

five years of the effective date of the DRI Development Order, or else SMR will be deemed to have waived any right to pursue proportionate share remediation.

2. Through the Development Agreement, Sarasota County will choose the proportionate share project or projects for SMR, the Lakewood Ranch Stewardship District, or other party approved by the County (including but not limited to the County) to construct. Such project or projects shall be commenced within twenty four months of the approval of the NOPC, shall be diligently pursued to completion, and may cost up to the proportionate share amount, unless additional sources of funding are provided by third parties. Commencement dates are subject to extension in the event that right of way has not been acquired. The County agrees to use the power of eminent domain to acquire any needed rights of way with acquisition cost being a project cost.

3. SMR or the Lakewood Ranch Stewardship District will remain responsible for constructing all on-site and site-related roadways at its own expense, including the following roads at the times indicated:

- a. Lakewood Ranch Boulevard, from Communications Parkway to Fruitville Road: construct two lanes prior to first construction plan approval; two additional lanes (or equivalent capacity in an alternative configuration in accordance with County standards) prior to the issuance of a building permit for the 1016th dwelling unit within the DRI;
- b. Lorraine Road, from University Parkway to Fruitville Road: commence construction and diligently pursue to completion:
 - (i) the first two lanes within seven years from commencement of physical construction within the Project;
 - (ii) two additional lanes completed by the beginning of Phase II as described in Ordinance No. 2010-019;
- c. East-West Connector, from Lakewood Ranch Boulevard to Lorraine Road: commence construction and diligently pursue to completion:
 - (i) the first two lanes within seven years from commencement of physical construction within the Project;
 - (ii) two additional lanes completed by the beginning of Phase II as described in Ordinance No. 2010-019 or four years from the date of NOPC Approval, whichever is later;