



PRINCIPAL/BROKER CONFIDENTIALITY AGREEMENT REDFISH POINTE PROPERTY

Annette M. Barbaccia (“Brokers Agent”) of Miloff Aubuchon Realty Group Inc. (“Broker”) has been retained by ZZW Development, LLC on behalf of the property owners (“Seller”) on an exclusive basis to market the property known as Redfish Pointe (“Property”), a 350 acre gulf access waterfront property located in southwest Cape Coral, tax strap parcels: 23-45-23-C1-00005.0000; 23-45-23-C4-00004.0000; and 26-45-23-C1-00001.0000 (see Attachment A). If you would like to receive the Property Offering Memorandum and Marketing information (“collectively the Materials”), please review and sign this Confidentiality Agreement (“Confidentiality Agreement” or “CA”) and email to Annette Barbaccia, abarbaccia@ambpl.com. If you are a broker/agent representing a principal your principal must execute the CA as well and email same to Annette Barbaccia prior to receiving. Please note that the Materials are solely for the benefit of the principal and not any other person, firm or entity.

Upon receipt of the CA, the Materials will be provided to you via email, drop box and/or an online data room. The Materials do not purport to be fully inclusive of all due diligence documentation and information that a prospective Buyer may require to analyze or evaluate the purchase of the Property for their purpose. While the Materials are believed to be correct and accurate, many have been prepared by third parties, inclusive of governmental entities. Therefore, the Seller, Broker and Broker’s Agent do not represent the accuracy or completeness of the Material and information. No legal liability is to be implied or assumed with respect thereto.

All materials that are not public knowledge are confidential. By accepting the Materials, you agree that you will hold them in strict confidence, that you will not disclose the Materials or any contents to any other entity without prior written authorization by Broker’s agent and that you will not use the Materials or any of the contents for any other purpose other than for purchasing the Property. Exceptions are advisors who have executed the CA and emailed to Annette Barbaccia who are engaged to help you determine a possible offer.

Please note that entities signing as a Principal, acknowledge that they are a Principal and not an agent acting on behalf of any other party in connection with the Property.

The Seller may, at their sole discretion, reject any and all expressions of interest or offers regarding the Property or terminate discussions without notice. This Confidentiality Agreement does not constitute an agreement to sell or offer to sell the Property. No agreement binding upon the Seller shall be deemed to exist until such time that a written purchase agreement for sale has been executed by the Seller and Buyer.

All Materials contents, except such information which is public record or is provided in sources available to the public, are confidential.

The Seller is currently pursuing a text amendment to the City of Cape Coral's Comprehensive Plan's Future Land Use, which would create a new future land use district specific to the Property, the "Redfish Pointe Mixed Use Preserve" district. By executing this Confidentiality Agreement you agree to undertake no efforts or discussions with City staff or other entities that would adversely affect the success of this application.

The Seller and Property Owner, it's employees and/or contractors are not to be contacted without the written approval of the Brokers Agent and doing so would be a direct violation of this confidentiality agreement.

PRINCIPAL

Name of Principal: _____
Company Name: _____
Address: _____
Phone: _____ Email: _____

Signature Date

COOPERATING BROKER (if any)

Broker/Agent: _____
Broker Company Name: _____
Address: _____
Phone: _____ Email: _____

Signature Date

LISTING BROKER & BROKER'S AGENT

Broker: Miloff Aubuchon Realty Group Inc. Broker's Agent: Annette M. Barbaccia
Address: 4707 SE 9th Place, Cape Coral, FL 33904
Tel: 239-850-8301 Email: abarbaccia@ambpl.com