

RESOLUTION NO. 2011- 141

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACKNOWLEDGING AND ACCEPTING A PARTIAL RELEASE OF A CONSERVATION EASEMENT AND APPROVING THE TERMS AND CONDITIONS OF A CONSERVATION EASEMENT REQUIRED FOR THE CR 210 ROADWAY IMPROVEMENT PROJECT AND AUTHORIZING THE CHAIR, OR DESIGNEE, TO EXECUTE THE CONSERVATION EASEMENT.

RECITALS

WHEREAS, the current roadway improvement project will expand CR 210 from four to six lanes and as part of the construction and drainage plans the County has requested partial releases from two existing conservation easements along CR 210, which has been approved by the St. Johns River Water Management District (District), attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, in order to mitigate for wetland impacts caused by the construction project the District is requiring the County to place a Conservation Easement over 1.65 acres of County-owned mitigation land at Jack Wright Island, attached hereto as Exhibit "B," incorporated by reference and made a part hereof; and

WHEREAS, the District is requesting that the County approve a Resolution which acknowledges and accepts the partial releases as well as execute a new Conservation Easement on 1.65 acres of County owned mitigation land at Jack Wright Island; and

WHEREAS, adoption of this Resolution acknowledges and accepts the partial release of conservation easements and approves the terms and conditions of the conservation easement to be placed over County-owned property.

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 Board of County Commissioners hereby accepts the Partial Release of Conservation Easement and authorizes the Chair, or designee, to execute the Conservation Easement.

Section 3. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

Section 4. The Clerk is instructed to record the partial Release of Conservation Easement and the Conservation Easement in the public records of St. Johns County, Florida and mail the original Release of Conservation Easement and the Conservation Easement to the St. Johns River Water Management District and a certified copy of this Resolution shall be forwarded forthwith to the St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 7th day of June, 2011.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 

J. Ken Bryan, Chair

ATTEST: Cheryl Strickland, Clerk

By: 

Deputy Clerk

RENDITION DATE 6/7/11

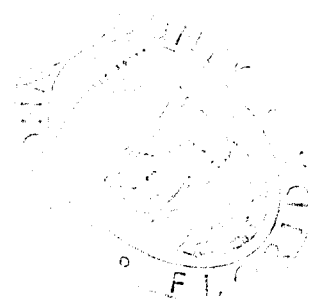


EXHIBIT "A" TO RESOLUTION

Note to recording clerk:
Please cross-reference with
O.R. Book 2475, Page 384 and
O.R. Book 2582, Page 1912

Send recorded copy to:
Office of General Counsel
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529

PARTIAL RELEASE OF CONSERVATION EASEMENT

THIS PARTIAL RELEASE is made this 10 day of May, 2011, by the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, whose address is 4049 Reid Street, Palatka, FL 32177-2529 ("Grantee"), at the request of ST. JOHNS COUNTY, whose address is 500 San Sebastian View, St. Augustine, FL 32084 ("ST. JOHNS COUNTY").

WITNESSETH:

WHEREAS, Grantee received the following Conservation Easements across certain real property located in St. Johns County, Florida, in accordance with District permits, as more particularly described in the Conservation Easements:

- (i) A conservation easement dated July 1, 2005, and recorded in Official Records Book 2475, Page 384, in compliance with Permit No. 40-109-90422-1 issued by Grantee, and Permit No. SAJ-2003-11124 (IP-MRE) issued by the Army Corps of Engineers;
- (ii) A conservation easement dated November 2, 2005, and recorded in Official Records Book 2582, Page 1912 and re-recorded in Book 2956, Page 1661 (to include sketches), in compliance with Permit No. 4-109-21604-1, -2, -3, -4, -5, -6, and -7 issued by Grantee; and Permit No. 1998-05831 (IP-DS) issued by the Army Corps of Engineers; and

WHEREAS, ST. JOHNS COUNTY has asked Grantee to release portions of the Conservation Easements and has provided a new conservation easement to replace the mitigation value and areas being partially released; and

WHEREAS, Grantee has determined that the release of these portions of the real property encumbered by the Conservation Easements will not adversely affect the overall purposes of the Conservation Easements, and;

WHEREAS, Subsection 704.06(4), Florida Statutes, provides that the holder of a conservation easement may release that conservation easement to the holder of the fee interest.

NOW, THEREFORE, Grantee, in consideration of the payment of ten (10) dollars and other good and valuable consideration, the receipt and sufficiency of which is specifically acknowledged, does hereby release and quit-claim those portions of the real property encumbered by the Conservation Easements as described in Exhibit "A" attached hereto. However, said release and quit-claim shall extend to no other portions of the real property encumbered by the Conservation Easements, and the Conservation Easements shall otherwise remain in full force and effect.

TO HAVE AND TO HOLD the same, with the appurtenances, unto the fee simple owner, its successors and assigns forever, freed, exonerated and discharged of and from the encumbrance and operation of the Conservation Easements and every part thereof from the property in Exhibit "A."

IN WITNESS WHEREOF, the Grantee has hereunto set its hand and seal this 10 day of May, 2011.

Attested to by:

**GRANTEE: ST. JOHNS RIVER
WATER MANAGEMENT DISTRICT**

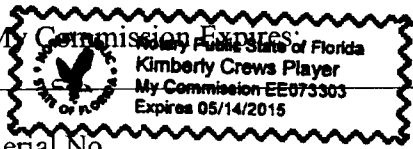
Signature: W.H. Congdon
Printed Name: William H. Congdon

Signature: Kirby B. Green III
Printed Name: Kirby B. Green III
Title: Executive Director

STATE OF FLORIDA
COUNTY OF Putnam

The foregoing instrument was acknowledged before me this 10 day of May, 2011, by Kirby B. Green III, who did not take an oath.

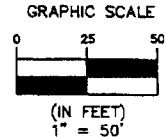
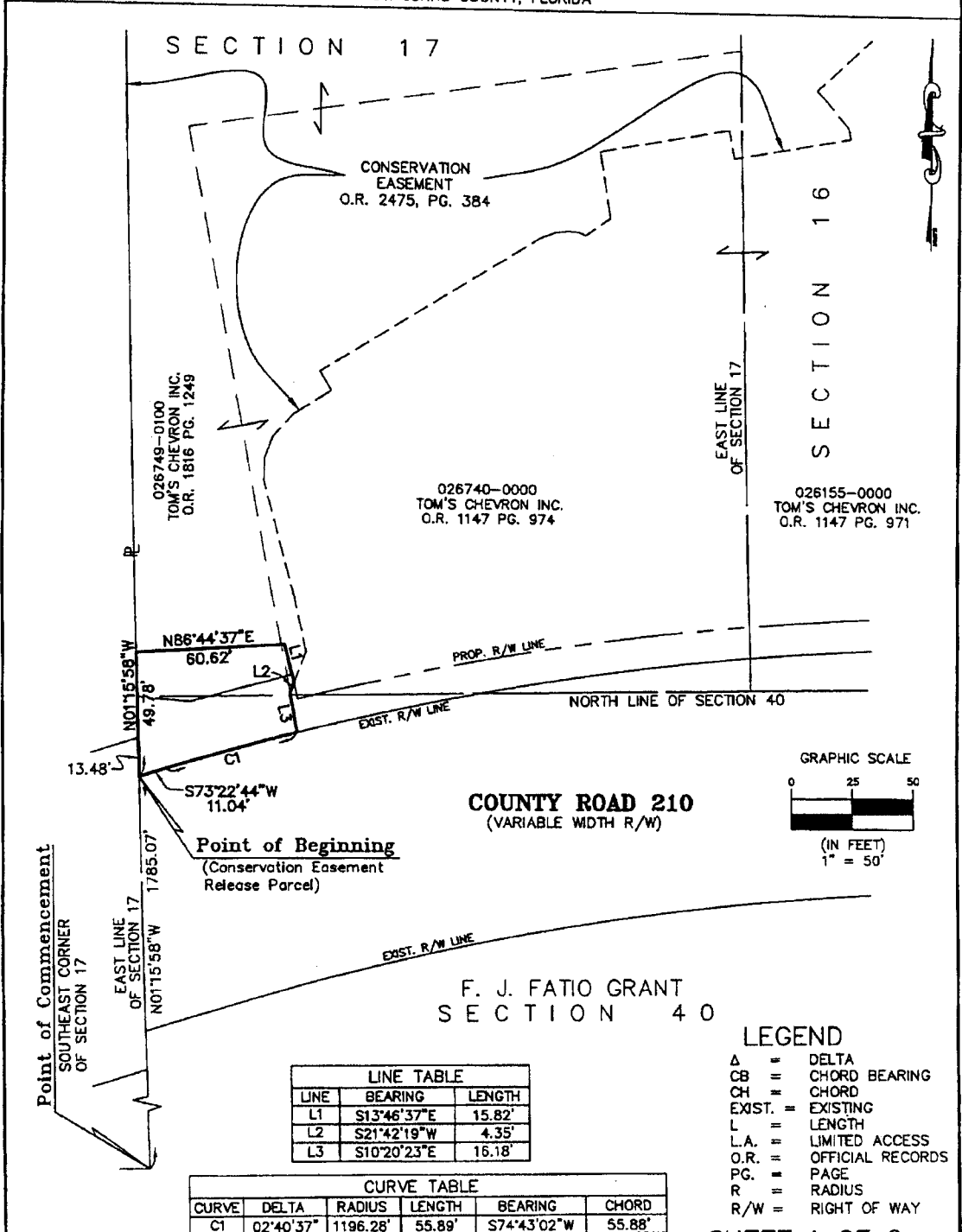
Kimberly Crews Player
Notary Public, State of Florida

My Commission Expires:

Serial No. _____

Personally known OR produced identification _____ . Identification produced _____ .

SKETCH AND LEGAL DESCRIPTION OF

A PART OF SECTIONS 16, 17 AND THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5, SOUTH, RANGE 28 EAST ST. JOHNS COUNTY, FLORIDA



LINE TABLE		
LINE	BEARING	LENGTH
L1	S13°46'37"E	15.82'
L2	S21°42'19"W	4.35'
L3	S10°20'23"E	16.18'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	02°40'37"	1196.28'	55.89'	S74°43'02"W	55.88'

- LEGEND**
- Δ = DELTA
 - CB = CHORD BEARING
 - CH = CHORD
 - EXIST. = EXISTING
 - L = LENGTH
 - L.A. = LIMITED ACCESS
 - O.R. = OFFICIAL RECORDS
 - PG. = PAGE
 - R = RADIUS
 - R/W = RIGHT OF WAY

SHEET 1 OF 2

GENERAL NOTES

- BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY LINE OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AS N 01°15'58" W. (STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 1983 1990 NGS ADJUSTMENT.)
- THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY. IT'S SOLE PURPOSE IS TO GRAPHICALLY ILLUSTRATE THE ATTACHED DESCRIPTIONS.

NO.	DATE	DESCRIPTION	BY
4			
3			
2			
1			

JOB NO. 2008-811-8
 DRAFTER JES
 P.C. N/A
 F.B. N/A PG. N/A
 SCALE 1"=50'
 DATE MAY 12, 2010
 CHECKED BY:

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER SJ-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

THIS DRAWING, SKETCH, PLAN OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID. (CHAPTER SJ-17, FLORIDA ADMINISTRATIVE CODE), UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Dennis E. Elswick
 DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190

Clary & Associates
 PROFESSIONAL SURVEYORS & MAPPERS
 LB NO. 3731
 3830 CROWN POINT ROAD
 JACKSONVILLE, FLORIDA 32257
 (904) 260-2703
 WWW.CLARYASSOC.COM

SKETCH AND LEGAL DESCRIPTION OF

A PART OF SECTIONS 16, 17 AND THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5, SOUTH, RANGE 28 EAST
ST. JOHNS COUNTY, FLORIDA

CONSERVATION EASEMENT RELEASE PARCEL

A PART OF SECTIONS 17 AND THE F.J. FATIO GRANT, SECTION 40, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, (ALSO BEING A PART OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 1816, PAGE 1249, AND OFFICIAL RECORDS VOLUME 1147, PAGE 974 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 01°15'58" WEST, ALONG THE EASTERLY LINE OF SAID SECTION 17, A DISTANCE OF 1,785.07 FEET TO THE NORTHERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210 (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED) AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°15'58" WEST, ALONG SAID EASTERLY LINE OF SECTION 17 AND A PROLONGATION THEREOF, A DISTANCE OF 49.78 FEET; THENCE NORTH 86°44'37" EAST, A DISTANCE OF 60.62 FEET; THENCE SOUTH 13°46'37" EAST, A DISTANCE OF 15.82 FEET; THENCE SOUTH 21°42'19" WEST, A DISTANCE OF 4.35 FEET; THENCE SOUTH 10°20'23" EAST, A DISTANCE OF 16.18 FEET TO THE SAID NORTHERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210 AND BEING A POINT ON A CURVE; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 210 AND ALONG THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,196.28 FEET, THROUGH A TOTAL CENTRAL ANGLE OF 02°40'37", AN ARC DISTANCE OF 55.89 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 74°43'02" WEST, 55.88 FEET TO A POINT OF TANGENCY; THENCE SOUTH 73°22'44" WEST, 11.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,682 SQUARE FEET, MORE OR LESS.

SHEET 2 OF 2

4			
3			
2			
1			
NO.	DATE	DESCRIPTION	BY

JOB NO. 2008-811-8

DRAFTER JES

P.C. N/A

F.B. N/A PG. N/A

SCALE 1"=50'

DATE MAY 12, 2010

CHECKED BY:

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

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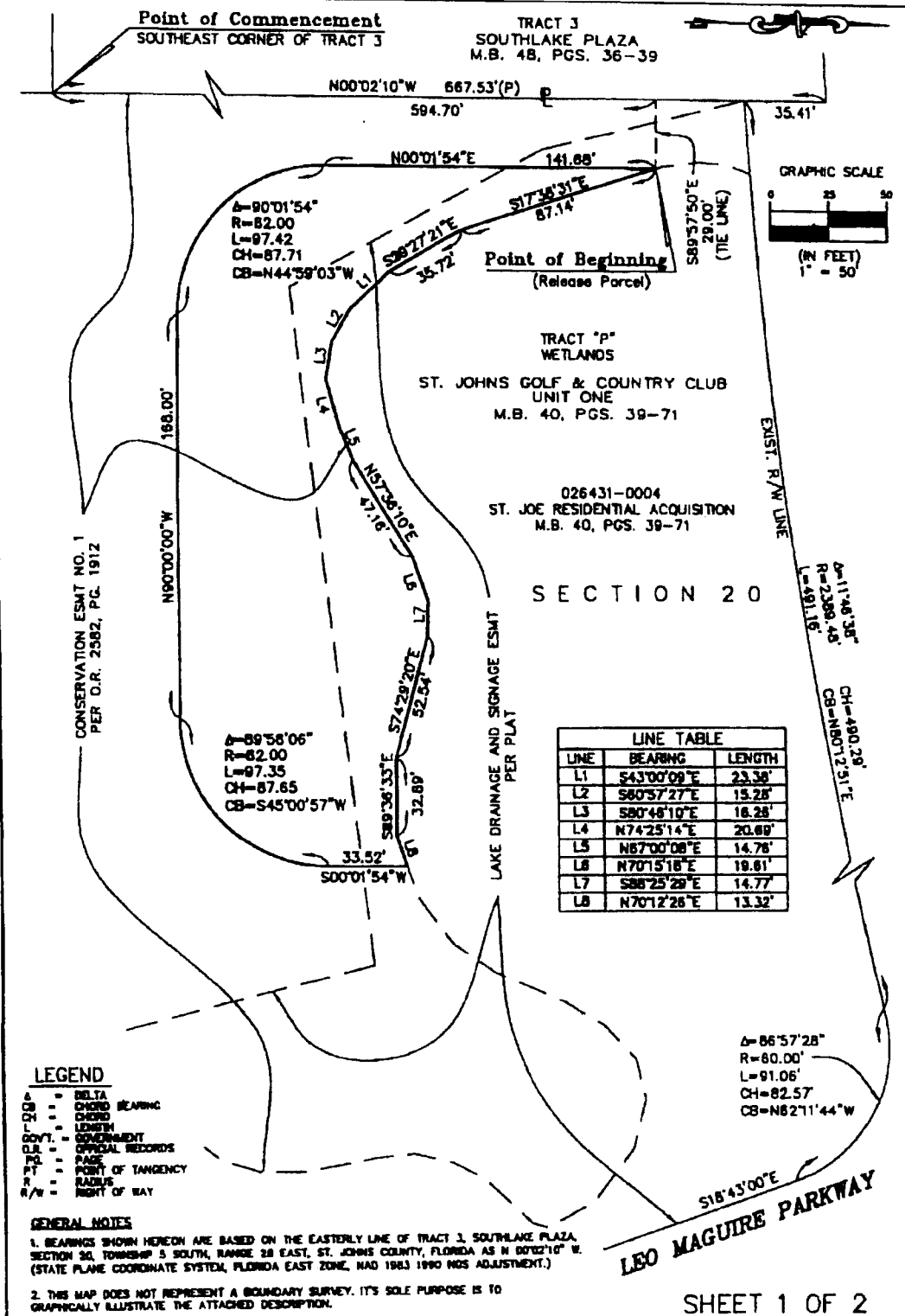

DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190



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SKETCH AND LEGAL DESCRIPTION OF

A PART OF SECTION 20, TOWNSHIP 5, SOUTH, RANGE 28 EAST
ST. JOHNS COUNTY, FLORIDA



JOB NO. 2008-811-B
DRAFTER JES
P.C. N/A
F.B. N/A PG. N/A
SCALE 1"=50'
DATE JUNE 22, 2010
CHECKED BY: JES

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 47E.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

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Dennis E. Elswick
DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190

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PROFESSIONAL SURVEYORS & MAPPERS
L.S. NO. 3728
3030 CROSS POINT ROAD
JACKSONVILLE, FLORIDA 32217
(904) 396-3743
WWW.CLARYASOC.COM

SKETCH AND LEGAL DESCRIPTION OF

A PART OF SECTION 20, TOWNSHIP 5, SOUTH, RANGE 28 EAST
ST. JOHNS COUNTY, FLORIDA

CONSERVATION EASEMENT RELEASE PARCEL

A PART OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, (ALSO BEING A PART OF TRACT "P", ST. JOHNS GOLF & COUNTRY CLUB, UNIT ONE, AS RECORDED IN MAP BOOK 40, PAGES 39 THROUGH 71 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT 3, SOUTHLAKE PLAZA, AS RECORDED IN MAP BOOK 48, PAGES 36 THROUGH 39 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°02'10" WEST, ALONG THE EASTERLY LINE OF SAID TRACT 3, SOUTHLAKE PLAZA, A DISTANCE OF 594.70 FEET; THENCE SOUTH 89°57'50" EAST, DEPARTING SAID EASTERLY LINE OF TRACT 3, A DISTANCE OF 29.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 17°38'31" EAST, A DISTANCE OF 87.14 FEET; THENCE SOUTH 29°27'21" EAST, A DISTANCE OF 35.72 FEET; THENCE SOUTH 43°00'09" EAST, A DISTANCE OF 23.38 FEET; THENCE SOUTH 60°57'27" EAST, A DISTANCE OF 15.28 FEET; THENCE SOUTH 80°46'10" EAST, A DISTANCE OF 16.26 FEET; THENCE NORTH 74°25'14" EAST, A DISTANCE OF 20.69 FEET; THENCE NORTH 67°00'08" EAST, A DISTANCE OF 14.76 FEET; THENCE NORTH 57°36'10" EAST, A DISTANCE OF 47.16 FEET; THENCE NORTH 70°15'18" EAST, A DISTANCE OF 19.61 FEET; THENCE SOUTH 88°25'29" EAST, A DISTANCE OF 14.77 FEET; THENCE SOUTH 74°29'20" EAST, A DISTANCE OF 52.54 FEET; THENCE SOUTH 89°36'33" EAST, A DISTANCE OF 32.89 FEET; THENCE NORTH 70°12'26" EAST, A DISTANCE OF 13.32 FEET; THENCE SOUTH 00°01'54" WEST, A DISTANCE OF 33.52 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 62.00 FEET, THROUGH A CENTRAL ANGLE OF 89°58'06", AN ARC DISTANCE OF 97.35 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 45°00'57" WEST, 87.65 FEET TO A POINT OF TANGENCY; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 168.00 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 62.00 FEET, THROUGH A CENTRAL ANGLE OF 90°01'54", AN ARC DISTANCE OF 97.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°59'03" WEST, 87.71 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°01'54" EAST, A DISTANCE OF 141.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.597 ACRES, MORE OR LESS.

SHEET 2 OF 2

JOB NO. 2008-811-8

DRAFTER JES

P.C. N/A

F.B. N/A PG. N/A

SCALE N/A

DATE JUNE 22, 2010

CHECKED BY: JES

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER 1J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREOF.

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DENNIS E. ELSWICK, P.L.S. CERT. NO. 3190



Russell Sampson Rd

Interstate 95

County Road 210 W

Leo Maguire Pkwy

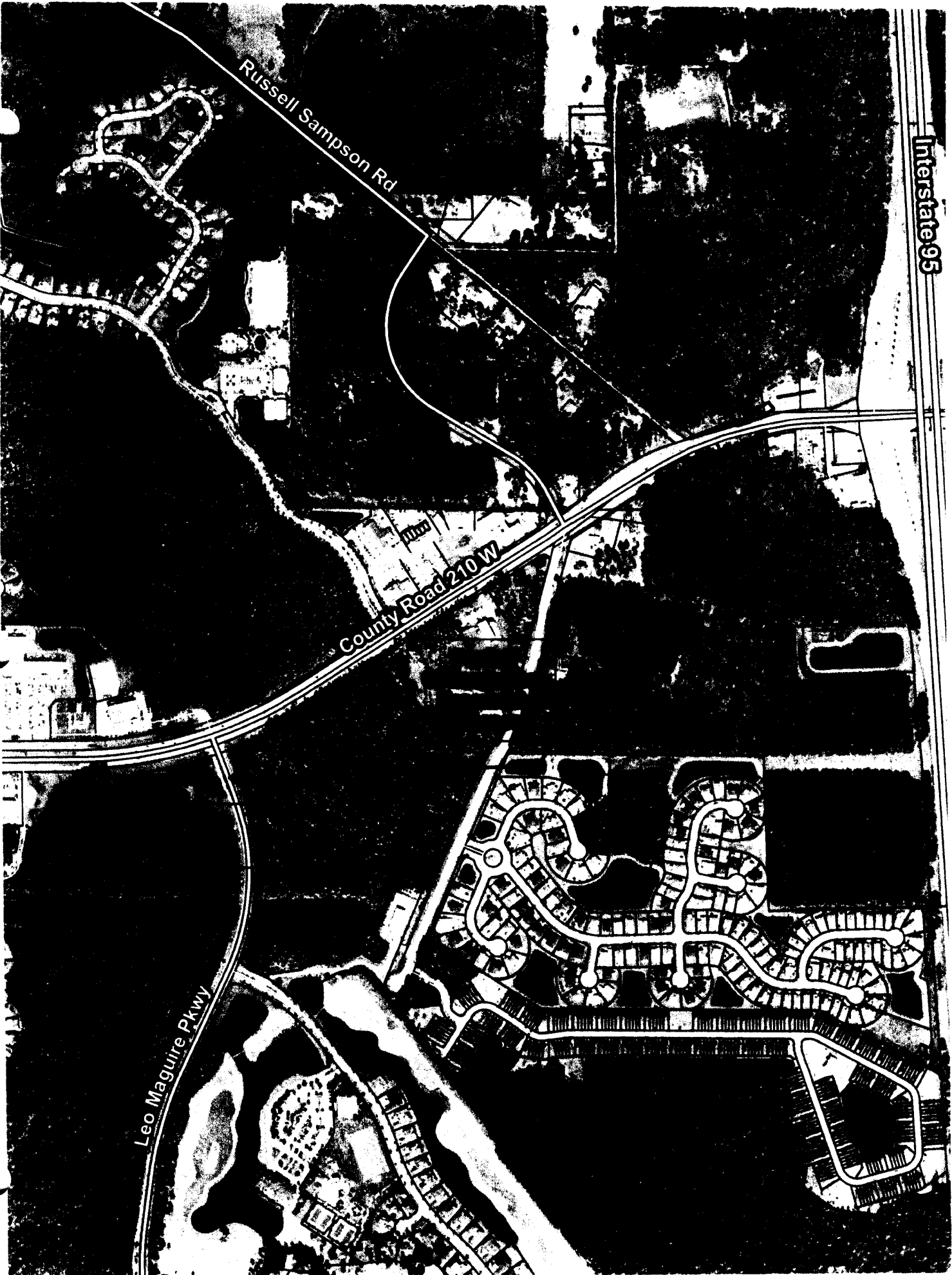


EXHIBIT "B" TO RESOLUTION

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 _____, 2011, by **ST. JOHNS COUNTY**, a political subdivision of the State of Florida, having an address at 4040 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" attached hereto and incorporated by this reference, ("the Property");

WHEREAS, Grantor grants this conservation easement to replace partial releases of conservation easements associated with permit # 40-109-90422-1 and # 4-109-21604-1-7 issued by the Grantee and of Permit Nos. SAJ-2003-11124 and 1998-05831 issued by the U.S. Army Corps of Engineers ("Corps"), in connection with a public project (4-109-63593-9); and

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

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 and the Corps:

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

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

By: _____
J. Ken Bryan, Chair

ATTEST: Cheryl Strickland, Clerk

By: _____
Deputy Clerk




Print Name

Exhibit "A"



A PARCEL OF LAND IN GOVERNMENT LOT 2, SECTION 15, TOWNSHIP 6 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 2; THENCE NORTH $01^{\circ}16'55''$ WEST, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 374.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $01^{\circ}16'55''$ WEST, ALONG SAID WEST LINE, A DISTANCE OF 63.00 FEET; THENCE NORTH $88^{\circ}45'01''$ EAST A DISTANCE OF 1,135 FEET, MORE OR LESS (1135.43 FEET TO A CLOSING LINE) TO THE MEAN HIGH WATER LINE OF TROUT CREEK, AS LOCATED ON SEPTEMBER 6-7, 2006, AND AS SHOWN ON SURVEY BY L.D. BRADLEY LAND SURVEYORS, WORK ORDER NUMBER 20060366, DATED AUGUST 23, 2006; THENCE SOUTHEASTERLY, ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 65 FEET, MORE OR LESS (SOUTH $11^{\circ}29'25''$ EAST A DISTANCE OF 64.02 FOR A CLOSING LINE) TO ITS INTERSECTION WITH A LINE WHICH BEARS NORTH $88^{\circ}45'01''$ EAST FROM THE POINT OF BEGINNING; THENCE SOUTH $88^{\circ}45'01''$ WEST, ALONG LAST SAID LINE, A DISTANCE OF 1,147 FEET, MORE OR LESS (1146.77 FEET TO A CLOSING LINE) TO THE POINT OF BEGINNING. CONTAINING 1.65 ACRES, MORE OR LESS.



Legend

-  County Parcels
-  CE for 210/195 (~ 1.65 ac)
-  CR 208/Bakersville Bridge CE (~30.1 ac)

Encumbered with CE

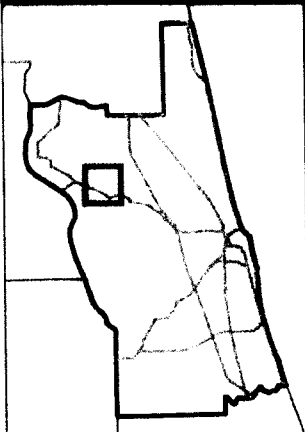
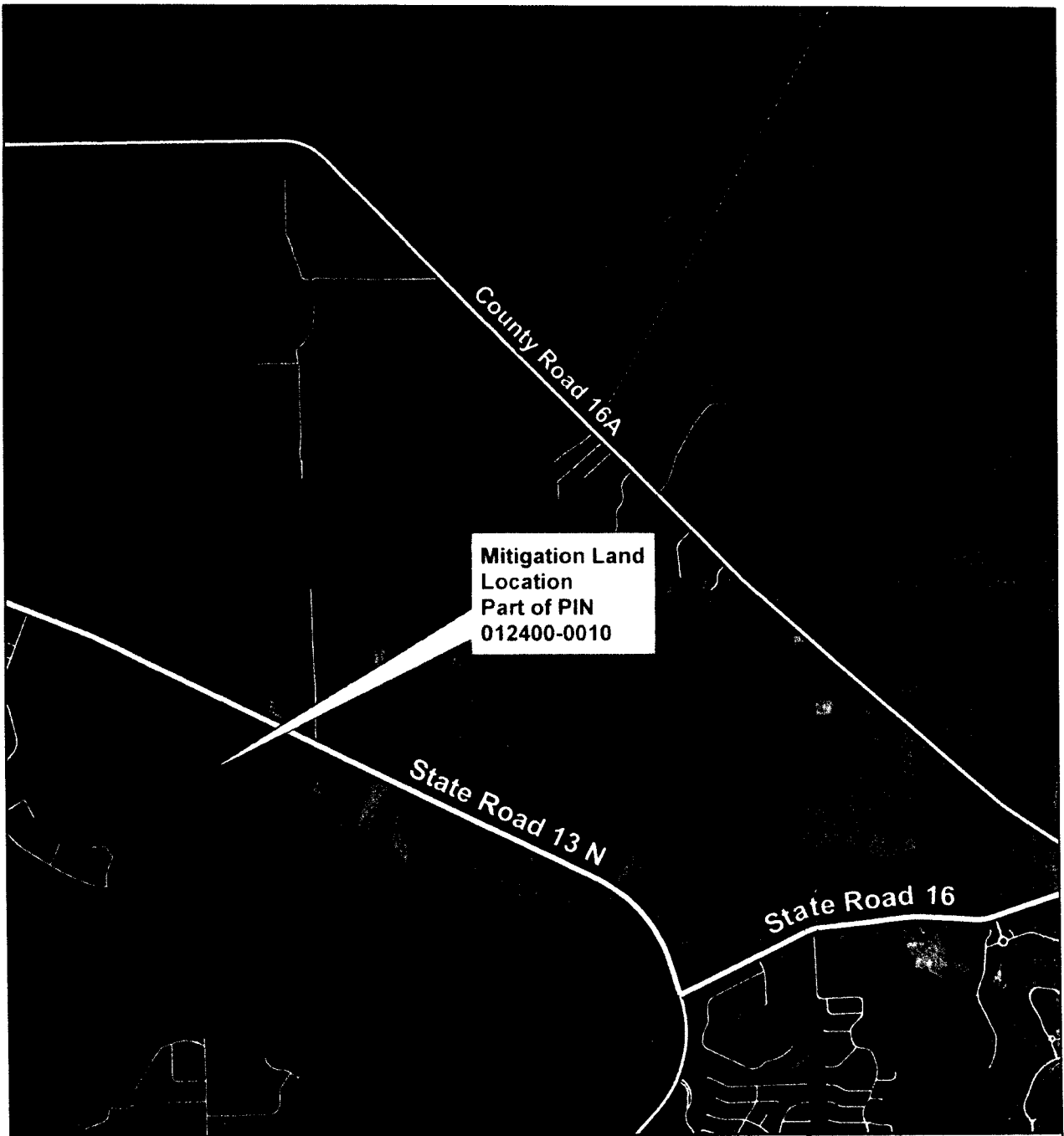
-  Yes
-  No



Jack Wright-Oak Bluff Mitigation Site
 (210/195)
 Permit: 4-109-63593-9

2008 Aerial Imagery

DISCLAIMER
 This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.



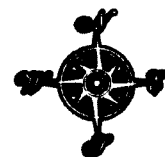
**CR 210 Roadway
Improvement Project
1.65 Acre Mitigation Parcel**



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared
May 16, 2011
(904) 209-0786



2008 Aerial Imagery

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