

PERFORMANCE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2007, between **SAN MIGUEL PARTERSHIP, LLP**, a Florida Limited Partnership, hereinafter collectively called the "DEVELOPER," and **LEON COUNTY, FLORIDA**, a charter county and a political subdivision of the State of Florida, hereinafter called the "COUNTY".

WHEREAS, the Developer will present to the Board of County Commissioners of Leon County, Florida, a certain map or plat of a subdivision named and designated **Mission San Miguel** which map or plat is hereby referred to and made a part hereof by reference, and,

WHEREAS, as a condition to the acceptance and recording of said map or plat, the County has required that the Developer enter into an agreement to construct and install the final overlay of asphalt on the subdivision streets in said subdivision in accordance with plans and specifications approved by the County within a period of one (1) year date hereof and to post bond in the amount of \$516,846.00 conditioned for the faithful performance of said agreement, said bond to have as surety thereon some surety company authorized to do business under the laws of the State of Florida.

NOW THEREFORE, THIS INDENTURE WITNESSETH: That the Developer hereby agrees to construct and install the final overlay of asphalt on the subdivision streets in **Mission San Miguel** in accordance with plans and specifications approved by the County, within a period of one (1) year from date hereof.

PERFORMANCE OF THIS AGREEMENT by the Developer shall be secured by a Surety Bond in the amount of \$516,846.00 with surety thereon approved by the County.

IN WITNESS WHEREOF, **SAN MIGUEL PARTERSHIP, LLP**, and **LEON COUNTY** have caused these presents to be executed in their names on the date first above written, its corporate seal affixed by its appropriate officers and Leon County Commissioners and its seal affixed by the Clerk of said Board, the day and year first above written.

(Witnesses)

Shanna Baggett (signature)
Shanna Baggett (typed or printed name)
Yamonde Henry (signature)
Yamonde Henry (typed or printed name)

DEVELOPER:
SAN MIGUEL PARTERSHIP, LLP

(seal)
Charles A. White, Managing Partner

(Corporate Seal)

COUNTY OF LEON
STATE OF FLORIDA

The foregoing instrument was acknowledged before me this 12th day of April, 2007, by Charles A. White, Managing Partner, on behalf of San Miguel Partnership, LLP, and who is personally known to me, or has produced _____ as identification.

NOTARY PUBLIC



Tracy Wheeler
Commission # DD536219
Expires June 14, 2010
Bonded Troy Fair Insurance, Inc 800-385-7019

Signature Tracy Wheeler
Typed or Printed Name Tracy Wheeler
Commission Number DD536219
My Commission expires June 14, 2010

LEON COUNTY, FLORIDA

BY: _____
C. E. DePuy, Jr., Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Circuit Court
Leon County, Florida

BY _____

APPROVED AS TO FORM:
Leon County Attorney's Office

BY: _____
Herbert W.A. Thiele, Esq.