

**Leon County Research and Development Authority
Development Review Committee**

Collins Building
2051 East Paul Dirac Drive
Tallahassee, FL 32310

July 11, 2023
9:00am to 10:00am

Wi-Fi: INVP – Guest
Innovate2051

Agenda

Anyone wishing to submit written comments may do so by 9:00am the day before the scheduled meeting date so that the comments can be distributed to the Committee. Comments submitted after this time (up to the time of the meeting) will be accepted and included in the official record of the meeting. Email comments to: publicinput@inn-park.com and reference the meeting title and date in the subject line. Include your name and contact information. All times are approximate.

1. Call to Order
2. Introductions
3. Approval of Participation by Electronic Means
In accordance with the Bylaws, there being a quorum of members present in person, the members of the Committee present in person are required to approve participation by those participating via Electronic Means acknowledging that the absence is due to extraordinary circumstances.
4. Modifications to the Agenda
5. Public Comment
Any public comment received prior to the meeting will be provided to the Committee members in addition to any in-person public comment.
6. Approval of Draft Meeting Minutes, June 13, 2023 (*Attachment A*)
7. Innovation Park Building Sign Specifications, Declarations of Covenants and Restrictions, Danfoss Monument Sign at 1769 East Paul Dirac Drive
(*Attachments C1- C3*)
8. Danfoss Proposed Monument Sign
Danfoss requests approval of a monument sign to be located at 1737 West Paul Dirac Drive. (Attachments B1 – B4)
9. New Business
10. Adjourn

**Leon County Research and Development Authority
Development Review Committee**

Collins Building
2051 East Paul Dirac Drive
Tallahassee, FL 32310

June 13, 2023
9:00am to 10:00am

DRAFT Minutes

Members in Attendance: Michael Kramer, Dylan Haase, Ben Hood, Kimberly Strobel-Ball.

Members in Attendance by Electronic Means: Brad Richardson.

Members Not in Attendance: None.

Guests: Doug McLeod, Signs By Design of North Florida; Chris Neal, Danfoss; Bryce Hill, Sperry& Associates Construction; Peggy Bielby, LCRDA staff.

1. Call to Order

Chair Michael Kramer called the meeting to order at 9:00am.

2. Introductions

All present introduced themselves.

3. Approval of Participation by Electronic Means

In accordance with the Bylaws, there being a quorum of members present in person, the members of the Committee present in person are required to approve participation by those participating via Electronic Means acknowledging that the absence is due to extraordinary circumstances.

Dylan Haase offered a motion to approve participation by electronic means. Kimberly Strobel-Ball seconded the motion which passed unanimously with Brad Richardson not voting.

4. Modifications to the Agenda

None.

5. Public Comment

None.

6. Approval of Draft Meeting Minutes, February 14, 2023

Ben Hood offered a motion to approve the draft minutes. Dylan Haase seconded the motion which passed unanimously.

7. Danfoss Proposed Monument Sign

Danfoss requests approval of a monument sign to be located at 1737 West Paul Dirac Drive. Doug McLeod, Chris Neal, and Bryce Hill reviewed the signs proposed for both the East Paul Dirac Drive

and Roberts Avenue entrances. It was noted that both proposed signs do not conform to the existing specifications for the park and both would require a variance approval from the Board of Governors in order to proceed. Michael Kramer and Dylan Haase reviewed the procedure for seeking a variance from the Innovation Park Building Sign Specifications and Declarations of Covenants and Restrictions. The Danfoss representatives shared their intention to seek a variance and the committee advised it would provide information about how to proceed.

8. Innovation Park Building Sign Specifications and Declarations of Covenants and Restrictions

The committee reviewed the specifications and declarations.

9. New Business

None.

10. Adjourn

The meeting was adjourned at 9:27am.



Declaration of Protective Covenants and Restrictions Variance Application

Property Street Address or Parcel Number: 1737 W. PAUL DIRAC DR. TALLAHASSEE, FL 32310 PARCEL#41-03-27- E-0040		Application Date: 06/13/23	
Property Tenant Applicant			
Legal Name: DANFOSS		Mailing Address: 1769 E. PAUL DIRAC DR. TALLAHASSEE, FL 32310	
Applicant's Representative			
Name: DOUG MCLEOD SIGNS BY DESIGN OF N. FL., INC.		Mailing Address: 6766 CIRCLE J DRIVE TALLAHASSEE, FL 32312	
Email Address: SIGNSBYDESIGN@COMCAST.NET		Phone Number: 850-519-5335	
Project Description			
NEW ENTRANCE GROUND SIGNS FOR THE NEW "DANFOSS" BUILDING, SIGN TO BE LOCATED AT THE W. PAUL DIRAC DR. ENTRANCE & THE ROBERTS AVE. ENTRANCE			
Variance Request(s)			
C&R		Description of variance including justification and/or proposed mitigation (Attach supplemental information/drawings/reports if necessary)	
Article	Section		
		<p>PLEASE SEE THE ATTACHED RENDERINGS OF THE SIGNS.</p> <p>"Danfoss" branding from location to location is also consistent with the products they develop. Every product that Danfoss manufactures has consistent branding that matches the sign we are proposing. Danfoss has built an international symbol with their branding and we want to make sure the consistency continues as they will bring visitors, existing clients, and potential new clients to tour this facility from all over the world. They have invested tremendous amounts of money as a corporation to build the Danfoss brand into what it is today and we are just asking that Innovation Park help us continue this legacy for them.</p>	

 Applicant Representative Signature

 06/13/23
 Date Signed

 PRES./OWNERS AGENT

 Title

<i>OFFICE USE ONLY</i>	
Date received: <u>June 14, 2023</u>	Initials: <u>PB</u>
Notice mailed: _____	Initials: _____
Notice published: _____	Initials: _____



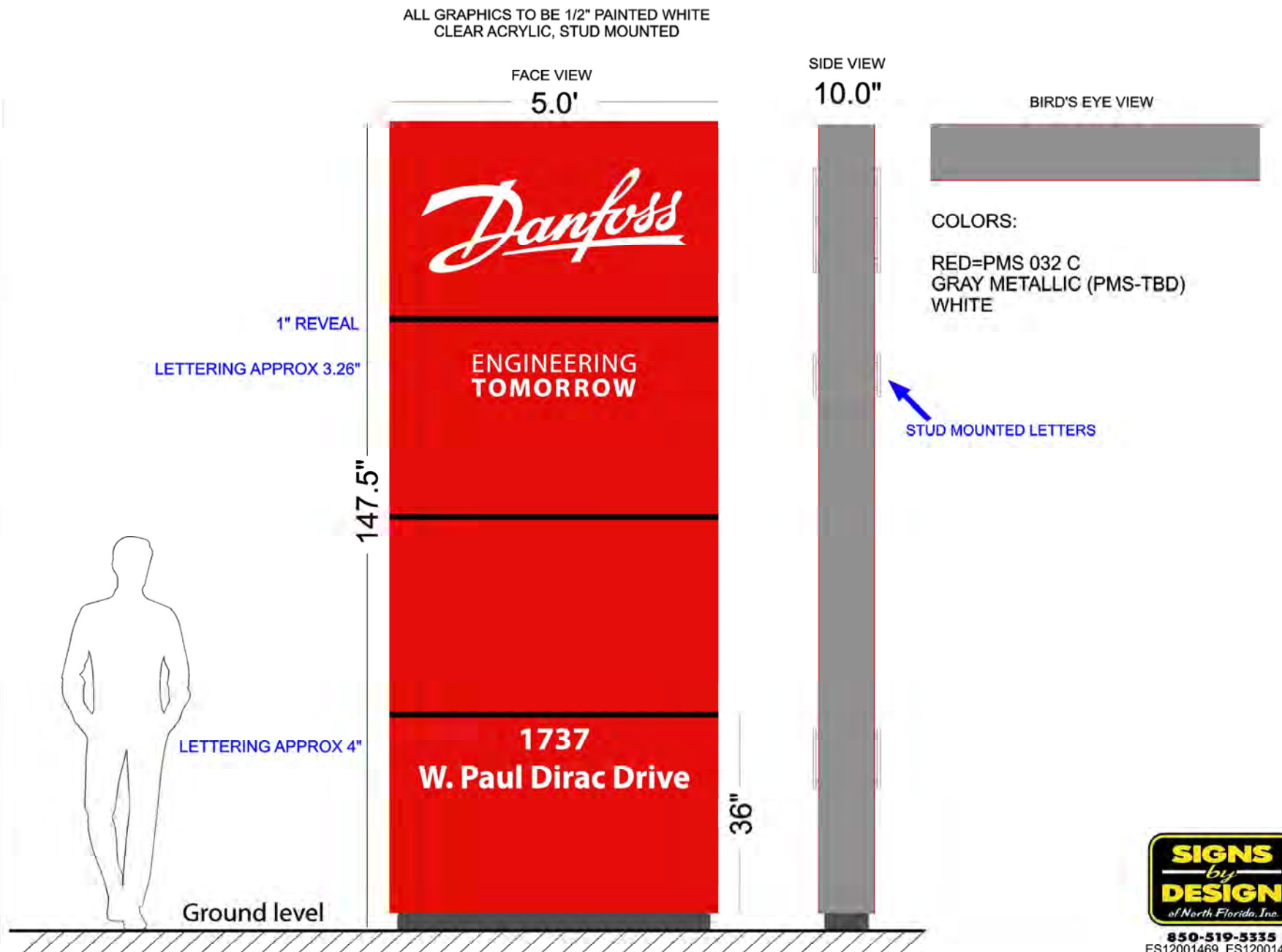
Declaration of Protective Covenants and Restrictions Variance Application

Variance Process and Instructions

Any Tenant desiring to make a use of its Site, or any portion thereof, other than in strict accordance with the Innovation Park/Tallahassee Declaration of Protective Covenants and Restrictions may apply for a variance. The application shall be filed in advance of any such variant use.

1. Request variance by submitting this application and supporting documents to Leon County R&D Authority (LCRDA), Executive Director, at 2051 E. Paul Dirac Drive, Tallahassee, FL 32310, or via email: rmiller@inn-park.com. Please email for fastest consideration.
2. Upon receipt of a valid application, LCRDA will provide at least 15 days advance notice of a hearing, at Applicants expense, by the Innovation Park Development Review Committee (DRC) to consider the variance.
3. The notice will include a copy of the application and will be delivered or mailed by certified or registered mail, return receipt requested to each Tenant in Innovation Park.
4. Notice of hearing shall be published once in a newspaper of regular and general circulation in Tallahassee and Leon County.
5. LCRDA will invoice applicant for the cost of notice mailings and publications. Payment shall be due upon receipt.
6. The request will be considered by the DRC at the properly noticed public hearing.
7. Within 15 days following the hearing, the DRC will recommend to the LCRDA Board of Governors (BOG) its proposed disposition of the application.
8. The BOG shall act upon the application by a majority vote within 30 days following receipt of the DRC recommendation. The Authority's decision shall be final and binding.

The Authority shall not approve any application for a variance unless it finds that denial of the application would work an undue hardship upon the applicant and that the grant of variance will be in harmony with the general intent and purpose of this Declaration. For this purpose, the authority may condition a grant of variance upon such conditions and safeguards as the Authority deems appropriate.



SIGN TO BE NON-ILLUMINATED BUT WILL HAVE UP LIGHTING ON EACH SIDE
SIGN TO BE ALL ALUMINUM FABRICATION, PAINTED TO MATCH THE "DANFOSS" COLOR REQUIREMENTS. SIGN TO BE SET ON A SINGLE DIRECT BURIAL POLE CRADLE
MOUNTED & WELDED TOP & BOTTOM. ALL LETTERING TO BE STUD MOUNTED PAINTED WHITE 1/2" CLEAR ACRYLIC, ATTACHED TO SIGN USING 1/2" SPACERS.

DANFOSS TURBOCOR
1737 W. PAUL DIRAC DR. TALLAHASSEE, FL
PROPOSED ENTRANCE SIGN

06/13/23





INNOVATION PARK
A RESEARCH AND DEVELOPMENT CENTRE

BUILDING SIGN SPECIFICATIONS

Leon County Research and Development Authority

UPDATED AND APPROVED

March 2009

1736 West Paul Dirac Drive
Tallahassee, Florida 32310

Phone: 850-575-0343
Fax: 850-575-0355
E-mail: innpark@embarqmail.com



Purpose and Application

The purpose of the Innovation Park Building Sign Specifications Guide is to further clarify the sign requirements found within the Innovation Park Declaration of Protective Covenants and Restrictions, adopted in 1981, hereafter referred to as the “Covenants” and the Architectural and Aesthetic Standards Covenants. This document serves as an update to the signage standards created in 1988 and provides an outline of the acceptable design standards and the review and approval process described within the current Covenants.

Applicants with proposed changes to property within the boundaries of Innovation Park are required to schedule a meeting with the Park Director to discuss the proposed plans. Based on this meeting the Park Director will determine whether the project requires further action by the Development Review Committee, hereafter referred to as the “DRC”. The DRC is responsible for the review and approval of development plans within Innovation Park and is comprised of five (5) members appointed by the Leon County Research and Development Authority, hereafter referred to as the “Authority”. At least four (4) of the seats must be occupied by the following:

- 1) an architect, licensed to practice in the State of Florida,
- 2) a representative of the Board of Trustees of the Internal Improvement Trust Fund, and
- 3) the Director of the Leon County Research and Development Authority.
- 4) the Land Use Administrator or Designee for the City.

The Authority oversees all site plans and architectural presentations associated with Innovation Park and either approves or denies each proposal following the DRC’s recommendation(s). All new signage must be consistent with the sign specifications outlined in the Covenants and this document. These design specifications do not affect prior offenses, rights, or acts committed or established before the creation of this document.

Table of Contents

Purpose and Application	i
Review and Approval Process	1
Design Specifications and Requirments	2
General On-Site Sign Guideline	2
Priority of Signs	2
Standards and Specifications for On-Site Monument and Building Facade Signs	3
Monument Sign Height	3
Monument Sign Size	3
Monument Illumination	3
Sign Placement	3
Signs for Multiple Tenants within a Building	3
Multiple Buildings on a Single Parcel	4
Options for Displaying Company/Building Name or Logo	4
Address Font Size and Mounting Standards	4
Auxiliary Signage	5
Exterior Directory Signage	5
Standards for Temporary Signs	5
Temporary Signs for Public and Semipublic Events or Functions	5
Temporary For Sale or For Lease Signs	6
Temporary Signs for Construction	6
Temporary Signs for New Tenant or Name Change	6
Standard Signage Detail Figures	7
Figure 1a - Raised Lettering Monument Sign	8
Figure 1b - Lettering with Logo Monument Sign	9
Figure 1c - Plaque with Screen Print	10
Figure 2 - Monument Sign - Side Elevation	11
Figure 3 - Auxiliary Signage	12
Figure 4 - Directory Signage	13
Nonconforming	14
Variences	14
Maintenance	14
Sign Definitions	15

Review and Approval Process

All requests to remodel or alter the property or the exterior of the building must be discussed with the Park Director before any further actions are made. All signage plans are required to be submitted to the DRC upon the submittal of associated building plans.

Approval will be based upon conformity and harmony of external design with the design standard specifications outlined in this document. Improvements or alterations of any site will not commence prior to compliance with the review process and submittal requirements outlined in Article X of the Covenants.

Once all required documentation has been collected, consistent with Article X of the Covenants and the Park Director has reviewed each proposal, the tenant shall submit five (5) copies of all material to the Park Director for DRC to review. The applicant is responsible for the safety, structural and electrical (if applicable) quality of the proposal and must show verification by a licensed professional that the final design meets all design requirements, including wind load requirements set forth in the City's Code as well as in the Florida Building Code. It is also the responsibility of the applicant to obtain all necessary permits needed before construction can be initiated.

Design Specifications and Requirements

The objective of this section is to ensure conformity with design, construction and placement of all future building related signage within Innovation Park to create and maintain a uniformed appearance. This document provides further guidance of standards outlined in the Covenants for the fabrication, erection, and use of signs, symbols, and marking devices within Innovation Park. The design specifications apply to all building sign proposals except those associated with commercial land uses, i.e. hotels, restaurants, daycares, or conference centers which are intended to support the research and development uses in Innovation Park. For commercial facilities, sign design and construction proposals are required to follow the regulations and standards set forth in the City of Tallahassee Land Development Code, Chapter 7 Sign Code and will be subject to approval by the DRC to insure conformity. All other proposals must follow the design standards outlined in Article IX, Architectural and Aesthetic Standards of the Covenants.

General On-Site Sign Guidelines

- 1) Only signs indicating the name of the building or tenant and the persons or entities occupying the building shall be permitted.
- 2) Building facade signs shall generally be placed on the outside wall or walls of the building but shall not extend above the line of the roof line or extend beyond the sides of the building.
- 3) No sign shall be placed or externally illuminated in such a manner as to cast a glare on neighboring sites or in such a manner as to impede the safe movement of traffic.
- 4) All signs shall be designed, erected, altered, moved and maintained in accordance with plans and specifications submitted to and approved by the DRC.
- 5) Exterior colors and materials used for the design and construction of the monument signs should be stucco like or consistent with the building materials used on the associated building.
- 6) Billboards or other advertising signs are prohibited. A billboard is defined as a sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered outside the boundaries of Innovation Park. Signs larger than 50 square feet in overall area are considered to be billboards with the exception of temporary construction signs and building facade signs.

Additional recommendations:

- 1) Landscaping around monument signage is permitted as long as the landscaping is sensitive to the context and ties into the surrounding scheme or design. No landscaping surrounding the perimeter of the monument sign shall extend more than 18 inches above the footer/base of the sign.
- 2) Monument signs shall not be placed within any right-of-way or easement requirements on any site, as outlined in the Covenants.

Priority of Signs

Where the location of two or more signs conflicts under the requirements of this article, the sign meeting the requirements of this article and having the earliest dated permit for its erection shall have priority over other signs in conflict. If multiple types of signs are to be located in close

proximity of one another the monument sign's location will take priority over the other types of signs proposed for that particular site.

Standards and Specifications for On-Site Monument and Building Facade Signs

Monument signs and building facade signs shall be allowed subject to the limitations in Article IX of the Covenants and in this document. Detailed drawings of these specifications are illustrated in Figures 1-4. The drawings in this document are not to be used for construction and shall only be used for illustrative purposes.

Monument Sign Height

The maximum height of all monument signs should not exceed 6'2", measuring from the top of the signs crown to the bottom of the base where it meets the ground plane. Refer to Figures 1 and 2. The alteration of the existing grade in an effort to increase the overall monument height is prohibited.

Monument Sign Size

Monument signs should not exceed the dimensions illustrated on the sign standard diagrams provided in this document. Sign sizes and dimensions can be seen in Figures 1-4.

Monument Sign Illumination

Monument signs may be externally illuminated after proper approval by the DRC. No sign shall be illuminated in such a manner as to cast a glare on neighboring sites or in such a manner as to impede the safe movement of traffic. The following lighting is not permitted for use within Innovation Park:

1. Flash or strobe lighting
2. Neon lighting
3. Signs with backlighting*

*Signs associated with commercial facilities (i.e. hotels, restaurants, daycares, convention centers) may use backlit signs after written approval by the DRC.

Sign Placement

Only one monument sign and one building facade sign shall be allowed for each premise. Lots that have frontage on more than one street, under the discretion of the Authority may install additional signage after approval has been awarded by the DRC.

- 1) Setback
 - a. Monument signs shall not be placed within any right-of-way or easement requirements on any site, as outlined in the Covenants. Signs shall be visible to traffic but must not interrupt the safe movement of traffic by obstructing sightline views.
- 2) Building Facade signs
 - a. May not project more than 12 inches from the building wall to which they are attached.
 - b. May not exceed past the top of the roof or be mounted on the roof in any way or extend beyond the sides of the wall.

Signs for Multiple Tenants within a Building

Where a single building or a complex of buildings on a site contains two or more separate tenants, such buildings shall be permitted one monument sign to display the building name(s). Directory signs shall be used to display the name and location of all tenants located within the appropriate buildings.

Multiple Buildings on a Single Parcel

Where more than one building exists on a single parcel of land and each building is provided separate and distinct parking facilities and entrances to the property from other properties or roads, each building shall be permitted one monument sign no closer than 150 ft to the nearest erected or approved proposed sign located on the same side of the street.

Options for Displaying Company/Building Name or Logo

There are three (3) options for displaying the company/building name or logo within the designated sign area on a monument sign (See Figures 1A – 1C). All options must be displayed within the designated sign display area of 6'4" x 1'8". This area depicts the extreme limits of the lettering, logo, trademark, or other graphic representation used to differentiate the sign from the background against which it is placed.

1) Block Text Lettering

Companies choosing to use standard block text lettering for their monument sign to display their company name shall follow the font style detailed below and shall be mounted no more than 3/16" off the face of the sign. Material used to attach the lettering as well as the type of material used for the lettering must also be detailed.

- a. Company name lettering shall be at minimum 2" high but shall not exceed a maximum of 6" high. All signage text shall be located within its designated display area. Refer to Figure 1A for appropriate positioning requirements for lettering.

2) Company name and/or Logo

Companies choosing to use their logo in conjunction with or in place of the solid block text lettering must provide design drawings to scale illustrating the logo placement and size on the sign. Material used to attach the logo as well as the type of material used for the logo must also be detailed. Refer to Figure 1B for appropriate positioning requirements for lettering. The placement of the logo is not limited to the placement illustrated in Figure 1B but it must fit within the designated sign display area as described above.

- a. A single plaque, 6'4" x 1'8" may be used to display company information and logo. The plaque is to be centered vertically and horizontally with a 2" space around the perimeter of the plaque and placed within the designated area illustrated in Figure 1C. Plaques must be constructed using a durable material suitable for outdoor use. Wood plaques or other non-durable materials that require continual upkeep maintenance are not allowed.

3) Building Name

This option may be used for buildings with multiple tenants. The monument sign display area will display the building name and directory signs will be used to display the building's tenant company names. Refer to Directory Signs for further details.

Address Font Size and Mounting Standards

- 1) The standard address text font style shall be Optima, black.
- 2) The address can be displayed as either a full address, which includes the building number and street name or a partial address which consist of only the building number.

- 3) A standard font size for the full or partial address shall be 4" high. Refer to Figure 1a for placement of address on the monument.
- 4) Material used for the block lettering must be approved prior to its installation and shall be mounted no more than 3/16" off the face of the sign.

Auxiliary Signage

Auxiliary signs, such as shipping and delivery signage are to be used for directing vehicles to specific areas of a site. These signs shall be designed in accordance to the following guidelines and is illustrated in Figure 3.

- 1) Overall size of auxiliary signs shall be 5' in height and 4'6" wide (width includes both side poles measuring 3" in diameter).
- 2) Information shall be displayed within the designated 4'x 2'3" area of the sign.
- 3) No information shall be placed outside of the designated area (illustrated in Figure 3).
- 4) The auxiliary signs color shall be consistent with the building color.
- 5) No more than one auxiliary sign per building shall be visible to the street.

Exterior Directory Signage

Exterior directory signs are suggested, but not required for sites with multiple buildings or tenants that are located in close proximity to each other, sharing either the same parking facilities or main entrance. These signs shall be made visible to visitors walking from the surrounding parking facilities, directing them to the desired company or building's main entrance. An example of the size and shape of these signs is illustrated in Figure 4. The following are the standards required for approval of directory signs.

- 1) Overall size of the directional sign shall not exceed 5' in height or 4'6" wide (width includes both side poles measuring 3" in diameter)
- 2) Information shall be displayed within the designated 4'x 3'10" area of the sign.
- 3) It is the responsibility of the tenant to whom the Site has been leased to keep all tenant information up to date and maintained on the directory sign(s) in accordance to Section 5 of the Covenants.
- 4) No information shall be placed outside of the designated area (illustrated in Figure 4).
- 5) These exterior signs shall be located close to the main entrance of the corresponding buildings, visible to the surrounding parking facilities from approaching automobile and pedestrian traffic.

Standards for Temporary Signs

Temporary Signs for Public and Semipublic Events or Functions

A non-illuminated temporary sign announcing an event to be held at a location in the Park may be allowed on the site of the sponsoring institution and on the site of the event. Temporary directional signs may be placed near the right-of-way, upon approval by the Park Director.

- 1) Standard size for temporary signs shall be 18"x 24" in size and shall not exceed three (3) feet in height. Signs needing to be larger than the standard size must get approval from Park Director before posting.
- 2) Temporary signs can be displayed on the day of the event (one day) without formal approval from the Park Director. Signs needing to be displayed longer than one day must be approved by the Park Director.

- 3) Political signs are not permitted within Innovation Park.

Temporary For Sale or Lease Signs

Signs designed and intended to advertise and promote the sale, rental or lease of lots and/or structures within Innovation Park shall be permitted as follows:

- 1) Signs shall not exceed 32 square feet in area and shall not exceed six (6) feet in height.
- 2) Signs shall not be placed within the right-of-way of any site and shall not obstruct the visibility of permanent signs (e.i. monument, auxiliary, directory).
- 3) Such signs shall be permitted only within the confines of the site being advertised, unless permission to install additional signs has been approved by the Park Director.

Temporary Signs for Construction

One temporary construction sign shall be allowed per site where construction is taking place. The sign may include the identification of the new building and the names of persons and firms performing services or labor or supplying materials to the premises. Such signs must be removed within 30 days of the issuance of a certificate of occupancy or certificate of completion.

Temporary Signs for New Tenant or Name Change

A new business or a business relocating to a new location with no permanent signs may obtain approval through the Park Director to erect a temporary sign to display tenant information for a period of not more than 60 days or until installation of permanent sign, whichever shall occur first. A temporary ground sign shall not exceed four (4) feet in height and have a display area no larger than 6 ½' x 2' in area.

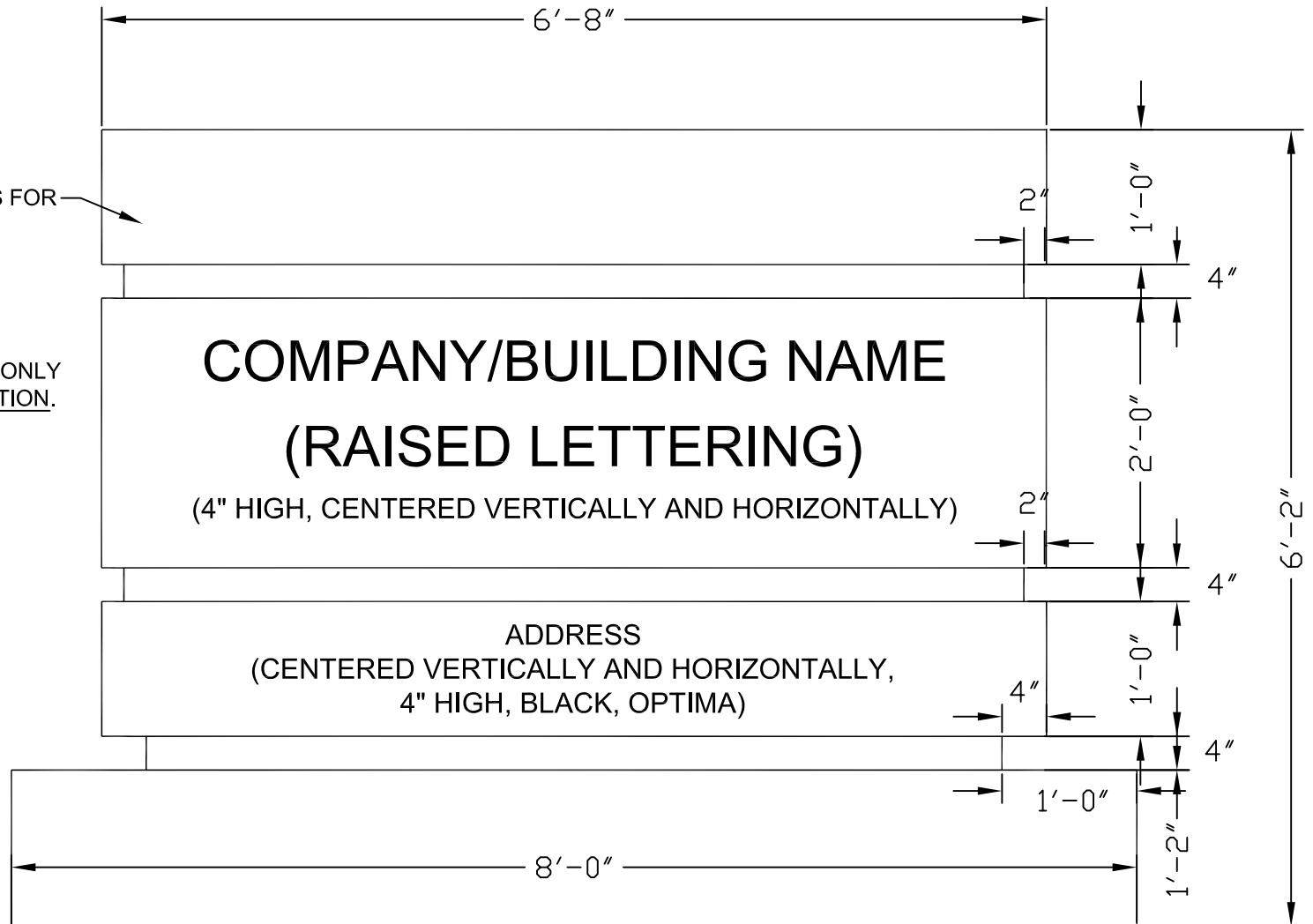
In locations where a permanent monument sign is located a temporary sign can be placed over the prior tenant's company name or logo, within the designated area, as illustrated in Figures 1A-1C.

STANDARD SIGNAGE DETAIL FIGURES

FIGURES 1-4

SEE SIGN SPECIFICATIONS FOR
FINISH DETAILS.

THIS DRAWING IS FOR
ILLUSTRATIVE PURPOSES ONLY
AND NOT FOR CONSTRUCTION.



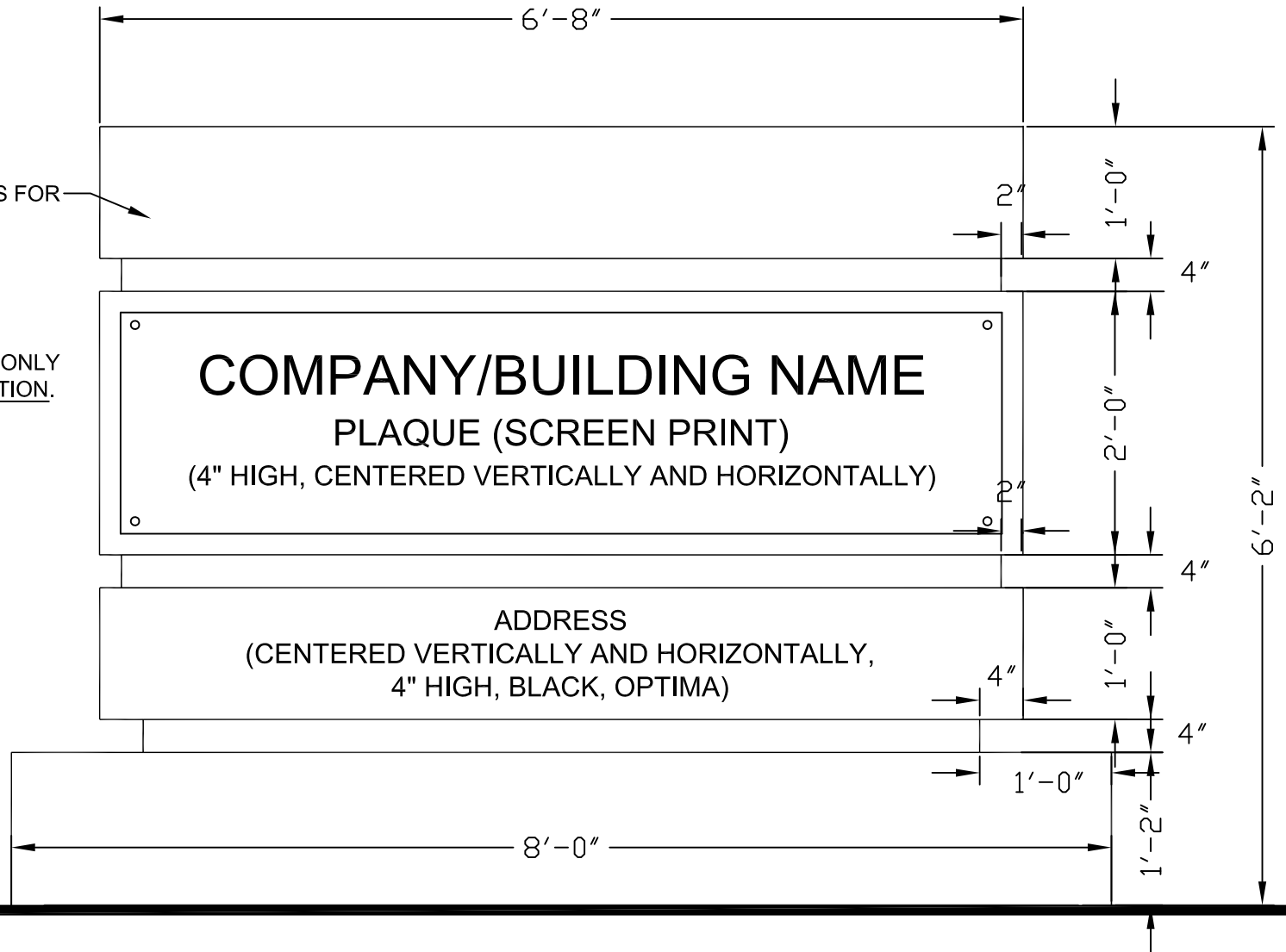
1A

RAISED LETTERING MONUMENT SIGN - FRONT ELEVATION (TYP.)

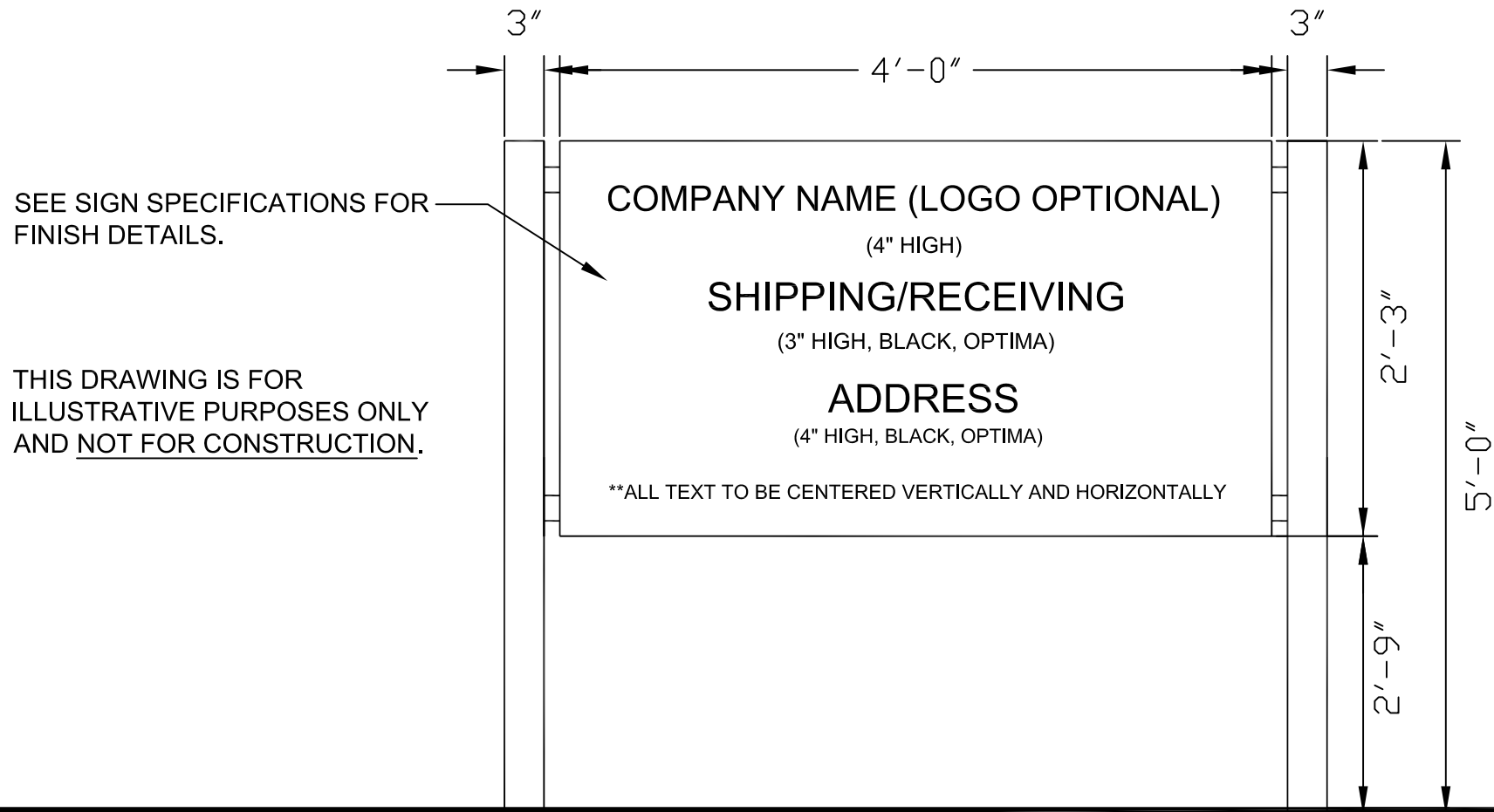
SCALE: NTS

SEE SIGN SPECIFICATIONS FOR
FINISH DETAILS.

THIS DRAWING IS FOR
ILLUSTRATIVE PURPOSES ONLY
AND NOT FOR CONSTRUCTION.



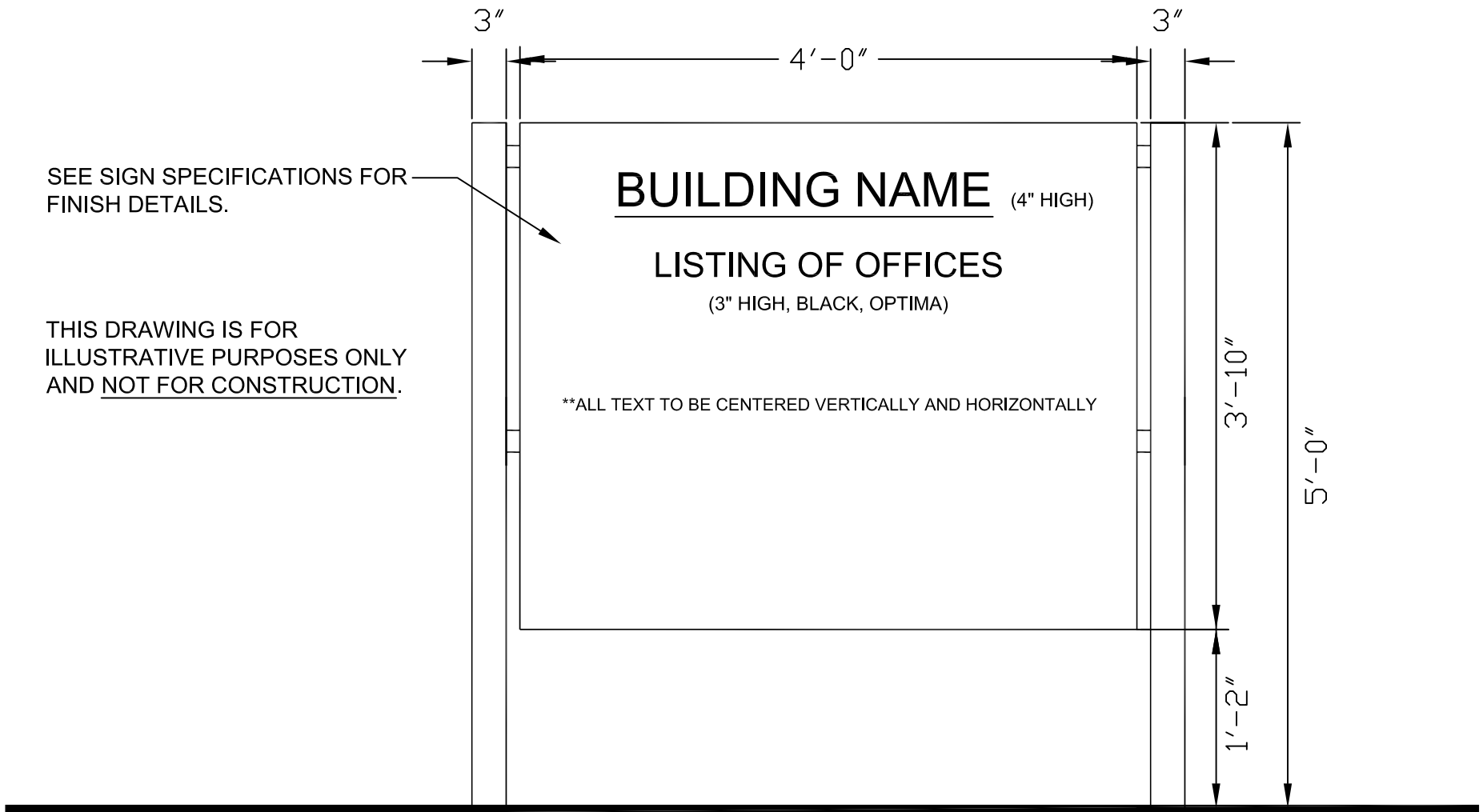
1C PLAQUE (SCREEN PRINT) MONUMENT SIGN - FRONT ELEVATION (TYP.)
SCALE: NTS



3

AUXILIARY SIGNAGE - FRONT ELEVATION (TYP.)

SCALE: NTS



4

DIRECTORY SIGNAGE - FRONT ELEVATION (TYP.)

SCALE: NTS

Nonconforming

- 1) All nonconforming permanent on-site signage permitted before the effective date of this article are exempt from the regulations with the following exception:
 - a. Nonconforming permanent on-site signs may be maintained and repaired but shall not be structurally or mechanically extended or altered to further the nonconformance except as required by the building official in cases where it has been determined that there exists imminent danger to the public safety.
- 2) The following signs shall be removed or made to conform to this document:
 - a. Any nonconforming permanent on-site sign which is destroyed or damaged to the extent of 50 percent or more of its replacement value shall not be repaired or rebuilt except in conformity with this article, unless a variance is granted by the Authority.

Upon failure to comply within the time specified, the Authority is hereby authorized to cause removal of such sign and any expense shall be paid by the lessee of said sign or of the property upon which the sign is located.

Variances

Any tenant desiring to make use of their site, or any portion thereof, other than in strict accordance with the restrictions and specifications set forth in the Covenants or in this Building Sign Specifications document may apply to the Authority for a variance. The formal process required for filing a variance is outlined in Article IV, Variances of the Covenants.

The Authority shall not approve any application for a variance unless it finds that denial of the application would result in an undue hardship upon the applicant and that the grant of variance will be in harmony with the general intent of the Covenants and the Building Sign Specifications document.

Maintenance

It shall be the responsibility of all tenants or property managers within Innovation Park to keep their Site, Buildings and other improvements, including Building Signs, in a safe, clear, orderly and aesthetically pleasing condition, as outlined in Section 5 of the Covenants. The maintenance of individual Sites shall be at the expense of the Tenant to whom the Site has been leased. All landscaping and exterior portions of Buildings and other structures shall be maintained in order to present an attractive appearance. In the event of the Tenant's failure to properly discharge its responsibilities for maintenance, the Authority reserves the right to perform any necessary repairs and maintenance at the expense of the Tenant and the Authority shall have the right of access to the Sites for such purpose.

Sign Definitions

Billboard

A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered outside the boundaries of Innovation Park. Signs larger than 50 square feet in overall area are considered to be billboards with the exception of temporary construction signs and building facade signs.

Exterior Directory sign

A exterior sign which lists all tenants within a multiple tenant structure or structures available at a single site or location.

Directional sign

Any sign which provides information relative to safely identifying vehicular entrances and exits to parking lots or traffic circulation areas for activities. Directional signs may include logo, symbols or a business name. Such signs shall be located on the private premises and must follow the guidelines outlined in the Innovation Park Master Plan Signage/Wayfinding Plan for guide and informational signs.

Facade sign

A sign that is attached to the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

Monument sign

A permanent sign where the entire bottom of the sign is affixed to the ground, not to a building. A sign that serves to identify the name of the building, address, and logo is approved.

Right-of-Way (ROW)

The strip of land between the site and the paved road that has been dedicated to the city for the purpose of maintaining the road and the installation and maintenance of utilities, drainage, sidewalks and other facilities. No permanent signs are permitted in the ROW.

Sign area

The area defined on the sign depicting the extreme limits of the lettering, logo, trademark, or other graphic representation used to differentiate the sign from the background against which it is placed.

Temporary sign

A sign that temporarily provides information regarding an event on the premises displayed no longer than 1 day.

Tenant

A party to whom one or more Sites has been leased or to whom space within Innovation Park has been leased. (Refer to Article II(g) of the Covenants)

INNOVATION PARK/TALLAHASSEE
DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS

STATE OF FLORIDA

COUNTY OF LEON

KNOW ALL PERSONS BY THESE PRESENTS, that this Declaration of Protective Covenants and Restrictions is made this 10th day of February, 1981, by the LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY, a local government body, corporate and politic, hereinafter referred to as the "Authority".

STATEMENT OF PURPOSE

The Authority is a local governmental body created and existing pursuant to Florida Statutes, §159.701 et seq., which has acquired by long term lease from the State of Florida certain lands, hereinafter described, for development as a research and development park known as INNOVATION PARK/TALLAHASSEE. The Authority desires to provide for the development and use of the lands comprising INNOVATION PARK/TALLAHASSEE as a research and development park with common environmental concerns and to impose and enforce covenants and restrictions thereon which will permit the use of lands therein for research, development and other authorized purposes and which will assure the "development, use and maintenance of the lands in a natural park-like setting.

NOW, THEREFORE, the Authority declares that the real property described in Exhibit "A" attached hereto and by reference incorporated herein, together with such additional land as the Authority may hereafter submit to this Declaration, is and shall be held, leased and occupied subject to the covenants, restrictions, easements, conditions and charges hereinafter set forth.

ARTICLE I.
PROPERTY SUBJECT TO THIS DECLARATION

Section 1. Existing Property. The real property which is and shall be held, leased and occupied subject to this Declaration is located in Leon County, Florida, comprises 208 acres, more or less, and is more

particularly described in Exhibit "A" attached hereto and by reference incorporated herein.

Section 2. The Authority reserves the right to subject any additional properties which it may acquire, or which may otherwise come under its control, as a part of INNOVATION PARK/TALLAHASSEE to this Declaration by recordation of appropriate instruments among the public records of Leon County, Florida.

ARTICLE II.
DEFINITIONS.

The following words and phrases when used in this Declaration or any supplemental declaration shall, unless the context otherwise requires, have the following meanings:

(a) "Authority" shall mean and refer to the Leon County Research and Development Authority.

(b) "Building" shall include, but not be limited to both the main portion of the building and all projections and extensions thereof, including but not limited to platforms, docks, eaves, canopies, walls and screens.

(c) "Committee" shall mean and refer to the Development Review Committee hereinafter established.

(d) "Common Areas" shall mean and refer to those areas of land within INNOVATION PARK/TALLAHASSEE designated by the Authority for the common use and enjoyment of the Authority and the Tenants.

(e) "Improvements" shall include, but not be limited to, all structures, construction and installation of any kind, whether above or below the land surface, including, but not limited to, buildings, outbuildings, water lines, sewers, electrical and gas distribution facilities, telephone lines, loading areas, ramps, docks, parking areas, walkways, wells, towers, antennae, screens, entrance ways, gates and signs.

(f) "Site" shall mean a parcel of land within INNOVATION

PARK/TALLAHASSEE under lease from the Authority to a Tenant or designated by the Authority as available or to become available for lease to a Tenant.

(g) "Tenant" shall mean and refer to a party to whom one or more Sites has been leased by the Authority pursuant to a duly executed written lease agreement, or to whom space within a building within INNOVATION PARK/TALLAHASSEE has been leased pursuant to a duly executed lease agreement signed or approved by the Authority in writing.

ARTICLE III.
GENERAL PROVISIONS

Section 1. Duration. The covenants and restrictions of this Declaration shall run with and bind the land and shall inure to the benefit of and be enforceable by the Authority, the Tenants or any of them, and their respective personal representatives, heirs, successors and assigns, for a term of fifty (50) years from the date this Declaration is recorded, after which time the covenants and restrictions herein shall automatically be extended for successive periods of twenty-five (25) years unless an instrument signed by the Authority or its successor in interest has been duly recorded agreeing to change or terminate the covenants and restrictions herein in whole or in part. The Authority reserves and shall have the sole right to amend this Declaration for the purpose of curing any ambiguity in or inconsistency between the provisions contained herein. No Tenant may, without the prior written approval of the Authority, impose any additional covenants or restrictions on any part of the lands within INNOVATION PARK/TALLAHASSEE.

Section 2. Notices. Any notice required to be sent to the Authority under the provisions of this Declaration shall be personally delivered or deposited in the United States mail, postage prepaid, registered or certified, return receipt requested, addressed to the Authority at such post office address as it may advise the Tenants of from time to time.

Section 3. Enforcement. Enforcement of these covenants and

restrictions shall be by any proceeding at law or in equity against any person or entity violating or attempting to violate any covenant or restriction, or to restrain such violation, or to recover damages, and the failure by the Authority or any Tenant to enforce any covenant or restriction contained herein shall in no event be deemed a waiver of the right to do so thereafter. In the event of litigation brought by the Authority or tenants of INNOVATION PARK/TALLAHASSEE for the enforcement of this Declaration or any provision contained herein, the prevailing party shall be entitled to recover its Court costs and reasonable attorney's fees from the losing party.

ARTICLE IV.
VARIANCES

Any Tenant desiring to make a use of his Site, or any portion thereof, other than in strict accordance with the covenants and restrictions set forth in this Declaration may apply to the Authority for a variance. The application shall be filed in advance of any such variant use on forms to be prescribed by the Authority for that purpose. The application shall be submitted to the Development Review Committee for review and recommendation. A public hearing shall be held upon the application by the Committee after at least fifteen (15) days advance notice of the hearing has been given in the following manner. The Committee shall, at the applicant's expense, cause a copy of the application and notice of hearing to be delivered or mailed by certified or registered mail, return receipt requested to each Tenant in INNOVATION PARK/TALLAHASSEE and the notice of hearing to be published once in a newspaper of regular and general circulation in Tallahassee and Leon County, in both instances at least fifteen (15) days prior to the date of the hearing. Within fifteen (15) days following the public hearing the Committee shall recommend to the Authority its proposed disposition of the application. The Authority shall act upon the application by majority vote within thirty (30) days following receipt of the Committee's recommendations and the Authority's

decision shall be final and binding. The Authority shall not approve any application for a variance unless it finds that denial of the application would work an undue hardship upon the applicant and that the grant of variance will be in harmony with the general intent and purpose of this Declaration. For this purpose the Authority may condition a grant of variance upon such conditions and safeguards as the Authority deems appropriate.

ARTICLE V.
PERMITTED LAND USES.

No Site within INNOVATION PARK/TALLAHASSEE shall be used except for research, design, testing, analysis, prototype development, pilot scale production and limited product assembly purposes and for such other purposes, including administrative, professional and support services as the Authority may, in its sole judgment, determine to be an integral part of, related to or derivative of the aforesaid uses. The Authority shall, in its sole discretion, determine whether or not any existing or proposed use of a Site is a permitted use within the meaning and intent of this Declaration. The foregoing iteration of permitted uses shall not, however, preclude the Authority from constructing, owning, operating, maintaining, leasing, or permitting service, commercial, administrative or recreational facilities within INNOVATION PARK/TALLAHASSEE, provided any such facilities are for the primary use, enjoyment and convenience of the Authority or the Tenants of INNOVATION PARK/TALLAHASSEE, their employees, agents and representatives. No use will be permitted of any lands or space within INNOVATION PARK/TALLAHASSEE which fails to comport with the performance standards hereinafter set forth, nor shall any use be permitted which constitutes a nuisance, public or private, or which tends to damage or destroy public or private property, or which denigrates the integrity or character of the natural features of INNOVATION PARK/TALLAHASSEE. The Authority reserves the right to require that any permitted production or product assembly operations be confined

to specially designated areas within INNOVATION PARK/TALLAHASSEE.

ARTICLE VI.
PERFORMANCE STANDARDS

The use of all Sites shall conform to such performance standards as the Authority may from time to time prescribe in writing governing noise; smoke and particulate matter; toxic gases, fumes and vapors; vibration; glare and lighting; effluent discharge; the disposal of waste materials; radiation and other matters of environmental concern. The burden of demonstrating compliance with such performance standards shall rest upon the Tenant.

ARTICLE VII.
SPACE ALLOCATIONS AND DIMENSIONAL STANDARDS

Section 1. Minimum Site Size. No Site shall be established which contains an area of less than two (2) acres nor shall any Site be subdivided into parcels of less than two (2) acres. In no event shall any Site be subdivided without the prior written approval of the Authority. The Authority reserves the right to permit the use and occupation of a single Site by more than one Tenant. The Authority further reserves the right to designate as a Site any area within INNOVATION PARK/TALLAHASSEE equal to or exceeding two (2) acres, whether or not the same be a multiple of two (2) acres.

Section 2. Site Coverage Limitations. The maximum area that may be covered by Buildings and other structures constructed thereon, including but not limited to parking, road, driveway and other impervious surface areas, shall not exceed fifty percent (50%) of the total area of the Site.

Section 3. Setback Restrictions. No Building shall be located on a Site nearer than 100 feet from any building on any adjoining Site. No Building shall be located on any Site nearer than fifty (50) feet from the front or side Site lines or nearer than twenty-five (25) feet from the rear Site line. All accessory Buildings and other improvements shall be located on a Site so as to permit and preserve a natural vegetative

buffer having a depth of at least twenty-five (25) feet along the rear and side Site lines.

Section 4. Height Limitations. No Building, structure or other improvement shall be erected, constructed or permitted on any Site having a height above ground level of more than forty-five (45) feet.

ARTICLE VIII.
PARKING AND LOADING

Section 1. Parking. Off street parking spaces sufficient to accommodate the parking demands generated by the use of each Site shall be provided on the Site. No on street parking shall be permitted. Off street parking areas shall be constructed by the following standards:

(a) Dimensions. Each off street parking space shall be at least nine (9) feet in width and at least nineteen (19) feet in depth, exclusive of the area required for access drives or aisles.

(b) Entrance and Exits. Each parking space shall be directly accessible from a street, alley or other public right-of-way or from an adequate access aisle or driveway leading to or from a street, alley or other public right-of-way. All off street parking spaces shall be so arranged that no motor vehicle shall have to back into any street or public right-of-way. No entrance or exit driveway shall be permitted any nearer than fifty (50) feet from a street intersection.

(c) Aisle Widths. All off street parking areas providing four (4) or more parking spaces shall be constructed with aisle widths having the following minimum dimensions, based upon the angle of the parking stall to the access aisle:

Parking Stall Angle	Aisle Width
30 degrees	11 feet
45 degrees	13 feet
50 degrees	14.5 feet
55 degrees	16 feet
60 degrees	17.5 feet
90 degrees	22 feet

Aisles shall be twenty-two (22) feet in width when not designed to

serve a particular parking configuration or when designed to serve parallel parking.

(d) Surface Material and Drainage. All off street parking facilities, including access aisles, driveways, and maneuvering areas, shall be surfaced with a hard, dustless material. Such off street parking areas shall be suitably sloped and drained and shall be of strength sufficient to accommodate the traffic expected. All parking stalls shall be clearly marked on the paved surface. All off street parking shall be set back a minimum of thirty (30) feet from the front Site line and a minimum of twenty-five (25) feet from the side and rear Site lines and shall be screened from view as hereinafter provided. Each Site shall contain paved maneuvering areas sufficient to accommodate maneuvering motor vehicles expected to result from loading, unloading and service operations, giving a clear view from the cab of the vehicle. Driveways and maneuvering areas shall meet the same surface material, maintenance and drainage requirements as are herein imposed on off street parking areas. The edge of a driveway apron shall be no closer than fifty (50) feet from the nearest adjacent Site line unless adjacent Site Tenants utilize a common driveway.

Section 2. Loading and Unloading. All loading and unloading operations must be on Site and no on street loading and unloading shall be permitted. On Site loading and unloading space shall be provided sufficient to accommodate the expected traffic, and in any event shall conform to the minimum standards required by the Zoning Code of the City of Tallahassee and Leon County, Florida. Loading and unloading areas shall be located to the rear of any Building on the Site, provided the Committee may approve the emplacement of a loading area at the side of a Building if the same is appropriately screened from view. All truck loading aprons and other loading areas shall be paved with a dust free, all-weather surface, shall be suitably sloped and drained, and shall be of strength sufficient for the traffic expected. All loading areas shall

have direct access to a street or public right-of-way and shall be so located that they may be used without interfering with the use of streets, parking areas or public right-of-way and shall be so located that they may be used without interfering with the use of streets, parking areas or public rights-of-way. Each loading area shall have at least the following minimum dimensions: Length twenty-five (25) feet, width twelve (12) feet, height fourteen (14) feet.

Section 3. All off street parking areas, driveway, access areas, maneuvering areas and loading areas shall be included in the plans submitted by the Tenant and shall be subject to the review and approval of the Committee. If future building expansion is contemplated, additional areas shall be appropriately reserved for such future parking, loading and unloading as is anticipated.

Section 4. Easements. The Authority reserves the right to cause the installation and maintenance of utilities, drainage and other facilities for the benefit of the Authority or its Tenants within the front and rear twenty-five (25) feet and within the fifteen (15) feet along each side of each Site. The Authority further reserves the right to grant easements for the installation of utilities, drainage and other facilities for the benefit of the Authority or its Tenants through individual Sites, provided that in so doing the Authority does not cause any damage to existing Buildings or improvements or require a change in any construction plans which the Committee has previously approved. All easements given for the benefit of an individual Site shall be subject to the prior approval of the Committee. All easement areas located within a Site and all improvements in such easement areas shall be continuously maintained by the Tenant of such Site, except for those improvements for which a public authority or utility company is responsible.

ARTICLE IX.
ARCHITECTURAL AND AESTHETIC STANDARDS.

Section 1. Landscaping. All Buildings and other improvements on any

Site shall be placed so that the existing topography and vegetation is disturbed as little as possible and so that the maximum number of desirable trees and natural features is preserved. No tree may be removed or other natural feature altered except with the prior written approval of the Committee. Each Site on which a building is to be placed shall be landscaped in accordance with the plans and specifications submitted to and approved by the Committee. The approved landscaping shall be completed no later than the date upon which the Building is completed or occupied, whichever first occurs. A twenty-five (25) foot landscape strip shall be installed along the front, rear and side Site lines, exclusive of driveways. Within the twenty-five (25) foot landscape strip there shall be planted and maintained trees and other vegetation native, where practicable, to the area providing at least fifty percent (50%) visual opacity. All areas not covered by an impervious surface shall be landscaped, sodded or seeded. All off street parking, loading and unloading areas shall be screened from view from other Sites and from public roads, streets, and rights-of-way by the use of earth berms or other landscaping materials. All trees, plants, shrubs and other landscaping materials shall be of varieties that are adaptable to the local soil and climate conditions and shall blend with existing natural growth and be compatible with adjacent landscaped areas. Each Tenant shall maintain all landscaped areas on the Tenant's Site in good condition at all times.

Section 2. Exterior Construction. Finish building materials shall be applied to all sides of any Building which are visible to the general public or to neighboring Sites or Common Areas. Exterior colors shall be compatible with the colors of the natural surroundings and other adjacent Buildings. The approval or disapproval of the exterior construction materials and colors shall be at the sole discretion of the Committee.

Section 3. Signs. Only identification signs indicating the name and business of the persons or entities occupying the Site shall be

permitted. Advertising signs, billboards or other signs are expressly prohibited. Identification signs shall generally be placed on the outside wall or walls of the Building but shall not extend above the line of the roof meeting that wall. With the advance written approval of the Committee, signs may be placed in the front yard landscape strip if constructed and designed to be a part of the landscaping element. Otherwise, no sign in the front yard setback area shall be permitted. Painted signs, signs on the roofs of Buildings, and flashing or moving signs are prohibited. No signs shall be placed or externally illuminated in such a manner as to cast glare on neighboring Sites or in such a manner as to impede the safe movement of traffic. All signs shall be designed, erected, altered, moved and maintained in accordance with plans and specifications submitted to and approved by the Committee in writing.

Section 4. Outdoor Storage. No temporary Building, structure or other improvement shall be permitted on any Site except during the period of construction of the permanent Building and then only with the advance written approval of the Committee. No outside storage shall be permitted within the minimum Building setback areas nor shall any outside storage be permitted in the front yard of any Site. When outdoor storage would otherwise be visible from a public road, street, or right-of-way it must be screened from view by a wall of material similar to and compatible with that of the Building or Buildings on the Site. Garbage and refuse containers shall be concealed and contained within the Building or Buildings on a Site or shall be screened by a screening wall of the kind described above. Unless specifically approved by the Committee in writing, no materials, supplies or equipment shall be stored on any Site except in a closed Building or behind a screening wall so that such storage areas are not visible from neighboring Sites, Common Areas or public roads, streets or rights-of-way. All proposals for outside or outdoor storage shall be subject to the advance written approval of the Committee.

Section 5. Maintenance. Each Tenant of INNOVATION PARK/TALLAHASSEE shall at all times keep its Site, Buildings and other improvements in a safe, clear, orderly and aesthetically pleasing condition, shall prevent rubbish, waste, trash or garbage of any character whatsoever from accumulating on the Site and shall comply in all respects with all governmental laws, orders, rules and regulations governing safety, health and welfare. The maintenance of individual Sites shall be at the expense of the Tenant to whom the Site has been leased. All landscaping and exterior portions of Buildings and other structures shall be maintained in order to present an attractive appearance. In the event of the Tenant's failure to properly discharge its responsibilities for maintenance, the Authority reserves the right to perform any necessary repairs and maintenance at the expense of the Tenant and the Authority shall have the right of access to the Sites for such purposes.

Section 6. Utilities Placement and Design. All electrical, utility and telephone lines serving the Sites shall be brought underground. Pad-mounted electrical transformers, heating and air conditioning units, mechanical meters and storage tanks shall be located in such a manner as not to be visible from any public road, street or right-of-way or from Common Areas or other Sites. If concealment within the Building is not possible then such utility elements shall be concealed by screening. No transformer, electric, gas or other meter of any type or other apparatus shall be hung on the outside of any Building but the same may be placed on or below the surface and when thus placed at ground level shall be adequately screened from view. Penthouses and mechanical equipment screen walls shall be of a design and constructed of materials similar to and compatible with those of the Building to which they pertain. The emplacement of power or other utility poles, except temporarily during construction, is expressly prohibited. All exterior lighting shall be designed, erected, altered, moved and maintained in accordance with plans and specifications submitted to and approved in writing by the Committee.

It is the declared intention of the Authority that to the extent possible exterior lighting be compatible and harmonious throughout INNOVATION PARK/TALLAHASSEE. Antennae shall be visually masked or screened to the extent possible consistent with appropriate electromagnetic considerations and shall in any event be subject to the prior written approval of the Committee.

ARTICLE X.
DEVELOPMENT REVIEW COMMITTEE SUBMISSION
AND APPROVAL OF PLANS AND CONSTRUCTION.

Section 1. Development Review Committee. There is hereby established a Development Review Committee for INNOVATION PARK/TALLAHASSEE which shall consist of five (5) members, one of whom shall be an architect licensed to practice in the State of Florida and one of whom shall be a representative of the Board of Trustees of the Internal Improvement Trust Fund. The Director of the Authority shall also be a member of the Committee. The members of the Committee shall be appointed by and serve at the pleasure of the Authority and any member may be removed at any time with or without cause by the Authority. One of the members of the Committee shall be elected its chairman. The vote of a majority of the members of the Committee at any meeting shall constitute the action of the Committee on any matter before it, provided, however, that in no event shall a vote of less than three (3) members, either affirmative or negative but not both, constitute acts of the Committee. The Committee shall adopt bylaws, subject to the approval of the Authority governing the time, place and manner in which the business of the Committee will be conducted.

Section 2. Submission of Plans. No Tenant shall commence the construction or alteration of any Building or other improvement on any Site without the advance written approval of the Committee of the Site use plan and the final plan and specifications for such construction or alteration. The Committee may adopt forms for the submission of such plans. The Tenant's submission to the Committee shall include a Site use

plan at a minimum scale of one inch equals twenty (20) feet showing:

(a) The location, size, setback dimensions and floor plans for all proposed Buildings, storage areas and anticipated future expansion areas;

(b) Driveways and curb cuts with an arrow indication of vehicular traffic patterns into and out of Site and to and from all loading berths and parking stalls;

(c) Layout of vehicle parking areas with stalls separately designated as for employees' cars, visitors' cars, Tenant trucks, delivery trucks, and the like. Parking areas for both initial and eventual development of the Site are to be indicated.

(d) The layout of all paved and other impervious surface areas showing the extent and type of paving or coverage and the drainage pattern for all such areas;

(e) All areas to be landscaped with a schematic description of the general type (trees, shrubs, grass, etc.) height and extent of all landscaping including screening, trees and vegetative buffers or barriers;

(f) All proposed outdoor storage areas, and outdoor utility and mechanical equipment, together with the proposals for screening the same from view;

(g) The location and identification of all utilities to serve the Site and any Building or other improvement on the Site, including gas, electricity, telephone, water and sewer;

(h) Building elevations and perspectives of Building and Site, showing type of construction, materials and colors;

(i) The proposed location of any special appurtenances, including transformers, antennae, cooling towers, storage tanks, loading docks and the like, whether above or below ground;

(j) Such other information, including streets, Site lines and dimensions, location and description of screening walls, signs, exterior lights, irrigation systems, and such other features, conditions and

information as the Committee may deem appropriate.

The Tenant's submission shall contain landscape development plans showing the names of all ground covers, plants, their dimensions, location, quantity, spacing, irrigation, facilities and other landscape construction details, together with specifications describing the work. It shall also include information with sufficient illustration to indicate the size, type of material, color, language and location of any and all identification signs. The Tenant shall submit five (5) copies of the Site use plan and shall secure the approval of the Committee prior to the submission of an application for Building permit. The Committee shall approve, disapprove, or approve with modifications or conditions the Site use plan within thirty (30) days of its submission. The Tenant shall also submit two (2) copies of the final plans and specifications to the Committee for its review and approval. The commencement of construction shall proceed only after approval of the Tenant's final plans and specifications, and issuance of the appropriate Building permit or permits by the County of Leon. The Authority may conduct inspections of the Site during the period of construction for the purpose of monitoring the same and determining compliance with the approved Site use plan and final plans and specifications. The Committee's failure either to approve, disapprove, or approve with modifications or conditions any Site use plan or final plans and specifications submitted by a Tenant within thirty (30) days of the date of submission shall constitute approval of said plans by the Committee. The Tenant shall commence construction within six (6) months from the date of the Committee's approval of the final plans and specifications, unless a later commencement construction date is approved by the Authority in writing and the Tenant shall prosecute construction diligently to completion, subject only to strikes, war, acts of God, and other causes beyond the Tenant's control.

In all decisions regarding the acceptability of a Site use plan or of final plans and specifications, or of any element thereof, the

determination of the Committee shall be final, conclusive and binding on all parties. Neither the Committee, the Authority, nor any member, employee, agent or representative thereof, shall be liable to any Tenant, to any party submitting plans for approval, nor to any other party by reason of any judgment, decision or determination arising out of or in connection with the approval, disapproval, or failure to act on any such plans and each Tenant does, by the acceptance of a lease of land within INNOVATION PARK/TALLAHASSEE subject to this Declaration, agree and covenant not to make any claim or demand or bring any action, for damages or otherwise, against the Committee, the Authority, or any member, employee, agent or representative thereof, for any act or omission in the course of the Committee's operations.

ARTICLE XI.
AMENDMENT AND SEVERABILITY

Section 1. Amendment. This Declaration may be amended by the Authority from time to time, with the written approval of the Board of Trustees of the Internal Improvement Trust Fund, upon the giving of advance notice and the holding of a public hearing in the manner prescribed for acting upon variance applications in Article III, Section 4 of this Declaration.

Section 2. Severability. The provisions of this Declaration shall be deemed severable. Should any provision of this Declaration be declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, the decision shall not affect the validity of this Declaration and the provisions hereof shall otherwise remain and continue in full force and effect.

IN WITNESS WHEREOF, the Leon County Research and Development Authority
has caused this Declaration of Protective Covenants and Restrictions to
be duly executed this 10th day of February, 1981.

Signed, sealed and delivered in the
presence of:

LEON COUNTY RESEARCH AND
DEVELOPMENT AUTHORITY

By: _____
Chairman

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 10th day of
February, 1981, by Malcolm B. Johnson as Chairman of the LEON COUNTY
RESEARCH AND DEVELOPMENT AUTHORITY, a local governmental body, corporate
and politic, on behalf of said corporation.

NOTARY PUBLIC

