

RESOLUTION NO. 96 151

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING THE GRANT AND EXECUTION OF A CERTAIN CONSERVATION EASEMENT FROM ST. JOHNS COUNTY, FLORIDA TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION.**

**WHEREAS**, in consideration for a permit issued to St. Johns County Department of Solid Waste on April 9, 1990, St. Johns County granted a Conservation Easement to the Florida Department of Environmental Protection as evidenced by that certain document recorded in the public records of St. Johns County in OR Book 872, Page 463, a copy of which is attached hereto as Exhibit "A", incorporated by reference, and made a part hereof; and

**WHEREAS**, the Army Corps of Engineers has requested an additional wetland parcel be conveyed to the Florida Department of Environmental Protection necessary for the final release of the Tillman Ridge Wetland Mitigation Site; and

**WHEREAS**, said additional parcel is more fully described in the Conservation Easement, attached hereto as Exhibit "B", incorporated by reference and made a part hereof, will assure that the subject land be retained and maintained forever in its natural vegetative and hydraulic condition for the benefit of future generations to come.

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, Florida as follows:

Section 1. The grant and execution of the Conservation Easement attached hereto as Exhibit "B", is hereby approved.

Section 2. The Clerk is instructed to record the Conservation Easement in the public records of St. Johns County.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, State of Florida, this 10th day of September, 1996.

**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

By: Donald Jordan  
Its Chairman Donald Jordan

**ATTEST: CARL "BUD" MARKEL, CLERK**

By: Ann Marie Puscome  
Deputy Clerk

**EXHIBIT A**

**O.R. 872 PG 0463**

90 25881

CONSERVATION EASEMENT

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

KNOW ALL PERSONS BY THESE PRESENTS THAT in consideration for the issuance of State of Florida Department of Environmental Regulation permit number MS 55-172884 to St. Johns County Department of Solid Waste on April 9, 1990, St. Johns County (Grantor) has granted to the State of Florida Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida (Grantee), a Conservation Easement in accordance with Section 704.06, Florida Statutes, in and over the real property in St. Johns County, Florida, as set forth in the legal description attached hereto as Exhibit A.

As used herein, the term Grantor shall include any successor or assignee of the Grantor, and the term Grantee shall include any successor or assignee of the Grantee.

It is the purpose and intent of this Conservation Easement to assure that the subject lands (with the exception of included wetlands which are to be enhanced or created as specified in the aforementioned permit) will be retained and maintained forever predominantly in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement. The included wetlands which are to be enhanced or created shall be maintained forever in the enhanced or created conditions required by the aforementioned permit.

Except for such specific activities as authorized pursuant to Department of Environmental Regulation Permit No. MS 55-172884, including but not limited to creation, enhancement and maintenance of wetlands as specified mitigation in said permit, the following activities are prohibited on the property subject to this Conservation Easement:

1. Construction or placing of buildings, roads, signs, billboards, or other advertising, utilities, or other structures on or above the ground;
2. Dumping or placing of soil or other substances or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
3. Removal or destruction of trees, shrubs, or other vegetation, with the exception of nuisance and exotic plant species as may be required by Grantee;

4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface;

5. Surface use except for activities that permit the land or water area to remain predominantly in its natural condition;

6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;

7. Acts or uses detrimental to such aforementioned retention and maintenance of land or water areas; and

8. Acts or uses detrimental to the preservation of any features or aspects of the property having historical, archaeological or cultural significance.

It is understood that the granting of this Conservation Easement entitles the Grantee or its authorized representatives to enter the above-described land in a reasonable manner and at reasonable times to assure compliance.

Grantor shall have the right to monitor and maintain its existing groundwater wells in accordance with DER approved plans. Grantor also shall have the right to install, monitor and maintain additional groundwater wells if required by DER or other appropriate authority. Such activities shall include the monitoring and maintenance of the wells approved in Figure 14 of DER Permit No. MS-55-172884. This Conservation Easement does not relieve Grantor of the need to obtain the necessary permits for such groundwater monitoring activities, including, where applicable, dredge and fill permits.

The Grantor on behalf of itself and its successors or assigns hereby agrees to maintain the lands subject to this Conservation Easement in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement, including the maintenance of enhanced or created wetlands in the vegetative and hydrologic condition required by the aforementioned permit. The Conservation Easement hereby granted and the obligation to retain and maintain the land forever predominantly in the vegetative and hydrologic conditions as herein specified shall run with the land and shall be binding upon the Grantor and its successors or assigns, and shall inure to the benefit of the Grantee and its successors and assigns. However, notwithstanding anything else contained herein, Grantor shall not be liable for acts of God, nature, vandalism, or persons who are not within the reasonable control of Grantor.

The terms and conditions of this Conservation Easement may be enforced by the Grantee by injunctive relief and other appropriate available remedies. In any enforcement action, if the Department

prevails, it shall be entitled to recover the cost, if any, of restoring the land to the natural vegetative and hydrologic conditions existing at the time of execution of this Conservation Easement or to the vegetative and hydrologic condition required by the aforementioned permit. These remedies are in addition to any other remedy, fine or penalty which may be applicable under Chapter 403, Florida Statutes.

Any forbearance on behalf of the Grantee to exercise its rights in the event of the failure of Grantor to comply with the provisions of this Conservation Easement shall not be deemed or construed to be a waiver of the Grantee's rights hereunder in the event of any subsequent failure of the Grantor to comply.

The terms and conditions of this Conservation Easement cannot be modified without the express, prior written approval of the Grantee and the St. Johns River Water Management District.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal on this 9th day of October, 1990.

Signed, sealed, and delivered in the presence of:

[Signature]  
WITNESS

[Signature]  
GRANTOR  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY

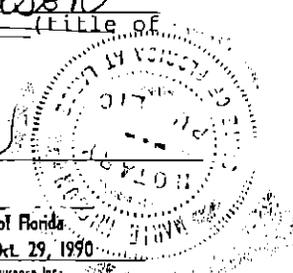
[Signature]  
WITNESS

STATE OF FLORIDA ACKNOWLEDGEMENT  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 09.11.1990 (date), by Marie Hudson (name of officer or agent), [Title] (title of officer or agent) of St. Johns County.

(Seal)

[Signature]  
Notary Public  
State of Florida  
My Commission Expires Oct. 29, 1990  
Expire: Oct. 29, 1990  
Remember that every Notary Public has a liability insurance policy



O.R. 872 PG 0466

Prepared by:

Carlton, Fields, Ward, Emmanuel, Smith & Cutler (NAME)  
First Florida Bank Building P.A.  
P. O. Drawer 190, Tallahassee, FL (ADDRESS)  
32302

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**O.R. 872 PG 0467**

**300' Buffer Strip, Legal Description:**

A 300 foot wide, strip of land in Section 31, Township 7 South, Range 29 East and Section 6, Township 8 South, Range 29 East lying Westerly of the existing Tillman Ridge Landfill and the proposed Southerly extension of same, and being more particularly described as follows: Commence at a concrete monument marking the NE corner of Section 31, Township 7 South, Range 29 East; thence S82°W, 449.0 feet along the North line of said Section 31; thence S8°33'51"E, 133.53 feet to an iron pipe being in the Southerly R/W line of State Road 214, an 80 foot R/W as now established; thence running along said R/W line N83°48'55"E a distance of 30.00 feet to the Point of Beginning; thence S9°45'10"E a distance of 501.77 feet to the P.C. of a curve concave to the NE and having a radius of 500 feet and a central angle of 33°50'40" thence along the arc of said curve a distance of 295.35 feet, said curve being subtended by a chord bearing of S26°40'30"E and a chord central angle of 33°50'40"; thence along the arc of said curve a distance of 295.35 feet, said curve being subtended by a chord bearing of S26°40'30"E and a chord distance of 291.07 feet to the P.T.; thence S43°35'50"E, 30.01 feet to the P.C. of a curve concave to the SW and having a radius of 500 feet and a central angle of 27°11'; thence along the arc of said curve a distance of 237.22 feet, said curve being subtended by a chord bearing S30°00'20"E and a chord distance of 235.00 feet to the P.T.; thence S16°24'50"E, 1178.96 feet to the P.C. of a curve concave to the SW and having a radius of 1000 feet and a central angle of 9°15'30"; thence along the arc of said curve a distance of 161.59 feet, said curve being subtended by a chord bearing S11°47'05"E and a chord distance of 161.41 feet to the P.T.; thence 87°09'20"E, 132.00 feet to the P.C. of a curve concave to the NE and having a radius of 1000 feet and a central angle of 14°15'50" thence along the arc of said curve a distance of 248.95 feet, said curve being subtended by a chord bearing S14°17'15"E and a chord distance of 248.31 feet to the P.T.; thence S21°25'10"E, 820.73 feet to the P.C. of a curve, said curve having a radius of 3500 feet and a central angle of 4°43'35"; thence along the arc of said curve a distance of 288.72 feet, said curve being subtended by a chord bearing of S19°03'22.5"E, and a chord distance of 288.64 feet to the P.T.; thence S16°41'35"E, 1693.23 feet to the P.C. of a curve concave to the SW and having a radius of 3300 feet and a central angle of 28°05'00"; thence along the arc of said curve a distance of 1617.48 feet, said curve being subtended by a chord bearing of S2°39'05"E and a chord distance of 1601.34 feet to the P.T.; thence S11°23'25"W a distance of 230.30 feet to the P.C. of a curve concave to the NE and having a radius of 800 feet and a central angle of 40°51'00"; thence along the arc of said curve a distance of 570.37 feet, said curve being subtended by a chord bearing S9°02'05"E and a chord distance of 558.37 feet to the P.T.; thence S29°27'35"E a distance of 583.13 feet; thence S60°12'49"W, 30 feet to the Westerly right-of-way line of Allen Nease Road (formerly Tillman Ridge Road) as now established for a 60 foot right-of-way; thence S66°40'40"W, 1811.44 feet to the East line of said Section 6 as established by Ricardo Edralin, Registered Surveyor No. 3274FL; thence due South on said East line, 2210.47 feet to the South-east corner of said Section 6 as established by Ricardo Edralin, said corner being the Point of Beginning; thence due West 300 feet on the South line of said Section 6; thence due North on a line 300 feet distant and parallel to the East line of said Section 6 and said Section 31, 6883.53 feet; thence North 70°05'40" East, 319.06 feet to the East line of said Section 31; thence due South, 6992.16 feet along said East line of said Section 31 and said Section 6 to the point of Beginning. Said parcel contains ± 47.78 acres.

**THIS IS NOT A SURVEY.**



POINT OF COMMENCEMENT  
SW CORNER SEC. 5, T8S, R29E

**LEGAL DESCRIPTION - WETLAND MITIGATION AREA #1**  
A parcel of land lying in Section 5, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as:

Commence at the Southwest corner of Section 5, Township 8 South, Range 29 East as established by Ricardo Enrallin, Registered Surveyor No. 3274FL, thence North 2210.47 feet; thence N 66° 40' 40" E, 1811.44 feet; thence S 28° 26' 30" E, 683.68 feet along said Right-of-Way line; thence S 60° 30' 30" W, 20.00 feet to the Point of Beginning; thence S 25° 29' 30" E, 219.09 feet to a point on a curve to the right; said curve being tangential to the last call and having a radius, chord and chord bearing of 2666.08 feet, 467.50 feet and S 10° 55' 52" E; thence along the arc of said curve 463.08 feet; thence N 81° 34' 50" W, 48.11 feet to a point on a curve to the right; said curve being tangential to the last call and having a radius, chord and chord bearing of 3112.28 feet, 389.32 feet and N 08° 23' 02" W; thence along the arc of said curve 288.42 feet; thence N 76° 45' 32" W, 119.16 feet; thence N 56° 45' 38" W, 114.53 feet; thence N 23° 14' 22" E, 305.42 feet to the Point of Beginning.

The above parcel of land contains 1.46 acres, more or less.

**LEGAL DESCRIPTION - WETLAND MITIGATION AREA #2**  
A parcel of land lying in Section 5, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as:

Commence at the Southwest corner of Section 5, Township 8 South, Range 29 East as established by Ricardo Enrallin, Registered Surveyor No. 3274FL, thence North 1178.17 feet; thence East 2210.47 feet to the Point of Beginning; thence East 1410° 37' E, 391.07 feet; thence N 61° 45' 57" E, 210.85 feet; thence S 65° 15' 44" E, 186.85 feet; thence N 64° 28' 51" E, 98.98 feet; thence S 3° 3' 58" W, 575.22 feet; thence N 41° 53' 26" W, 125.90 feet; thence S 86° 22' 13" W, 345.80 feet to the Point of Beginning.

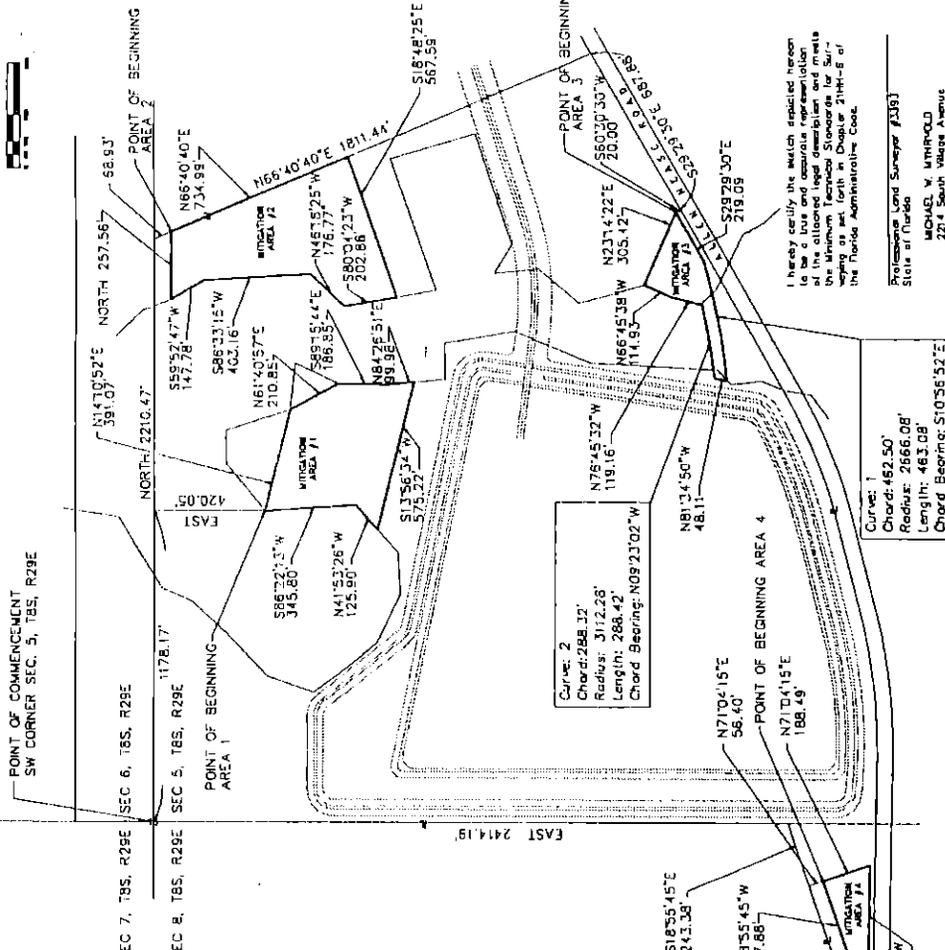
The above parcel of land contains 4.70 acres, more or less.

**LEGAL DESCRIPTION - WETLAND MITIGATION AREA #4 AND ADJACENT WETLAND**  
A parcel of land lying in Section 5, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as:

Commence at the Southwest corner of Section 5, Township 8 South, Range 29 East as established by Ricardo Enrallin, Registered Surveyor No. 3274FL, thence East 2414.19 feet; thence S 18° 55' 45" E, 243.38 feet; thence N 71° 04' 15" E, 56.40 feet to the Point of Beginning; thence N 71° 04' 15" E, 188.49 feet; thence S 01° 04' 15" W, 551.12 feet; thence N 18° 55' 45" W, 517.88 feet to the Point of Beginning.

The above parcel of land contains 1.12 acres, more or less.

NOTES:  
1. NOT VALID UNLESS EMBOSSED WITH A RAISED SURVEYOR'S SEAL.  
2. BEARING BASIS: THE WEST LINE OF SECTION 5 BEING NORTH ACCORDING TO A SURVEY BY RICARDO ENRALLIN, PLS #3274--STATE OF FLA.



**TILLMAN RIDGE LANDFILL PHASE II**

FLORIDA COUNTY

9/20/90

AS NOTED

066930-018-086

**SKETCH AND LEGAL DESCRIPTION**

Predecessor Land Surveyor #338  
State of Florida

MICHAEL V. UMBROLD  
224 South Village Avenue  
Tampa, Florida 33612



A parcel of land in Section 5, Township 8 South, Range 29 East, St. Johns County, Florida described as follows:

**O.R. 872 PG 0469**

Commence at the southwest corner of Section 5, Township 8 South, Range 29 East as established by Ricardo Edralin, Florida Registered Surveyor No. 3274: thence North 927.63 feet to the Point of Beginning; thence South 31 degrees 52 minutes 02 seconds East 53.70 feet; thence South 67 degrees 15 minutes 06 seconds East 124.16 feet; thence South 46 degrees 59 minutes 05 seconds East 170.61 feet; thence South 44 degrees 22 minutes 49 seconds East 235.10 feet; thence South 70 degrees 36 minutes 53 seconds East 105.34 feet; thence North 53 degrees 16 minutes 38 seconds 160.42 feet; thence North 50 degrees 44 minutes 42 seconds 144.11 feet; thence North 25 degrees 19 minutes 01 seconds East 207.08 feet; thence North 02 degrees 54 minutes 42 seconds West 157.02 feet; thence North 41 degrees 53 minutes 26 seconds West 243.30 feet; thence South 06 degrees 22 minutes 13 seconds West 345.80 feet; thence North 39 degrees 49 minutes 57 seconds West 225.80 feet; thence North 00 degrees 49 minutes 15 seconds 128.49 feet; thence North 72 degrees 18 minutes 33 seconds East 254.31 feet; thence North 06 degrees 28 minutes 54 seconds East 178.97 feet; thence 64 degrees 48 minutes 29 seconds 102.80 feet; thence South 09 degrees 15 minutes 44 seconds East 186.85 feet; thence North 84 degrees 26 minutes 51 seconds East 219.98 feet; thence North 01 degrees 37 minutes 14 seconds West 137.43 feet; thence North 80 degrees 08 minutes 00 seconds East 269.58 feet; thence South 67 degrees 22 minutes 42 seconds East 317.42 feet; thence South 87 degrees 10 minutes 26 seconds East 472.74 feet to a point on a curve to the left, said curve having a radius, chord and chord bearing of 1970.00 feet 271.42 feet and North 8 degrees 14 minutes 36 seconds West; thence along the arc of said curve 271.64 feet; thence South 48 degrees 32 minutes 04 seconds West 23.47 feet; North 76 degrees 45 minutes 32 seconds West 110.81 feet; thence North 66 degrees 45 minutes 38 seconds West 114.93 feet; thence South 74 degrees 42 minutes 05 seconds 257.78 feet; thence North 50 degrees 19 minutes 02 seconds West 202.16 feet; thence South 84 degrees 13 minutes 24 seconds West 168.25 feet; thence North 31 degrees 42 minutes 45 seconds East 127.98 feet; thence North 17 degrees 50 minutes 00 seconds West 449.15 feet; thence South 73 degrees 05 minutes 44 seconds West 337.45 feet; thence South 18 degrees 48 minutes 25 seconds East 531.60 feet; thence South 80 degrees 04 minutes 23 seconds West 354.70 feet; thence North 46 degrees 18 minutes 25 seconds West 176.77 feet; thence South 06 degrees 33 minutes 15 seconds West 403.16 feet; thence South 59 degrees 52 minutes 47 seconds West 147.78 feet; thence South 69 degrees 12 minutes 40 seconds West 67.71 feet; thence South 1028.54 feet to the Point of Beginning.

Said parcel containing 33.06 acres, more or less.

I do hereby certify that the above description corresponds to Quillen Mills Brody, Inc. survey 90-076-2, dated 24 July 90; and was prepared under my direction and supervision and conforms to the applicable requirements of Chapter 472 and Rule 21-III (F.A.C.).

*Brian A. Mills*  
Brian A. Mills, FL RLS#4436



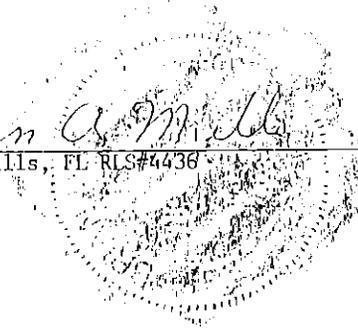
A parcel of land in Section 5, Township 8 South, Range 29 East. St. Johns county, Florida and being more particularly described as:

Commence at the southwest corner of Section 5, Township 8 South, Range 29 East as established by Ricardo Edralin, Florida Registered Surveyor No. 3274 FL; thence North 2210.47 feet; thence North 66 degrees 40 minutes 40 seconds East 1811.44 feet; thence South 29 degrees 29 minutes 30 seconds 938.74 feet to 'a P. C. of a curve to the right, said curve having a radius, chord and chord bearing of 2030.00 feet 75.53 feet and South 14 degrees 27 minutes 39 seconds East; thence along the arc of said curve 75.53 feet to the Point of Beginning; thence North 26 degrees 07 minutes 17 seconds East 23.74 feet; thence South 29 degrees 29 minutes 30 seconds East 482.49 feet; thence North 67 degrees 03 minutes 10 seconds West 88.41 feet; thence South 82 degrees 56 minutes 48 seconds West 114.29 feet to a point on a curve to the left, said curve having a radius, chord and chord bearing of 2030.00 feet 381.94 feet and North 07 degrees 59 minutes 49 seconds West; thence along the arc of said curve 382.51 feet to the Point of Beginning.

Said parcel containing 0.83 acres, more or less.

I do hereby certify that the above description corresponds to Quillen Mills Brody, Inc. survey 90-076-2, dated 24 July 90; was was prepared under my direction and supervision and conforms to the applicable requirements of Chapter 472 and Rule 21-III (F.A.C.).

Brian A. Mills  
Brian A. Mills, FL RLS#4436



FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA

90 OCT 12 AM 9:47

Paul "Frank" Munkie  
CLERK OF CIRCUIT COURT

VERIFIED BY  
JPE

## **EXHIBIT B**

### **CONSERVATION EASEMENT**

#### **STATE OF FLORIDA COUNTY OF ST. JOHNS**

KNOW ALL PERSONS BY THESE PRESENTS THAT in consideration for the issuance of State of Florida Department of Environmental Protection Permit Number MS 55-172884 to St. Johns County Department of Solid Waste on April 9, 1990, St. Johns County (Grantor) has granted to the State of Florida Department of Environmental Protection, 2600 Blairstone Road, Tallahassee, Florida (Grantee), a Conservation Easement in accordance with Section 704.06, Florida Statutes, in and over the real property in St. Johns County, Florida, as set forth in the legal description attached hereto as Exhibit "A", and will be referred to as mitigation area #5.

As used herein, the term Grantor shall include any successor or assignee of the Grantor, and the term Grantee shall include any successor or assignee of the Grantee.

It is the purpose and intent of this Conservation Easement to assure that the subject lands (with the exception of included wetlands which are to be enhanced or created as specified in the aforementioned permit) will be retained and maintained forever predominantly in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement. The included wetlands which are to be enhanced or created shall be maintained forever in the enhanced or created conditions required by the aforementioned permit.

Except for such specific activities as authorized pursuant to Department of Environmental Protection Permit No. MS 55-172884, including but not limited to creation, enhancement and maintenance of wetlands as specified mitigation in said permit, the following activities are prohibited on the property subject to this Conservation Easement:

1. Construction or placing of buildings, roads, signs, billboards, or other advertising, utilities, or other structures on or above the ground;
2. Dumping or placing of soil or other substances or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
3. Removal or destruction of trees, shrubs, or other vegetation, with exception of nuisance and exotic plant species as may be required by Grantee;
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface;

5. Surface use except for activities that permit the land or water area to remain predominantly in its natural condition;

6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;

7. Acts or uses detrimental to such aforementioned retention and maintenance of land or water areas; and

8. Acts or uses detrimental to the preservation of any features or aspects of the property having historical, archaeological or cultural significance.

It is understood that the granting of this Conservation Easement entitles the Grantee or its authorized representatives to enter the above-described land in a reasonable manner and at reasonable times to assure compliance.

Grantor shall have the right to monitor and maintain its existing groundwater wells in accordance with DEP approved plans. Grantor also shall have the right to install, monitor and maintain additional groundwater wells if required by DEP and other appropriate authority. Such activities shall include the monitoring and maintenance of the wells approved in Figure 14 of DEP Permit No. MS 55-172884. This Conservation Easement does not relieve Grantor of the need to obtain the necessary permits for such groundwater monitoring activities, including, where applicable, dredge and fill permits.

The Grantor on behalf of itself and its successors and assigns hereby agrees to maintain the lands subject to this Conservation Easement in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement, including the maintenance of enhanced or created wetlands in the vegetative and hydrologic condition required by the aforementioned permit. The Conservation Easement hereby granted and the obligation retain and maintain the land forever predominantly in the vegetative and hydrologic conditions as herein specified shall run with the land and shall be binding upon the Grantor and its successors or assigns, and shall inure to the benefit of the Grantee and its successors and assigns. However, notwithstanding anything else contained herein, Grantor shall not be liable for acts of God, nature, vandalism, or persons who are not within the reasonable control of Grantor.

The terms and conditions of this Conservation Easement may be enforced by the Grantee by injunctive relief and other appropriate available remedies. In any enforcement action, if the Department prevails, it shall be entitled to recover the cost, if any, of restoring the land to the natural vegetative and hydrologic conditions existing at the time of execution of this Conservation Easement or to the vegetative and hydrologic condition required by the aforementioned permit. These remedies are in addition to any other remedy, fine or penalty which may be applicable under Chapter 403, Florida Statutes.

Any forbearance on behalf of the Grantee to exercise its rights in the event of the failure of Grantor to comply with the provisions of this Conservation Easement shall not be deemed or construed to be a waiver of the Grantee's rights hereunder in the event of any subsequent failure of the Grantor to comply.

The terms and conditions of this Conservation Easement cannot be modified without the express, prior written approval of the Grantee and the St. Johns River Water Management District.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal on the \_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_ .

Signed, sealed and delivered in the presence of: ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Chairman Donald Jordan

\_\_\_\_\_  
Witness

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledge before me this \_\_\_\_\_(date),  
by \_\_\_\_\_(name of officer or agent) of St. Johns County.

Notary Public, State of Florida

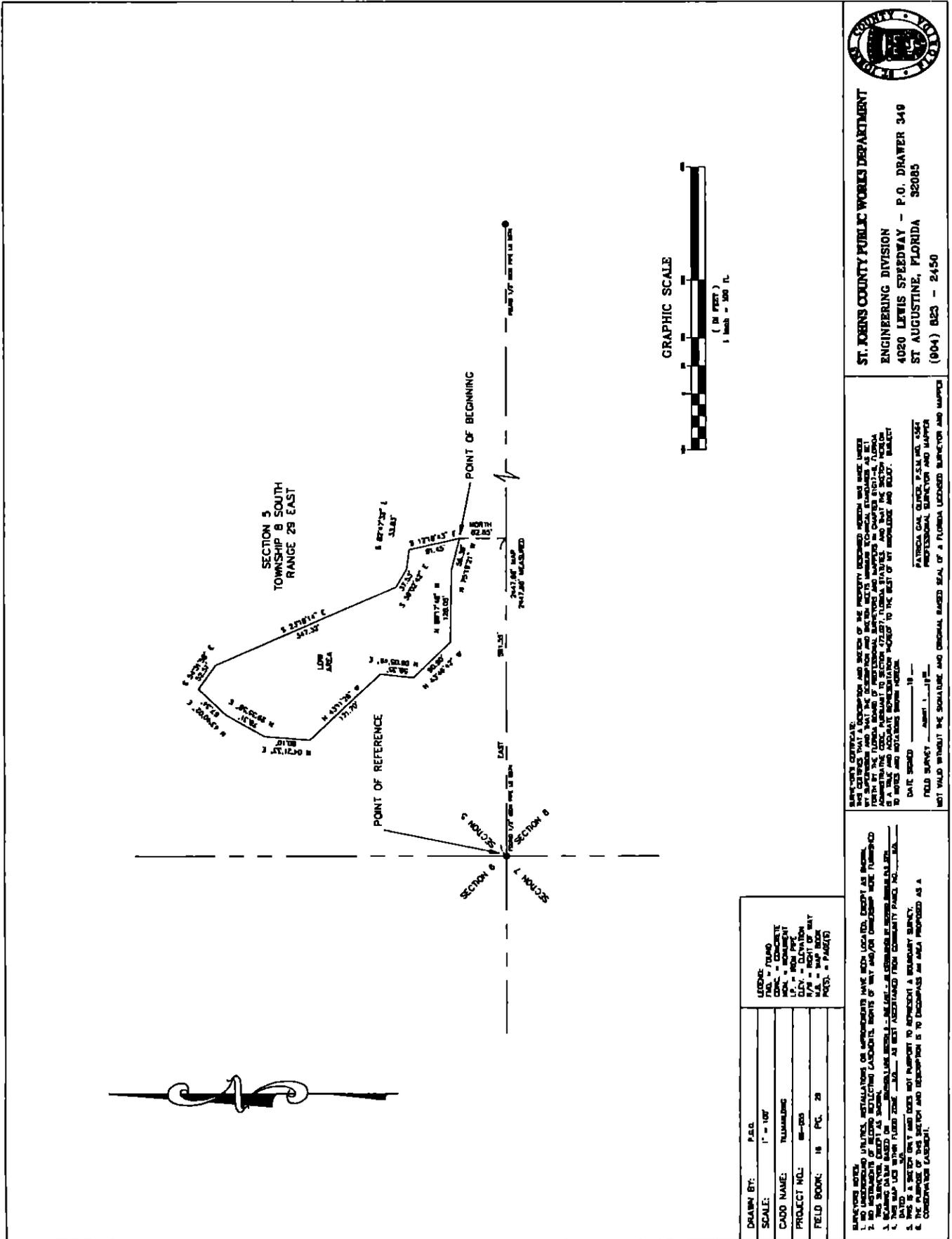
My Commission Expires:

\_\_\_\_\_

Commission No.

\_\_\_\_\_

EXHIBIT A to Easement



ST. JOHNS COUNTY PUBLIC WORKS DEPARTMENT  
 ENGINEERING DIVISION  
 4020 LEWIS SPEEDWAY - P.O. DRAWER 349  
 ST. AUGUSTINE, FLORIDA 32085  
 (904) 823 - 2450

SURVEYOR'S CERTIFICATE:  
 I, PATRICIA GAIL OLIVER, P.E., M.S., F.S.M., No. 1564, a duly Licensed Professional Surveyor and Mapper in the State of Florida, do hereby certify that I have personally and directly supervised and participated in the making of the above described survey and that the same was made in accordance with the laws and regulations of the State of Florida and that the same is a true and accurate representation of the facts as shown and related to me and that I am not aware of any error or mistake in the same.  
 DATE SURVEYED: \_\_\_\_\_  
 FIELD SURVEY: \_\_\_\_\_  
 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SCALED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

REVISIONS:  
 1. NO UNDERGROUND UTILITIES, INSTALLATIONS OR ENCUMBRANCES WERE BEEN LOCATED, EXCEPT AS SHOWN.  
 2. THIS SURVEY WAS MADE BY THE SURVEYOR OR HIS ASSISTANT OR AGENT OR BY A PERSON UNDER HIS CLOSE PERSONAL SUPERVISION AND CONTROL.  
 3. THIS SURVEY WAS MADE BY THE SURVEYOR OR HIS ASSISTANT OR AGENT OR BY A PERSON UNDER HIS CLOSE PERSONAL SUPERVISION AND CONTROL.  
 4. THIS SURVEY WAS MADE BY THE SURVEYOR OR HIS ASSISTANT OR AGENT OR BY A PERSON UNDER HIS CLOSE PERSONAL SUPERVISION AND CONTROL.  
 5. THIS IS A SWATCH ONLY AND DOES NOT PURPORT TO REPRESENT A BOUNDARY SURVEY.  
 6. THE PURPOSE OF THIS SWATCH AND DESCRIPTION IS TO ENCOMPASS AN AREA PROPOSED AS A CONSERVATION EASEMENT.

DRAWN BY:	P.S.G.
SCALE:	1" = 100'
CADD NAME:	TELEMARKING
PROJECT NO.:	88-008
FIELD BOOK:	18 PG. 29

LEGEND:  
 TRAIL - TRAIL  
 CONC. - CONCRETE  
 W.D. - WOOD  
 U.C. - UNCLE TOM'S COTTAGE  
 W/S - RIGHT OF WAY  
 M.S. - MAP BOOK  
 P.S. - PAGES