

**CONSERVATION EASEMENT**

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made on this 8th day of September, 2006, by Jeff And whose mailing address is 2620-3 W. Tennessee Street Tallahassee FL 32303 hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

**WITNESSETH:**

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising or utilities.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials, except as noted in Exhibit B.
3. Removal or destruction of trees, shrubs, or other vegetation, except as noted in Exhibit B in relation to maintenance of the existing dam.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface, except as noted in Exhibit B.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Notwithstanding the foregoing, the Grantor shall be permitted to perform the activities set forth in the plan attached hereto as Exhibit "B", which also addresses other conditions of this easement.

It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good rights and lawful 14

authority to grant this easement and that the same is unencumbered.

Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall ensure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR  
[Signature]  
(Name typewritten)  
Jeff Ard  
(Signature)

WITNESSES:  
[Signature]  
(Sign)  
John Bentley  
(Print Name)

[Signature]  
(Sign)  
ROGER V. WYNN  
(Print Name)

STATE OF  
COUNTY OF

The foregoing instrument was acknowledged before me this 24 day of September, 2006  
by Jeff Ard, who is personally known to me or who has produced  
(name of person acknowledging)

\_\_\_\_\_ as identification.  
(type of identification produced)

[Signature]  
(Signature of Notary)

Gerri G. Hall  
(Print, Type or Stamp Name of Notary)

\_\_\_\_\_  
(Title or Rank)



\_\_\_\_\_  
(Serial Number, If Any)

This Instrument was prepared by:  
Herbert W.A. Thiele, Esq., County Attorney  
Leon County Attorney's Office  
301 South Monroe Street  
Tallahassee, Florida 32301

## EXHIBIT "B"

### SPECIAL ACTIVITIES

The purpose of this plan is to maintain native vegetation, control invasive exotic plants, and provide for recreational uses. This plan also allows for control of nuisance or weedy native plants in order to encourage development of healthy native plant communities, while allowing routine maintenance and some historical uses to continue. To achieve these goals, vegetation management and routine maintenance activities within the conservation easement may include the techniques and items listed below.

#### Control and Eradication of Invasive Exotic Plant Species

- 1) Invasive exotic species are recognized as those listed by the Florida Exotic Pest Plant Council on their List of Invasive Species or its successor. Any additional invasive exotic plant species proposed to be treated or removed must first be approved by LCGEM.
- 2) Small plants may be pulled from the ground by hand or mowed. Care should be taken to ensure that any plant materials, including fruits or seeds, are not dispersed into other areas during removal from the site.
- 3) Larger plants, shrubs or extensive patches which cannot be managed by hand may be treated with an herbicide designed for such purposes and must be used in accordance with the manufacturer's directions.

#### Control of Native Nuisance Plant Species

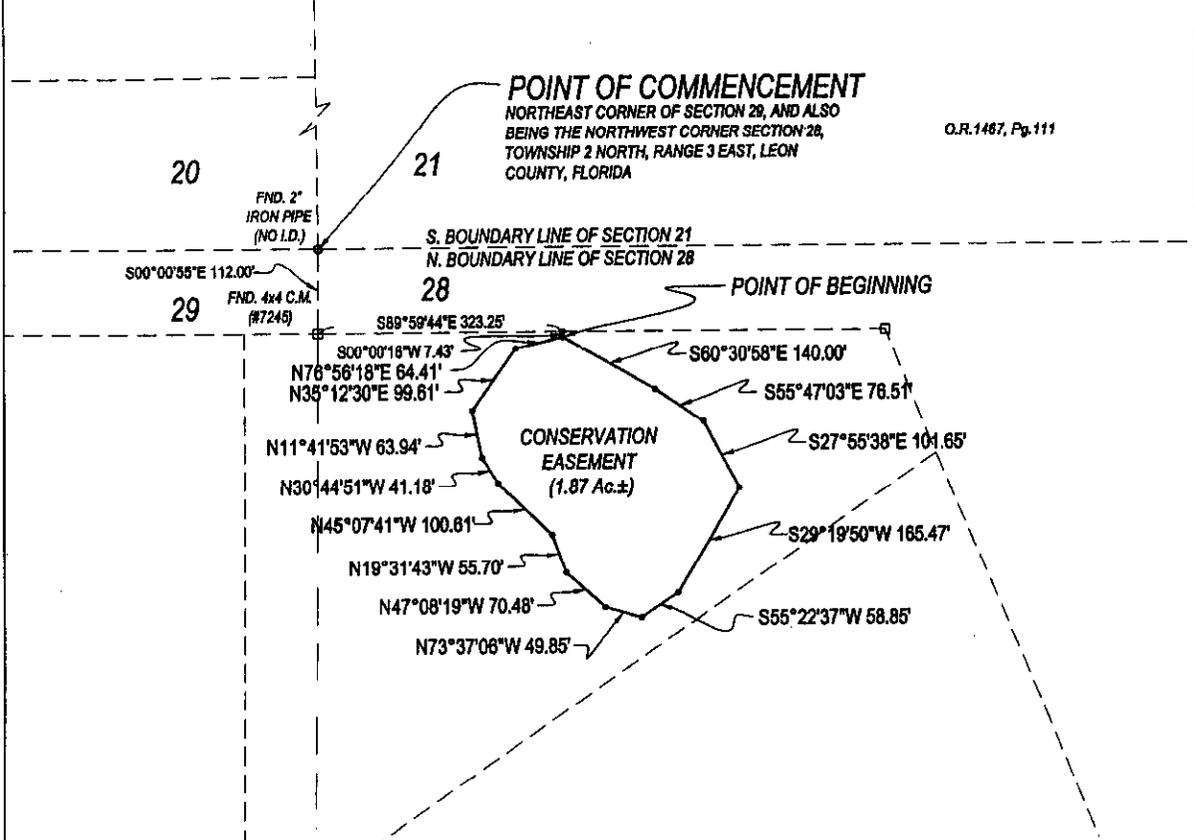
- 1) Native nuisance species shall be recognized as catbriar (*Smilax spp.*), grapevine (*Vitis spp.*), blackberry (*Rubus spp.*), virginia creeper (*Parthenocissus quinquefolia*), trumpet vine (*Campsis radicans*), poison ivy (*Toxicodendron radicans*), and poison oak (*Toxicodendron toxicarium*)
- 2) Plants may be pulled from the ground by hand, clipped, or mowed.

#### Recreational and Other Activities

- 1) This area may be accessed for recreational purposes (i.e., water contact, fishing, and boating, hunting); in accordance with other county and state laws governing the same.
- 2) The existing access structure (dock) may be maintained and repaired to existing conditions and may be replaced should it collapse or become unsafe. Replacement of the dock must be permitted through Leon County Growth and Environmental Management.
- 3) This exhibit allows the continuation of the historical activities of mowing, and/or grazing of horses, in this easement.
- 4) Trees and other vegetation may be removed from the dam on a regular basis; however proposed restructuring of the dam or changes to the integrity of the dam structure be must be Permitted through Leon County Growth and Environmental Management Department, the Northwest Florida Water Management District, or other jurisdictional authority for approval.
- 5) The discharge structure may be repaired to operate as originally designed; however any design changes to the existing discharge structure must be submitted to the Leon County Growth and Environmental Management Department, the Northwest Florida Water Management District, or other jurisdictional authority.

## SKETCH OF DESCRIPTION

SECTION 28, TOWNSHIP 2 NORTH, RANGE 3 EAST, LEON COUNTY, FLORIDA



O.R. 1487, Pg. 111

### LINETYPE LEGEND

---	OU	CONCRETE MONUMENT
---	FO	FOUND IRON PIPE
---	648	CONCRETE MONUMENT
---	SS	CONCRETE MONUMENT
---	FM	CONCRETE MONUMENT
---	W	CONCRETE MONUMENT
---	X	CONCRETE MONUMENT

### LEGAL DESCRIPTION

**CONSERVATION EASEMENT:**  
A 1.87-ACRE± PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 2 NORTH, RANGE 3 EAST, LEON COUNTY, FLORIDA, SURVEYED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 28; THENCE ALONG THE WEST BOUNDARY LINE OF SAID SECTION 28, SOUTH 00°00'55" EAST, 112.00 FEET TO A FOUND 4x4 CONCRETE MONUMENT (#7248); THENCE DEPARTING SAID WEST BOUNDARY LINE SOUTH 89°59'44" EAST, 323.25 FEET; THENCE SOUTH 00°00'18" WEST, 7.43 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 60°30'58" EAST, 140.00 FEET; THENCE SOUTH 55°47'03" EAST, 76.51 FEET; THENCE SOUTH 27°55'38" EAST, 101.65 FEET; THENCE SOUTH 29°19'50" WEST, 165.47 FEET; THENCE SOUTH 55°22'37" WEST, 58.85 FEET; THENCE NORTH 73°37'06" WEST, 49.85 FEET; THENCE NORTH 47°08'19" WEST, 70.48 FEET; THENCE NORTH 19°31'43" WEST, 55.70 FEET; THENCE NORTH 45°07'41" WEST, 100.81 FEET; THENCE NORTH 30°44'51" WEST, 41.18 FEET; THENCE NORTH 11°41'53" WEST, 63.94 FEET; THENCE NORTH 35°12'30" EAST, 99.81 FEET; THENCE NORTH 76°56'18" EAST, 64.41 FEET TO THE POINT OF BEGINNING, CONTAINING 1.87 ACRES, MORE OR LESS.

### GENERAL NOTES

- THIS IS NOT A BOUNDARY SURVEY.
- NO IMPROVEMENTS LOCATED OTHER THAN SHOWN HEREON.
- BEARINGS ARE BASED ON STATE PLANE COORDINATES, FLORIDA NORTH ZONE.
- ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

### FLOOD NOTE

BASED ON THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 12073C0179 D, DATED NOVEMBER 19, 1997; THE ABOVE DESCRIBED PROPERTY IS LOCATED IN ZONE "X". (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.)

<p><b>F.C.M.</b> FOUND 4x4 CONCRETE MONUMENT <b>R.O.W.</b> RIGHT-OF-WAY <b>CA.</b> CENTERLINE <b>R.</b> RADIAL <b>D.</b> DELTA OR CENTRAL ANGLE <b>A.</b> ARC LENGTH <b>T.</b> TANGENT DISTANCE <b>CH.</b> CHORD BEARING AND DISTANCE <b>P.L.P.D.</b> PLAT BOOK AND PAGE <b>O.L.P.D.</b> OFFICIAL RECORDS BOOK AND PAGE <b>D.B.</b> DEED BOOK <b>MO.</b> BACK OF CURB</p>	<p><b>F.J.P.</b> FOUND IRON PIPE <b>F.N.C.</b> FOUND NAIL IN CAP <b>P.F.S.C.</b> PROFESSIONAL LAND SURVEY CERTIFICATE <b>S.C.M.</b> SET 4x4 CONCRETE MONUMENT LBM7248 <b>S.P.</b> SET 2" IRON PIPE LBM7248 <b>S.N.C.</b> SET NAIL AND 1" CAP LBM7248 <b>(P)</b> PLAT INFORMATION <b>(D)</b> DEED INFORMATION <b>(S)</b> SURVEY INFORMATION <b>P.O.C.</b> POINT OF COMMENCEMENT <b>P.O.B.</b> POINT OF BEGINNING</p>	<p style="text-align: center;"><b>LEGEND</b></p> <p>TELEPHONE POLE SIGNAL POLE GUY ANCHOR GAS METER GAS VALVE WATER VALVE ELECTRIC BOX TELEPHONE PEDESTAL COMBINATION POLE POWER POLE LIGHT POLE FIRE HYDRANT CURB INLET YARD DRAIN BASEMENT VENT GRATE INLET STORM MANHOLE HOSE NIBB WATER METER STORM FLOW ARROW BENCHMARK MONITORING WELL TREE (8" DIA.) SANITARY SEWER MANHOLE</p>	<p style="text-align: center;"><b>GRAPHIC SCALE</b></p> <p style="text-align: center;">1 inch = 300 ft</p> <p>0      150      300      600</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>FILE #</td><td>08-388</td><td>12042-CON-ESMTS-Ang</td></tr> <tr><td>CONTRACT #</td><td>1324-002</td><td>ARCHIVE</td></tr> <tr><td>NOTEBOOK #</td><td>4</td><td>PAGE # 80-81</td></tr> <tr><td>DATE</td><td>04/28/08</td><td>DRAWN BY BRL</td></tr> </table>	FILE #	08-388	12042-CON-ESMTS-Ang	CONTRACT #	1324-002	ARCHIVE	NOTEBOOK #	4	PAGE # 80-81	DATE	04/28/08	DRAWN BY BRL
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CONTRACT #	1324-002	ARCHIVE													
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<p>© Moore Bass Consulting The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MBC) for this Project are instruments of MBE for use solely with respect to this Project and, unless otherwise provided, MBE shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.</p> <p>I hereby certify that the sketch of description shown hereon meets the Minimum Technical Standards for Land Surveying in the State of Florida (F.A.C. 11G017-9). The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of record, unrecorded deeds, assessments or other instruments which could affect the boundaries.</p> <p style="text-align: right;"><i>Michael F. Cozzetta</i> Michael F. Cozzetta Professional Surveyor &amp; Mapper No. 83657</p>		<p style="text-align: center;"><b>REAL</b></p> <p>UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND DECIMALS THEREOF. DIMENSIONS SHALL BE TO THE CENTERLINE OF THE LINE UNLESS OTHERWISE SPECIFIED.</p> <p style="text-align: center;"><b>PROJECT NAME</b> RUDD PROPERTY LIMITED PARTITION</p> <p style="text-align: center;"><b>CLIENT NAME</b> JEFF ARD</p> <p style="text-align: center;"><b>SHEET TITLE</b> SKETCH OF DESCRIPTION</p> <p style="text-align: right; font-size: 24pt; font-weight: bold;">1.0</p>													

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