



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

South District
PO Box 2549
Fort Myers FL 33902-2549
SouthDistrict@FloridaDEP.gov

September 23, 2022

Coastal Land and Homes, LLC
c/o Sean Ellis
Roetzel & Andress, LPA
2320 First Street, Suite 1000
Ft. Myers, FL 33901
SEllis@ralaw.com

Re: Consent Order
OGC Case No. 22-2296
Coastal Land and Homes, LLC
Site No. 306170 / Project No. 390936
BOT Lease No. 360344825
Lee County – SLERC Program

Dear Mr. Ellis:

Enclosed is the signed Consent Order (Order) to resolve this case. This copy is for your records. Please note that all compliance dates for the Order begin on the date of entry, which September 23, 2022. Upon satisfactory completion of all conditions of the Order, we will close this case and place it in our inactive file.

All payments required by the Order should be a cashier's check/money order or paid online via the DEP Business Portal at <http://www.fldepportal.com/go/pay/>. Also, any document submittals may be mailed to the above address or for your convenience can be sent to our email mailbox at ftmerp_compliance@dep.state.fl.us.

If you have any questions, please contact Mark Miller by email at Mark.Miller@FloridaDEP.gov or by phone at 239-344-5669. Your cooperation in resolving this case is appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer L. Carpenter".

Jennifer L. Carpenter
Acting Director of District Management
South District
Florida Department of Environmental Protection

JLC/mrm

Enclosure

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND
BOARD OF TRUSTEES OF THE
INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

| | | |
|---------------------------------|---|----------------------|
| STATE OF FLORIDA DEPARTMENT |) | IN THE OFFICE OF THE |
| OF ENVIRONMENTAL PROTECTION |) | SOUTH DISTRICT |
| and BOARD OF TRUSTEES OF THE |) | |
| INTERNAL IMPROVEMENT TRUST FUND |) | |
| OF THE STATE OF FLORIDA, |) | |
| |) | |
| Complainants, |) | |
| |) | OGC FILE NO. 22-2296 |
| vs. |) | |
| |) | |
| COASTAL LAND AND HOMES LLC |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

CONSENT ORDER

This Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department), and the Board of Trustees of the Internal Improvement Trust Fund (Board), and Coastal Land and Homes, LLC (Respondent) to reach settlement of certain matters at issue between the Department, the Board, and the Respondent.

The Department and the Board find, and the Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida's air and water resources and to administer and enforce Chapter 373, Part IV, and Chapter 403, Florida Statutes (Fla. Stat.), and the rules promulgated and authorized thereunder, Title 62, Florida Administrative Code (Fla. Admin. Code). The Department has jurisdiction over the matters addressed in this Order.

2. The Board is responsible for overseeing state lands and ensuring they are managed in trust for the citizens of the State of Florida pursuant to Chapter 253, Fla. Stat., and Title 18, Fla. Admin. Code. The Department has the duty to perform all staff duties and functions related to the administration of state lands as provided in Section 253.002, Fla. Stat.

3. Respondent is a person within the meaning of Sections 253.04 and 373.019(15), Fla. Stat.

4. Respondent is the owner of real property located at 4571 Redfish Point Road, Matlacha, FL 33993, Lee County Property Appraiser Parcel ID No. 24-44-22-L4-16000-0030, a/k/a Lot 3, Porpoise Pointe (“Property”).

5. The Property is located adjacent to Matlacha Pass, a Class II Outstanding Florida Waterbody of the state, and Florida Aquatic Preserve (Matlacha Pass Aquatic Preserve) as defined by Florida Law.

6. The lands below the mean high water line in Matlacha Pass are sovereign submerged lands owned by the Board as defined by Florida Law.

7. On February 12, 2009, the South Florida Water Management District (SFWMD) issued Environmental Resource Permit No. 36-07016-P for a 20-slip docking facility for an upland residential development known as Porpoise Point. The permit included an intent to issue a sovereignty submerged lands lease for the docking facility.

8. On May 22, 2009, the Department and Respondent entered into Sovereignty Submerged Lands Lease No. 360344825 (Lease) authorizing a 20-slip docking facility as permitted by the SFWMD as described in Paragraph 7 above. The Lease includes several standard lease conditions regarding annual lease fee payments, annual wet slip revenue reporting, maintenance of structures within the Lease, maintaining satisfactory evidence of sufficient upland interest as required by Rule 18-21.004(3)(b), Fla. Admin. Code, and other provisions and special lease conditions.

9. On July 15, 2015, the Department and Respondent entered into a Lease renewal for the Respondent’s docking facility. The Lease renewal includes several standard lease conditions regarding annual lease fee payments, annual wet slip revenue reporting, maintenance of structures within the Lease, maintaining satisfactory evidence of sufficient upland interest as required by Rule 18-21.004(3)(b), Fla. Admin. Code, and other provisions and special lease conditions.

10. On June 2, 2017, the SFWMD issued a minor modification to SFWMD Environmental Resource Permit No. 36-07016-P. The permit modification did not change the Lease conditions.

11. On February 12, 2019, the Lease expired and has not been renewed or modified. The Respondent has continued to pay annual Lease fees and Lease fees are current through February 12, 2022.

12. While preparing a Lease renewal for the expired Lease, the Department inspected the site and conducted a file review and determined the Lease to be non-compliant. The non-compliance consists of the Respondent not maintaining satisfactory evidence of sufficient upland interest as required by the Lease and Rule 18-21.004(3)(b), Fla. Admin. Code. On June 24, 2022, the Department approved Respondent's Riparian Rights Easement to resolve this non-compliance.

13. Respondent's Department-approved Riparian Rights Easement described in Paragraph 12 above requires a modification to the SFWMD permit described in Paragraph 7 above prior to the Department and Respondent entering into a Lease renewal and modification referencing the SFWMD permit modification.

14. Respondent desires to enter into this Order to resolve the Lease non-compliance by obtaining additional time to resolve the Lease non-compliance.

Having reached a resolution of the matter Respondent, the Department and the Board mutually agree and it is,

ORDERED:

15. **Within 30 days of the effective date of this Order**, Respondent shall pay the Department \$1,000.00 in settlement of the Lease non-compliance addressed in this Order. This amount includes \$1,000.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order, which is 22-2296, and the notation "Internal Improvement Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at <http://www.fldepportal.com/go/pay>. It will take a number of days after this order becomes final and effective filed with the Clerk of the Department before ability to make online payment is available.

16. **Within 30 days of the effective date of this Order**, Respondent shall pay the Board **\$ 6,067.02** for deposit into the Internal Improvement Trust Fund as compensation for the current use of the sovereign submerged lands with authorization of the Board provided herein. Such payment can be made online by check, credit card or debit card at <http://www.fldepportal.com/go/pay-invoices> or in the form of a cashier's check, certified check,

or money order payable to the Department of Environmental Protection and delivered to the Board's Accounting Office, Post Office Box 3070, Tallahassee, Florida 32315-3070.

17. The consideration required by paragraph 16 for this Order includes the fees due for the use of the Sovereign Lands from February 12, 2022 to February 11, 2023, as shown in attached Exhibit A. This consideration is not refundable, notwithstanding the denial of the Lease renewal and modification by the Board.

18. The Respondent acknowledges that the fees assessed for the preemption of sovereign submerged lands in this Order after March 1, 2023, are an estimate created using the base rate of \$0.1919 per square foot fee from the 2022-2023 billing cycle times the approximate square footage of the lands preempted by the structures. A supplemental invoice will be generated and issued to the Respondent at the time of Lease renewal and modification execution that accounts for any difference in lease fees owed for the new per square foot fee established on March 1, 2023, which is based on changes in the consumer price index, pursuant to Rule 18-21.011(1)(b), Fla. Admin. Code, and changes in the square footage of the preempted area based on a survey supplied by the Respondent pursuant to Respondent's application for Lease renewal and modification, and the Respondent hereby agree to pay the full amount of any additional fees owed to the Board due to these changes within 30 days of the receipt of the supplemental invoice.

19. The Respondent acknowledges and understands that the grant of this Order and the payment of the amount herein does not guarantee that the Board will grant the Respondent a Lease renewal and modification for the use of the Sovereign Lands or that the Department will recommend that the Lease renewal and modification be granted. The Board will grant the Lease renewal and modification if the Respondent meets the requirements of Rules 18-20 and 18-21, Fla. Admin. Code.

20. Respondent shall implement the Corrective Actions attached hereto and incorporated herein as Attachment I in the manner and within the time frames specified therein.

21. If Respondent's application for a Lease renewal and modification (i) is not approved by the Board and all appeals have expired; or (ii) is approved by the Board and Respondent fails to execute the Lease renewal and modification prior to the expiration or termination of the Board authorization herein, whichever occurs first, the Respondent shall immediately remove all structures from sovereign submerged lands at the Respondent's sole expense. If the Respondent asserts title to the sovereign submerged lands identified

above, and either the Respondent fails to timely submit the information concerning title as required herein, or the Board denies the Respondent's claim of title and the Respondent has not commenced an action to quiet title as specified herein, the Respondent shall remove all structures from sovereign submerged lands at the Respondent's sole expense. If the Respondent fails to complete the requirements of paragraphs 15, 16 and 20 of this Order, the Respondent shall immediately remove all structures from sovereign submerged lands at the Respondent's sole expense. The complete removal of all structures as required by this paragraph shall be accomplished within 30 days following the expiration or termination of the Board's authorization herein or receipt of written notification from the Department that the Lease renewal and modification is not approved and that all appeals have been exhausted or expired whichever occurs first.

22. With the exception of the activities described in this Order, effective immediately and henceforth, Respondent shall not conduct any dredging, filling, or construction activities on or within the landward extent of waters of the state without first obtaining a valid Department permit or written notification from the Department that the activities appear to be exempt as proposed from Department permitting requirements; nor shall Respondent conduct any activities on state owned lands below the ordinary or mean high water lines without first obtaining a lease, easement, or other consent of use from the Department.

23. Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fail to timely comply with any of the requirements of this Order. A separate stipulated penalty shall be assessed for each violation of this Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to the "*The Department of Environmental Protection*" by cashier's check or money order and shall include thereon the OGC number assigned to this Order and the notation "*Internal Improvement Trust Fund.*" The Department may make demands for payment at any time after violations occur. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any of the terms of this Order. Any penalties assessed under this paragraph shall be in addition to the settlement sum agreed to in Paragraph 15 of this Order.

24. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Order, Respondent shall have the burden of proving the

delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by Respondent's due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondent, nor shall the failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of Respondent, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department orally or via email within 48 hours, or if 48 hours falls on a weekend or holiday, by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which Respondent intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondent's right to request an extension of time for compliance with the requirements of this Order.

25. Respondent shall allow all authorized representatives of the Department and the Board access to the Respondent's riparian upland property and the Sovereignty Lands at reasonable times for the purpose of determining compliance with the terms of this Order and the rules and statutes of the Department and the Board.

26. Entry of this Order does not relieve Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

27. The terms and conditions set forth in this Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69, 253.04 and 373.129, Fla. Stat. Failure to comply with the terms of this Order shall constitute a violation of Sections 253.04 and 373.430, Fla. Stat.

28. Respondent is fully aware that a violation of the terms of this Order may subject Respondent to judicial imposition of damages, civil penalties of up to \$10,000 per day per violation and administrative fines of up to \$10,000 per day per violation and criminal penalties.

29. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Order.

30. The Department, for and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Order, hereby waives its right to seek judicial imposition of damages or civil penalties for alleged violations addressed in this Order.

31. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order shall be effective until reduced to writing and executed by both Respondent and the Department.

32. All submittals and payments required by this Order to be submitted to the Department shall be sent to the Florida Department of Environmental Protection, South District Office, P.O. Box 2549, Fort Myers, FL 33902-2549. Online e-check payment can be made by going to the DEP Business Portal at <http://www.fldepportal.com/go/pay/>.

33. In the event of a sale or conveyance of the property, if the requirements of this Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the property, (1) notify the Department of such sale or conveyance and (2) provide a copy of this Order with all attachments to the new owner. The sale or conveyance of the property shall not relieve the Respondent of the obligations imposed in this Order.

34. This Order is a settlement of the Department's and the Board's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law.

35. This Order is a final order of the Department pursuant to Section 120.52(7), Fla. Stat., and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Order will not be effective until further order of the Department.

NOTE: The Board's actions relating to Proprietary requirements contained in this Order are not subject to challenge under Chapter 120, Fla. Stat. Any litigation involving these Proprietary requirements shall be initiated and maintained only in Leon County.

36. Persons who are not parties to this Order but whose substantial interests are affected by this Order have a right, pursuant to Sections 120.569 and 120.57, Fla. Stat., to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Fla. Stat.

The petition shall contain the following information:

- (a) The Department's Order identification number and the county in which the subject matter or activity is located;
- (b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- (c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- (d) A statement of when and how the petitioner received notice of the Order;
- (e) A statement of all material facts disputed by petitioner, if any;
- (f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- (g) A statement of which rules or statutes the petitioner contends require reversal or modification of the Order; and
- (h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver

of any right such person has to request a hearing under Sections 120.569 and 120.57, Fla. Stat., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Fla. Admin. Code.

A person whose substantial interests are affected by the Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., or may choose to pursue mediation as an alternative remedy under Section 120.573, Fla. Stat., before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement

clearly identifying the petition for hearing that each party has already filed and incorporating it by reference.

(h) The signatures of all parties or their authorized representatives.


As provided in Section 120.573, Fla. Stat., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Fla. Stat., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Fla. Stat., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

37. Rules referenced in this Order are available at <https://floridadep.gov/ogc/ogc/content/rules>.

38. The undersigned certifies that as a corporate officer/member of Respondent Coastal Land and Homes, LLC, he/she is authorized and empowered to negotiate, enter into and execute, in the name and on behalf of Respondent Coastal Land and Homes, LLC, any agreements, documents, instruments, certificates, including and without limitation, this Order entered into between Respondent, Board and Department.

FOR THE RESPONDENT:

DATE 9/22/2022

COASTAL LAND AND HOMES LLC
DocuSigned by:

Original Signature

Manager

TITLE

Please do not write below this line. For DEP use only.

DONE AND ORDERED this 23rd day of September, 2022, in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jennifer L. Carpenter
Acting Director of District Management
South Florida District
P.O. Box 2549
Fort Myers, FL 33902-2549
Telephone: (239) 344-5600

Filed, on this date, pursuant to Section 120.52, Fla. Stat., with the designated Department Clerk,
receipt of which is hereby acknowledged.



Clerk

September 23, 2022

Date

cc: Lea Crandall, Agency Clerk

ATTACHMENT I
OGC Case No. 22-2296
CORRECTIVE ACTIONS

1. Within 90 days of this Order, Respondent shall submit to the South Florida Water Management District (SFWMD) a complete application to modify SFWMD Environmental Resource Permit No. 36-07016-P (Permit) to comply with the satisfactory evidence of sufficient upland interest requirement in Rule 18-21.004(3)(b), Fla. Admin. Code, and expired Sovereignty Submerged Lands Lease No. 360344825 (Lease).
2. If the SFWMD modifies the Permit described in Paragraph 1 above, Respondent and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board) shall enter into renewed and modified Lease within 90 days of the SFWMD-issued permit modification.
3. If the SFWMD does not issue the required Permit modification described in Paragraph 1 above, Respondent shall within 180 days of the SFWMD's denial of Respondent's Permit modification application and conclusion or expiration of all appeals, remove all structures from sovereign submerged lands. During removal of the unauthorized structures, Respondent shall comply with all applicable State Water Quality Standards, including but not limited to:
 - a. Rule 62-302.500, F.A.C. – Surface Waters: Minimum Criteria, General Criteria;
 - b. Rule 62-302.530, F.A.C. – Table: Surface Water Quality Criteria – Class III Waters;
 - c. Rule 62-302.700, F.A.C. – Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters; and
 - d. Rule 62-4.242, F.A.C. – Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters.
4. **Within 14 days of completion of all dock removal activities discussed in Paragraph 3 above**, Respondent shall submit to the Department sufficient documentation, such as photographs, showing the unauthorized structures that have been removed. All submittals shall be sent to the Department's South District Office, P.O. Box 2549, Fort Myers, FL 33902-2549, or by email at ftmerp_compliance@dep.state.fl.us. All submittals shall include thereon the OGC number assigned to this Order which is OGC No. 22-2296.
5. With the exception of the activities described in the above Corrective Actions, effective immediately and henceforth, Respondent shall not conduct any dredging, filling, or construction activities on or within the landward extent of waters of the state without first obtaining a valid Department or SFWMD permit or written notification from the Department or SFWMD that the activities appear to be exempt as proposed from Department or SFWMD permitting requirements; nor shall Respondent conduct any activities on state owned lands below the ordinary or mean high water lines without first obtaining a lease, easement, or other consent of use from the Department, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.)

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Receipts Section
 Post Office Box 3070
 Tallahassee, FL, 32315-3070



INVOICE

Bill To
 Coastal Land and Homes LLC
 4410 Barry Farm Rd
 Norman, OK 73072

**** INVOICE / INSTRUMENT INFORMATION ****

| | | | |
|---------------|--|--------------------|------------|
| Invoice #: | 126249 | Instrument #: | 360344825 |
| Invoice Date: | 08/03/2022 | Expiration Date: | 02/12/2019 |
| Due Date: | 09/02/2022 | Extended Term Fee: | N |
| Lessee Name: | Coastal Land and Homes LLC | | |
| Rate: | Aquatic Preserve Rate | | |
| Location: | Porpoise Point Townhome Docking Needs Research | | |

**** IMPORTANT REMINDER ****

If paying by mail, please return invoice with your payment to the above address.
 Online payment by check, credit card or debit card is available at
<http://www.fdeportal.com/go/pay-invoices/>
 Late payments are subject to a 12% Interest fee pursuant to FAC 18-21.011(1)(b)13

| INFORMATION | | | LEASE FEE DATA | | | | |
|---|--|--------|-----------------|------|----------|------------------------------|------------|
| Description | Memo | Object | Net Square Feet | Rate | Discount | Extended Term Fee | *Amount |
| Arrears 2022/2023 Commercial | Lease fees on 15,353 Sq. Ft. for 2/12/22-2/11/23 | 21017 | 15353.0 | 0.0 | 0 | N | \$5,723.60 |
| Note: Lease fees on 15,353 sq. ft. for 2/12/22-2/11/2023 Agent M. Miller (AL) | | | | | | SubTotal | \$5,723.60 |
| | | | | | | Sales Tax | \$314.80 |
| | | | | | | County Tax | \$28.62 |
| | | | | | | Credit Applied | (\$0.00) |
| | | | | | | Total | \$6,067.02 |
| | | | | | | Invoice Balance Due | \$6,067.02 |
| | | | | | | Instrument/Lease Balance Due | \$6,067.02 |

ANNUAL LEASE FEE FORMULA = BASE FEE - DISCOUNT + EXTENDED TERM FEE
 *BASE FEE =Base Rate x Net Square Feet OR
 *BASE FEE =Minimum Rate
 DISCOUNT =Base Fee x Discount Percentage
 EXTENDED TERM FEE =Base Fee x Extended Term Fee Percentage

**For any questions concerning this invoice,
 please call the Division of State Lands at (850) 245-2555.**

OGC No. 22-2296
 Exhibit A
 Page 1 of 2 Pages

Amount Calculations

| | | | | | |
|---------------------------|------------|------------------------|----------------------------|---------------------------------|-----|
| Instrument Number: | 360344825 | Grantee/Lessee: | Coastal Land and Homes LLC | Multi Family Reduction: | N |
| Begin Date: | 02/12/2022 | End Date: | 02/11/2023 | Single Family Reduction: | N |
| Interest: | N | Surcharge: | N | Sales Tax: | N |
| Linear Footage: | 2150 | Wet Slips: | 20 | Rate: | 2 |
| Discount: | 0 | Sq Feet: | 15353.0 | County: | Lee |

| Start Date | End Date | Discount | Row Amount | Balance With No Interest | Row Interest | Previous Balance Interest | Entered Balance | Balance With Interest |
|------------|------------|----------|------------|--------------------------|--------------|---------------------------|--------------------|-----------------------|
| 02/12/2022 | 02/11/2023 | \$0.00 | \$5723.60 | \$5723.60 | \$0.00 | \$0.00 | \$0.00 | \$5723.60 |
| | | | | | | | Surcharge | \$0.00 |
| | | | | | | | Sales Tax | \$0.00 |
| | | | | | | | County Tax | \$0.00 |
| | | | | | | | Balance Due | \$5723.60 |