

MEMORANDUM OF AGREEMENT
BETWEEN
SANTAFE HEALTHCARE, INC. & NORTH CENTRAL FLORIDA HOSPICE, INC.
AND
Shands Teaching Hospital and Clinics, Inc.

This Memorandum of Agreement ("Agreement") is entered between **SantaFe HealthCare, Inc.**, a Florida not-for-profit corporation and **North Central Florida Hospice, Inc.**, a Florida not-for-profit corporation (hereafter referred to collectively as "Owner") and **Shands Teaching Hospital and Clinics, Inc.**, a Florida not-for-profit corporation ("Shands"). Owner is the master developer of real property known as the SantaFe Village, Transit Oriented Development ("SFV-TOD") comprising 158.59 acres described in Exhibit A to this Agreement. Development of SFV-TOD is governed by applicable provisions of the Alachua County Comprehensive Plan and Unified Land Development Code, a Preliminary Development Plan ("PDP") approved by Alachua County through adoption of Resolution DR-13-23 attached as Exhibit B to this Agreement and PDP plan sheets C0.00 through C0.66 attached as Exhibit C to this Agreement.

Shands is purchasing acreage within SFV-TOD described in Exhibit D to this Agreement and is processing an application with Alachua County seeking final development plan ("FDP") approval for said acreage. A county requirement for FDP approval is construction of required improvements lying outside the area described in Exhibit D (Offsite Improvements). The Offsite Improvements include streets and sidewalks and stormwater management facilities as depicted in the FDP Master Site Plan application submitted by Shands and contained in Exhibit E of this Agreement.

PURPOSE

The purpose of this Agreement is for the parties to acknowledge that Offsite Improvements to be constructed by Shands on Owner property shall, upon completion and acceptance by Owner, become improvements owned and maintained by Owner and for the parties to acknowledge and agree that Offsite Improvements may be modified by Owner as needed to accommodate the buildout of SFV consistent with the PDP.

RESPONSIBILITIES OF OWNER

The following modifications to Offsite Improvements are known by Owner and Shands to be required in the future and shall be the sole responsibility of Owner:

- a. Stormwater: The temporary stormwater facility lying south of Roadway "D" depicted on Exhibit E may be modified or eliminated when the SFV-TOD stormwater is diverted to a master stormwater facility to be developed along the eastern SFV-TOD boundary as depicted on PDP Master Plan sheet C0.02 contained in Exhibit C, or when Roadway "D" is expanded per the requirements of the Transportation Improvement Agreement (TIA) entered between Alachua County and Owner (OR Book 4315 Page 1648), whichever first occurs; and
- b. Transportation:
 1. Roadway "D" depicted on Exhibit E is designed to partially implement the required construction of Northwest 46th Boulevard as depicted on PDP plan sheet C0.60 and configured consistent with BRT 114A depicted on PDP plan sheet C0.64 contained in Exhibit C. The parties to this Agreement acknowledge that the future expansion of Roadway "D" is an Owner obligation that will be implemented not later than when required by Section 5.01 of the TIA and result in the elimination of Roadway "E" as depicted on Exhibit G.
 2. Roadway "A" depicted on Exhibit E partially implements the required construction of the NW 91st Street extension as depicted on PDP plan sheet C0.60 and configured consistent with ST-76B on PDP Plan Sheet C0.65 contained in Exhibit C. The parties to this Agreement acknowledge that the future extensions of NW 91st Street is an Owner obligation that will be implemented not later than when required by Section 5.01 of the TIA. The parties further acknowledge that future construction of the NW 91st Street extension will eliminate portions, and possibly all, of the existing parking area shown on Exhibit F and eliminate the portion of existing NW 90st Boulevard depicted on Exhibit G and Roadway "E" depicted on Exhibit G.

RESPONSIBILITIES OF SHANDS

The parties acknowledge that Shands is responsible for ensuring that all improvements made within the purchased property described in Exhibit D and Offsite Improvement to be authorized by the FDP shall be in full compliance with applicable provisions of the Alachua County Comprehensive Plan, Unified Land Development Code and the PDP.

TERM AND TERMINATION

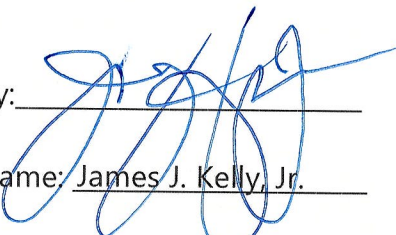
Shands, as purchaser of the property described in Exhibit D and Owner as seller of

same intend that this Agreement shall survive closing of said sale and remain in force until all requirements of this Agreement have been satisfied unless earlier terminated by a termination of the separate Real Estate Purchase Agreement between the Parties and failure to close the sale transaction for the conveyance of the property described in Exhibit D.

IN WITNESS WHEREOF, Owner and Shands have caused this Agreement to be executed as of the dates set forth below.


SHANDS:

SHANDS TEACHING HOSPITAL AND
CLINICS, INC.,
a Florida not for profit corporation

By: 
Name: James J. Kelly, Jr.
As its Interim CEO
Date: 11/21/23


OWNER:

SANTA FE HEALTHCARE, INC.,
a Florida not for profit corporation

By: 
LAWRENCE G. SCHREIBER
As its President/CEO

Date: 11-21-2023

NORTH CENTRAL FLORIDA HOSPICE, INC.,
a Florida not for profit corporation

By: 
LAWRENCE G. SCHREIBER
As its CEO

Date: 11-21-2023

EXHIBIT A

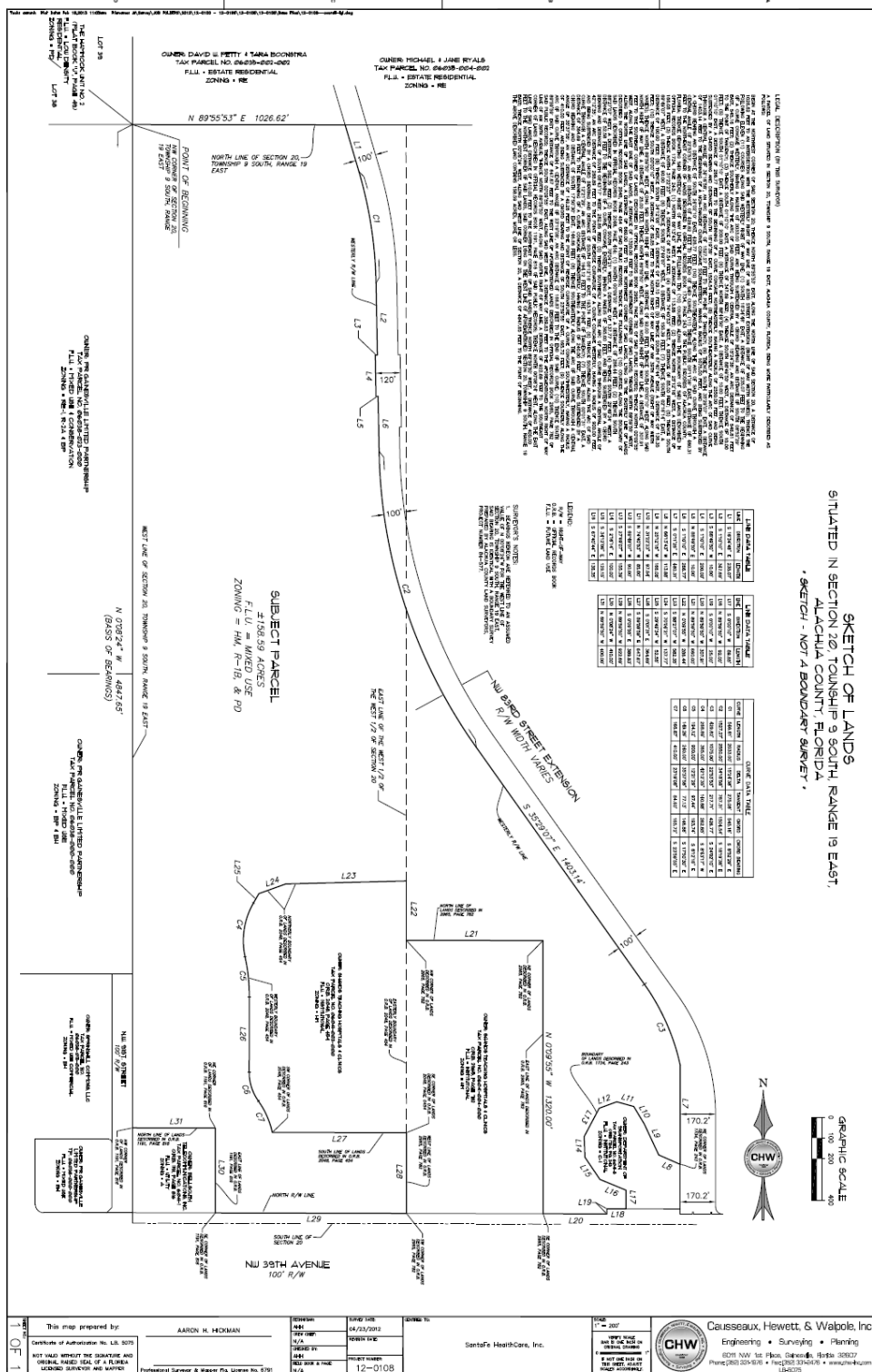
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Exhibit A - SantaFe Village

Legal Description

LEGAL DESCRIPTION (BY THIS SURVEYOR)

A PARCEL OF LAND SITUATED IN SECTION 20, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 20; THENCE NORTH 89°55'53" EAST, ALONG THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 1026.62 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF NW 83RD STREET EXTENSION (RIGHT OF WAY WIDTH VARIES); THENCE THE FOLLOWING ELEVEN (11) COURSES ALONG SAID WESTERLY RIGHT OF WAY LINE: (1) SOUTH 16°34'48" EAST, A DISTANCE OF 235.07 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2033.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°52'29" EAST, 545.16 FEET; (2) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°24'38", AN ARC DISTANCE OF 546.81 FEET TO THE POINT OF TANGENCY; (3) THENCE SOUTH 01°10'10" EAST, A DISTANCE OF 347.69 FEET; (4) THENCE SOUTH 88°49'50" WEST, A DISTANCE OF 10.00 FEET; (5) THENCE SOUTH 01°10'10" EAST, A DISTANCE OF 200.00 FEET; (6) THENCE NORTH 88°49'50" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 01°10'10" EAST, A DISTANCE OF 266.77 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2550.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 18°19'38" EAST, 1504.54 FEET; (8) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°18'58", AN ARC DISTANCE OF 1527.27 FEET TO THE POINT OF TANGENCY; (9) THENCE SOUTH 35°29'07" EAST, A DISTANCE OF 1403.14 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1075.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 24°02'10" EAST, 426.77 FEET; (10) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°53'53", AN ARC DISTANCE OF 429.62 FEET TO THE END OF SAID CURVE; (11) THENCE SOUTH 00°11'26" EAST, A DISTANCE OF 480.31 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1734, PAGE 243 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, THE FOLLOWING TEN (10) COURSES ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1734, PAGE 243; (1) NORTH 66°13'43" WEST, A DISTANCE OF 113.88 FEET; (2) THENCE NORTH 25°12'18" WEST, A DISTANCE OF 166.08 FEET; (3) THENCE NORTH 31°22'23" WEST, A DISTANCE OF 97.54 FEET; (4) NORTH 74°40'53" WEST, A DISTANCE OF 85.00 FEET; (5) THENCE SOUTH 69°49'07" WEST, A DISTANCE OF 90.00 FEET; (6) THENCE SOUTH 27°49'07" WEST, A DISTANCE OF 155.39 FEET; (7) THENCE SOUTH 02°16'14" EAST, A DISTANCE OF 100.00 FEET; (8) THENCE SOUTH 34°12'06" EAST, A DISTANCE OF 129.15 FEET; (9) THENCE SOUTH 67°40'44" EAST, A DISTANCE OF 136.35 FEET; (10) THENCE SOUTH 00°00'10" WEST, A DISTANCE OF 89.85 FEET TO THE NORTH RIGHT OF WAY LINE OF NW 39TH AVENUE (RIGHT OF WAY WIDTH VARIES); THENCE NORTH 89°59'50" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 92.00 FEET; THENCE SOUTH 00°00'10" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 25.00 FEET; THENCE NORTH 89°59'50" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 307.91 FEET TO THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2965, PAGE 782 OF SAID PUBLIC RECORDS; THENCE NORTH 00°09'55" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 1320.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE NORTH 89°59'50" WEST, ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 660.00 FEET TO THE NORTHWEST CORNER OF SAID LANDS, LYING ON THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2048, PAGE 454 OF SAID PUBLIC RECORDS; THENCE THE FOLLOWING TEN (10) COURSES ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2048, PAGE 454; (1) NORTH 00°09'55" WEST, A DISTANCE OF 286.44 FEET; (2) THENCE SOUTH 88°27'07" WEST, A DISTANCE OF 582.35 FEET; (3) THENCE SOUTH 70°04'21" WEST, A DISTANCE OF 137.77 FEET; (4) THENCE SOUTH 29°49'34" WEST, A DISTANCE OF 52.58 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 365.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°43'17" WEST, 262.85 FEET; (5) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°12'35", AN ARC DISTANCE OF 268.89 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 900.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 06°12'16" EAST, 193.74 FEET; (6) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°21'29", AN ARC DISTANCE OF 194.12 FEET TO THE POINT OF TANGENCY; (7) THENCE SOUTH 00°01'31" EAST, A DISTANCE OF 364.69 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 240.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 17°50'30" EAST, 146.86 FEET; (8) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°37'58", AN ARC DISTANCE OF 149.26 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 410.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 23°59'55" EAST, 165.72 FEET; (9) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°19'08", AN ARC DISTANCE OF 166.87 FEET TO THE END OF SAID CURVE; (10) THENCE SOUTH 89°59'59" EAST, A DISTANCE OF 647.67 FEET TO THE WEST LINE OF AFOREMENTIONED LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2965, PAGE 782 OF SAID PUBLIC RECORDS; THENCE SOUTH 00°09'55" EAST, ALONG SAID WEST LINE, A DISTANCE OF 389.83 FEET TO THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF NW 39TH AVENUE; THENCE NORTH 89°59'50" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 922.69 FEET TO THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1191, PAGE 816 OF SAID PUBLIC RECORDS; THENCE NORTH 00°08'24" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 410.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE NORTH 89°59'50" WEST, A DISTANCE OF 400.00 FEET TO THE NORTHWEST CORNER OF SAID LANDS, SAID CORNER LYING ON THE WEST LINE OF AFOREMENTIONED SECTION 20, TOWNSHIP 9 SOUTH, RANGE 19 EAST; THENCE NORTH 00°08'24" WEST, ALONG SAID WEST LINE OF SECTION 20, A DISTANCE OF 4847.65 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED LAND CONTAINS 158.59 ACRES, MORE OR LESS.

Exhibit B

RESOLUTION DR-13-23

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA TO APPROVE A PRELIMINARY DEVELOPMENT PLAN FOR SANTAFE VILLAGE AT SPRINGHILLS A TRANSIT ORIENTED DEVELOPMENT FOR A MAXIMUM OF 1,165,000 SQUARE FEET OF NON-RESIDENTIAL USES AND A MAXIMUM OF 2,310 RESIDENTIAL USES IN THE SINGLE FAMILY RESIDENTIAL (R-1B), HOSPITAL AND MEDICAL (HM), PLANNED DEVELOPMENT (PD), RESIDENTIAL PROFESSIONAL (RP) DISTRICTS WITH A FUTURE LAND USE DESIGNATIONS OF MIXED USE AND SPRINGHILLS ACTIVITY CENTER ON APPROXIMATELY 158.59 ACRES LOCATED ON THE NORTH SIDE OF NW 39TH AVENUE IN THE 8300 TO 9099 BLOCK ON TAX PARCEL NUMBERS 06041-000-000, 06041-002-000, 06041-002-001, 06041-002-002, 06041-002-003, 06041-002-004, 06041-002-005, 06041-003-001 AND 06041-007-000.

WHEREAS, pursuant to Unified Land Development Code Chapter 402, Article 19 and Section 402.44, the Alachua County Board of County Commissioners considered this Preliminary Development Plan at its regular meeting of September 24, 2013;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Preliminary Development Plan Application 2012071102_P, a request by C. David Coffey, Esquire, agent for SantaFe Healthcare, Inc., AvMed, Inc. and North Central Florida Hospice, Inc., for a Transit Oriented Development to consist of a maximum of 1,165,000 sf non-residential uses and a maximum of 2,310 residential uses on approximately 158.59 acres located on the north side of NW 39th Avenue in the 8300 to 9099 block on Tax Parcel Numbers 06041-000-000, 06041-002-000, 06041-002-001,

Exhibit B

06041-002-002, 06041-002-003, 06041-002-004, 06041-002-005, 06041-003-001 and 06041-007-000 as shown on Exhibit A, is hereby approved with the following conditions:

1. Finalization of all issues regarding Conservation Management Areas shall be addressed with submittal of an application for final development plan approval for the first phase/unit of Santa Fe Village TOD. Surveys, legal descriptions, and draft conservation easement documents also shall be provided to the county surveyor and county attorney's office for review at that time.
2. Construction of a public road, greenway/multi-use path or utilities from the north end of Santa Fe Village TOD to Millhopper Road specifically is not approved as part of this development application. These development activities shall require independent environmental analysis and review/approval by the BoCC and/or Development Review Committee, as appropriate.
3. Prior to submittal of a Final Development Plan for a phase that includes wetlands to be impacted by development, the Board of County Commissioners must approve a final mitigation and monitoring plan either as part of the developer's agreement noted in condition #4 or as a separate item.
4. Prior to approval of a Final Development Plan, the applicant shall enter into a Developer's Agreement with the Board of County Commissioners. The Developer's Agreement shall include agreement to the following issues:
 - a. Application of the Multi-Modal Transportation Mitigation to the development;
 - b. Implementation of a Northwest Transportation Improvement District;
 - c. Timing of required infrastructure and transit operations detailed in Capital Improvements Element Table 1-b for Santa Fe Village;
 - d. Timing of required safety and operational improvements to intersections significantly impact by the development; and
 - e. Implementation of a Park and Ride within the development.
5. Reduce travel lanes from 11 to 10 feet.

Exhibit B

DULY ADOPTED in regular session this 24th Day of September, 2013.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: Mike Byerly
Mike Byerly, Chair

ATTEST:
J. K. Irby
J. K. Irby, Clerk

(SEAL)

APPROVED AS TO FORM

David K. [Signature]
for Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

Steven Jacobus

Department of Growth Management

Authorized Designee

Exhibit B

EXHIBIT A

LEGAL DESCRIPTION (BY THIS SURVEYOR)

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THE ABOVE DESCRIBED LAND CONTAINS 158.59 ACRES, MORE OR LESS.

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