

This instrument was prepared by and
upon recording should be returned to:

(This space reserved for Clerk)

Katie S. Buchanan, Esq.
Kutak Rock LLP
107 West College Avenue
Tallahassee, Florida 32301

**DECLARATION OF CONSENT TO JURISDICTION OF
ARBORS COMMUNITY DEVELOPMENT DISTRICT
AND TO IMPOSITION OF SPECIAL ASSESSMENTS**

FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation (“Landowner”), is the owner of those lands described in **Exhibit A** attached hereto (“Property”) located within the boundaries of Arbors Community Development District (“District”). The Landowner, intending that it and its respective successors in interest and assigns shall be legally bound by this Declaration, hereby declares, acknowledges and agrees as follows:

1. The Landowner acknowledges that the District is, and has been at all times, on and after September 28, 2022, a legally created, duly organized, and validly existing community development district under the provisions of Chapter 190, *Florida Statutes*, as amended (“Act”). Without limiting the generality of the foregoing, the Landowner acknowledges that: (a) the petition filed with the City of Jacksonville, Florida (“City”) relating to the creation of the District contained all matters required by the Act to be contained therein and was filed in the manner and by the persons required by the Act; (b) Ordinance No. 2022-642-E, effective as of September 28, 2022, was duly and properly adopted by the City in compliance with all applicable requirements of law; and (c) the members of the Board of Supervisors of the District (“Board”) were duly and properly designated pursuant to the Act to serve in their capacities and had the authority and right to authorize, approve and undertake all actions of the District approved and undertaken from September 28, 2022, to and including the date of this Declaration.

2. The Landowner, for itself and its successors and assigns, hereby confirms and agrees, that the special assessments imposed by Resolution Nos. 2024-15, 2025-04, and 2025-05 (collectively, “Assessment Resolutions”), duly adopted by the Board, and all proceedings undertaken by the District with respect thereto have been in accordance with applicable Florida law, that the District has taken all action necessary to levy and impose the special assessments, and the special assessments are legal, valid and binding first liens upon the Property co-equal with the lien of all state, county, district and municipal taxes, superior in dignity to all other liens, titles and claims, until paid.

3. The Landowner, for itself and its successors and assigns, hereby waives the right granted in Section 170.09, *Florida Statutes*, and rights provided in the Assessment Resolutions, to prepay the special assessments without interest within thirty (30) days after the improvements set forth in the *Engineer’s Report Capital Improvements for Infrastructure for Arbors Community Development District*, dated July 15, 2022, as supplemented by the *First Supplemental Engineer’s*

Report for the Arbor's Community Development District, dated August 15, 2024, are completed, in consideration of the rights granted by the District to prepay the special assessments in full or in part at any time, but with interest, under the circumstances set forth in the Assessment Resolutions.

4. The Landowner hereby expressly (i) acknowledges that the special assessments, the Assessment Resolutions, and the terms of the financing documents related to the District's issuance of the Capital Improvement Revenue Bonds, Series 2024 (2024 Project Area) ("Series 2024 Bonds") securing payment thereof and all other documents and certifications relating to the issuance of the Series 2024 Bonds (together, "Financing Documents") are valid and binding obligations enforceable in accordance with their terms; (ii) acknowledges, represents and agrees that the Landowner has no claims or offsets whatsoever against, or defenses or counterclaims whatsoever to, payments of the special assessments or claims of invalidity, deficiency or unenforceability of the special assessments and Financing Documents (and the Landowner hereby expressly waives any such claims, offsets, defenses or counterclaims); (iii) waives and relinquishes any argument, claim or defense that foreclosure proceedings cannot be commenced until one (1) year after the date of the Landowner's default and agrees that immediate use of remedies in Chapter 170, *Florida Statutes*, is an appropriate and available remedy, notwithstanding the provisions of Section 190.026, *Florida Statutes*; and (iv) acknowledges and agrees that, to the extent the Landowner fails to timely pay any special assessments collected by mailed notice of the District, such unpaid special assessments and future special assessments may be placed on the tax roll by the District for collection by the Tax Collector pursuant to Section 197.3632, *Florida Statutes*, in any subsequent year, or may be foreclosed on pursuant to Chapters 170 and 190, *Florida Statutes*.

5. This Declaration shall represent a lien of record for purposes of Chapter 197, *Florida Statutes*, including, without limitation, Section 197.573, *Florida Statutes*. Other information regarding the special assessments is available from the District Manager (Wrathell Hunt & Associates, LLC), 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010.

THE DECLARATIONS, ACKNOWLEDGEMENTS AND AGREEMENTS CONTAINED HEREIN SHALL BE BINDING ON THE LANDOWNER AND ON ALL PERSONS (INCLUDING CORPORATIONS, ASSOCIATIONS, TRUSTS AND OTHER LEGAL ENTITIES) TAKING TITLE TO ALL OR ANY PART OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST, WHETHER OR NOT THE PROPERTY IS PLATTED AT SUCH TIME. BY TAKING SUCH TITLE, SUCH PERSONS SHALL BE DEEMED TO HAVE CONSENTED AND AGREED TO THE PROVISIONS OF THIS DECLARATION TO THE SAME EXTENT AS IF THEY HAD EXECUTED IT AND BY TAKING SUCH TITLE, SUCH PERSONS SHALL BE ESTOPPED FROM CONTESTING, IN COURT OR OTHERWISE, THE VALIDITY, LEGALITY AND ENFORCEABILITY OF THIS DECLARATION.

Effective the 15th day of November, 2024.

Witnesses:

Victoria Walker
Name: VICTORIA WALKER
Address: 2221 E LAMAR
ARL, TX 76006

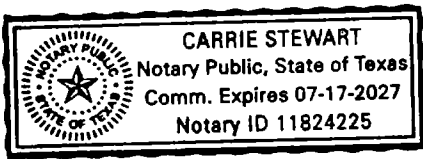
Carrie Stewart
Name: CARRIE STEWART
Address: 2221 E LAMAR
ARL TX 76006

FORESTAR (USA) REAL ESTATE GROUP INC.

James D. Allen
By: James D. Allen
Its: Executive Vice President and
Chief Financial Officer
Address: 2221 East Lamar Boulevard, Suite 790,
Arlington, Texas 76006

STATE OF TEXAS
COUNTY OF TARRANT

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 11 day of November, 2024, by James D. Allen as Executive Vice President and Chief Financial Officer of Forestar (USA) Real Estate Group Inc., and with authority to execute the foregoing on behalf of the entity identified above, and who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.



(NOTARY SEAL)

Carrie Stewart
NOTARY PUBLIC, STATE OF TEXAS
Name: CARRIE STEWART

(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

Exhibit A: Legal Description

Exhibit A**Legal Description**

A PORTION OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 32, THENCE S89°03'42"W, ALONG SAID SOUTH LINE OF SECTION 32, A DISTANCE OF 3986.74 FEET; THENCE N00°04'17"W, A DISTANCE OF 1349.02 FEET; THENCE S88°53'36"W, A DISTANCE OF 1341.59 FEET TO THE EAST LINE OF ANGEL LAKES PHASE I AS RECORDED ON THE PLAT THEREOF IN PLAT BOOK 53, PAGES 87 THROUGH 87B OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE N00°02'12"W, ALONG LAST SAID EAST LINE AND THE EAST LINE OF ANGEL LAKES PHASE II AS RECORDED ON THE PLAT THEREOF IN PLAT BOOK 55, PAGES 5 THROUGH 5B OF SAID CURRENT PUBLIC RECORDS, A DISTANCE OF 1345.57 FEET TO THE SOUTH LINE OF GREENE MEADOWS PHASE ONE-A AS RECORDED ON THE PLAT THEREOF IN PLAT BOOK 72, PAGES 99 THROUGH 103 OF SAID CURRENT PUBLIC RECORDS; THENCE N88°43'08"E, ALONG LAST SAID SOUTH LINE AND THE SOUTH LINE OF GREENE MEADOWS PHASE ONE-B AS RECORDED ON THE PLAT THEREOF IN PLAT BOOK 74, PAGES 77 THROUGH 81 OF SAID CURRENT PUBLIC RECORDS, A DISTANCE OF 1340.10 FEET TO THE EAST LINE OF SAID GREENE MEADOWS PHASE ONE-B; THENCE N00°08'32"E, ALONG LAST SAID EAST LINE, A DISTANCE OF 1232.85 FEET; THENCE S88°47'57"E, DEPARTING LAST SAID EAST LINE, A DISTANCE OF 524.91 FEET; THENCE S07°15'38"E, A DISTANCE OF 423.71 FEET; THENCE S89°55'40"W, A DISTANCE OF 131.89 FEET; THENCE S29°18'27"W, A DISTANCE OF 10.95 FEET TO A POINT ON A CURVE BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE WESTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 55.38 FEET, LAST SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S69°25'31"W, 47.84 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 165.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 51.87 FEET, LAST SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S25°32'51"W, 51.65 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 60.43 FEET, LAST SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S17°14'25"W, 59.52 FEET TO A POINT OF TANGENCY; THENCE S00°04'20"E, A DISTANCE OF 302.95 FEET TO A POINT OF CURVATURE

OF A CURVE BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 38.29 FEET, LAST SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S36°38'25"E, 35.75 FEET TO A POINT OF NON-TANGENCY; THENCE S00°24'48"E, A DISTANCE OF 132.98 FEET TO A POINT ON A CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 470.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 29.46 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S70°29'49"W, 29.46 FEET TO A POINT OF NON-TANGENCY; THENCE S17°42'26"E, A DISTANCE OF 60.00 FEET; THENCE S00°24'48"E, A DISTANCE OF 126.30 FEET TO A POINT ON A CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 29.34 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S27°56'36"W, 28.18 FEET TO A POINT OF TANGENCY; THENCE S00°04'20"E, A DISTANCE OF 1412.52 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 47.12 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S45°04'20"E, 42.43 FEET TO A POINT OF TANGENCY; THENCE N89°55'40"E, A DISTANCE OF 106.89 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 34.94 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N56°33'57"E, 33.00 FEET TO A POINT OF NON-TANGENCY; THENCE S66°47'47"E, A DISTANCE OF 184.67 FEET TO A POINT ON A CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 34.76 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N56°23'43"E, 32.85 FEET TO A POINT OF TANGENCY; THENCE N89°35'12"E, A DISTANCE OF 192.66 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 34.72 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S57°15'39"E, 32.81 FEET TO A POINT OF NON-TANGENCY; THENCE N65°53'29"E, A DISTANCE OF 193.28 FEET TO A POINT ON A CURVE BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 34.72 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S57°15'39"E, 32.81

FEET TO A POINT OF TANGENCY; THENCE N89°35'12"E, A DISTANCE OF 104.04 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 47.12 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N44°35'12"E, 42.43 FEET TO A POINT OF TANGENCY; THENCE N00°24'48"W, A DISTANCE OF 921.40 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 165.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 314.69 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N54°13'29"E, 269.12 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 200.00 FEET; THENCE EASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 67.29 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S80°46'31"E, 66.97 FEET TO A POINT OF TANGENCY; THENCE N89°35'12"E, A DISTANCE OF 388.71 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET, SAID POINT LYING ON THE SOUTH LINE OF ARBORS - PHASE 1A AS RECORDED ON THE PLAT THEREOF IN PLAT BOOK 79, PAGES 112 THROUGH 124 OF SAID CURRENT PUBLIC RECORDS; THENCE ALONG THE SOUTH LINE OF SAID ARBORS - PHASE 1A THE FOLLOWING TEN (10) COURSES: COURSE ONE (1): NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 47.12 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N44°35'12"E, 42.43 FEET TO A POINT OF TANGENCY; COURSE TWO (2): N00°24'48"W, A DISTANCE OF 50.45 FEET; COURSE THREE (3): N89°35'12"E, A DISTANCE OF 180.00 FEET; COURSE FOUR (4): N00°24'48"W, A DISTANCE OF 9.51 FEET; COURSE FIVE (5): N89°35'12"E, A DISTANCE OF 120.00 FEET; COURSE SIX (6): S00°24'48"E, A DISTANCE OF 30.31 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 35.00 FEET; COURSE SEVEN (7): SOUTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 19.54 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S16°24'32"E, 19.29 FEET TO A POINT OF TANGENCY; COURSE EIGHT (8): S32°24'16"E, A DISTANCE OF 37.12 FEET; COURSE NINE (9): S68°26'08"E, A DISTANCE OF 565.26 FEET; COURSE TEN (10): S75°03'06"E, A DISTANCE OF 733.76 FEET TO THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 18769, PAGE 503 OF SAID CURRENT PUBLIC RECORDS; THENCE ALONG THE NORTH, WEST, SOUTH AND EAST LINE OF LAST SAID LANDS, THE FOLLOWING ELEVEN (11) COURSES: COURSE ONE (1): S00°01'15"E, A DISTANCE OF 308.03 FEET; COURSE TWO (2): N89°47'53"W, A DISTANCE OF 249.10 FEET; COURSE THREE (3):

N35°54'08"W, A DISTANCE OF 130.75 FEET; COURSE FOUR (4): S89°36'57"W, A DISTANCE OF 261.63 FEET; COURSE FIVE (5): S00°40'35"E, A DISTANCE OF 268.21 FEET; COURSE SIX (6): S89°23'50"W, A DISTANCE OF 279.67 FEET; COURSE SEVEN (7): S00°00'00"E, A DISTANCE OF 109.53 FEET; COURSE EIGHT (8): N89°59'53"W, A DISTANCE OF 966.88 FEET; COURSE NINE (9): S00°20'45"E, A DISTANCE OF 1108.70 FEET; COURSE TEN (10): N89°03'45"E, A DISTANCE OF 2226.45 FEET; COURSE ELEVEN (11): N00°05'11"W, A DISTANCE OF 1657.28 FEET TO SAID SOUTH LINE OF ARBORS - PHASE 1A; THENCE N89°48'00"E, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF SAID SECTION 32; THENCE S00°05'11"E, ALONG LAST SAID EAST LINE, A DISTANCE OF 1906.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 169.84 ACRES, MORE OR LESS.