WATER TABLE MONITORING AND MITIGATION PLAN. The Developer's construction of the Property's stormwater management ponds entail dewatering activities that will depress the water levels beneath Fox Lea Farm's property and in its water supply pond. This is a significant issue and serious threat to Fox Lea Farm because it relies upon a sufficient water supply, which is drawn from its water supply pond, in order to provide stable soil moisture in its equestrian arenas and show rings. Consequently, depressed water table levels stand to compromise the safety of riders and horses, and water table levels depressed at or beyond a certain threshold would adversely impact Fox Lea Farm's operations, thereby effectively obstructing Fox Lea Farm's historical and beneficial use of its property. The Developer acknowledges the gravity of the threat its dewatering activities pose to Fox Lea Farm, and the Parties have therefore agreed to the following:

A. The Predictive Model. In March of 2019, Water Resource Associates, LLC, performed a predictive ground water flow modeling evaluation using the Southwest Florida Water Management District (SWFWMD) District-Wide Regulatory Model version 3 (DWRMv3) to simulate and predict water table levels during the dewatering activities (hereinafter the "2019 Predictive Model"). The results of this predictive model are produced in the written "Technical Memorandum," dated March 27, 2019. The Developer subsequently revised its Binding Master Plan, which included revisions to the size, depth, and location of stormwater management ponds (identified as "Pond 1" and "Pond 2" on the Binding Master Plan), thereby rendering the 2019 Predictive Model obsolete. In December of 2020, Water Science Associates, Inc., revised the 2019 Predictive Model based upon the new Binding Master Plan (the "2020 Predictive Model") and prepared the "Impact Model Evaluation – December 2020 Model Update," a written report summarizing the results. The Parties agree to use the 2020 Predictive Model for purposes of complying with all requirements of this Water Table Monitoring Plan.

B. Dewatering Compliance Levels. The 2020 Predictive Model simulates *projected* water table level drawdowns on the Developer's Property and Fox Lea Farm's property before, throughout, and after completion of the Developer's dewatering activities associated with construction of its stormwater management ponds (the "dewatering drawdowns"). However, because water table levels depressed at or beyond a certain threshold will harm Fox Lea Farm and the health, safety and welfare of the public on Fox Lea Farm's property, the Parties agree that *actual* site-specific dewatering drawdowns must be monitored and maintained by the Developer, and that the Developer must conduct its dewatering activities accordingly. For purposes of reading and monitoring the actual site-specific dewatering drawdowns in real-time, the Parties have agreed to install monitoring wells and a staff gauge in accordance with all terms herein. The precise location of all monitoring wells and the staff gauge shall be identified at the time of installation. Using the 2020 Predictive Model for reference, the Developer's licensed Professional Engineer or Hydrogeologist, registered in the State of Florida, shall determine at a precision of one-tenth (0.10) foot the threshold dewatering drawdown—the lowest water table drawdown at which dewatering activities can continue without further compromising Fox Lea Farm's operations—for each installed monitoring well (collectively, the "Compliance Levels;" individually the "Compliance Level") and shall certify all Compliance Levels. Upon certification and prior to initiating dewatering activities, the Developer shall provide the Compliance Levels for each monitoring location to Fox Lea Farm. The Developer shall not allow water table drawdown measurements at any of the water table monitoring wells to be depressed below the Compliance Levels.

C. Monitoring System. The system used to monitor and maintain the site-specific dewatering drawdowns shall be comprised of, at a minimum, water table monitoring wells, a staff gauge, pressure transducers with a telemetry system, and remote monitoring technology via the internet, whereas all the requisite details of components are further specified throughout all

provisions below (hereinafter collectively referred to as the "Monitoring System"). The Monitoring System shall allow for manual measurements to be made without material interruption to the system components. The Developer shall bear all costs associated with the Monitoring System, including but not limited to design, permitting, installation, operation, and maintenance.

i. *Timing and Authorization for Installation*. The Monitoring System shall be in place, collecting water table level data, and operating in good working order, no less than two (2) weeks prior to the commencement of site construction work on the Property's stormwater ponds and shall remain in place for 180 days after the Property's stormwater ponds are constructed and filled to their design water levels, or until ground water levels on Fox Lea Farm's property have returned to their pre-construction state, whichever is later (the "Monitoring Period"). The Developer shall operate and maintain the Monitoring System in good working order at all times. At the end of the Monitoring Period, the Developer shall remove the Monitoring System in such a manner so to cause all monitoring wells on Fox Lea Farm's property to be properly plugged and abandoned to State standards, and all well sites to be returned to the respective pre-monitoring conditions. The Developer's Engineer(s), Hydrogeologist(s), consultant(s), subconsultant(s) and contractor(s) shall obtain verbal authorization from Fox Lea Farm's Agents prior to entering or performing any work on its property. All work authorized by Fox Lea Farm's Agents shall be performed in a manner that does not disturb or interfere with Fox Lea Farm's business operations or clients.

ii. *Water Table Monitoring Wells and Staff Gauge*.

1. Number and Location of Water Table Monitoring Wells. At least one water table monitoring well shall be established on the Developer's Property, at a location south of the southern storm water pond and near the Property's southern property line. The Developer shall establish at least three (3) water table monitoring wells on Fox Lea Farm's property at the locations identified on Exhibit "F2" attached hereto (shown as Wells 1, 2 and 4 on Exhibit "F2"). The Developer shall coordinate with Fox Lea Farm's Agents at least two (2) weeks prior to installation, and the Parties shall determine a date and time for the Developer to install the monitoring wells on Fox Lea Farm's property. Upon the Parties' written and duly signed agreement of a date and time for the Developer's installation of the monitoring wells, Fox Lea Farm shall grant all easements and consents necessary for the Developer's installation of such water table monitoring wells. Notwithstanding the foregoing, if the Parties do not reach an agreement as to date and time, then the Developer shall establish at least two (2) additional water table monitoring wells along the Property's southern property line, to provide a minimum total of three (3) water table monitoring wells, so that all are equally spaced along the Property's southern property boundary.

2. Specification of Water Table Monitoring Wells. The Developer shall construct the water table monitoring wells to meet all applicable standards set by American Society for Testing and Materials (ASTM) International, the Florida Department of Environmental Protection (FDEP), the SWFWMD, applicable Sarasota County regulations, and applicable City of Venice regulations, if any, respectively and if required by law. Each water table monitoring well shall be a minimum of two (2) inches in diameter and extend to a depth of at least 15 feet and no more than 17 feet below land surface (ft. BLS). Each water table monitoring well shall be constructed with 10 feet (ft.) of 10 slot PVC screen (0.01-in.) and, at a minimum, approximately 8-ft. of Schedule 40 PVC well casing. Each water table monitoring well shall have a lockable,

metal protective casing extending approximately three (3) feet above land surface (ft. ALS) and a 2-ft. by 2-ft. concrete well pad. The water table monitoring wells shall be plumb and developed (pumped until discharge water is clear) to remove fine sediments that may have been introduced into the well screens during installation. A protective fence or brightly painted bollards that ensure the safety and security of horses shall be installed around each water table monitoring well installed on Fox Lea Farm's property. Following installation and development of every water table monitoring well, a Florida licensed land surveyor shall measure and provide elevations for each and every: (i) ground surface at the well pad; (ii) top of metal protective casing (lid down); and, (iii) top of PVC well casing at an identifiable notch.

3. Staff Gauge. The Developer shall install a staff gauge on the northern shoreline of the water supply pond on Fox Lea Farms' property, as shown on Exhibit "F2" attached hereto (shown as SG on Exhibit "F2"). The Developer shall coordinate with Fox Lea Farm's Agents at least two (2) weeks prior to installation, and the Parties shall determine a date and time for the Developer to install the staff gauge on Fox Lea Farm's property. Upon the Parties' written and duly signed agreement of a date and time for the Developer's installation of the staff gauge, Fox Lea Farm shall grant all easements and consents necessary for the Developer's installation of such staff gauge. Notwithstanding the foregoing, if the Parties do not reach an agreement as to date and time, then the Developer shall establish at least one (1) staff gauge in the Property's southern storm water pond. The staff gauge(s) shall be constructed with five (5) ft. of two (2) inch diameter 10 slot PVC screen (0.01-in.) resting on the bottom of the pond where installed and clamped to a black steel pipe driven into the pond's bottom for vertical support. Following staff gauge installation, a Florida licensed land surveyor shall measure and provide the elevation for the top of PVC well screen at an identifiable notch.

iii. *Monitoring System Equipment, Technology and Use*. The Developer shall install recording water level pressure transducers at each water table monitoring well and staff gauge along with a telemetry system. The telemetry system shall allow for the remote observation and collection of water table level data without interfering with Fox Lea Farm's business operations or clients. The Developer shall install the Diver® system by Van Essen, or a similar system, that allows water table level measurements to be remotely monitored via the internet. The pressure transducers shall take hourly measurements and telemetry data shall be uploaded to the internet at a minimum of every three (3) hours. Water table levels shall be monitored and uploaded in this manner for the entire Monitoring Period, and all data collected shall be uploaded to and remain on the internet. The Developer shall also save the data to its hard drive for back up. For purposes of verifying the accuracy of the telemetry system measurements, the Developer's Engineer(s) or Hydrogeologist(s) shall take manual water table level measurements at each water table monitoring well and staff gauge on a bi-weekly basis throughout the entire Monitoring Period. If any of the telemetry system measurements differ by more than one-tenth (0.10) foot of the corresponding manual measurements, the Developer shall immediately take the following actions: (i) notify Fox Lea Farm's Agents of the Monitoring System measurement error(s); (ii) immediately fix and calibrate the Monitoring System until all telemetry measurements and corresponding manual measurements differ by no more than one-tenth (0.10) foot—however, the manual measurements used for comparison must be no more than two (2) days older than the most current corresponding telemetry measurements; and, (iii) correct all previously recorded data and save the same as prescribed herein.

iv. *Data Collection; Sharing and Notification Protocol*. The Developer's Engineer(s) or Hydrogeologists shall monitor, collect, record, save, and share the data from the water table monitoring wells and staff gauge to all required parties, as specified herein. Access to the data and real-time viewing via internet of the water level measurements shall be provided to the site dewatering contractor, Fox Lea Farm's Agents, the Developer and its Engineer(s) or Hydrogeologists. The telemetry system shall immediately (in real time) send a warning notification to the site dewatering contractor, Fox Lea Farm's Agents, and the Developer and its Engineer(s) or Hydrogeologists when the water table measurements at any of the water table monitoring wells or staff gauge first reach the following measurements: (i) at or within one (1.0) foot above the Compliance Level; (ii) one-half (0.5) of a foot above the Compliance Level; and, one-tenth (0.10) of a foot below the Compliance Level.

v. *Avoidance and Mitigation of Adverse Impacts*. The Parties agree that once a measured water level at any of the water table monitoring wells decreases to within one (1) foot above the Compliance Level, it indicates that the present dewatering rate is likely to cause water levels to continue to decrease if onsite monitoring of dewatering rates does not occur. The intent of these provisions is only to require the site dewatering contractor to be present onsite to monitor and adjust dewatering rates, as necessary, so that all water levels do not continue to decrease to an Adverse Impact level. Therefore, so long as all measured water levels at all water table monitoring wells are greater than one (1) foot above the Compliance Level, onsite monitoring shall not be required.

1. Adverse Impact Defined. An "Adverse Impact" is deemed to occur whenever the measured water table level at any of the water table monitoring wells are greater than one-tenth (0.10) of a foot below the Compliance Level (i.e., one-fifteenth (0.15) of a foot below the Compliance level). At all times, the Developer should maintain water table levels at all water table monitoring wells at or above Compliance Levels in order to avoid an Adverse Impact.

2. Avoidance and Mitigation Requirements.

a. As soon as a measured water level at any of the water table monitoring wells are at or within one (1) foot above the Compliance Level, the site dewatering contractor shall be present at the construction and monitoring facility sites to monitor conditions and take actions necessary to avoid and mitigate adverse impacts.

b. As soon as a measured water level any of the water table monitoring wells are less than one-half (0.5) foot above the Compliance Level, the site dewatering contractor shall immediately reduce the dewatering rate to correct water table levels so that measurements at all water table monitoring wells are at or above the Compliance Level.

c. As soon as an Adverse Impact occurs (when the measured water level any of the water table monitoring wells is greater than one-tenth (0.10) of a foot below the Compliance Level), the site dewatering contractor shall immediately cease all dewatering activities. Fox Lea Farm shall have the right to seek, and the City of Venice shall have the right to issue, a "Stop Work Order" upon the Developer, which shall require all land development, construction and dewatering activities to cease for a minimum of 30 days

d. Upon the occurrence of an Adverse Impact, Fox Lea Farm shall have the right to seek damages for any personal or economic loss incurred as a result of the Developer's or, including but not limited to, Developer's Engineers, Hydrogeologists, contractors,

subcontractors, consultants, failure to comply with any of the requirements hereof. This right of Fox Lea Farm shall be cumulative and available for each and every occurrence of an Adverse Impact.