

CONSERVATION EASEMENT

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made and entered into on this 28th day of October 2007 by JOHN H. RICARD, as Bishop of the Diocese of Pensacola-Tallahassee, a corporation sole, his successors in said office as such, and his and their successor and assigns, whose mailing address is 11 North B Street, Pensacola, Florida 32501, 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, utilities, or other structures above or on the ground.
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.
3. Removal or destruction of trees, shrubs, or other vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
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.

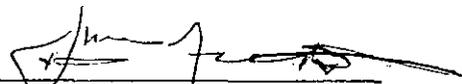
It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

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 inure 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.

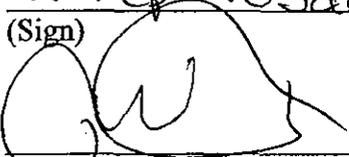
GRANTOR



JOHN H. RICARD, as Bishop of the Diocese of
Pensacola-Tallahassee, a corporation sole

WITNESSES:

Joseph W. Jacobs
(Sign)



(Print Name)

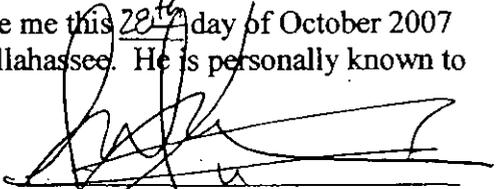

(Sign)

Aaron Goser
(Print Name)

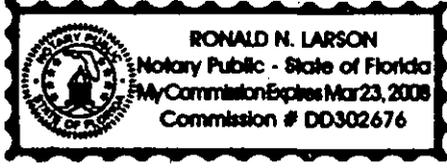
STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 28th day of October 2007 by John H. Ricard, Bishop of the Diocese of Pensacola-Tallahassee. He is personally known to me.



Notary Public



This Document Prepared by: Herbert W.A. Thiele, Esq., County Attorney
Leon County Attorney's Office
Suite 202, 301 South Monroe Street
Tallahassee, Florida 32301

Moore Bass

CONSULTING
TALLAHASSEE DESTIN ATLANTA
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SKETCH OF DESCRIPTION SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST, LEON COUNTY, FLORIDA

LEGAL DESCRIPTION:

A portion of the lands lying in O.R. Book 685, page 591 of the public records of Leon County, Florida, also lying in Section 9, Township 1 North, Range 1 West, Leon County, Florida, being more particularly described as follows:

COMMENCE at the southwest corner of said Section 9; thence N 00° 37' 47" E along the west line of said Section 9 and the centerline of Mission Road, 191.61 feet to a point lying on a non-tangent curve concave Southeastly and having a radius of 5840.20 feet; thence Northeastly along said curve through a central angle of 06° 26' 37" for an arc length of 656.80 feet (Chord: N 71° 35' 29" E, 656.45 feet); thence N 74° 48' 47" E, 926.28 feet to a point of curve to the left and having a radius of 819.65 feet; thence Northeastly along said curve through a central angle of 65° 14' 31" for an arc length of 933.33 feet (Chord: N 42° 11' 31" E, 883.71 feet); thence S 80° 25' 44" E, 40.00 feet to the Easterly Right-of-Way boundary of Fred George Road (80 foot Right-of-Way); thence along said Easterly Right-of-Way boundary the following two courses: N 22° 25' 46" E, 172.87 feet to a point of curve to the right and having a radius of 1206.73 feet; thence Northeastly along said curve through a central angle of 22° 58' 44" for an arc length of 483.97 feet (Chord: N 33° 55' 08" E, 480.73 feet); thence leaving said Easterly Right-of-Way boundary, N 44° 35' 30" W, 80.00 feet to the Westerly Right-of-Way boundary of said Fred George Road; thence N 45° 24' 30" E along said Westerly Right-of-Way boundary, 637.17 to the POINT OF BEGINNING. From said POINT OF BEGINNING run thence N 50° 22' 08" W, 381.62 feet to a point lying on a non-tangent curve concave Southwesterly and having a radius of 8304.39 feet; thence Northwesterly along said curve through a central angle of 01° 52' 14" for an arc length of 271.12 feet (Chord: N 51° 39' 40" W, 271.11 feet); thence N 52° 42' 26" W, 161.54 feet to the Easterly Right-of-Way boundary of St. Louis Church Way (80 foot Right-of-Way); thence N 03° 29' 16" E along said Easterly Right-of-Way boundary, 80.63 feet to the Southwesterly Right-of-Way boundary of Old Bainbridge Road; thence along said Southwesterly Right-of-Way boundary the following four courses: S 52° 42' 26" E, 206.51 feet; to a point lying on a non-tangent curve Southwesterly and having a radius of 8138.47 feet; thence Southeastly along said curve through a central angle of 02° 34' 32" for an arc length of 365.85 feet (Chord: S 51° 20' 08" E, 365.82 feet); thence S 50° 22' 04" E, 266.30 feet to a point of curve to the right and having a radius of 27.12 feet; thence Southeastly along said curve through a central angle of 95° 46' 34" for an arc length of 45.33 feet (Chord: S 02° 28' 47" E, 40.23 feet) to said Westerly Right-of-Way boundary of Fred George Road; thence S 45° 34' 30" W along said Westerly Right-of-Way boundary, 37.34 feet to the POINT OF BEGINNING.

Contain 1.29 acres, more or less.

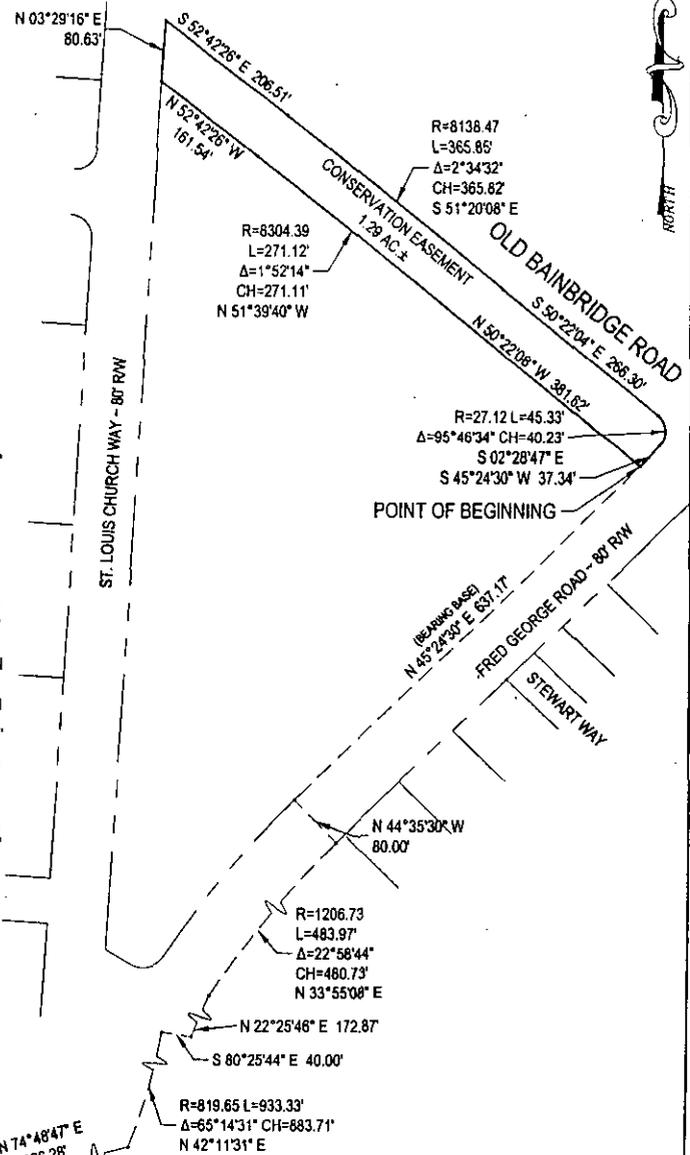
STANDARD ABBREVIATIONS:

- CH= CHORD BEARING AND DISTANCE
- Δ= DELTA OR CENTRAL ANGLE
- E EAST
- L= ARC LENGTH
- N NORTH
- R= RADIUS
- RW RIGHT-OF-WAY
- S SOUTH
- W WEST

R=5840.20
L=656.80'
Δ=6°26'37"
CH=656.45'
N 71°35'29" E

CENTERLINE OF MISSION ROAD AND WEST LINE OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST, LEON COUNTY, FLORIDA

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST, LEON COUNTY, FLORIDA



GENERAL NOTES:

1. NO IMPROVEMENTS LOCATED OTHER THAN SHOWN HEREON.
2. BEARINGS ARE BASED A DEED BEARING OF N 45°24'30" E ALONG THE NORTHWESTERLY RIGHT-OF-WAY BOUNDARY OF FRED GEORGE ROAD, PER O.R. BOOK 685, PAGE 591 OF THE PUBLIC RECORDS OF LEON COUNTY, FLORIDA.
3. THIS IS NOT A BOUNDARY SURVEY.
4. 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.

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<p>Moore Bass Consulting The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MB) for this Project are Instruments of MB for use solely with respect to this Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.</p> <p>MOORE BASS CONSULTING, INC. 805 N. GADSDEN STREET TALLAHASSEE, FL 32303 (850) 222-6678 CERTIFICATE OF AUTHORIZATION No. 00007214 C:\Proj\685-04\Work\desks\SURVEYSKETCH\CONSERV EASE\685-004-SK-CE.dwg, 1, thompson, Oct 29, 2007 - 9:44:44am</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. 61G17-5). The undersigned surveyor has not been provided a current title opinion or abstraction of matters affecting title to the subject property. It is possible there are deeds of record and recorded deeds, easements or other instruments which could affect the boundaries.</p> <p>LARRY D. DAVIS REGISTERED FLORIDA SURVEYOR NO. 5254</p> <p>CLIENT NAME: HOY+STARK ARCHITECTS PROJECT NAME: NEW PARISH HALL</p>	<p>UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL AND CORRECTED SEAL OF THE SURVEYOR AND CANNOT BE REPRODUCED BY ANY MEANS, THIS INSTRUMENT IS VOID AND OF NO EFFECT. SEAL</p>	<p>GRAPHIC SCALE 0 100 200 400 1 inch = 200 ft.</p> <table border="1"> <tr> <td>FILE #</td> <td>68-227</td> <td>ORG 004-SK-CE.dwg</td> </tr> <tr> <td>CONTRACT #</td> <td>048 004</td> <td>ARCHIVE</td> </tr> <tr> <td>NOTEBOOK #</td> <td>N/A</td> <td>PAGE # N/A</td> </tr> <tr> <td>DATE</td> <td>10.29.07</td> <td>DRAWN BY AJT</td> </tr> <tr> <td>SHEET TITLE</td> <td colspan="2">SKETCH OF DESCRIPTION (CONSERVATION EASEMENT)</td> </tr> <tr> <td></td> <td></td> <td>1/1</td> </tr> </table>	FILE #	68-227	ORG 004-SK-CE.dwg	CONTRACT #	048 004	ARCHIVE	NOTEBOOK #	N/A	PAGE # N/A	DATE	10.29.07	DRAWN BY AJT	SHEET TITLE	SKETCH OF DESCRIPTION (CONSERVATION EASEMENT)				1/1
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Exhibit B

1. Grantor is permitted to retain a wooden stage and a wood utility shed, each of which encroaches upon the real property described in Exhibit A; provided, that neither such structure may be enlarged or substantially modified without the Grantee's prior written consent.
2. Grantor's parishioners may enter upon the real property described in Exhibit A for religious devotional purposes.
3. In the event that Grantee or its assigns shall elect in the future to acquire any part of the real property described in Exhibit A by means of eminent domain or otherwise, it is understood and agreed that the determination of the fair market value of the subject property will be determined without regard to the existence of this Conservation Easement.
4. It is understood and agreed that the grant of this conservation easement, together with the open space designated in the site plan, satisfies the Grantee's requirements for natural preservation on the entire 10 acre building site

Conservation Easement Management & Maintenance Plan

Notice: This plan does not necessarily provide exemption from any other local, state or federal regulations.

A. The following activities are allowed within all conservation easement areas:

1. Eradication of invasive and nuisance plant species through the application of herbicides or by physical removal of such plants. Herbicides must be applied in accordance with the manufacturer's labeling. As used herein, "invasive" species are those plants listed by the Florida Exotic Pest Plan Council's (EPPC) List of Invasive Species. "Nuisance" species are native plants not listed by the EPPC but are considered undesirable due to their competitive effects, such as grapevine, cattail, dog fennel, catbriar, etc. The Leon County Department of Growth and Environmental Management, or its successor, must be contacted prior to the eradication of nuisance plants to ensure the County agrees with designating the particular plant species as being a nuisance species.
2. Planting of native species that are adapted to local site conditions. Any proposed planting of additional vegetation shall first be submitted to the Leon County Department of Growth and Environmental Management, or its successor, for review and approval.
3. Any other activities specifically authorized by an Environmental Management Permit issued by the Leon County Department of Growth and Environmental Management or its successor.
4. The Grantee of this conservation easement (or Grantee's authorized contractor or agent) shall install permanent marker posts at key locations along the boundaries of conservation easement areas. These marker posts must be spaced such that the limits of the conservation easement are readily discernable. Each post shall be equipped with a permanent sign indicating the area is a protected conservation area. The property owner shall be responsible for properly maintaining the marker posts and signs.
5. Vegetation in the groundcover stratum (e.g. all plants which are less than 4.5 feet tall or have a diameter at breast height of less than 1 inch) can be trimmed so as to maintain an orderly appearance as long as such maintenance activities do not disturb or compact existing grade, do not inhibit re-growth of desirable native plant species, and do not create potential erosion problems. If mechanized equipment is used for maintenance, only small mechanized equipment such as small mowers (excluding self-propelled mowing equipment) and hand-held string trimmers (commonly referred to as "weed-eaters") can be utilized.
6. The existing wood deck, BBQ pit and electric panel boxes shall remain and be maintained. Should the wood deck, BBQ pit or electric panel cease to be used

and maintained in an operable condition, they shall be removed from the conservation easement and replacement new construction shall not be allowed.

- 7. The area is limited to passive recreational uses of the owners. The area will remain primarily undisturbed to allow the natural progression of the upper tree canopy, mid-level understory vegetation, lower herbaceous layers and forest floor.

B. General Maintenance of Conservation Easement Areas:

Each conservation easement area shall be maintained in perpetuity such that the average percent cover accounted for by invasive plant species does not exceed 5 percent and the average percent cover accounted for by nuisance plant species does not exceed 10 percent. Immediately following a maintenance event, the average percent cover by invasive and nuisance plant species should be as close to 0 percent as possible.

Maintenance of the conservation area shall be the responsibility of the property owner. The property owner shall be responsible for the eradication and control of invasive and nuisance plant species within the conservation easement area. As used herein, the term "property owner" shall refer to the person or persons shown as the property owner on the tax roll of the Leon County Property Appraiser.

All maintenance of conservation areas shall conform to the Leon County Environmental Management Act :

A. Use: The area is limited to passive recreational uses of the owners. The area will remain primarily undisturbed to allow the natural progression of the upper tree canopy, mid-level understory vegetation, lower herbaceous layers and forest floor.

B. Maintenance activity: Mechanical methods that do not compact the earth or impair root systems shall be allowed in clearing activities. no storing of items or hazardous materials shall occur within this area:

C. Pruning: The area may be pruned of dead and hazardous tree limbs. All pruning shall be performed to a national association of arborist's standards and supervised by a certified arborist. If limb removal is to be performed by hand climbing, spikes or any other tool causing bark damage to the cambium layer of the trees is prohibited.

D. Integration of supplemental plant material: the planting of appropriate native or adapted species may occur. No tilling or cultivating shall occur within the conservation easement. No plantings shall consist of invasive species.

E. Mulching: The ground plain of this area may be amended with leaf or bark mulch to allow for regulating soil temperatures, suppressing weed growth, nutrient supplementation or pedestrian access within the conservation easement. Do not apply

rock, sawdust, grass clippings or cypress mulch. Do not apply mulch that contains seeds or clippings from diseased or noxious plant material.

F. Fertilization: If determined to be necessary by the certified arborist, a slow release organic fertilizer may be provided at the minimum rate per manufacturers instructions.

G. Irrigation: If needed, supplemental irrigation can be provided by the use of above ground means.

H. Topographic modifications: Transitional areas at the edge of the conservation easement should merge with the surrounding land type. Avoid any erosive or fill soil activity that might impact the margins of the area.