



SMOKE FREE POLICY AT TIAA BANK CENTER

LANDLORD HAS ADOPTED A SMOKE-FREE POLICY FOR TIAA BANK CENTER, LOCATED AT 301 WEST BAY STREET. TENANT, AS WELL AS GUESTS AND INVITEES, ACKNOWLEDGE THAT THE PROPERTY AND GROUNDS HAVE BEEN DESIGNATED AS A SMOKE-FREE ENVIRONMENT.

WHEREAS, Landlord desires to mitigate the irritation and known health risks from secondhand smoke, as well as the increased maintenance, cleaning, and insurance costs from smoking, as well as the increased risk of fire from smoking; and

WHEREAS, Landlord now has designated TIAA Bank Center and grounds to be a smoke free environment; and

WHEREAS, "Office Tower" shall be defined as the office building located at 301 West Bay Street, Jacksonville, FL 32202. "Premises" shall be defined as the tenants leasehold space. "Grounds" shall be defined as the exterior common areas surrounding the office tower including the entire block bordered by Bay Street to the South, Pearl Street to the West, Forsyth to the North and Julia Street to the East, and further detailed on the attached Exhibit A.

NOW THEREFORE, Effective November 1, 2018 the covenants and conditions set forth herein shall become known as the Smoke-Free Policy for 301 West Bay.

1. All of the above recitations are hereby deemed to be true and correct.
2. Definition of Smoking. The term "smoking" means inhaling, exhaling, breathing, burning or carrying any lighted cigar, cigarette, e- cigarette, vapor, pipe, juul, juul-like device or other similar lighted product in any manner or any form. Definitions of some of these methods are attached as Exhibit B.
3. Smoke Free Grounds. Tenant agrees and acknowledges that Office Tower and Grounds of TIAA Bank Center have been designated as a smoke-free environment effective November 1, 2018. Tenants and agents of the tenants shall not smoke anywhere on TIAA Bank Center Property. Nor shall Tenant permit any guests, visitors, or contractors, under the control of the Tenant to do so.
4. Tenant to Promote No-Smoking Policy. Tenant shall inform Tenant's Employees, Agents, Contractors and Guests of the smoke free policy. Further, Tenant shall promote Landlords Smoke Free Policy to its Employees, Agents and Contractors and Guests.

5. Landlord to Promote No-Smoking Policy. In addition to the existing no smoking signs at all entrances, Landlord shall post No Smoking and/or Smoke Free signs in conspicuous places on the grounds of the property.
6. Landlord Not a Guarantor of Smoke Free Environment. Tenant acknowledges that Landlord's adoption of a smoke-free grounds, and the efforts to designate the property as a smoke-free, do not make the Landlord or any of its managing agents the guarantor of Tenant's health or of the smoke-free condition of the grounds.
7. Disclaimer by the Landlord. Tenant acknowledges that the Landlord's adoption of smoke-free Grounds and the efforts to designate the Property as smoke-free does not in any way change the standard of care that Landlord or managing agent would have to render the Property designated as smoke-free any safer, more habitable, or improved in the terms of air quality standards than any other Office Property. Landlord specifically disclaims any implied or express warranties that the building, common areas or Tenant's premises will have any higher or improved air quality standards. Landlord cannot and does not warranty or promise that the Grounds will be free from second hand smoke. Tenant acknowledges that the Landlord's ability to police, monitor, or enforce the agreement of this policy is dependent in significant part on voluntary compliance by Tenant, Tenant's employees and Tenant's guests. Tenants with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that Landlord does not assume any higher duty of care to enforce this addendum than any other landlord obligation under the Lease.
8. Amendments: This policy may be amended from time to time as necessary.
9. Property Name and Address. Tenant acknowledges that any future building name change, or property address change shall have no effect on this policy; and this policy remains in full effect.

The success of this policy will depend on the thoughtfulness, consideration, and cooperation of both smokers and nonsmokers alike.

EXHIBIT A

TIAA BANK CENTER SMOKE FREE GROUNDS MAP

(NO SMOKING ANYWHERE ON THE GROUNDS WITHIN THE RED BORDER)

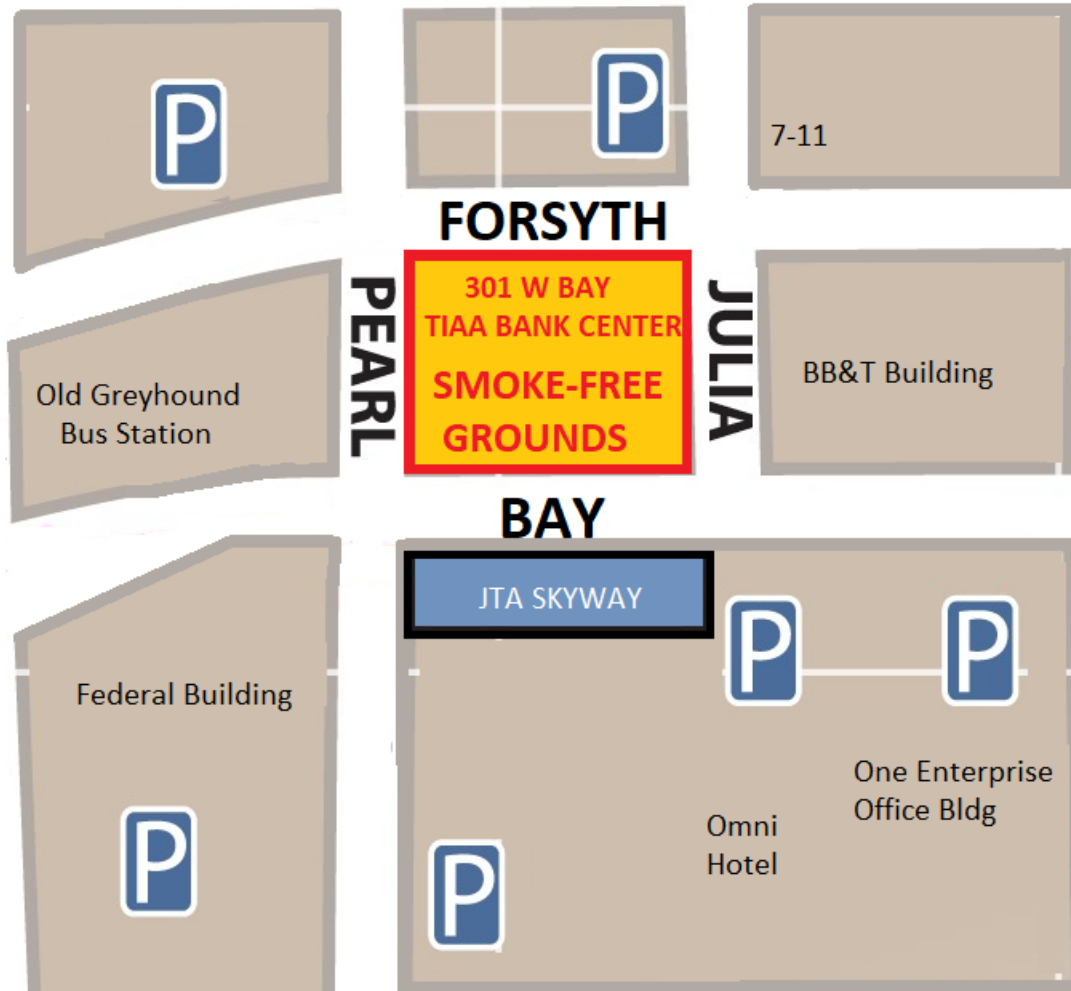


EXHIBIT B

Definitions

Below are the definitions of some of the products that will be prohibited from being used within the Smoke Free Grounds. This is not to be considered an all-inclusive list, and any new product that is developed that produces the same result should be considered to be included as a prohibited product.

1 – Cigarette:

a thin cylinder of finely cut tobacco containing a nicotine, narcotics, herbs, or a medicated substance rolled in paper for smoking.

2 – Cigar:

a cylinder of tobacco rolled in tobacco leaves for smoking.

3 – Pipe:

a narrow tube with a mouth piece at one end and a container at the other for containing burning tobacco, or e-liquid - the smoke/vapors from which is drawn into the mouth.

4 – e-Cigarettes (or electronic cigarette or eCig):

a device containing a battery, heating element and a place to hold e-liquid, used to inhale vapors

5 – Vapor cigarette:

A term used to refer to an electronic cigarette

6 – Vape/Vaping:

The action of smoking an electronic cigarette.

7 – Juul (or Juul-like device):

a discreet type of e-cigarette that looks similar to a flash drive & uses disposable, interchangeable flavored pods.

8 – Hookah (or waterpipe or shisha):

a waterpipe that is used to smoke tobacco, mostly containing flavors

9 - Secondhand smoke or vapor:

means smoke or vapor emitted from lighted, smoldering, or burning tobacco or electronic cigarette, when the smoker is not inhaling; smoke/vapor emitted at the mouthpiece during puff drawing; and smoke/vapor exhaled by the smoker.

10 -Smoking:

inhaling, exhaling, breathing or carrying any lighted cigar, cigarette, e- cigarette, vapor, pipe, juul or other similar lighted product in any manner or any form