

CONSERVATION EASEMENT "B"

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made on this 3<sup>rd</sup> day of April, 2007, by San Miguel Partnership, LLP, whose mailing address is 537 Frank Shaw Road, Tallahassee, Florida 32312 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

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

Charles A. White  
(Name typewritten)

[Signature]  
(Signature)

WITNESSES:

[Signature]  
(Sign)  
Amanda Henry  
(Print Name)

[Signature]  
(Sign)  
Shanna Baggett  
(Print Name)

STATE OF

COUNTY OF

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of April, 2008,  
by Charles A. White, who is personally known to me or who has produced  
(name of person acknowledging)

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

[Signature]  
(Signature of Notary)

Tracy Wheeler  
(Print, Type or Stamp Name of Notary)



**Tracy Wheeler**  
Commission # DD536219  
Expires June 14, 2010  
Bonded Troy Farm Insurance, Inc. 800-365-7019

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

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

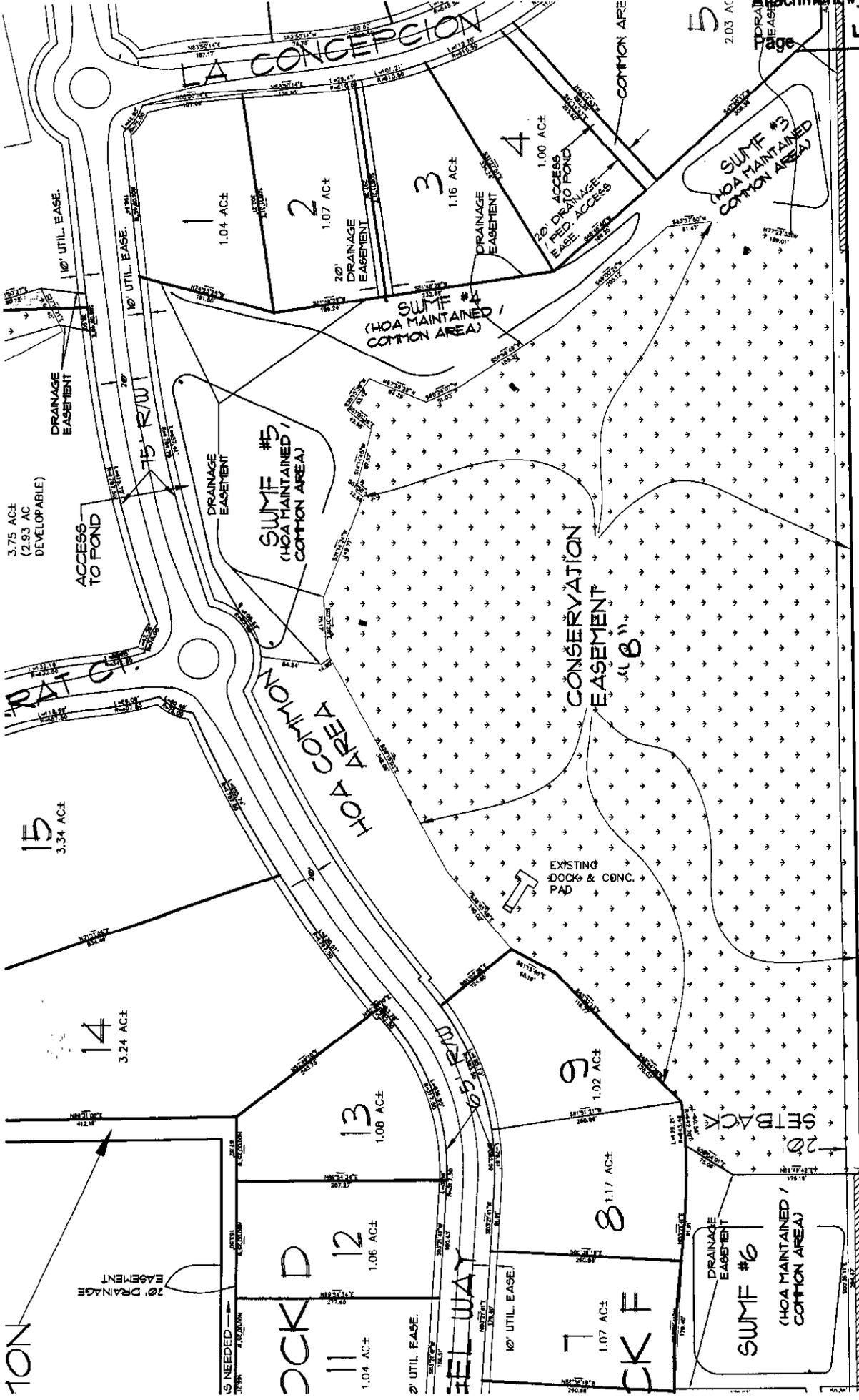
This Instrument was prepared by:  
Herbert W.A. Thiele, Esq., County Attorney  
Leon County Attorney's Office  
301 South Monroe Street  
Tallahassee, Florida 32301

**Exhibit "B" to Conservation Easement Area "B"**

Activities are allowed within the Conservation Easement Area "B" consistent with the approved Environmental Management Permit from Leon County Growth and Environmental Management for the Mission San Miguel Subdivision, including stormwater conveyance pipe installation, maintenance of outfall pipes, necessary routine maintenance in order to maintain the intent of the drainage patterns, and operation of drainage structures.

The conservation easement shall allow for the routine maintenance and operation of the dammed area along the eastern portion of Conservation Easement "B". This will include the removal of vegetation deemed by the Northwest Water Management District to be invasive to the integrity of the dam. In addition, the maintenance of the stormwater outfall and its replacement shall be allowed within the conservation easement, subject to the approval of Leon County Growth and Environmental Management.

The conservation easement shall allow the existing dock and its associated maintenance or future replacement as an approved use within the easement. See the attached map for its location.



12-14-20-205-0000  
STEPHEN O'CONNELL  
VACANT

1278.60'

10' TYPE  
10' BUFFER

**SAN MIGUEL  
CONSERVATION EASEMENT "B"**

Attachment # 2

Page 5 of 7

A tract of land located in Section 15, Township 1 North, Range 2 East, Leon County, Florida being a portion of the lands described in Official Records Book 3329, Page 250, Public Records of Leon County, Florida and more particularly described as follows:

Commence at a concrete monument marking the Northeast corner of Section 15, Township 1 North, Range 2 East, Leon County, Florida; thence South 89 degrees 52 minutes 57 seconds West along the North boundary of said Section 15, a distance of 1,539.11 feet to the Northwest corner of a one-acre parcel as described in Deed Book 75, Page 236, Public Records of Leon County, Florida; thence South 01 degrees 01 minutes 16 seconds West along the Westerly boundary of said lands, 209.14 feet; thence North 89 degrees 53 minutes 29 seconds East along the South boundary of said lands, 208.91 feet; thence leaving said South boundary run South 01 degrees 03 minutes 44 seconds West along the Easterly boundary of that certain tract of land described in Official Records Book 3329, Page 250, Public Records of Leon County, Florida, a distance of 1,119.90 feet; thence continue along said Easterly boundary South 00 degrees 25 minutes 03 seconds East, a distance of 1,385.54 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue along said Easterly boundary South 00 degrees 35 minutes 11 seconds East, a distance of 1,278.60 feet; thence leaving said Easterly boundary run thence the following courses and distances: thence South 89 degrees 49 minutes 42 seconds West, a distance of 176.19 feet; thence North 58 degrees 04 minutes 01 seconds West, a distance of 75.08 feet; thence North 05 degrees 26 minutes 48 seconds West, a distance of 60.57 feet; thence North 43 degrees 38 minutes 33 seconds West, a distance of 246.80 feet; thence North 61 degrees 15 minutes 46 seconds West, a distance of 68.16 feet; thence North 38 degrees 45 minutes 49 seconds West, a distance of 140.02 feet; thence North 28 degrees 15 minutes 03 seconds West, a distance of 348.06 feet; thence North 02 degrees 31 minutes 28 seconds West, a distance of 75.17 feet; thence North 21 degrees 14 minutes 24 seconds East, a distance of 149.77 feet; thence North 51 degrees 50 minutes 54 seconds West, a distance of 12.69 feet; thence North 14 degrees 14 minutes 45 seconds East, a distance of 87.57 feet; thence North 51 degrees 01 minutes 39 seconds West, a distance of 42.98 feet; thence North 35 degrees 15 minutes 39 seconds East, a distance of 53.12 feet; thence South 67 degrees 55 minutes 29 seconds East, a distance of 84.39 feet; thence North 65 degrees 34 minutes 07 seconds East, a distance of 51.03 feet; thence North 56 degrees 59 minutes 49 seconds East, a distance of 155.37 feet; thence North 49 degrees 00 minutes 24 seconds East, a distance of 205.12 feet; thence North 83 degrees 37 minutes 50 seconds East, a distance of 61.47 feet; thence South 77 degrees 22 minutes 33 seconds East, a distance of 189.01 feet to the POINT OF BEGINNING, containing 15.65 acres, more or less.

### SURVEYOR'S CERTIFICATION

I hereby certify that the above descriptions are based on an overall Boundary Survey of the 258.65 acre site performed by this firm last dated June 17, 2005 under my direct supervision for the proposed development of San Miguel Subdivision. All conservation easement boundaries based on location of low areas, wetland delineation and pond areas as flagged by Florida Environmental & Land Services.

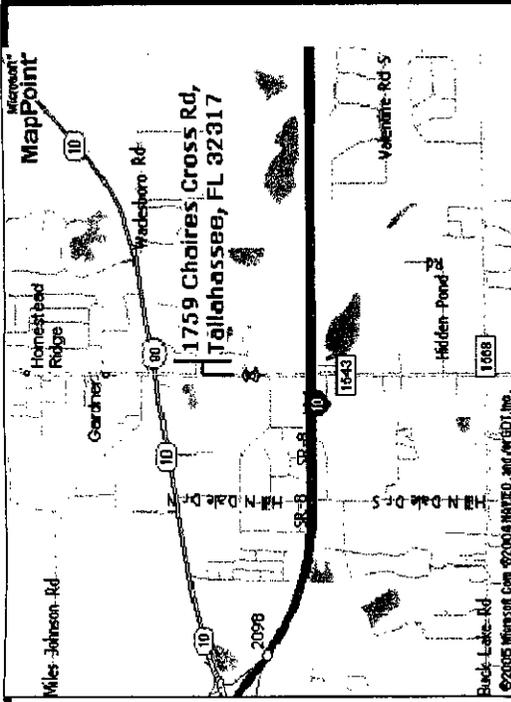


Barbara Jo Bergstrom  
Professional Surveyor and Mapper  
State of Florida  
License No. 5754  
Licensed Business No. 6745

3/29/07  
Date

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

12

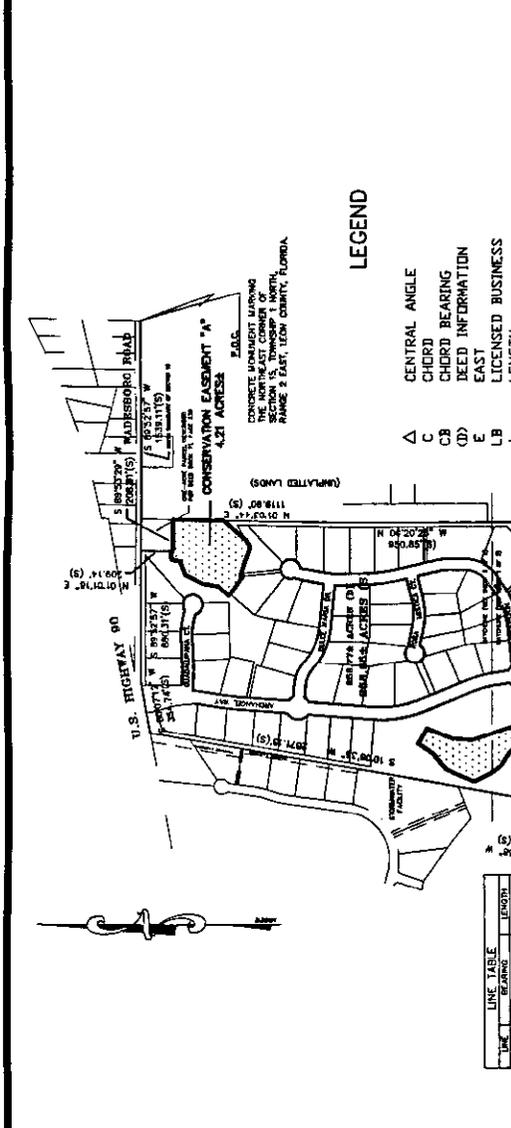
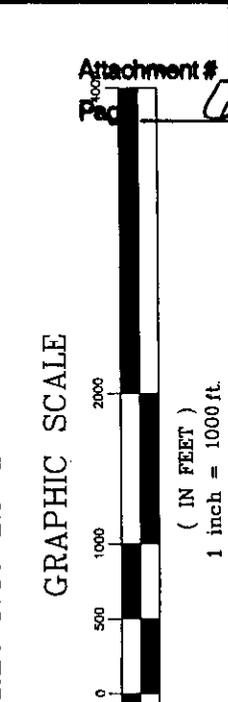


VICINITY MAP (NOT TO SCALE)

**MISSION SAN MIGUEL  
SUBDIVISION LAYOUT**

258± ACRES LOCATED IN SECTION 15,  
TOWNSHIP 1 NORTH, RANGE 2 EAST  
LEON COUNTY, FLORIDA

TAX I.D. NO. 12-15-20-040-0000



**LEGEND**

△ CENTRAL ANGLE  
 C CHORD  
 CB CHORD BEARING  
 CD BEED INFORMATION  
 E EAST  
 LB LICENSED BUSINESS  
 L LENGTH  
 N NORTH  
 NV NORTHWEST  
 CBEB OFFICIAL RECORDS BOOK  
 (P) PLATTED DATA  
 PDBR POINT OF BEGINNING  
 PILLC PERMANENT REFERENCE MONUMENT  
 PRM POINT OF BEGINNING  
 PT POINT OF TANGENCY  
 R RADIUS  
 R/A RIGHT OF WAY  
 (S) SURVEY INFORMATION  
 S SOUTH  
 SEC. SECTION  
 T TOWNSHIP  
 V VEST

INTERSTATE 10 (STATE ROAD NO. 8)

CHAIRES CROSS ROAD

CONSERVATION EASEMENT "A"  
4.21 ACRES

CONSERVATION EASEMENT "B"  
15.85 ACRES

CONSERVATION EASEMENT "C"  
12.81 ACRES

CONSERVATION EASEMENT "D"  
2.13 ACRES

Attachment # 9

EXHIBIT OF DESCRIPTIONS  
 CONSERVATION EASEMENTS  
 LOCATED IN SECTION 15  
 TOWNSHIP 1 NORTH, RANGE 2 EAST  
 LEON COUNTY, FLORIDA

MISSION SAN MIGUEL

**POOLH** ENGINEERING &  
 SURVEYING, INC.

LB NO. 6745

2145 DELTA BOULEVARD, SUITE 100  
 TALLAHASSEE, FLORIDA 32303  
 TELEPHONE #: (850) 386-5117

NOT A BOUNDARY SURVEY  
 EXHIBIT "A-1"

NOT VALID WITHOUT THE SIGNATURE  
 AND THE ORIGINAL RAISED SEAL OF  
 A FLORIDA PROFESSIONAL SURVEYOR  
 AND MAPPER.

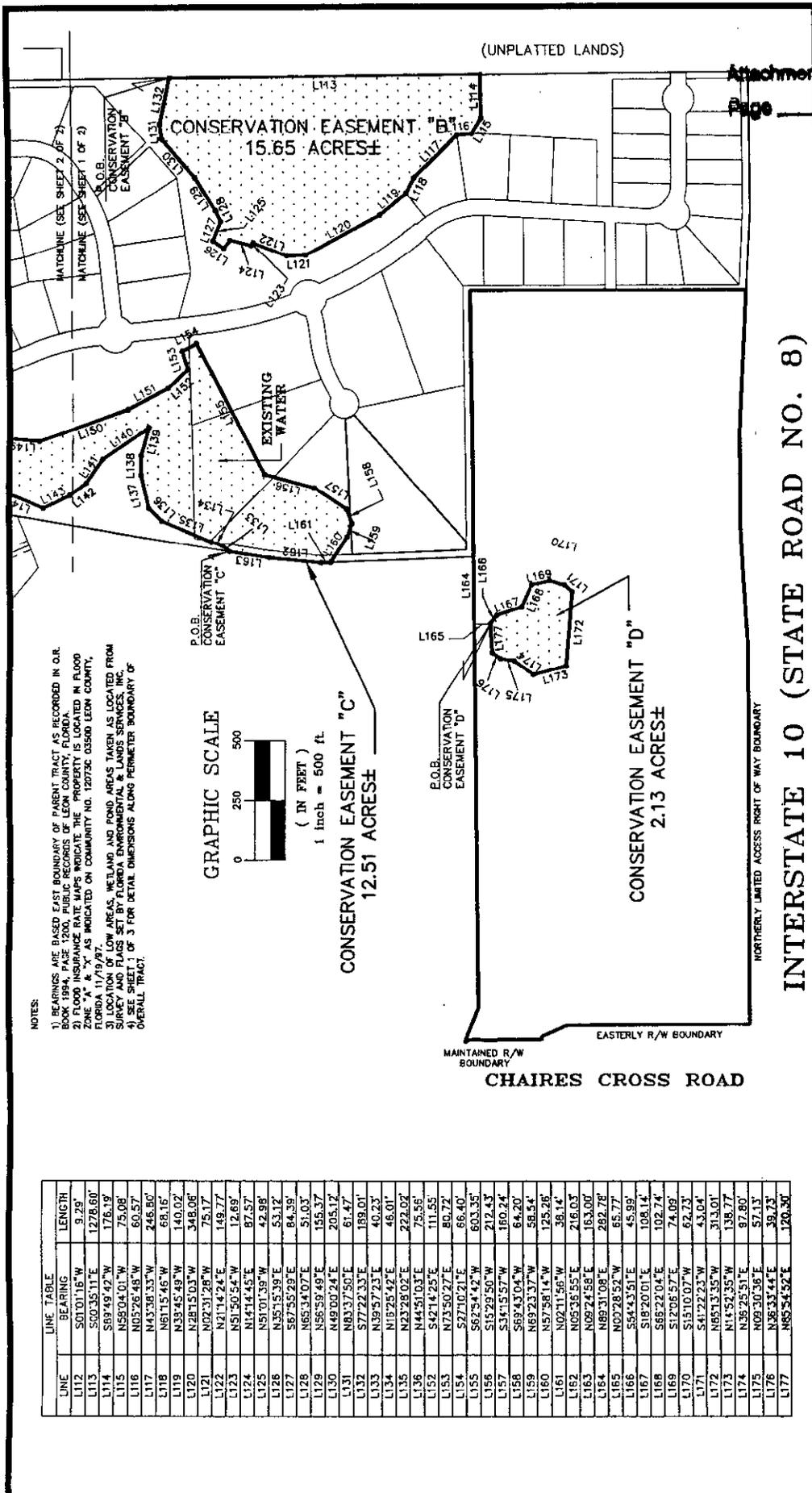
INCOMPLETE WITHOUT ATTACHED  
 DESCRIPTION (SEE EXHIBIT "A")

*Barbara J. Bergstrom* 3/29/07

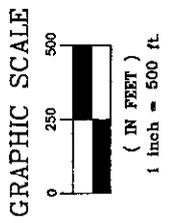
BARBARA JO BERGSTROM  
 PROFESSIONAL SURVEYOR & MAPPER  
 STATE OF FLORIDA  
 LICENSE NO. 5754

DRAWN BY: b.p.  
 CHECKED BY: B.B.  
 DATE: 08/17/06  
 REVISIONS: 01/07/06 - CHANGMENTS  
 03/29/07 - SHOW DESCRIPTION  
 CALL OUTS

SCALE 1" = 500'



NOTES:  
 1) BEARINGS ARE BASED EAST BOUNDARY OF PARENT TRACT AS RECORDED IN O.R. BOOK 1994, PAGE 1200, PUBLIC RECORDS OF LEON COUNTY, FLORIDA.  
 2) FLOOD INSURANCE RATE MAPS INDICATE THE PROPERTY IS LOCATED IN FLOOD ZONE "A", "X", & "Y" AS INDICATED ON COMMUNITY NO. 12073C 03500 LEON COUNTY, FLORIDA 7/7/79.  
 3) ALL LOW AREAS, WETLAND, AND FOND AREAS TAKEN AS LOCATED FROM SURVEY AND PLANS SET BY FLORIDA ENVIRONMENTAL & LANDS SERVICES, INC.  
 4) SEE SHEET 1 OF 3 FOR DETAIL DIMENSIONS ALONG PERIMETER BOUNDARY OF OVERALL TRACT.



LINE	BEARING	LENGTH
L112	S01°01'16"W	9.29'
L113	S00°35'11"E	1278.60'
L114	S89°49'42"W	176.19'
L115	N59°04'01"W	75.08'
L116	N03°26'48"W	60.57'
L117	N43°38'33"W	248.80'
L118	N61°15'46"W	68.16'
L119	N39°45'49"W	140.02'
L120	N28°15'03"W	348.06'
L121	N02°31'28"W	75.17'
L122	N41°14'24"E	149.77'
L123	N51°50'54"W	12.69'
L124	N14°14'45"E	87.57'
L125	N51°01'39"W	42.96'
L126	N35°15'39"E	53.12'
L127	S67°35'28"E	84.39'
L128	N65°34'07"E	51.03'
L129	N56°59'49"E	158.37'
L130	N49°00'24"E	205.12'
L131	N63°37'50"E	61.47'
L132	S77°22'33"E	189.01'
L133	N39°57'23"E	40.23'
L134	N16°25'42"E	46.01'
L135	N23°28'02"E	222.02'
L136	N44°51'03"E	75.56'
L137	S42°14'25"E	111.55'
L138	N73°50'27"E	89.72'
L139	S72°10'21"E	86.40'
L140	S62°54'42"W	603.35'
L141	S15°29'50"W	212.43'
L142	S34°15'57"W	160.24'
L143	S69°43'04"W	84.20'
L144	N69°23'37"W	58.54'
L145	N57°58'14"W	125.26'
L146	N02°11'56"W	58.14'
L147	N05°36'55"E	216.03'
L148	N09°24'58"E	163.00'
L149	N69°31'08"E	282.78'
L150	N02°28'52"W	65.77'
L151	S54°43'51"E	45.99'
L152	S18°20'01"E	108.14'
L153	S68°22'04"E	102.74'
L154	S12°05'57"E	74.09'
L155	S15°10'07"W	62.73'
L156	S12°22'21"W	43.64'
L157	N65°13'35"W	315.01'
L158	N14°52'35"W	138.77'
L159	N35°25'51"E	87.80'
L160	N09°30'36"E	57.13'
L161	N36°33'44"E	39.23'
L162	N65°54'52"E	120.30'

Attachment Page 7 of 3

EXHIBIT "A-3"

NOT A BOUNDARY SURVEY

INCOMPLETE WITHOUT ATTACHED DESCRIPTION (SEE EXHIBIT "A")

DATE: 08/17/06  
 REVISIONS: 03/29/06  
 03/29/06 - SHAW DESCRIPTION CALL OUTS

SCALE 1" = 500'

DRAWN BY: BP  
 CHECKED BY: B.B.  
 DATE: 08/17/06  
 REVISIONS: 03/29/06  
 03/29/06 - SHAW DESCRIPTION CALL OUTS

BARBARA JO BERGSTROM  
 PROFESSIONAL SURVEYOR & MAPPER  
 STATE OF FLORIDA  
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EXHIBIT OF DESCRIPTION  
 CONSERVATION EASEMENTS  
 LOCATED IN SECTION 15  
 TOWNSHIP 1 NORTH, RANGE 2 EAST  
 LEON COUNTY, FLORIDA

MISSION SAN MIGUEL

POOLE ENGINEERING & SURVEYING, Inc.  
 LB NO. 6745  
 2145 DELTA BOULEVARD, SUITE 100  
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