

Document prepared under the supervision of:
Charlotte County Attorney
18500 Murdock Circle
Port Charlotte, FL 33948

This instrument prepared by and after recording return to:
D.R. Horton, Inc.
10541 Six Mile Cypress Pkwy.
Fort Myers, FL 33966

FIRST AMENDMENT TO DEVELOPER'S AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPER'S AGREEMENT (this "First Amendment") is made this 9th day of December, 2025, by and between CHARLOTTE COUNTY, a political subdivision of the State of Florida, ("County") and D.R. HORTON, INC., a Delaware corporation, ("Developer"); and County and Developer collectively ("Parties").

WHEREAS, Developer is the fee simple owner of the lands described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, "Property"); and

WHEREAS, Developer previously subdivided the Property pursuant to that certain CORAL LAKES – PHASE 1B, according to the plat thereof recorded on November 1, 2024 in Plat Book 27, Pages 18A through 18E of the Public Records of Charlotte County, Florida (the "Plat"); and

WHEREAS, in connection with the Plat, County and Developer entered into that certain Developer's Agreement recorded on November 1, 2024 under Instrument No. 3462804 of the Public Records of Charlotte County, Florida (the "Developer's Agreement"), pursuant to which Developer provided a bond in the amount of ONE MILLION ONE HUNDRED EIGHTY-SIX THOUSAND EIGHT HUNDRED EIGHT AND 15/100 DOLLARS (\$1,186,808.15), defined in the Developer's Agreement as the "Security," to ensure completion of those subdivision improvements depicted on the Plans; and

WHEREAS, a portion of the subdivision improvements shown on the approved plans have been certified as completed in substantial compliance with the Plans by a licensed engineer; and

WHEREAS, County and Developer have agreed to amend the Developer's Agreement to facilitate the reduction of the amount of security necessary to ensure completion of remaining improvements for the Plat; and

WHEREAS, the intent of the Developer's Agreement and this First Amendment thereto is to provide the required financial assurances pursuant to the provisions of Section 3-7-65 of the Charlotte County Code of Laws and Ordinances, which is not intended to be construed as a development agreement under Chapter 163.3221, Florida Statutes.

NOW THEREFORE, in consideration of their respective undertakings hereunder, County and Developer agree as follows:

1. Developer agrees to complete the subdivision improvements shown on the Plans which have not yet been certified as complete, no later than November 1, 2026.

2. County hereby reduces the amount of the Security from ONE MILLION ONE HUNDRED EIGHTY-SIX THOUSAND EIGHT HUNDRED AND EIGHT AND 15/100 DOLLARS (\$1,186,808.15) to SIXTY-THREE THOUSAND NINE HUNDRED SEVENTEEN AND 48/100 DOLLARS (\$63,917.48) (the "Second Security") and Developer shall provide a new bond or rider to the existing bond (Bond No. 612422787) in such amount. The Parties agree that the Developer's Agreement remains in full force and effect, except as modified herein.

3. Except as amended herein, the remaining terms and provisions of the Developer's Agreement shall remain in full force and effect as if originally set forth therein.

4. This First Amendment may be executed in counterparts, each of which shall constitute an original, but all taken together shall constitute one and the same Agreement.

[Signature pages to follow]

IN WITNESS WHEREOF, County and Developer have executed this First Amendment to Developer's Agreement on the date first above written.

**CHARLOTTE COUNTY, a political
Subdivision of the State of Florida**

By: _____
Joseph M. Tiseo, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
LR: 25-0999

kmw

[Signature]
1st Witness Signature

J. Wayne Everett
1st Witness Printed Name

10541 Ben C. Pratt 6 Mile Cypress Parkway
Fort Myers, FL. 33966

1st Witness Address

1st Witness Address (cont'd.)

[Signature]
2nd Witness Signature

COREY WATKINS
2nd Witness Printed Name

10541 Ben C. Pratt 6 Mile Cypress Parkway

Fort Myers, FL. 33966
2nd Witness Address

2nd Witness Address (cont'd.)

DEVELOPER

D.R. Horton, Inc.
10541 Ben C. Pratt Six Mile Cypress Pkwy.
Fort Myers, FL 33966

By: [Signature]
Authorized Signature

Division President
Title

Dwayne Hill
Printed Name

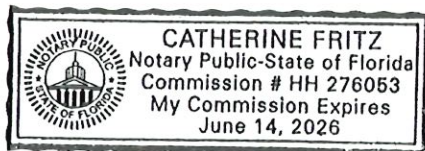
ACKNOWLEDGEMENT

State of FL
County of Lee

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 21st day of November, 20 25 by Dwayne Hill, Division President of D.R. Horton, Inc., who ☒ is personally known to me or ☐ has produced _____ as identification and did/did not take an oath.

My commission expires:

(Notary Seal)



Catherine Fritz
Notary Public
Catherine Fritz
Printed name of Notary Public
HH 276053
Serial or commission number

EXHIBIT "A"
(Legal Description of Property)

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 4, TOWNSHIP 42 SOUTH, RANGE 23 EAST, ALSO BEING TRACT "F-4", CORAL LAKES - PHASE 1A, AS RECORDED IN PLAT BOOK 27, PAGES 14A THROUGH 14Y, CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION SAID SECTION 4; THENCE S.89°37'12"W. ALONG THE SOUTH LINE OF SAID SECTION 4 FOR 2227.51 FEET TO THE SOUTHWEST CORNER OF TRACT "C-3", OF SAID PLAT AND THE POINT OF BEGINNING, SAID POINT HAVING A STATE PLANE COORDINATE OF N:912405.69, E:652221.67; THENCE CONTINUE S.89°37'12"W. ALONG SAID SOUTH LINE FOR 1907.79 FEET TO THE SOUTHEAST CORNER OF LOT 488 OF SAID PLAT SAID POINT HAVING A STATE PLANE COORDINATE OF N:912393.04, E:650313.92 AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG THE EASTERLY LINES OF LOTS 485 THROUGH 488 OF SAID PLAT THE FOLLOWING 2 COURSES: THE AFOREMENTIONED CURVE HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 21°42'33", A CHORD BEARING OF N.14°01'34"W. AND A CHORD DISTANCE OF 37.66 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 37.89 FEET; THENCE N.03°10'18"W. FOR 224.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 485; SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1458.00 FEET, A DELTA ANGLE OF 05°06'03", A CHORD BEARING OF N.77°36'14"W. AND A CHORD DISTANCE OF 129.76 FEET; THENCE ALONG THE ARC OF SAID CURVE AND THE NORTHERLY LINE OF SAID LOT 485 FOR 129.80 FEET TO A POINT ON THE EASTERLY LINE OF CORDGRASS ROAD OF SAID PLAT; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING 7 COURSES: N.03°10'18"W. FOR 9.53 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 837.00 FEET, A DELTA ANGLE OF 05°35'36", A CHORD BEARING OF N.05°58'06"W., AND A CHORD DISTANCE OF 81.68 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 81.71 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A DELTA ANGLE OF 48°16'54", A CHORD BEARING OF N.15°22'33"E. AND A CHORD DISTANCE OF 20.45 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 21.07 FEET; THENCE N.08°53'13"W. FOR 59.38 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A DELTA ANGLE OF 57°30'22", A CHORD BEARING OF N.44°12'59"W. AND A CHORD DISTANCE OF 24.05 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 25.09 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 837.00 FEET, A DELTA ANGLE OF 07°02'12", A CHORD BEARING OF N.18°58'54"W. AND A CHORD DISTANCE OF 102.73 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 102.80 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 09°11'34", A CHORD BEARING OF N.17°54'13"W. AND A CHORD DISTANCE OF 44.08 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 44.12 FEET TO THE SOUTHWEST CORNER OF TRACT "C-13" OF SAID PLAT; THENCE ALONG THE SOUTH LINE OF SAID TRACTS "C-12", "C-13" AND LOTS 103 THROUGH 140 OF SAID TRACT THE FOLLOWING 7 COURSES: S.76°46'57"E. FOR 192.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1158.00 FEET, A DELTA ANGLE OF 13°25'49", A CHORD BEARING OF S.83°29'51"E. AND A CHORD DISTANCE OF 270.82 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 271.44 FEET; THENCE N.89°47'14"E. FOR

226.27 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 592.50 FEET, A DELTA ANGLE OF $21^{\circ}11'25''$, A CHORD BEARING OF $S.79^{\circ}37'03''E.$ AND A CHORD DISTANCE OF 217.88 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 219.13 FEET; THENCE $S.69^{\circ}01'20''E.$ FOR 322.15 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 600.00 FEET, A DELTA ANGLE OF $20^{\circ}58'40''$, A CHORD BEARING OF $S.79^{\circ}30'40''E.$ AND A CHORD DISTANCE OF 218.45 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 219.68 FEET; THENCE $N.90^{\circ}00'00''E.$ FOR 710.12 FEET TO THE SOUTHEAST CORNER OF LOT 103, OF SAID PLAT; THENCE $S.01^{\circ}36'53''E.$ ALONG THE WEST LINE OF TRACT "C-3", OF SAID PLAT FOR 333.18 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE SOUTH LINE OF SECTION 4, TOWNSHIP 42 SOUTH, RANGE 23 EAST BEARS $S.89^{\circ}37'12''W.$