

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:
Kyle Smith, P.E.
CC Burnt Store, LLC
111 S. Armenia Avenue
Tampa, FL 33609

FIRST AMENDMENT TO DEVELOPER'S AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPER'S AGREEMENT ("Amendment") is made this 25th day of November, 2025, by and between CHARLOTTE COUNTY, a political subdivision of the State of Florida, herein called "County", and CC Burnt Store, LLC, with an address of 111 S. Armenia Avenue, Tampa, Florida 33609, herein called "Developer", and collectively referred to as "parties."

WITNESSETH

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 Plat of Coral Lakes - Phase IA, according to the plat thereof recorded on August 2, 2024 in Plat Book 27, Pages 14A through 14Y 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 August 2, 2024, Instrument #: 3434826 of the Public Records of Charlotte County, Florida (the "Developer's Agreement"), pursuant to which Developer provided a bond in the amount of NINE MILLION ONE HUNDRED THIRTY-FOUR THOUSAND NINE HUNDRED SEVENTEEN AND 83/100 DOLLARS (\$9,134,917.83), 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, as set forth in the Engineer's Probable Cost Estimate dated July 1, 2025, which have not yet been certified as complete, no later than June 15, 2027.

2. County hereby reduces the amount of the Security from \$9,134,917.83 to \$297,959.64 (the "Second Security"), which includes the required, additional ten percent (10%) security, and Developer shall provide a new bond or rider to the existing bond (Bond No. 5763535) 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 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.

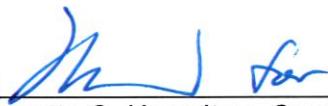
**CHARLOTTE COUNTY, a political
Subdivision of the State of Florida**

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
LR25-0938
0940 KMW

Tiffany
1st Witness Signature

Tiffany Jennings
1st Witness Printed Name

111 S. Armenia Ave.
1st Witness Address

Tampa, FL 33609
1st Witness Address (cont.)

Austin Berns
2nd Witness Signature

Austin Berns
2nd Witness Printed Name

111 S. Armenia Ave.
2nd Witness Address

Tampa, FL 33609
2nd Witness Address (cont.)

DEVELOPER
CC Burnt Store, LLC
111 S. Armenia Avenue
Tampa, FL 33609

By: Nicholas Dister

Nicholas Dister
Printed Name

Authorized Representative
Title

ACKNOWLEDGEMENT

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 27 day of October, 2025 by Nicholas Dister, Authorized Representative, who ☒ is personally known to me or [] has produced _____ as identification and did/did not take an oath.

My commission expires: 09/27/28


Notary Public

(Notary Seal)

Tiffany Jennings
Printed name of Notary Public

HH641324
Serial or commission number

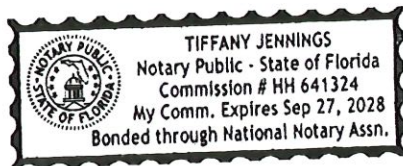


EXHIBIT "A"
(Legal Description of Property)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 4 AND 9, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 9; THENCE S.89°37'14"W. ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 9 FOR 2134.63 FEET TO THE POINT OF BEGINNING, SAID POINT HAVING A STATE PLANE COORDINATE OF NORTH:912406.30, EAST:652314.54; THENCE S.03°05'00"E. FOR 2086.83 FEET TO A POINT HAVING A STATE PLANE COORDINATE OF NORTH:910322.49, EAST:652426.79; THENCE S.89°51'50"W. FOR 3098.66 FEET TO A POINT ON THE NEW RIGHT-OF-WAY LINE PER BSR2-133-FEE ACQUISITION, AS RECORDED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE ALONG SAID NEW RIGHT-OF-WAY LINE THE FOLLOWING 13 COURSES: N.00°08'20"W. FOR 1100.49 FEET; THENCE N.89°51'40"E. FOR 274.00 FEET; THENCE N.00°08'20"W. FOR 466.37 FEET; THENCE N.45°08'20"W. FOR 203.12 FEET; THENCE S.89°51'40"W. FOR 130.37 FEET; THENCE N.00°08'20"W. FOR 359.73 FEET; THENCE N.89°31'21"E. FOR 658.64 FEET; THENCE N.03°12'44"W. FOR 671.94 FEET; THENCE N.89°58'51"W. FOR 635.27 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 10090.00 FEET, A DELTA ANGLE OF 00°21'24", A CHORD BEARING OF N.03°11'18"W., AND A CHORD DISTANCE OF 62.81 FEET; THENCE ALONG THE ARC OF SAID CURVE A FOR 62.81 FEET; THENCE N.03°22'00"W. FOR 618.82 FEET; THENCE S.88°42'23"E. FOR 416.38 FEET; THENCE N.03°22'00"W. FOR 621.06 FEET; THENCE N.89°11'40"W. FOR 416.10 FEET; THENCE N.03°22'00"W. FOR 713.71 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 4; THENCE N.89°57'21"E. ALONG SAID NORTH LINE FOR 2980.67 FEET; THENCE S.01°36'53"E. FOR 1204.83 FEET; THENCE S.88°23'07"W. FOR 27.20 FEET; THENCE S.01°36'53"E. FOR 70.00 FEET; THENCE N.88°23'07"E. FOR 27.20 FEET; THENCE S.01°36'53"E. FOR 1394.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 9; THENCE N.89°37'14"E. ALONG SAID NORTH LINE FOR 67.87 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 NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 42 SOUTH, RANGE 23 EAST BEARS S.89°37'14"W.