covered playground area; 1 baseball/softball field; 2 outside basketball courts with lights; 2 shuffleboard courts; 1 bocce ball court; 2 tennis court; and 1 racquetball court. ***</p> <p>Deed to the Volusia County School Board title to an elementary school site at a location acceptable to the City and the School Board containing a minimum of 20 contiguous reasonably compact useable acres.</p>	<p>Prior to buildout of 2,000 residential units at Ormond Crossings.</p> <p>Prior to the issuance of residential building permits at Ormond Crossings.</p>
Part III, Section 5	<p>Provide a fire station site containing a minimum of 3 upland acres.</p> <p>Design and construct a fire station at Ormond Crossings and purchase a Class "A" pumper vehicle and a ladder truck. ****</p>	<p>Within 90 days following a request from the City at anytime after platting Phase A.</p> <p>Bob Mandarino predicts a need for the fire station by 2021 when the projected population of the City of Ormond Beach will be 4,536.</p>

\*\*\* Eligible for City recreation impact fee credits.

\*\*\*\* Eligible for City fire and rescue impact fee credits if the City enacts impact fees to pay for public safety facilities.