

RESOLUTION NO. 2008- 296

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE CHAIRMAN TO EXECUTE A CONSERVATION EASEMENT OVER APPROXIMATELY 8.6 ACRES AT ALPINE GROVE PARK TO MITIGATE FOR WETLAND IMPACTS DUE TO CONSTRUCTION OF THE PARK

RECITALS

WHEREAS, the construction associated with Alpine Groves Park resulted in wetland impacts; and

WHEREAS, the St. Johns River Water Management District required a conservation easement as a condition of permit # 40-109-94943-1 to offset said impacts; and

WHEREAS, the attached Conservation Easement, Exhibit "A", preserves 8.6 acres of wetlands and uplands at Alpine Groves Park.

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

Section 1. The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

Section 2. The Chairman is authorized to execute the Conservation Easement for the aforementioned 8.6 acres at Alpine Groves Park to mitigate impacts associated with construction of the park.

Section 3. The Clerk is instructed to record the Conservation Easement in the public records of St. Johns County and mail the original Conservation Easement to the St. Johns River Water Management District and a certified copy of this Resolution shall be forwarded forthwith to St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, FL 32178.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 14th day of October 2008.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson
Cyndi Stevenson, Vice Chair

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman
Deputy Clerk

RENDITION DATE 10/16/08

Prepared by:

Michael D. Hunt
Deputy County Attorney
4020 Lewis Speedway
St. Augustine, FL 32084

Return recorded original to:
Office of General Counsel
St. Johns River Water Management District
4049 Reid Street
Palatka, FL. 32177

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is made this _____ day of _____, 2008, by **ST. JOHNS COUNTY**, a political subdivision of the State of Florida, having an address at 4020 Lewis Speedway, St. Augustine, Florida 32095 ("Grantor") in favor of the **ST. JOHNS RIVER WATER MANAGEMENT DISTRICT**, a public body existing under Chapter 373, Florida Statutes, having a mailing address at 4049 Reid Street, Palatka, Florida 32177 ("Grantee").

WITNESSETH:

WHEREAS, Grantor solely owns, in fee simple, certain real property in St. Johns County, Florida, more particularly described in Exhibit "A" and Exhibit "B" attached here to and incorporated by this reference, ("the Property");

WHEREAS, Grantor grants this conservation easement as a condition of permit # 40-109-94943-1 issued by Grantee, to off-set direct and indirect impacts to natural resources, fish and wildlife, and wetland functions; and

WHEREAS, Grantor desires to preserve the Property in its natural condition in perpetuity;

WHEREAS, Grantor has acquired the property with partial funding from the Florida Communities Trust (FCT), and the Property is subject to certain limitations provided in the FCT Grant Award Agreement a/k/a the Declaration of Restrictive Covenants (as recorded in OR Book 1492, Page 1303 in St. Johns County)(the "Agreement,") and

WHEREAS, as part and condition of the FCT funding, the County provided and FCT approved a Management Plan for the project site, and together with the Agreement, the terms of which are hereby incorporated herein by reference; and

WHEREAS, Grantor intends that the conservation and recreation values of the Property be preserved and enhanced in accordance with the Management Plan, as it may be amended from time to time only after review and approval by FCT and Grantee; and

WHEREAS, All activities by the Grantor and Grantee shall be consistent with the Agreement and Management Plan.

NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein, and pursuant to the provisions of Section 704.06, Florida Statutes, Grantor hereby voluntarily grants and conveys to Grantee a conservation easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth (the "Conservation Easement"). Grantor fully warrants title to said Property, and will warrant and defend the same against the lawful claims of all persons whomsoever.

1. Purpose: The purpose of this Conservation Easement is to assure that the Property will be retained forever in its existing natural condition and to prevent any use of the Property that will impair or interfere with the environmental value of the Property.

2. Prohibited Uses: Any activity on or use of the Property inconsistent with the purpose of this Conservation Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

- a) Construction or placing buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground.
- b) Dumping or placing soil or other substance or material as landfill or dumping or placing trash, waste or unsightly or offensive materials.
- c) Removing or destroying trees, shrubs, or other vegetation.
- d) Excavating, dredging or removing loam, peat, gravel, soil, rock or other material substances in such a manner as to affect the surface.
- e) Surface use, except for purposes that permit the land or water area to remain predominantly in its natural condition.
- f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation.
- g) Acts or uses detrimental to such retention of land or water areas.
- h) Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Reserved Rights: Grantor reserves unto itself, and its successors and assigns all rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property, that are not expressly prohibited herein and are not inconsistent with the purpose of this Conservation Easement.

4. Rights of Grantee: To accomplish the purposes stated herein, Grantor conveys the following rights to Grantee:

- a) To enter upon and inspect the Property in a reasonable manner and at

EXHIBIT "A" OF RESOLUTION

reasonable times to determine if Grantor or its successors and assigns are complying with the covenants and prohibitions contained in this Conservation Easement.

b) To proceed at law or in equity to enforce the provisions of this Conservation Easement and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities set forth herein, and require the restoration of areas or features of the Property that may be damaged by any activity inconsistent with this Conservation Easement.

5. Grantee's Discretion: Grantee may enforce the terms of this Conservation Easement at its discretion, but if Grantor breaches any term of this Conservation Easement and Grantee does not exercise its rights under this Conservation Easement, Grantee's forbearance shall not be construed to be a waiver by Grantee of such term, or of any subsequent breach of the same, or any other term of this Conservation Easement, or of any of the Grantee's rights under this Conservation Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

6. Grantee's Liability: Grantor will assume all liability for any injury or damage to the person or property of third parties which may occur on the Property arising from Grantor's ownership of the Property. Neither Grantors, nor any person or entity claiming by or through Grantors, shall hold Grantee liable for any damage or injury to person or personal property, which may occur on the Property.

7. Acts Beyond Grantor's Control: Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including, without limitation, fire, flood, storm and earth movement, or from any necessary action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Property or to persons resulting from such causes.

8. Recordation: Grantor shall record this Conservation Easement in timely fashion in the Official Records of St. Johns County, Florida, and shall record it at any time Grantee may require to preserve its rights. Grantor shall pay all recording costs and taxes necessary to record this Conservation Easement in the public records. Grantor will hold Grantee harmless from any recording costs or taxes necessary to record this Conservation Easement in the public records.

9. Successors: The covenants, terms, conditions and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

IN WITNESS WHEREOF, Grantor has executed this Conservation Easement on the day and year first above written.

EXHIBIT "A" OF RESOLUTION

ST. JOHNS COUNTY, a political subdivision
of the State of Florida, by its Board of County
Commissioners

By:

Thomas G. Manuel
Chairman

ATTEST: Cheryl Strickland, Clerk

By: _____
Deputy Clerk

Print Name

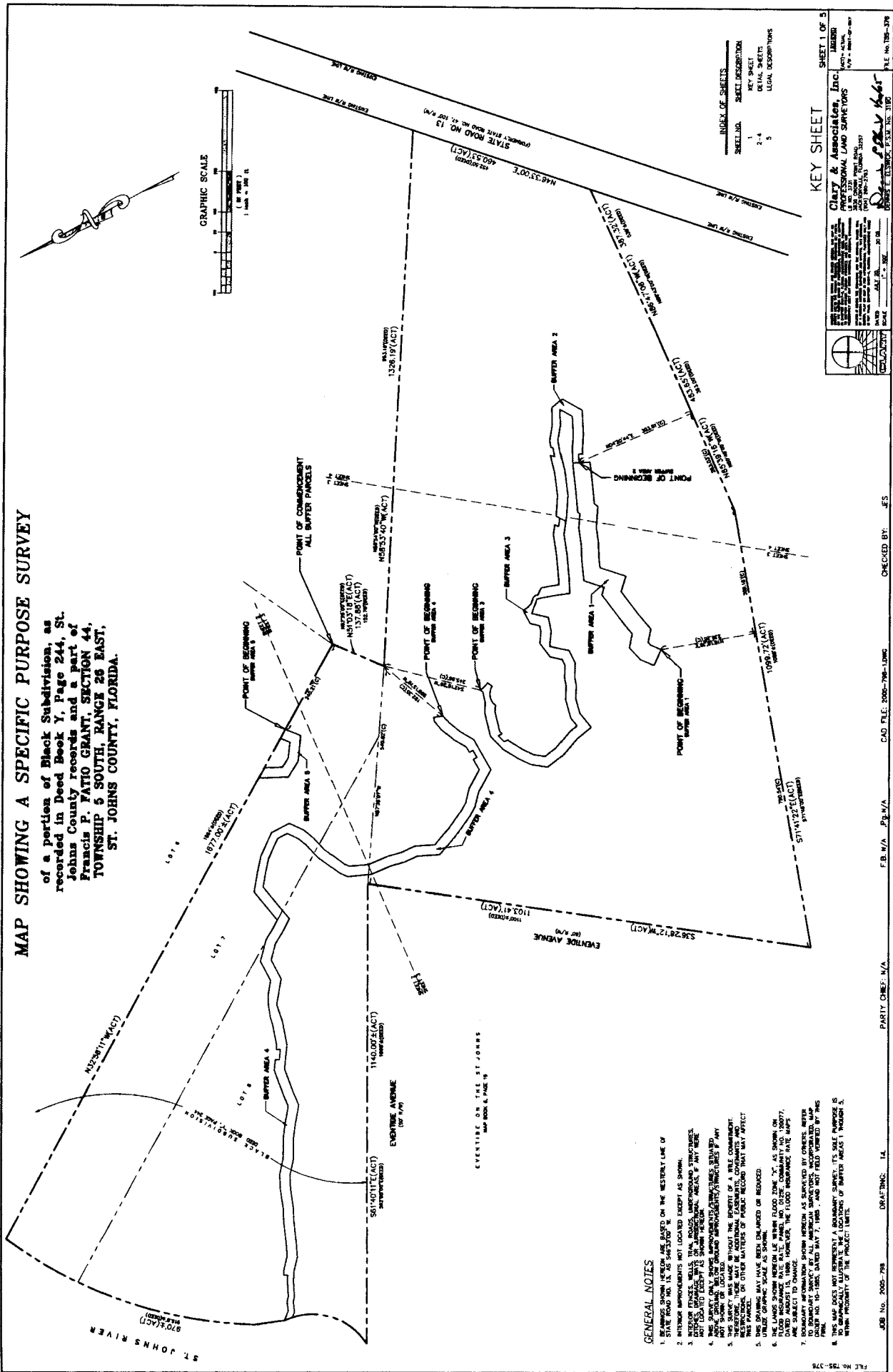
REVIEWED AND APPROVED: Ken Reecy, Community Program Manager
Florida Community Trust

By: Ken Reecy

Ken Reecy
Print Name

MAP SHOWING A SPECIFIC PURPOSE SURVEY

of a portion of Black Subdivision, as recorded in Deed Book Y, Page 244, St. Johns County records and a part of Francis P. YATTO GRANT, SECTION 44, TOWNSHIP 5 SOUTH RANG 28 EAST, ST. JOHNS COUNTY, FLORIDA.



GENERAL NOTES

1. STATE ROAD NO. 13 IS SHOWN AS THE WESTERN LINE OF
2. INTERIOR IMPROVEMENTS NOT LOCATED EXCEPT AS SHOWN.
3. BOUNDARY LINES, WALLS, TRENCHES, UNDERGROUND STRUCTURES, AND UTILITIES ARE SHOWN AS SHOWN HEREON.
4. THIS SURVEY IS A SPECIFIC PURPOSE SURVEY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
5. THEREFORE, THERE MAY BE ADDITIONAL EASEMENTS, COVENANTS AND OTHER MATTERS OF PUBLIC RECORD THAT MAY AFFECT THIS PARCEL.
6. THE DRAWING MAY HAVE BEEN ENLARGED OR REDUCED.
7. THE LANDS SHOWN HEREON ARE WITHIN FLOOD ZONE "C" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, FIRM NO. 01222, COMMUNITY NO. 100077, AND ARE SUBJECT TO CHANGE.
8. BOUNDARY INFORMATION SHOWN HEREON AS SURVEYED BY OTHERS, WITHIN THE LIMITS OF THIS SURVEY, IS NOT TO BE USED FOR ANY OTHER PURPOSE.
9. THIS SURVEY WAS COMPLETED ON MAY 7, 1988, AND NOT FIELD VERIFIED BY THIS FIRM.
10. THIS SURVEY WAS COMPLETED BY THE FIRM AND NOT FIELD VERIFIED BY THIS FIRM.

| INDEX OF SHEETS | SHEET DESCRIPTION |
|-----------------|--------------------|
| 1 | KEY SHEET |
| 2-4 | DETAIL SHEETS |
| 5 | LEGAL DESCRIPTIONS |

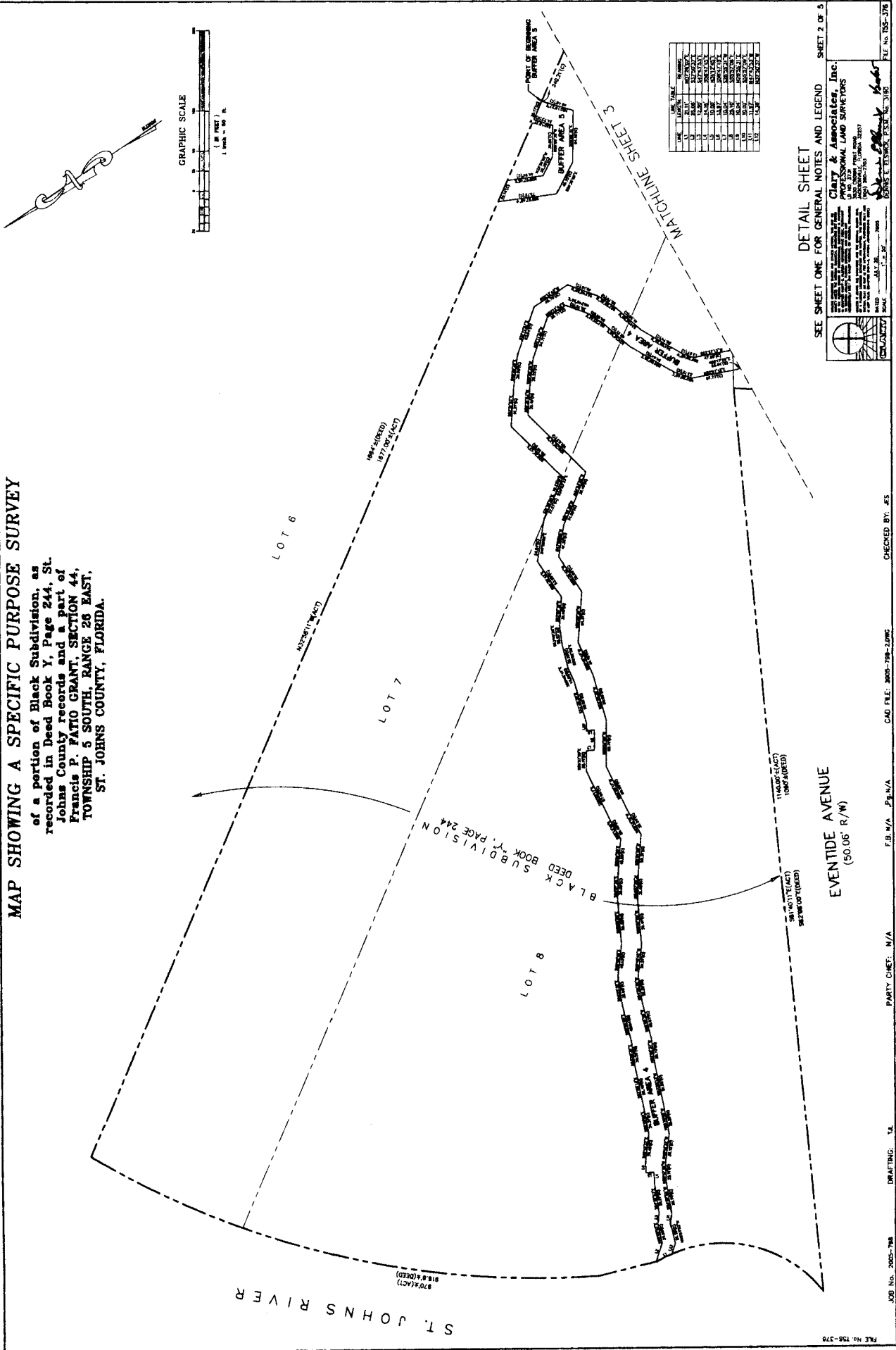
KEY SHEET

Clarity & Associates, Inc.
 PROFESSIONAL LAND SURVEYORS
 1000 N. W. 10th St., Suite 100
 Ft. Lauderdale, FL 33304
 PHONE: (305) 555-1111
 FAX: (305) 555-1112
 LICENSE NO. 12547
 DATE: JULY 28, 1988
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 FILE NO. 798-378

JOB No. 7005-798 DRAFTING: LA PARTY CHIEF: W.A. F.B.W.A. CAD FILE: 2005-798-LWMG CHECKED BY: JES SHEET 1 OF 5

MAP SHOWING A SPECIFIC PURPOSE SURVEY

of a portion of Black Subdivision, as recorded in Deed Book Y, Page 244, St. Johns County records and a part of Francis P. FATIO GRANT, SECTION 44, TOWNSHIP 5 SOUTH, RANGE 26 EAST, ST. JOHNS COUNTY, FLORIDA.



DETAIL SHEET

SEE SHEET ONE FOR GENERAL NOTES AND LEGEND SHEET 2 OF 5

Clarity & Associates, Inc.
 PROFESSIONAL LAND SURVEYORS
 1000 N. W. 10th Ave., Suite 100
 Ft. Lauderdale, FL 33304
 (954) 561-1111
 www.claritysurvey.com

CHECKED BY: JFS
 CAD FILE: 3005-788-2.DWG
 F.B. N/A, P.B. N/A
 PARTY CHIEF: N/A
 DRAFTING: TL
 JOB No. 3005-788
 FILE No. 758-378

EXHIBIT "A" OF EASEMENT

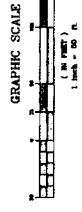
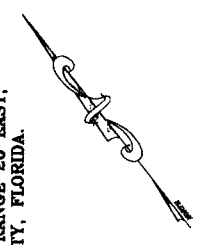
MAP SHOWING A SPECIFIC PURPOSE SURVEY

of a portion of Black Subdivision, as recorded in Deed Book Y, Page 244, St. Johns County records and a part of Francis P. FATO GRANT, SECTION 44, TOWNSHIP 5 SOUTH, RANGE 26 EAST, ST. JOHNS COUNTY, FLORIDA.

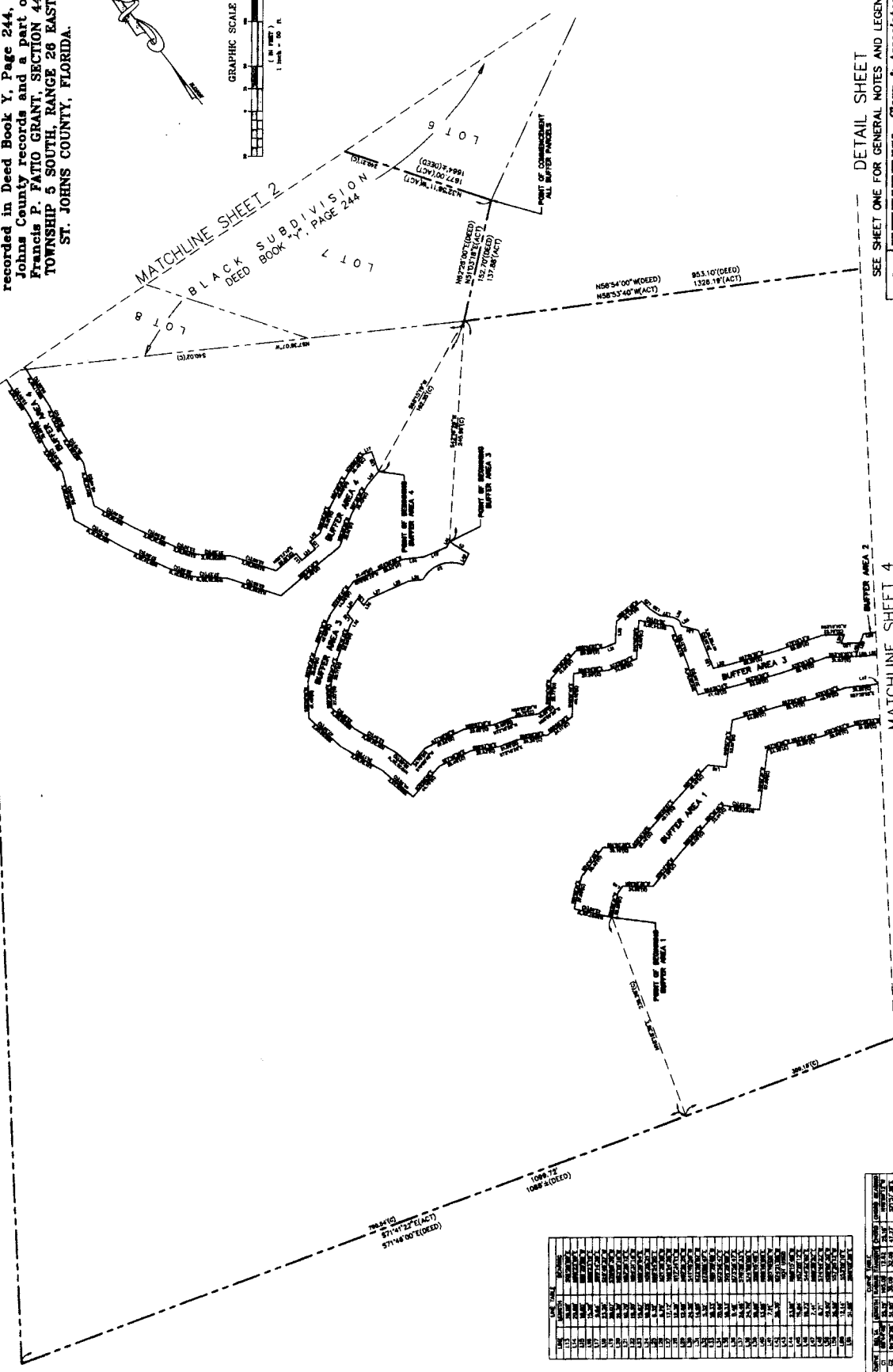
EVENTIDE AVENUE (60' R/W)

1100' (DEED) 1100.51'

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MATCHLINE SHEET 2
BLACK DEED SUBDIVISION
BOOK "Y", PAGE 244



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DETAIL SHEET
SEE SHEET ONE FOR GENERAL NOTES AND LEGEND SHEET 3 OF 5

Clary & Associates, Inc.
PROFESSIONAL LAND SURVEYORS
1000 N. W. 10th Street, Suite 100
Fort Lauderdale, Florida 33304
Tel: (954) 561-1234
Fax: (954) 561-1235

DATE: JUL 28, 2000
DRAWN BY: [Signature]
CHECKED BY: [Signature]

JOB NO. 2000-786
PARTY CHIEF: N/A
DRAFTING: TA
CAD FILE: 2000-786-3.DWG
F.B.N/A P.B.N/A
FILE NO. 785-376

EXHIBIT "A" OF EASEMENT

BUFFER AREA 1

A part of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of Lot 7, Black Subdivision, as recorded in deed book "Y", page 244 of the current public records of St. Johns County, Florida; Thence South $51^{\circ}03'18''$ West, a distance of 137.88 feet; Thence North $57^{\circ}36'07''$ West, a distance of 540.02 feet; Thence South $36^{\circ}28'12''$ West, a distance of 1103.41 feet; Thence South $71^{\circ}41'22''$ East, a distance of 790.54 feet; Thence North $18^{\circ}18'38''$ East, a distance of 236.28 feet to the POINT of BEGINING; Thence North $38^{\circ}07'29''$ West, 43.00 feet; Thence North $51^{\circ}52'31''$ East, 37.05 feet; Thence North $74^{\circ}44'22''$ East, 39.43 feet; Thence South $51^{\circ}00'38''$ East, 35.72 feet; Thence North $78^{\circ}15'23''$ East, 28.42 feet; Thence North $80^{\circ}36'07''$ East, 49.13 feet; Thence North $81^{\circ}15'46''$ East, 45.16 feet; Thence South $44^{\circ}32'02''$ East, 19.73 feet; Thence North $46^{\circ}07'31''$ East, 53.07 feet; Thence South $67^{\circ}46'09''$ East, 54.00 feet; Thence South $63^{\circ}24'46''$ East, 35.74 feet; Thence South $70^{\circ}19'07''$ East, 40.79 feet; Thence South $57^{\circ}35'23''$ East, 35.25 feet; Thence North $69^{\circ}30'52''$ East, 7.41 feet; Thence South $67^{\circ}19'11''$ East, 54.87 feet; Thence South $68^{\circ}11'45''$ East, 59.75 feet; Thence South $64^{\circ}28'50''$ East, 7.16 feet; Thence South $25^{\circ}31'10''$ West, 42.63 feet; Thence North $68^{\circ}11'45''$ West, 64.46 feet; Thence North $67^{\circ}19'11''$ West, 38.19 feet; Thence South $69^{\circ}30'52''$ West, 11.80 feet; Thence North $57^{\circ}35'23''$ West, 51.85 feet; Thence North $70^{\circ}19'07''$ West, 38.59 feet; Thence North $63^{\circ}24'46''$ West, 36.69 feet; Thence North $67^{\circ}46'09''$ West, 24.38 feet; Thence South $46^{\circ}07'31''$ West, 67.60 feet; Thence North $44^{\circ}32'02''$ West, 40.23 feet; Thence South $81^{\circ}15'46''$ West, 22.91 feet; Thence South $80^{\circ}36'07''$ West, 48.00 feet; Thence South $78^{\circ}15'23''$ West, 47.92 feet; Thence North $51^{\circ}00'38''$ West, 34.08 feet; Thence South $74^{\circ}44'22''$ West, 8.71 feet; Thence South $51^{\circ}52'31''$ West, 28.35 feet to the POINT of BEGINING.

containing 0.576 acres more or less.

EXHIBIT "A" OF EASEMENT

BUFFER AREA 2

A part of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of Lot 7, Black Subdivision, as recorded in deed book "Y", page 244 of the current public records of St. Johns County, Florida; Thence South 51°03'18" West, a distance of 137.88 feet; Thence North 57°36'07" West, a distance of 540.02 feet; Thence South 36°28'12" West, a distance of 1103.41 feet; Thence South 71°41'22" East, a distance of 1099.72 feet; Thence South 85°39'16" East, a distance of 263.03 feet; Thence North 04°20'44" East, a distance of 303.81 feet to the POINT of BEGINING; Thence South 64°28'50" East, 20.91 feet; Thence South 25°31'10" West, 10.00 feet; Thence South 64°28'50" East, 11.48 feet; Thence South 58°32'24" East, 38.47 feet; Thence South 65°08'56" East, 59.16 feet; Thence North 57°20'50" East, 55.94 feet; Thence North 11°23'26" West, 32.90 feet; Thence North 63°14'20" West, 43.48 feet; Thence North 52°24'46" West, 39.13 feet; Thence North 72°23'09" West, 16.52 feet; Thence South 42°28'39" West, 5.51 feet; Thence North 72°23'09" West, 12.00 feet; Thence North 76°06'34" West, 10.38 feet; Thence North 42°28'39" East, 11.39 feet; Thence North 76°06'34" West, 44.16 feet; Thence North 69°07'47" West, 57.50 feet; Thence North 58°02'30" West, 49.90 feet; Thence South 57°28'12" West, 26.59 feet; Thence South 53°19'10" East, 12.14 feet; Thence South 58°02'30" East; 51.68 feet; Thence South 69°07'47" East, 61.45 feet; Thence South 76°06'34" East, 50.12 feet; Thence South 72°23'09" East, 26.82 feet; Thence South 52°24'46" East, 37.51 feet; Thence South 63°14'20" East, 40.13 feet; Thence South 57°20'50" West, 34.27 feet; Thence North 65°08'56" West, 44.00 feet; Thence North 58°32'24" West, 38.33 feet; Thence North 64°28'50" West, 33.69 feet; Thence South 25°31'10" West, 15.00 feet to the POINT of BEGINING.

containing 10,453 square feet more or less.

EXHIBIT "A" OF EASEMENT

BUFFER AREA 3

A part of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of Lot 7, Black Subdivision, as recorded in deed book "Y", page 244 of the current public records of St. Johns County, Florida; Thence South $51^{\circ}03'18''$ West, a distance of 137.88 feet; Thence South $42^{\circ}16'29''$ West, a distance of 245.96 feet to the POINT of BEGINING; Thence South $65^{\circ}18'00''$ West, 7.11 feet; Thence North $74^{\circ}21'08''$ West, 28.30 feet; Thence North $58^{\circ}15'48''$ West, 23.81 feet; Thence North $74^{\circ}59'00''$ West, 28.52 feet; Thence North $75^{\circ}38'33''$ West, 31.40 feet; Thence South $73^{\circ}56'47''$ West, 44.38 feet; Thence South $59^{\circ}41'12''$ West, 43.08 feet; Thence South $53^{\circ}24'34''$ West, 35.69 feet; Thence South $36^{\circ}59'15''$ West, 41.48 feet; Thence South $09^{\circ}08'00''$ East, 47.20 feet; Thence South $21^{\circ}24'49''$ East, 54.17 feet; Thence South $10^{\circ}36'29''$ East, a distance of 44.78 feet; Thence North $79^{\circ}05'42''$ East, 44.78 feet; Thence South $77^{\circ}40'28''$ East, 38.48 feet; Thence South $59^{\circ}57'18''$ East, 32.63 feet; Thence South $72^{\circ}18'28''$ East, 21.06 feet; Thence South $59^{\circ}59'20''$ East, 34.36 feet; Thence South $88^{\circ}09'25''$ East, 34.11 feet; Thence North $40^{\circ}41'49''$ East, 48.42 feet; Thence South $56^{\circ}44'07''$ East, 37.99 feet; Thence South $72^{\circ}59'07''$ East, 34.50 feet; Thence North $41^{\circ}48'58''$ East, 42.59 feet; Thence South $41^{\circ}14'36''$ East, 38.43 feet; Thence South $17^{\circ}02'18''$ West, a distance of 43.21 feet; Thence South $19^{\circ}39'54''$ West, 37.88 feet; Thence South $64^{\circ}31'14''$ East, 41.43 feet; Thence South $67^{\circ}01'57''$ East, 53.56 feet; Thence South $70^{\circ}16'13''$ East, 52.78 feet; Thence South $53^{\circ}19'10''$ East, 31.93 feet; Thence North $57^{\circ}28'12''$ East, 16.04 feet; Thence North $53^{\circ}19'10''$ West, 21.39 feet; Thence North $57^{\circ}28'12''$ East, 10.70 feet; Thence North $53^{\circ}19'10''$ West, 23.76 feet; Thence North $70^{\circ}16'13''$ West, 55.80 feet; Thence North $67^{\circ}01'57''$ West, 52.30 feet; Thence North $64^{\circ}31'14''$ West, 18.30 feet; Thence North $19^{\circ}39'54''$ East, 15.87 feet; Thence North $17^{\circ}02'18''$ East, 29.25 feet; Thence North $36^{\circ}35'21''$ West, 19.25 feet; Thence North $16^{\circ}54'55''$ East, 6.32 feet; Thence North $21^{\circ}30'10''$ West, 6.79 feet; Thence North $41^{\circ}14'36''$ West, 17.12 feet; Thence North $17^{\circ}34'11''$ West, 12.39 feet; Thence North $07^{\circ}51'29''$ West, 12.66 feet; Thence North $89^{\circ}42'49''$ West, 36.14 feet;

EXHIBIT "A" OF EASEMENT

BUFFER AREA 3 (continued)

Thence South $41^{\circ}48'58''$ West, 24.50 feet; Thence North $72^{\circ}59'07''$ West, 14.95 feet; Thence North $56^{\circ}44'07''$ West, 29.58 feet; Thence South $80^{\circ}18'20''$ West, 41.66 feet; Thence South $40^{\circ}41'49''$ West, 29.77 feet; Thence North $88^{\circ}09'25''$ West, 15.87 feet; Thence North $59^{\circ}59'20''$ West, 30.79 feet; Thence North $72^{\circ}18'28''$ West, 21.05 feet; Thence North $59^{\circ}57'18''$ West, 33.82 feet; Thence North $77^{\circ}40'28''$ West, 47.52 feet; Thence South $79^{\circ}05'42''$ West, 24.79 feet; Thence North $10^{\circ}36'29''$ West, 22.02 feet; Thence North $21^{\circ}24'49''$ West, 53.84 feet; Thence North $09^{\circ}08'00''$ West, 33.87 feet; Thence North $36^{\circ}59'15''$ East, 27.23 feet; Thence North $53^{\circ}24'34''$ East, 30.71 feet; Thence North $59^{\circ}41'12''$ East, 38.58 feet; Thence North $73^{\circ}56'47''$ East, 5.32 feet; Thence North $01^{\circ}29'09''$ West, 10.33 feet; Thence North $73^{\circ}56'47''$ East, 20.66 feet; Thence South $01^{\circ}29'09''$ East, 10.33 feet; Thence North $73^{\circ}56'47''$ East, 8.48 feet; Thence South $75^{\circ}38'33''$ East, 24.46 feet; Thence South $74^{\circ}59'00''$ East, 24.70 feet; Thence South $58^{\circ}15'48''$ East, 16.80 feet to a point on a curve; Thence Southeasterly along the arc of said curve, concave Southerly, having a radius of 35.00 feet, through a total central angle of $84^{\circ}58'28''$, an arc distance of 51.90 feet; said arc being subtended by a chord bearing and distance of South $71^{\circ}37'38''$ East, 47.27 feet; Thence North $65^{\circ}18'00''$ East, 13.96 feet to a point on a curve; Thence Northwesterly along the arc of said curve, concave Northeasterly, having a radius of 165.00 feet, through a total central angle of $08^{\circ}44'48''$, an arc distance of 25.19 feet, said arc being subtended by a chord bearing and distance of North $18^{\circ}09'12''$ West, 25.16 feet to the POINT of BEGINING.

containing 0.560 acres more or less.

EXHIBIT "A" OF EASEMENT

BUFFER AREA 4

A part of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida (also being a portion of Lots 7 & 8, Black Subdivision, as recorded in deed book "y", page 244 of the current public records of said St. Johns County, Florida), and being more particularly described as follows:

COMMENCE at the Southeast corner of Lot 7, Black Subdivision, as recorded in deed book "Y", page 244 of the current public records of St. Johns County, Florida; Thence South $51^{\circ}03'18''$ West, a distance of 137.88 feet; Thence South $68^{\circ}15'19''$ West, a distance of 192.35 feet to the POINT of BEGINING; Thence South $78^{\circ}05'38''$ West, 20.07 feet; Thence South $67^{\circ}30'51''$ West, 36.43 feet; Thence South $58^{\circ}39'26''$ West, 38.61 feet; Thence South $88^{\circ}23'19''$ West, 85.45 feet; Thence North $33^{\circ}02'29''$ West, 62.65 feet; Thence North $48^{\circ}36'26''$ West, 37.27 feet; Thence North $33^{\circ}08'51''$ West, 28.03 feet; Thence North $26^{\circ}34'39''$ West, 57.86 feet; Thence North $22^{\circ}20'16''$ West, 61.79 feet; Thence North $24^{\circ}37'59''$ East, 55.69 feet; Thence North $03^{\circ}33'10''$ East, 35.39 feet; Thence North $12^{\circ}12'13''$ East, 36.05 feet; Thence North $05^{\circ}17'09''$ East, 53.04 feet; Thence North $22^{\circ}57'13''$ East, 57.73 feet; Thence North $52^{\circ}30'40''$ East, 23.12 feet; Thence North $64^{\circ}09'26''$ East, 64.64 feet; Thence North $74^{\circ}52'58''$ East, 42.21 feet; Thence North $67^{\circ}25'32''$ East, 24.08 feet; Thence North $53^{\circ}46'50''$ East, 30.76 feet; Thence North $00^{\circ}12'43''$ East, 26.71 feet; Thence North $37^{\circ}11'57''$ West, 54.71 feet; Thence North $49^{\circ}29'29''$ West, 36.22 feet; Thence North $52^{\circ}31'53''$ West, 35.10 feet; Thence South $78^{\circ}32'43''$ West, 101.63 feet; Thence North $34^{\circ}53'33''$ West, 36.46 feet; Thence North $31^{\circ}10'28''$ West, 34.58 feet; Thence North $47^{\circ}08'00''$ West, 41.32 feet; Thence North $89^{\circ}36'42''$ West, 52.66 feet; Thence North $52^{\circ}07'21''$ West, 64.31 feet; Thence North $80^{\circ}42'47''$ West, 44.12 feet; Thence North $72^{\circ}38'39''$ West, 58.95 feet; Thence North $55^{\circ}57'09''$ West, 58.71 feet; Thence North $82^{\circ}00'17''$ West, 60.58 feet; Thence North $85^{\circ}13'15''$ West, 35.24 feet; Thence North $51^{\circ}51'50''$ West, 50.31 feet; Thence North $54^{\circ}57'38''$ West, 31.40 feet; Thence North $60^{\circ}57'58''$ West, 56.41 feet; Thence North $49^{\circ}48'42''$ West, 39.37 feet; Thence North $64^{\circ}25'32''$ West, 32.39 feet; Thence North $69^{\circ}56'59''$ West, 48.93 feet; Thence North $63^{\circ}59'37''$ West, 30.73 feet; Thence North $67^{\circ}58'13''$

EXHIBIT "A" OF EASEMENT

West, 51.99 feet; Thence North 66°18'09" West, 38.55 feet; Thence North 48°42'27" West, 36.12 feet; Thence North 58°47'15" West, 25.11 feet; Thence North 64°57'53" West, 39.74 feet; Thence North 47°43'53" West, 11.97 feet; Thence North 68°53'53" West, 26.35 feet; Thence North 37°50'37" West, 14.38 feet; Thence North 07°26'02" East, 21.11 feet; Thence South 37°50'37" East, 25.06 feet; Thence South 68°53'53" East, 24.98 feet; Thence South 47°43'53" East, 12.50 feet; Thence South 64°57'53" East, 38.27 feet; Thence South 58°47'15" East, 14.16 feet; Thence North 31°12'45" East, 10.00 feet; Thence South 58°47'15" East, 13.97 feet; Thence South 48°42'27" East, 34.45 feet; Thence South 66°18'09" East, 34.31 feet; Thence South 67°58'13" East, 52.49 feet; Thence South 63°59'37" East, 30.29 feet; Thence South 69°56'59" East, 48.84 feet; Thence South 64°25'32" East, 36.80 feet; Thence South 49°48'42" East, 40.13 feet; Thence South 60°57'58" East, 55.28 feet; Thence South 54°57'38" East, 33.39 feet; Thence South 51°51'50" East, 43.50 feet; Thence South 85°13'15" East, 28.45 feet; Thence South 82°00'17" East, 67.06 feet; Thence South 55°57'09" East, 25.71 feet; Thence South 28°55'31" West, 10.04 feet; Thence South 55°57'09" East, 25.10 feet; Thence North 28°55'31" East, 10.04 feet; Thence South 55°57'09" East, 10.02 feet; Thence South 72°38'39" East, 53.52 feet; Thence South 80°42'47" East, 17.66 feet; Thence South 70°52'59" East, 30.10 feet; Thence South 63°49'36" East, 25.57 feet; Thence South 52°07'21" East, 35.93 feet; Thence South 89°36'42" East, 53.90 feet; Thence South 47°08'00" East, 54.54 feet; Thence South 31°10'28" East, 37.27 feet; Thence South 34°53'33" East, 19.23 feet; Thence North 78°32'43" East, 89.96 feet; Thence South 52°31'53" East, 51.37 feet; Thence South 49°29'29" East, 38.90 feet; Thence South 37°11'57" East, 63.64 feet; Thence South 00°12'43" West, 49.79 feet; Thence South 53°46'50" West, 40.16 feet; Thence South 67°25'32" West, 28.70 feet; Thence South 74°52'58" West, 41.50 feet; Thence South 64°09'26" West, 59.74 feet; Thence South 52°30'40" West, 13.97 feet; Thence South 22°57'13" West, 47.25 feet; Thence South 05°17'09" West, 50.66 feet; Thence South 12°12'13" West, 35.67 feet; Thence South 03°33'10" West, 38.15 feet; Thence South 24°37'59" West, 49.48 feet; Thence South 22°20'16" East, 50.00 feet; Thence South 26°34'39" East, 55.50 feet; Thence South 33°08'51" East, 23.20 feet; Thence South 48°36'26" East, 37.29 feet; Thence South 33°02'29" East, 52.05 feet; Thence

EXHIBIT "A" OF EASEMENT

North 88°23'19" East, 29.51 feet; Thence South 01°29'09" East, 10.00 feet; Thence North 88°23'19" East, 20.00 feet; Thence North 01°29'09" West, 10.00 feet; Thence North 88°23'19" East, 15.28 feet; Thence North 58°39'26" East, 33.91 feet; Thence North 67°30'51" East, 40.68 feet; Thence North 78°05'38" East, 26.49 feet; Thence South 69°14'39" East, 9.64 feet; Thence South 19°46'37" West, 23.26 feet to the POINT of BEGINING.

containing 1.158 acres more or less.

BUFFER AREA 5

A part of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida (also being a portion of Lot 7, Black Subdivision, as recorded in deed book "y", page 244 of the current public records of said St. Johns County, Florida), and being more particularly described as follows:

COMMENCE at the Southeast corner of Lot 7, Black Subdivision, as recorded in deed book "y", page 244 of the current public records of St. Johns County, Florida; Thence North 32°58'11" West, a distance of 240.21 feet to the POINT of BEGINING; Thence continue North 32°58'11" West, 25.17 feet; Thence South 50°18'27" West, 24.73 feet; Thence North 56°05'30" West, 39.59 feet; Thence North 29°36'05" West, 26.25 feet; Thence North 26°07'48" East, 44.94 feet; Thence North 32°58'11" West, 29.14 feet; Thence South 26°07'48" West, 73.12 feet; Thence South 29°36'05" East, 45.35 feet; Thence South 56°05'30" East, 64.18 feet; Thence North 50°18'27" East, 40.48 feet to the POINT of BEGINING.

containing 4,483 square feet, more or less.

EXHIBIT "B" OF EASEMENT

CONSERVATION EASEMENT - wetlands

A PART OF THE FRANCIS P. FATIO GRANT, SECTION 44, TOWNSHIP 5 SOUTH, RANGE 26 EAST, ST. JOHNS COUNTY, FLORIDA, (ALSO BEING A PORTION OF LOTS 7 AND 8, BLACK SUBDIVISION, AS RECORDED IN DEED BOOK "Y", PAGE 244 OF THE CURRENT PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 7, BLACK SUBDIVISION, AS RECORDED IN DEED BOOK "Y", PAGE 244 OF THE CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 51°03'18" WEST, A DISTANCE OF 137.88 FEET; THENCE SOUTH 42°16'29" WEST, A DISTANCE OF 245.96 FEET TO THE POINT OF BEGINING; THENCE SOUTH 65°18'00" WEST, 7.11 FEET; THENCE NORTH 74°21'08" WEST, 28.30 FEET; THENCE NORTH 58°15'48" WEST, 23.81 FEET; THENCE NORTH 74°59'00" WEST, 28.52 FEET; THENCE NORTH 75°38'33" WEST, 31.40 FEET; THENCE SOUTH 73°56'47" WEST, 44.38 FEET; THENCE SOUTH 59°41'12" WEST, 43.08 FEET; THENCE SOUTH 53°24'34" WEST, 35.69 FEET; THENCE SOUTH 36°59'15" WEST, 41.48 FEET; THENCE SOUTH 09°08'00" EAST, 47.20 FEET; THENCE SOUTH 21°24'49" EAST, 54.17 FEET; THENCE SOUTH 10°36'29" EAST, 44.78 FEET; THENCE NORTH 79°05'42 EAST, 44.78 FEET; THENCE SOUTH 77°40'28" EAST, 38.48 FEET; THENCE SOUTH 59°57'18" EAST, 32.63 FEET; THENCE SOUTH 72°18'28" EAST, 21.06 FEET; THENCE SOUTH 59°59'20" EAST, 34.36 FEET; THENCE SOUTH 88°09'25' EAST, 34.11 FEET; THENCE NORTH 40°41'49" EAST, 48.42 FEET; THENCE SOUTH 56°44'07" EAST, 37.99 FEET; THENCE SOUTH 72°59'07" EAST, 34.50 FEET; THENCE NORTH 41°48'58" EAST, 42.59 FEET; THENCE SOUTH 41°14'36" EAST, 38.43 FEET; THENCE SOUTH 17°02'18" WEST, 43.21 FEET; THENCE SOUTH 19°39'54" WEST, 37.88 FEET; THENCE SOUTH 64°31'14" EAST, 41.43 FEET; THENCE SOUTH 67°01'57" EAST, 53.56 FEET; THENCE SOUTH 70°16'13" EAST, 52.78 FEET; THENCE SOUTH 53°19'10" EAST, 31.93 FEET; THENCE SOUTH 53°19'10" EAST, 12.14 FEET; THENCE SOUTH 58°02'30" EAST; 51.68 FEET; THENCE SOUTH 69°07'47" EAST, 61.45 FEET; THENCE SOUTH 76°06'34" EAST, 50.12 FEET; THENCE SOUTH 72°23'09" EAST, 26.82 FEET; THENCE SOUTH 52°24'46" EAST, 37.51 FEET; THENCE SOUTH 63°14'20" EAST, 40.13 FEET; THENCE SOUTH 57°20'50" WEST, 34.27 FEET; THENCE NORTH 65°08'56" WEST, 44.00 FEET; THENCE NORTH 58°32'24" WEST, 38.33 FEET; THENCE NORTH 64°28'50" WEST, 40.85 FEET; THENCE NORTH 68°11'45" WEST, 59.75 FEET; THENCE NORTH 67°19'11" WEST, 54.87 FEET; THENCE SOUTH 69°30'52" WEST, 7.41 FEET; THENCE NORTH 57°35'23" WEST, 35.25 FEET; THENCE NORTH 70°19'07" WEST, 40.79 FEET; THENCE NORTH 63°24'46" WEST, 35.74 FEET; THENCE NORTH 67°46'09" WEST, 54.00 FEET; THENCE SOUTH 46°07'31" WEST, 53.07 FEET; THENCE NORTH 44°32'02" WEST, 19.73 FEET; THENCE SOUTH 81°15'46" WEST, 45.16 FEET; THENCE SOUTH 80°36'07" WEST, 49.13 FEET; THENCE SOUTH 78°15'23" WEST, 28.42 FEET; THENCE NORTH 51°00'38" WEST, 35.72 FEET; THENCE SOUTH 74°44'22" WEST, 39.43 FEET; THENCE SOUTH 51°52'31" WEST, 37.05 FEET; THENCE NORTH 38°07'29" WEST, 152.86 FEET; THENCE NORTH 08°58'51" WEST, 685.77 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EVENTIDE AVENUE (A 60 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 36°28'12" EAST, ALONG LAST SAID LINE, 99.41 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID EVENTIDE AVENUE; THENCE NORTH 61°40'11" WEST, ALONG LAST SAID LINE, 558.30 FEET; THENCE NORTH 28°19'49" EAST, 170.85 FEET; THENCE SOUTH 51°51'50" EAST, 12.58 FEET; THENCE SOUTH 85°13'15" EAST, 35.24 FEET; THENCE SOUTH 82°00'17" EAST, 60.58 FEET; THENCE SOUTH 55°57'09" EAST, 58.71 FEET; THENCE SOUTH 72°38'39" EAST, 58.95 FEET; THENCE SOUTH 80°42'47" EAST, 44.12 FEET; THENCE SOUTH 52°07'21" EAST, 64.31 FEET; THENCE SOUTH 89°36'42" EAST, 52.66 FEET; THENCE SOUTH 47°08'00" EAST, 41.32 FEET; THENCE SOUTH 31°10'28" EAST, 34.58 FEET; THENCE SOUTH 34°53'33" EAST, 36.46 FEET; THENCE NORTH 78°32'43" EAST, 101.63 FEET; THENCE SOUTH 52°31'53" EAST, 35.10 FEET; THENCE SOUTH 49°29'29" EAST, 36.22 FEET; THENCE SOUTH 37°11'57" EAST, 54.71 FEET; THENCE SOUTH 00°12'43" WEST, 26.71 FEET; THENCE SOUTH 53°46'50" WEST, 30.76 FEET; THENCE SOUTH

EXHIBIT "B" OF EASEMENT

CONSERVATION AREA (continued)

67°25'32 WEST, 24.08 FEET; THENCE SOUTH 74°52'58" WEST, 42.21 FEET; THENCE SOUTH 64°09'26" WEST, 64.64 FEET; THENCE SOUTH 52°30'40" WEST, 23.12 FEET; THENCE SOUTH 22°57'13" WEST, 57.73 FEET; THENCE SOUTH 05°17'09" WEST, 53.04 FEET; THENCE SOUTH 12°12'13" WEST, 36.05 FEET; THENCE SOUTH 03°33'10" WEST, 35.39 FEET; THENCE SOUTH 24°37'59" WEST, 55.69 FEET; THENCE SOUTH 22°20'16" EAST, 61.79 FEET; THENCE SOUTH 26°34'39" EAST, 57.86 FEET; THENCE SOUTH 33°08'51" EAST, 28.03 FEET; THENCE SOUTH 48°36'26" EAST, 37.27 FEET; THENCE SOUTH 33°02'29" EAST, 62.65 FEET; THENCE NORTH 88°23'19 EAST, 85.45 FEET; THENCE NORTH 58°39'26" EAST, 38.61 FEET; THENCE NORTH 67°30'51" EAST, 36.43 FEET; THENCE NORTH 78°05'38" EAST, 20.07 FEET; THENCE SOUTH 19°46'37" WEST, 5.26 FEET; THENCE SOUTH 32°16'13" EAST, 13.48 FEET; THENCE SOUTH 71°51'04" EAST, 11.84 FEET TO THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 165.00 FEET, AN ARC DISTANCE OF 91.95 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 02°11'04" WEST, 90.76 FEET TO THE POINT OF BEGINNING.

CONTAINING: 5.89 ACRES, MORE OR LESS.

WETLAND AREA 1 - conservation area


A PART OF THE FRANCIS P. FATIO GRANT, SECTION 44, TOWNSHIP 5 SOUTH, RANGE 26 EAST, ST. JOHNS COUNTY, FLORIDA (ALSO BEING A PORTION OF LOT 7, BLACK SUBDIVISION, AS RECORDED IN DEED BOOK "Y", PAGE 244 OF THE CURRENT PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

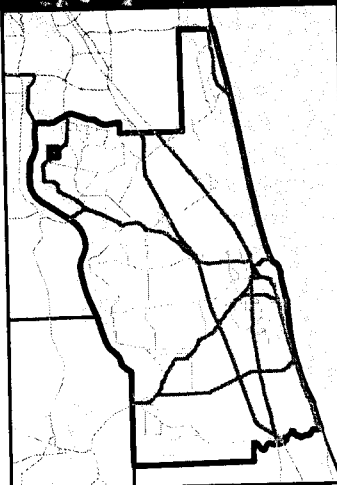
COMMENCE AT THE SOUTHEAST CORNER OF LOT 7, BLACK SUBDIVISION, AS RECORDED IN DEED BOOK "Y", PAGE 244 OF THE CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 32°58'11" WEST, A DISTANCE OF 240.21 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 32°58'11" WEST, 82.80 FEET; THENCE SOUTH 26°07'48" WEST, 44.94 FEET; THENCE SOUTH 29°39'05" EAST, 26.25 FEET; THENCE SOUTH 56°05'30" EAST, 39.59 FEET; THENCE NORTH 50°18'27" EAST, 24.73 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,617 SQUARE FEET.



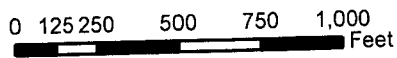
Legend

- Alpine Groves Park
-  Conservation Easement



Conservation Easement Alpine Groves Park

Mitigation for Park Development



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
September 2008
(904) 209-0802



2008 Aerial Imagery

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