Prepared By: Martin County Growth Management Department 2401 S.E. Monterey Road Stuart, FL 34996

Exhibit "C"

INSTR # 1548624 OR BK 01615 PG 2672 RECORDED 01/28/2002 09:35 AM MARSHA EWING MARTIN COUNTYFlorida RECORDED BY T Copus (asst mgr)

MARTIN COUNTY, FLORIDA STANDARD DEVELOPMENT ORDER

REGARDING FINAL SITE PLAN APPROVAL FOR MJD VENTURES, INC. IN HOBE SOUND WITH A CERTIFICATE OF PUBLIC FACILITIES RESERVATION

WHEREAS, MJD Ventures, Inc. submitted an application for standard development final site plan approval for two commercial buildings, one office and one office / wholesale trades building, hereinafter, MJD Ventures, on lands described in Exhibit A, attached hereto; and

WHEREAS, pursuant to Section 10.3.A. of the Martin County Land Development Regulations (LDR), final action on standard development applications shall be taken by the County Administrator or his/her designee; and

WHEREAS, the County Administrator has delegated final action on standard development applications to the Growth Management Director.

NOW, THEREFORE, THE GROWTH MANAGEMENT DIRECTOR HEREBY DETERMINES THAT:

A. The final site plan for MJD Ventures, a copy of which has been reduced and attached hereto as Exhibit B, is approved. Development of MJD Ventures, shall be in accordance with the approved final site plan and the Final Preserve Area Management Plan, attached as Exhibit C.

B. No permits for construction or development activity shall be issued until all required documents, plans and fees are received and approved as required by Section 10.9, LDR.

C. Failure to submit the required documents, plans and fees as required by Section 10.9, LDR, shall render the final site plan approval null and void.

D. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Reservation as set forth in Section 5.7.D. of the Martin County Adequate Public Facilities Transportation Impact Analysis Ordinance (APFO/TIA). Payment of appropriate fees shall be paid at the time of building permit issuance pursuant to Section 5.7.D.4.c.(3) of the APFO/TIA.

E. Building permits must be obtained within one year of final site plan approval. Development of the entire project, including infrastructure and vertical construction, must be completed within two (2) years of final site plan approval. No rights to obtain development orders are herein conveyed beyond the two (2) year reservation period except as permitted in Section 5.7.D.8. of the APFO/TIA. All remaining impact fees and capital facility charges shall be paid in full within sixty days of any requested extension pursuant to Section 5.7.D.4.c.(3) of the APFO/TIA.

F. This development order shall be recorded in the public records of Martin County. A copy shall be forwarded to the applicant by the Growth Management Department subsequent to recording.

DATED THIS <u>27</u> DAY OF <u>Aujus</u> t, 2001.

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NICKI van VONNO, DIRECTOR OF GROWTH MANAGEMENT DEPARTMENT

EXHIBIT "A"

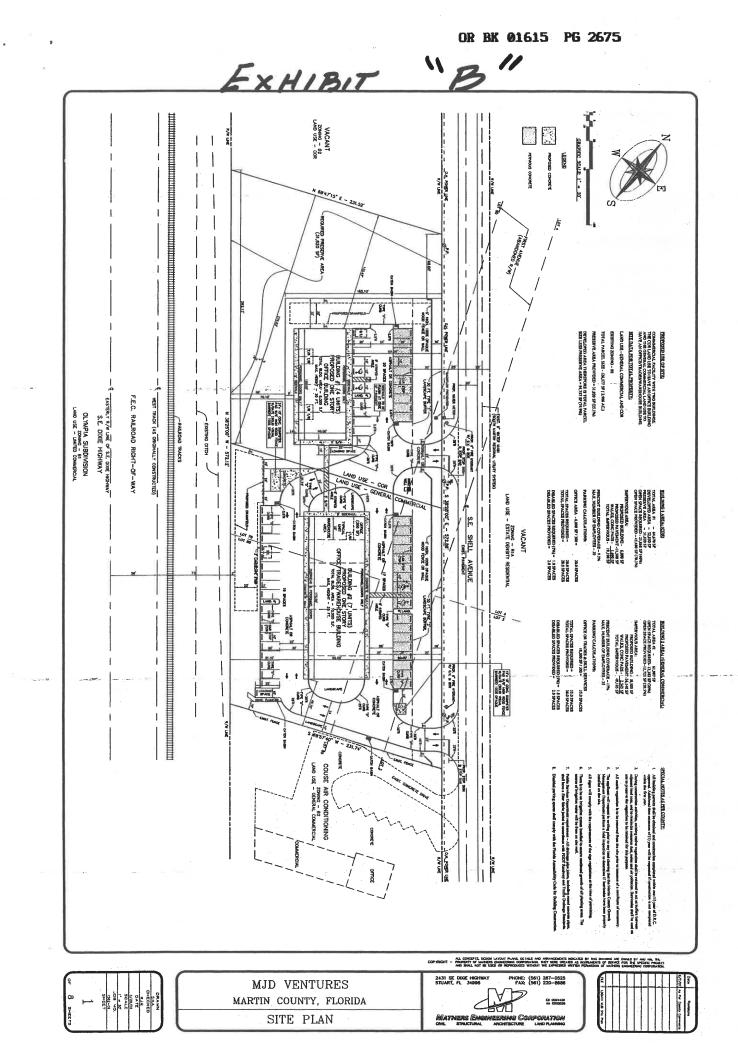
Legal Description for

MJD VENTURES

LEGAL DESCRIPTION (PREPARED BY R. L. VAUGHT & ASSOCIATES, INC.)

PORTIONS OF LOTS 3, 79 & 80; COMEZ, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1 AT PAGE 62, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; TO-GETHER WITH A PORTION OF FIRST AVENUE, AS SHOWN ON SAID PLAT, ALL LYING WESTERLY OF THE WESTERLY RIGHT-OF-WAY LINE OF S.E. SHELL AVENUE AND EASTERLY OF THE F.E.C. RAILROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BRIDGE ROAD, AS SHOWN ON THE FLORIDA DEPART-MENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 89030-2511, SHEET 2 OF 4, DATED 1980 AND THE EASTERLY RIGHT OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY AS SHOWN ON THE RIGHT-OF-WAY AND TRACK MAP V. 3, S.9.B, DATED DECEMBER 31. 1927, CORRECTED 5/19/76; THENCE RUN NORTH 68° 47' 15" EAST, ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF BRIDGE ROAD, FOR A DISTANCE OF 231.52 FEET; THENCE RUN SOUTH 38° 28' 00" EAST, ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF S.E. SHELL AVENUE, FOR A DISTANCE OF 265.66 FEET, TO THE POINT OF BEGINN-ING OF THE FOLLOWING DESCRIBED PARCEL OF LAND: THENCE CON-TINUE SOUTH 38° 28' 00" EAST, ALONG THE LAST DESCRIBED COURSE, FOR A DISTANCE OF 572.86 FEET; THENCE RUN SOUTH 68° 57' 40" WEST, ALONG THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 706, PAGE 2500, FOR A DISTANCE OF 231.74 FEET, THENCE RUN NORTH 38° 28' 00" WEST, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF THE F.E.C. RAILROAD, (SAID LINE BEING 75.00 FEET EASTERLY OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF THE WESTERLY TRACK, AS ORIGINALLY CONSTRUCTED) ALSO BEING 221.10 FEET WESTERLY OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR, TO THE SAID WESTERLY RIGHT-OF-WAY LINE OF S.E. SHELL AVENUE, FOR A DISTANCE OF 572.12 FEET; THENCE RUN NORTH 68° 47' 15" EAST, ALONG THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED IN OFFICIAL RECORD BOOK 1370, PAGE 1771, FOR A DISTANCE OF 231.52 FEET, TO THE POINT OF BEGINNING, CONTAINING 2.906 ACRES OR 126.577 SQUARE FEET, MORE OR LESS.



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MJD VENTURES

PRESERVE AREA MANAGEMENT PLAN (abbreviated PAMP for 5 acres or less)

PREPARED BY: -BLYTHE ENVIRONMENTAL, INC. 5782 S.E. HULL STREET STUART FLORIDA 34997

MJD VENTURES

PRESERVE AREA MANAGEMENT PLAN

The following Preserve Area Management Plan (PAMP) has been provided and approved by Martin County. This Preserve Area Management Plan is required, pursuant to Article 4, Section 4.2 regarding upland protection, Section 4.1 regarding wetland protection, and Section 4.8 regarding lake excavation.

Violation of the protective provisions of this plan or failure to manage Preserve Areas as directed in this plan may result in civil or administrative enforcement proceedings against the responsible persons, corporations, or associations. Violations may result in the imposition of fines, fees, staff time, restoration procedures, or other injunctive orders.

THIS DOCUMENT IS DIVIDED INTO THREE PARTS

THIS DOCUMENT IS DIVIDED INTO THREE PARTS.

PART I RESPONSIBILITIES OF THE OWNER

- 1.0 GENERAL
- 2.0 ENVIRONMENTAL ASSESSMENT
- 3.0 DELINEATION OF PRESERVE AREAS
- 4.0 SURVEY AND BOUNDARY MARKER REQUIREMENTS
- 5.0 PROHIBITED ACTIVITIES
- 6.0 RESTORATION AND MANAGEMENT ACTIVITIES
- 7.0 PROTECTIVE MEASURES FOR LISTED SPECIES

PART II MONITORING REPORTS ON THE STATUS OF THE PRESERVE AREAS

10.0 ANNUAL REPORTS AND INSPECTIONS

PART III VIOLATION AND ENFORCEMENT PROVISIONS

11.0 GENERAL - REFERENCING ARTICLE 10

MJD VENTURES

RESPONSIBILITIES OF THE OWNERS

PART I

1.0 GENERAL

1.1 The Owner, **MJD VENTURES**, shall implement Part I of this Preserve Area Management Plan.

2.0 ENVIRONMENTAL ASSESSMENT

2.1 SOILS

The Soil Survey for Martin County Area, Florida, published by the USDA Soil Conservation Service indicates one soil type within the limits of this property. A brief description of this soil type is listed below. This description is a generalization and does not account for any drainage improvements that may influence plant species and hydrology on the site.

#6 Paola Sand. Paola sand is a nearly level to sloping soil on the coastal ridges and isolated knolls in coastal areas. The water table is below a depth of 72 inches throughout the year.

2.2 VEGETATION

2.21 Uplands

Upland portions of this site can be categorized as former Sand Pine Scrub. The site has been cleared and is regrowing in small herbaceous grasses. Species observed include:

Cabbage Palm Wild Grape Ceasar's Weed Wedelia Live Oak **Slash Pine** Sand Pine Hogplum Brazilian Pepper Wild Coffee Saw Palmetto Golden Polypody Beautyberry Marlberry Wild Balsam Apple Crab's Eye Spanish Needles Exotic Fig

Sabal palmetto Vitis rotundifolia Urena lobata Wedelia trilobata Ouercus virginiana Pinus elliottii Pinus clausa Ximenia americana Shinus terebinthifolius Psychotria nervosa Serenoa repens Phlebodium aureum Callicarpum americana Ardisia escallanoides Momordica charantia Abrus precatorius Bidens pilosa Ficus spp.

2.22 Wetlands

No wetland conditions were observed on-site.

FLORIDA LAND USE COVER CLASSIFICATION

The Florida Land Use Cover Classification code for this parcel is 413 Sand Pine Scrub.

2.3 PROTECTED SPECIES SURVE

During the field investigation period, observations were made for protected plant and animal species. A gopher tortoise survey was conducted to determine the frequency of burrows on the site. Transects were walked at ten meter intervals to locate and flag any encountered burrows, nests, and dens. There were no burrows found during this survey effort. Random wildlife observation stations were established to listen and observe for other protected plants and animals. No other protected plant or animal species were observed utilizing this site at the time of this field investigation.

2.4 PREVIOUS IMPACTS

This property is in an existing industrial park and is comprised of platted lots and paved streets. Most of the site remains in thick vegetation of sand pine and scrub oak. Many of the larger sand pine trees have been blown over in recent storms. It is bounded by the FEC railroad to the west, small industrial warehouses to the south and vacant land to the north and Shell Avenue to the east.

3.0 DELINEATION OF PRESERVE AREA

For the purposes of this plan, **Preserve Areas** shall be delineated and shown on the site plan a copy of which is attached. An appropriate buffer zone and set back shall be established around the **Preserve Area**. A visual barricade shall be erected and maintained during any construction or land clearing activities that delineates this setback zone.

3.1 The parcel is to be labeled with the O.R. Book and Page number where the **Preserve Area Management Plan** is recorded. All Preserve Areas are to be labeled: "**PRESERVE AREA**" and are not to be altered without permission of the Martin County Growth Management Director. (561-288-5495)

4.0 SURVEYING AND BOUNDARY MARKER REQUIREMENTS

4.0 All **Preserve Areas** shall be staked and marked with provided boundary marker signs. Small (4''x 4'') Preserve Area Boundary aluminum signs or templates have been given to the owner and should be placed on a fence or stake about 4 feet off the ground in appropriate high visibility locations.

5.0 PROHIBITED ACTIVITIES

5.0 Prohibited activities in the **Preserve Areas** include: construction or placing of building materials on or above the ground; dumping or placing soil or other substances such as garbage, trash, and cuttings; removal or destruction of native trees, shrubs or other native vegetation; excavation, dredging or removal of soil materials; diking or fencing; vehicular traffic including recreational vehicle and off road vehicle use; permanent irrigation, trimming, pruning, or fertilization: and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife conservation and preservation.

5.1 No hazardous materials other than fuel for refueling on-site heavy equipment will be stored during construction phases. On-site fuel tanks shall not be located within 25 feet of any **Preserve Areas** and shall be removed upon completion of construction work.

5.2 Buildings proposed to be located adjacent to **Preserve Areas** shall be set back a minimum of 10 feet to allow for construction and maintenance without encroaching into the **Preserve Areas**. All other structures (e.g. pools, sheds, decks, fences) shall be set back a minimum of 5 feet from the **Preserve Area** boundary.

5.3 Development activities such as construction of building pads for associated structures, swales, or culverts for surface water management should not alter the hydrology of adjacent **Preserve Areas.** No activity shall increase non-point source pollution in the **Preserve Areas.**

6.0 RESTORATION AND MANAGEMENT ACTIVITIES

6.0 Except for prescribed maintenance activities to enhance the impacted **Preserve Areas**, these areas shall be maintained in their native upland and wetland habitat state.

6.1 All maintenance of **Preserve Areas** will be in accordance with this Preserve Area Management Plan. Maintenance and management activities will be performed by or under the supervision of a qualified environmental professional. Maintenance and management activities must be approved by the Martin County Growth Management Department. The following activities are allowed within the Preserve Areas (with written approval from the Martin County Growth Management Department):

- a) Removing of exotic plant material and refuse [see paragraph 6.2].
- b) Revegetation -- planting indigenous vegetation [see paragraph 6.3].
- c) Removing dead or diseased plant material [see paragraph 6.4].

6.2 Exotic vegetation is a plant species designated as a Category I or II as defined by the most current List of Florida's Most Invasive Species by the Exotic Pest Council. Exotic vegetation in **Preserve Areas** shall be removed by the least ecologically damaging method available. Such methods include hand pulling, hand spading, chain saw, and/or treatment with an appropriate herbicide. No work in **Preserve Areas** will be approved utilizing heavy equipment. Any exotic vegetation which may be present in **Wetland Preserve Areas** shall be treated with an appropriate EPA approved herbicide. No debris such as plant clippings or wood scraps shall be allowed in the **Preserve Areas**

6.3 Statement of restriction, that no new drainage or irrigation will negatively affect the **Preserve** Areas.

6.4 Dead or diseased plant material may be removed ONLY upon a written finding by the Martin County Growth Management Department that the material creates a health or safety hazard. Revegetation may be required after the removal of the plant material.

6.5 All exotic plant material will be removed in the next year. and will be completed by December, 2001. An ongoing maintenance program will be implemented to assure that no future infestation of exotic plants will occur.

Florida Exotic Pest Plant Council's

1997

List of Florida's Most Invasive Species

Purpose: To focus attention on:

- 1. The impacts exotic pest plants have on native bio-diversity in Florida ecosystems.
- 2. The impact of exotic pest plants on the integrity of native plant community functions.
- 3. Habitat losses due to exotic plant infestations.
- 4. The impacts of exotic plants on endangered species via habitat loss and alteration (e.g., Cape Sable seaside sparrow).
- 5. The need to prevent such losses by comprehensive management for exotic pest plants.
- 6. The socioeconomic impacts of exotic pest plants (e.g., increased wildfires in *Melaleuca*).
- 7. Changes in the seriousness of different exotic pest plants over time.
- 8. The need to provide information that will help managers set priorities for management.

Definitions: Exotic—a non-indigenous species, or one introduced to this state, either purposefully or accidentally; it then escaped into the wild in Florida where it reproduces on its own either sexually or asexually. *Native*—a species already occurring in Florida at the time of European contact (1500). *Invasive*—is a variable condition defined by the category to which the species is assigned.

Abbreviations used: for "Government listed": P=Prohibited by Fla. Dept. of Environmental Protection, N=Noxious weed as listed by Fla. Dept. of Agriculture & Consumer Services and/or U.S. Department of Agriculture.

Category I—Species that are invading and disrupting native plant communities in Florida. This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused.

Scientific Name	Common name	FLEPPC	Government Listed
		Rank	
Abrus precatorius	Rosary pea	I	
Acacia auriculiformis	Earleaf acacia	I	
Albizia lebbeck	Woman's tongue	Ι	
Ardisia crenata (= A. crenulata)	coral ardisia	Ι	
Ardisia elliptica (=A. humilis)	shoebutton ardisia	I	
Asparagus densiflorus	asparagus fern	I	
Bauhinia variegata	orchid tree	I	
Bischofia javanica	bischofia	Ι	
Brachiaria mutica_(= Urochloa mutica)	Pará grass	I	
Calophyllum antillanum (=C. calaba; C. inophyllum, often misapplied in cultivation)	santa maria (names "mast wood," "Alexandrian laurel" used in cultivation)	I	
Cassia coluteoides_(=Senna pendula)	climbing cassia, Christmas cassia, Christmas senna	I	
Casuarina equisetifolia	Australian pine	Ι	Р
Casuarina glauca	suckering Australian pine	Ι	Р
Cestrum diurnum	day jasmine	I	
Cinnamomum camphora	camphor-tree	I	
Colocasia esculenta	wild taro	I	
Colubrina asiatica	lather leaf	I	
Cupaniopsis anacardioides	carrotwood	I	

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Dioscorea alata	winged yam	I	
Dioscorea bulbifera	air-potato	I	
Eichhornia crassipes	water hyacinth	Ι	Р
Eugenia uniflora	Surinam cherry	I	
Ficus microcarpa (=F. nitida; =F. retusa var. nitida)	laurel fig	I	
Hydrilla verticillata	hydrilla	I	P, N
Hygrophila polysperma	green hygro	I	P, N
Hymenachne amplexicaulis	West Indian marsh grass	I	
Imperata cylindrica (=Imperata brasiliensis)	cogon grass	I.	N
Ipomoea aquatica	water spinach	I	P, N
Jasminum dichotomum	Gold Coast jasmine	I	
Jasminum fluminense	jasmine	. I	
Lantana camara	lantana	I	
Ligustrum sinense	Chinese privet, hedge privet	I	
Lonicera japonica	Japanese honeysuckle	I	
Lygodium japonicum	Japanese climbing fern	I	
Lygodium microphyllum	Old World climbing fern	I	- Article - Article
Macfadyena unguis-cati	claw vine	I	
Melaleuca quinquenervia	melaleuca, broad-leaf paper bark		P, N
Melia azedarach	Chinaberry	I	
Mimosa pigra	catclaw mimosa	I	P,N
Nandina domestica	nandina, heavenly bamboo	I	
Nephrolepis cordifolia	sword fern	I	
Neyraudia reynaudiana	Burma reed; cane grass	I	

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Paederia foetida	skunk vine	1	
Panicum repens	torpedo grass	I	
Pennisetum purpureum	Napier grass	Ι	
Pistia stratiotes	water lettuce	I	P
Psidium cattleianum (=P. littorale)	strawberry guava	Ι	
Psidium guajava	guava	Ι	
Pueraria montana_(=P. lobata)	kudzu	I	
Rhodomyrtus tomentosa	downy rose-myrtle	Ι	
Rhoeo spathacea_(=R. discolor)	oyster plant	Ι	
Sapium sebiferum	popcorn tree, Chinese tallow tree	T -	an a marana an ann a' an an an an an an an an an
Scaevola sericea (=Scaevola taccada var. sericea, S. frutescens; S. sericea)	scaevola, half-flower, beach naupaka	I	
Schefflera actinophylla (=Brassaia actinophylla)	schefflera	Ι	
Schimus terebinthifolius	Brazilian pepper	I	P, N
Solanum tampicense (=S. houstonii)	aquatic soda apple	I	
Solanum torvum	turkey berry	I	Ν
Solanum viarum	tropical soda apple	I	Ν
Syzygium cumini	jambolan, Java plum	I	
Tectaria incisa	incised halberd fern	I	
Thespesia populnea	seaside mahoe	I	
Tradescantia fluminensis	white-flowered wandering jew	I	

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Category II—Species that have shown a potential to disrupt native plant communities. These species may become ranked as Category I, but have not yet demonstrated disruption of natural Florida communities.

Scientific Name	Common name	FLEPPC Rank	Government Listed
Adenanthera pavonina	red sandlewood	 П	
Agave sisalana	sisal hemp	1	
Albizia julibrissin	mimosa	II	
Aleurites fordii	tung oil tree	П	
Alstonia macrophylla	devil-tree	П	
Alternanthera philoxeroides	alligator weed	Π	Р
Antigonon leptopus	coral vine	П	
Aristolochia littoralis	calico flower	II	
Asystasia gangetica	Ganges primrose	Ш	
Broussonetia papyrifera	paper mulberry	П	
Callisia fragrans	inch plant, spironema	П	
Casuarina cunninghamiana	Australian pine	П	Р
Cereus undatus	night-blooming cereus	П	
Clerodendron bungei	strong-scented glorybower	Π	
Cryptostegia madagascariensis	rubber vine	п	
Cyperus alternif olius (=C. involucr atus)	umbrella plant	п	
Cyperus prolifer	dwarf papyrus	II	
Dalbergia sissoo	Indian dalbergia, sissoo	II	
Enterolobium contortisliquum	ear-pod tree	11	

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Epipremnum pinnatum_cv. Aureum	pothos	II	
Ficus altissima	false banyan	11	
Ficus benjamina	weeping fig	II	
Ficus religiosa	bo tree	II	
Flacourtia indica	governor's plum	II	
Flueggea virosa	flueggea	II	
Hibiscus tiliaceus	mahoe	II	
Hiptage benghalensis	hyptage	П	
Jasminum sambac	Arabian jasmine	П	
Koelreuteria elegans	golden shower tree	— — П	
Leucaena leucocephala	lead tree	П	
Ligustrum japonicum	Japanese privet	II	
Ligustrum lucidum	Glossy privet		
		54 C	
		п	
Melinis minutiflora	molasses grass	п	
Merremia tuberosa	wood-rose	II	
Murraya paniculata	orange-jasmine	II	
Myriophyllum spicatum	Eurasian water-milfoil	Ш	Р
Nephrolepis multiflora	Asian sword fern	II	
Ochrosia parviflora (=0. elliptica)	kopsia	Π	
Oeceoclades maculata	ground orchid	П	
Paederia craddasiana	sewer vine, onion vine	П	
Passiflora foetida	stinking passion-flower	п	
Phoenix reclinata	reclining date palm	II	
Pittosporum pentandrum	pittosporum	11	

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Pittosporum tobira	Japanese pittosporum	11	
Rhynchelytrum repens	Natal grass	11	
Sansevieria hyacinthoides_(=S. trifasciata)	bowstring hemp	П	
Solanum diphyllum	twinleaf nightshade	II	
Solamum jamaicense	Jamiaca nightshade	Π	
Syngonium podophyllum	arrowhead vine	II	
Syzygium jambos	rose-apple	II.	
Terminalia catappa	tropical almond	П	
Tribulus cistoides	puncture vine, burnut		
Triphasia trifoliata	lime berry	II	
Urena lobata	Caesar's weed	п	
Wedelia trilobata	wedelia	П	
Wisteria sinensis	Chinese wisteria	П	
Xant hosoma sagittifolium	melanga, elephant ear	П	

Citation example:

Florida Exotic Pest Plant Council. FLEPPC 1997 List of Florida's Most Invasive Species. Internet: http:// www.fleppc.org/97list.htm

7.0 PROTECTIVE MEASURES FOR LISTED SPECIES

7.0 The owner is expected to follow current guidelines from the Florida Fish and Wildlife Conservation Commission to ensure any listed species continue its existance undisturbed.

PART II

MONITORING REPORTS ON THE STATUS OF THE PRESERVE AREAS

FOR

MJD VENTURES

10.0 MONITORING

10.0 MONITORING: Annual inspections followed with the submittal to the Martin County Growth Mnagement Department of an annual report to ensure the integrity of the Preserve Area is required.

COUNTY INSPECTIONS: Martin County is authorized to inspect any County regulated site or appurtenance. Duly authorized representatives of Martin County may at any time, and upon proper identification enter upon and shall be given access to any premises for the purpose of such inspection.

PART III

VIOLATION AND ENFORCEMENT PROVISIONS

MJD VENTURES

11.0 VIOLATIONS AND ENFORCEMENT PROVISION

11.0 Martin County shall have the right to enforce the provisions of the **Preserve Area Management Plan** through any available administrative or civil proceeding, which may result in penalties. Appropriate revegetation and other remedies, such as fines and fees, may be required any person, corporation, or other entity in violation of any of the provisions of the appropriate section in Article 10, The Land Development Code.