



December 16, 2011

Mr. Clint Smith
Vice President, Florida Landmark Communities
145 City Place, Suite 300
Palm Coast, Florida

Re: Town Center at Palm Coast
Development Order Extension Notification (House Bill 7207)

Dear Mr. Smith,

I am in receipt of your written request seeking a four year extension of the above referenced Development Order per House Bill 7207 (HB 7207) (Community Planning Act) which became law (Chapter 2011-139) on June 2, 2011. For the record it is noted that your written request has been submitted well in advance of the December 31, 2011 deadline, as required by HB 7207.

Based upon the above action and the fact that the Town Center at Palm Coast project is a currently valid development of regional impact and meets the requirements of HB 7207, kindly accept this notification as a granting of the extension as requested.

The effect of *this* extension is such that the phase, buildout, expiration date and required mitigation date for the Town Center at Palm Coast DRI is extended for an additional four (4) year period. This action coupled with a *prior* three (3) year extension granted by a similar legislative act in 2008 and approved by City Council (Resolution 2008-89) therefore extends the buildout, expiration date and required mitigation date for the Town Center at Palm Coast DRI a total of seven (7) years. The original expiration date having been established at December 31, 2025. The updated extended date now established to read December 31, 2032.

For further clarification and record purposes I have included an excerpt of Chapter 2011-139 which speaks to the four year extension and reads as follows:

"In recognition of the 2011 real estate market conditions, at the option of the developer, all commencement, phase, buildout, and expiration dates for projects that are currently valid developments of regional impact are extended for 4 years regardless of any previous extension. Associated mitigation requirements are extended for the same period unless, before December 1, 2011, a governmental entity notifies a developer that has commenced any construction within the phase for which the mitigation is required that the local government has entered into a contract for construction of a facility with funds to be provided from the development's mitigation funds"

160 Cypress Point Parkway, Suite B-106, Palm Coast Florida 32164


for that phase as specified in the development order or written agreement with the developer. The 4-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. The developer must notify the local government in writing by December 31, 2011, in order to receive the 4-year extension."

In closing, following is a table which summarizes the effects of both the previous three (3) year (2008) and current four (4) year (2011) extension:

PART/SECTION/PAGE #	ORIGINAL EXPIRATION DATE	*EXTENDED DATE
II, Section 5, Phasing, Buildout and Expiration, Page 11	12/31/2025	12/31/2032
II, Section 8, Downsizing Protection, Page 12	12/31/2025	12/31/2032
III, Section 12, Transportation, Page 43	Phase 1 = 2010 Phase 2 = 2015 Phase 3 = 2020	2017 2022 2027

For future edification, a recorded copy of this correspondence will be provided to your office. If you have any questions, please do not hesitate to contact me at 386-986-3745.

Sincerely,



Ray Tyner
Planning Manager

cc. Jim Landon, City Manager
Executive Team
Larry Torino, Senior Planner

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