

THIS INSTRUMENT PREPARED BY:  
Charles R. Gardner  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
(850) 385-0070

**TRANSFER OF DEVELOPMENT RIGHTS  
AND IMPOSITION OF RESTRICTIONS**

This instrument made and entered into as of the 23<sup>rd</sup> day of December, 2003, by and between **Richard L. Wilson, Jr., as successor Trustee of the Richard L. Wilson Intervivos Trust dated July 12, 2000** (hereinafter referred to as the "Grantor") and **LEON COUNTY**, a political subdivision of the State of Florida (hereinafter referred to as the "Grantee").

WHEREAS, the Grantor, in accordance with §193.501, Florida Statutes, desires to transfer the development rights to certain real property in Leon County, Florida, to Grantee for outdoor recreation and park purposes for a term of ten (10) years; and

WHEREAS, the Grantor desires that such property be made available to and operated by the *Tallahassee Museum of History and Natural Science, Inc.*, a Florida not-for-profit corporation f/k/a the *Tallahassee Junior Museum* (hereinafter referred to as "Tallahassee Museum of History"); and

WHEREAS, the Board of County Commissioners of Leon County, Florida, has determined that such real property can be of use and benefit to the general public for outdoor recreation and park purposes if operated by the Tallahassee Museum of History;

NOW, THIS INDENTURE WITNESSETH:

1. In consideration of the ad valorem tax benefits authorized by §193.501, Florida Statutes, Grantor, for a term of ten (10) years, does hereby grant, alien, release and confirm to Grantee all development rights to the following described property, to-wit:

All that property lying in Section 9, Township 1 South, Range 1 West, in Leon County, Florida, described by approximate meets and bounds descriptions (subject to verification by a field survey) as follows:

9-1

Commence at a permanent reference monument marking the Northwest corner of the Southwest Quarter of Section 9, Township 1 South, Range 1 West and run thence South along the West boundary of said Section 9 to the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 9 for the Point of Beginning. From said Point of Beginning run East along the North boundary of said Southwest Quarter of the Southwest Quarter of Section 9, also being the Southerly boundary of the Tallahassee Junior Museum property 475.40 feet to

the Northwest corner of Lot 1 of the plat of Lake Bradford Shores, a subdivision as per map or plat thereof, recorded in Plat Book 3, Page 29, of the Public Records of Leon County, Florida, run thence South 07 degrees 27 minutes West along the Westerly boundary of said Lot 1 a distance of 263.50 feet, more or less, thence South 00 degrees 27 minutes West along said Westerly boundary of Lot 2 a distance of 396.50 feet, more or less, thence West 450.00 feet to the West boundary of said Section 9, thence North along said West boundary, a distance of 660.00 feet, more or less, to the Point of Beginning, containing 6.73 acres, more or less.

9-II

Commence at a permanent reference monument marking the Northwest corner of the Southwest One Quarter of Section 9, Township 1 South, Range 1 West, in Leon County, Florida, and run thence North 89 degrees 50 minutes East 30.00 feet to the Point of Beginning. From said Point of Beginning continue thence North 89 degrees 50 minutes East 2654.90 feet to the Northeast corner of the Southwest One Quarter of Section 9, Township 1 South, Range 1 West, thence run South 00 degrees 27 minutes West 690.90 feet, thence East 612.50 feet, thence South 398.60 feet to the North boundary of Lakeview Drive, thence Southwesterly along said North right of way boundary a distance of 240.00 feet, thence Northwesterly along said North right of way boundary a distance of 390.00 feet to a point located South 00 degrees 27 minutes West 1156.17 feet from the Northeast corner of the Southwest Quarter of said Section 9 said point also lying on the East boundary of said Southwest Quarter of Section 9, thence run South 54 degrees 47 minutes West along said North right of way of Lakeview Drive 288.40 feet, thence run Westerly along a curve concave to the North, having a central angle of 53 degrees 33 minutes for a distance of 150.78 feet, thence run North 61 degrees 40 minutes West along said North right of way boundary 159.17 feet, thence run Westerly along a curve concave to the South having a central angle of 07 degrees 35 minutes for a distance of 256.67 feet, thence run North 69 degrees 15 minutes West along said right of way boundary 26.65 feet, thence run Westerly along a curve concave to the South having a central angle of 28 degrees 18 minutes for a distance of 368.54 feet, thence run South 82 degrees 27 minutes West along said right of way boundary 75.10 feet, thence run Southwesterly along a curve concave to the South having a central angle of 22 degrees 21 minutes for a distance of 235.20 feet, thence run South 60 degrees 06 minutes West along said right of way boundary 132.07 feet, thence run Westerly along a curve concave to the North having a central angle of 29 degrees 54 minutes for a distance of 283.37 feet, thence run West along said right of way boundary of Lakeview Drive 99.38 feet, thence run North along the East boundary of a County Road 613.20 feet, thence run South 89 degrees 55 minutes West 663.00 feet, thence run North 00 degrees 27 minutes West 641.00 feet to the Point of Beginning, containing 69.08 acres, more or less.

2. During the term of this transfer, Grantor shall not use the above described property in any manner not consistent with the use of said property for outdoor recreation and park purposes, as determined by Grantee, nor shall Grantor change the use of said property from outdoor recreation and park purposes during the term hereof.

without first obtaining written approval of the Grantee in accordance with §193.501, Florida Statutes.

3. It is understood by the parties hereto that the subject property is adjacent to lands now owned by the Tallahassee Museum of History. It is further understood that this transfer is conditioned upon the Grantee allowing the subject property to be used by the Tallahassee Museum of History as part of its program activities which benefit the general public. It is further agreed that such uses are appropriate outdoor recreation and park purposes as defined in §193.501, Florida Statutes.

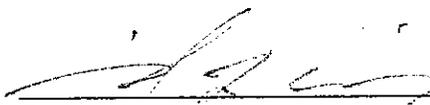
4. The parties understand that should this transfer be terminated prior to the end of the ten (10) year term, such termination shall be in accordance with §193.501(4) and (5), Florida Statutes, including the public hearing requirements contained therein, and all deferred tax liabilities shall be then due and owing.

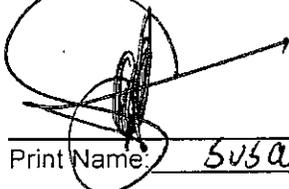
5. The restrictions imposed hereby shall run with the land and be binding on all subsequent owners of such property.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals the day and year first above written.

SIGNED IN THE PRESENCE OF:

  
Print Name: Charles R. Gardner

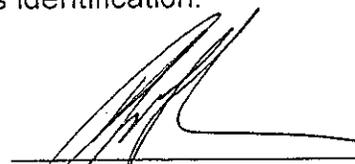
  
Richard L. Wilson, Jr., as successor Trustee  
of the Richard L. Wilson Intervivos Trust  
dated July 12, 2000

  
Print Name: Susan Garcia

STATE OF FLORIDA,  
COUNTY OF LEON.

The foregoing instrument was acknowledged before me as of December 23, 2003, by Richard L. Wilson, Jr., as successor Trustee of the Richard L. Wilson Intervivos Trust dated July 12, 2000, on behalf of said trust.

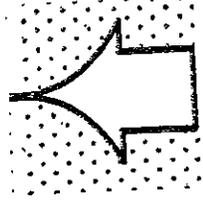
- He is personally known to me; or
- He produced his Florida driver's license as identification.

  
NOTARY PUBLIC



Charles R. Gardner  
Commission # DD527020  
Expires April 30, 2010  
Banded Troy Fain - Insurance, Inc 800-385-7019

BOARD OF COUNTY  
COMMISSIONERS LEON COUNTY,  
FLORIDA



By:   
Bryan Desloge  
Title: Chairman

ATTEST:

Bob Inzer  
Clerk of the Circuit Court

APPROVED

By:   
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_