

**CONSERVATION EASEMENT**

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made on this 20<sup>th</sup> day of AUGUST, 2009, by Frances J. Nicholas, whose mailing address is 431 Jupiter Lakes Blvd, Unit 2123-D, Jupiter, FL 33458 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 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

Frances J. Nicholas  
(Name typewritten)

*[Handwritten Signature]*  
(Signature)

WITNESSES:

*[Handwritten Signature]*  
(Sign)  
Cynthia A Denton  
(Print Name)

*[Handwritten Signature]*  
(Sign)  
Candace Harrity  
(Print Name)

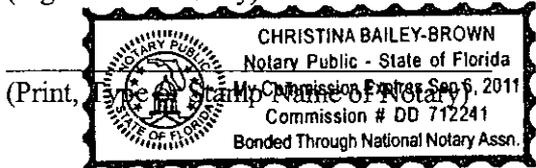
STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 20 day of August, 2009  
by Frances J Nicholas, who is personally known to me or who has produced  
(name of person acknowledging)

FLDLN242250528830 as identification.  
(type of identification produced)

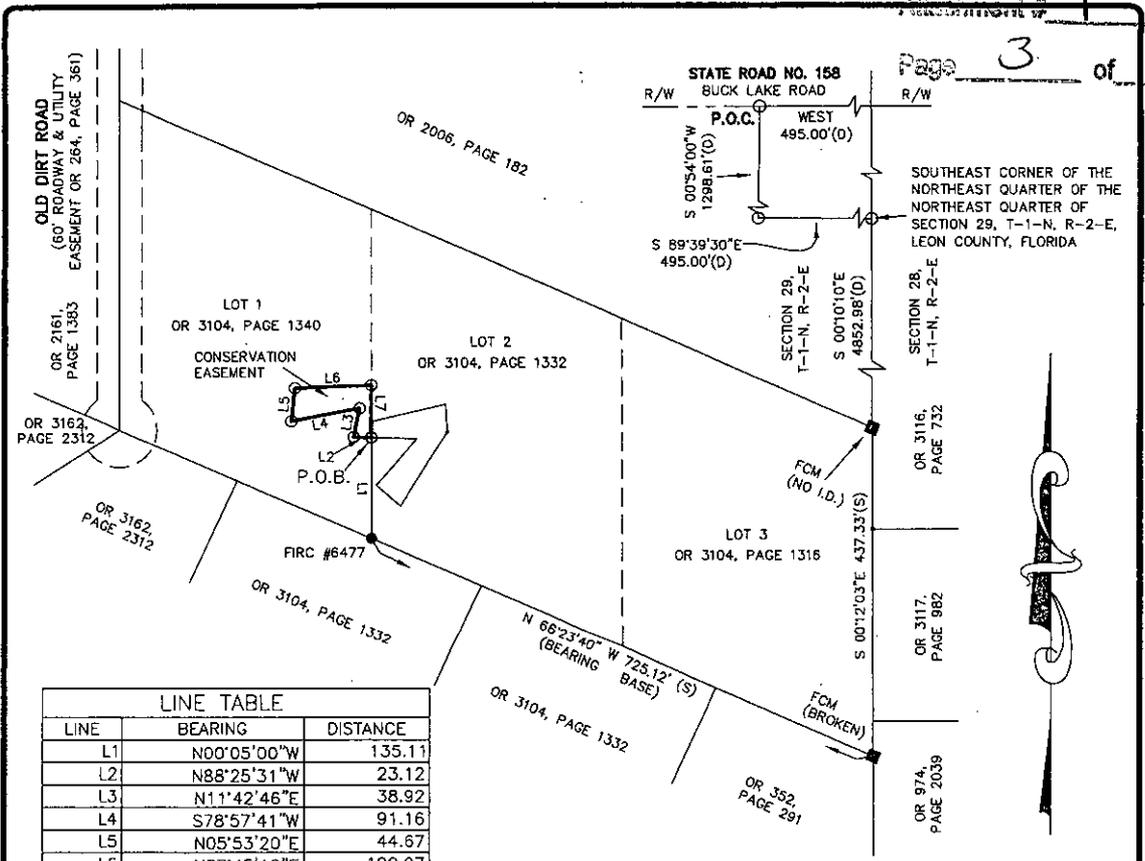
*[Handwritten Signature]*  
(Signature of Notary)



(Print, Stamp Name of Notary)

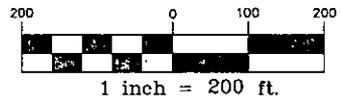
(Title or Rank)

DD 712241  
(Serial Number, If Any)



LINE	BEARING	DISTANCE
L1	N00°05'00"W	135.11
L2	N88°25'31"W	23.12
L3	N11°42'46"E	38.92
L4	S78°57'41"W	91.16
L5	N05°53'20"E	44.67
L6	N87°45'12"E	100.07
L7	S00°05'00"E	69.65

NOTE:  
THE PURPOSE OF THIS SURVEY IS TO PROVIDE A SKETCH AND DESCRIPTION FOR A PROPOSED CONSERVATION EASEMENT.



**CONSERVATION EASEMENT**

Commence at a point on the South boundary of State Road No. 158 (Buck Lake Road), said point being 495.00 feet West of the East boundary of Section 29, Township 1 North, Range 2 East, Leon County, Florida; thence run South 00 degrees 54 minutes West a distance of 1298.61 feet; thence run South 89 degrees 39 minutes 30 seconds East a distance of 495.00 feet to the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 29; thence run South 00 degrees 10 minutes 10 seconds East a distance of 4852.98 feet to a concrete monument marking the Northeast corner of Lot 3 as recorded in Official Records Book 3104, Page 1316 of the Public Records of Leon County, Florida; thence run South 00 degrees 12 minutes 03 seconds East 437.33 feet to a concrete monument marking the Southeast corner of said Lot 3; thence run North 66 degrees 23 minutes 40 seconds West 725.12 feet to an iron rod with cap (LB#6477) marking the Southeast corner of Lot 1 as recorded in Official Records Book 3104, Page 1340 of said public records; thence run North 00 degrees 05 minutes 00 seconds West along the Easterly boundary of said Lot 1 a distance of 135.11 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 88 degrees 25 minutes 31 seconds West 23.12 feet; thence run North 11 degrees 42 minutes 46 seconds East 38.92 feet; thence run South 78 degrees 57 minutes 41 seconds West 91.16 feet; thence run North 05 degrees 53 minutes 20 seconds East 44.67 feet; thence run North 87 degrees 45 minutes 12 seconds East 100.07 feet to a point lying on the aforesaid Easterly boundary of Lot 1; thence run South 00 degrees 05 minutes 00 seconds East along said Easterly boundary a distance of 69.65 feet to the POINT OF BEGINNING.

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

**SPECIFIC PURPOSE SURVEY FOR: FRANCES NICHOLAS SHEET 1 OF 1**

<b>LEGEND:</b>	R/W - RIGHT-OF-WAY D.O.T. - DEPARTMENT OF TRANSPORTATION D.B. - DEED BOOK L.S. - LAND SURVEYING BUSINESS NO. L.S.# - LAND SURVEYOR NUMBER O.R. - OFFICIAL RECORDS BOOK P.O.B. - POINT OF BEGINNING P.O.C. - POINT OF COMMENCEMENT P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENT I/P - UTILITY POLE O.H.U. - OVERHEAD UTILITY	FP - FOUND IRON PIPE FCP - FOUND CRIMPED IRON PIPE FCM - FOUND CONCRETE MONUMENT 4"x4" FIR - FOUND IRON ROD FIRC - FOUND IRON ROD (5/8") & PLASTIC CAP FICM - FOUND NAIL & METAL CAP FTCM - FOUND TERRA COTTA MONUMENT 4" DIA. SCM - SET CONCRETE MONUMENT (4"x4") WITH METAL CAP LS#5831 SIRC - SET IRON ROD (5/8") WITH PLASTIC CAP LS#5831 SNC - SET NAIL & METAL CAP LS#5831	<b>NOTES:</b> 1) THIS IS NOT A BOUNDARY SURVEY. 2) NO IMPROVEMENTS LOCATED OTHER THAN SHOWN. 3) ALL MEASUREMENTS ARE U.S. FEET. 4) INFORMATION AND BEARINGS BASED ON DESCRIPTIONS RECORDED IN O.R. BOOK 2347, PAGE 227; O.R. BOOK 3104 PAGES 1316, 1332 & 1340, ALL OF THE PUBLIC RECORDS OF LEON COUNTY, FLORIDA.
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FILE No.	07323
P.S.R. NO.	043-01-09
DRAWING DATE:	01/28/10
SCALE:	1"=200'
SURVEY DATE:	11/20/07
BOOK:	142/13
	10881107.RAW
DRAWN BY:	BSG 043-01-08.DWG

**GEORGE E. GUNN, JR.  
SURVEYING AND MAPPING**

1135 POPLAR DRIVE  
TALLAHASSEE, FLORIDA 32304  
PHONE: (850) 388-6742  
FAX: (850) 386-6239

**LAND SURVEYING**

CERTIFICATE OF AUTHORIZATION NO. LB 0007172

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 616-17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE TO THE SUBJECT PARCEL. IT IS POSSIBLE THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES.

DATE: 1/28/10

GEORGE E. GUNN, JR.  
PROFESSIONAL SURVEYOR AND MAPPER  
CERTIFICATE No. 5831

REVISIONS:

## EXHIBIT "B"

### SPECIAL ACTIVITIES

The purpose of this plan is to prevent erosion of steep slopes while maintaining native vegetation and controlling invasive exotic plants. This plan also allows for control of nuisance or weedy native plants in order to encourage development of a healthy forest community. To achieve these goals, vegetation management activities within the conservation easement may include the techniques listed below. Any deviation from the activities listed must be approved by the Leon County Growth and Environmental Management (LCGEM) Department.

#### 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. For larger plants that aren't easily pulled by hand, any obvious clusters of fruits or seeds may be clipped from their tops. These plants along with their fruits and seed parts must be placed in plastic garbage bags and disposed of in a landfill. Attention should be made to ensure that any plant materials, including fruits or seeds, are not dispersed into other areas during removal from the site.
- 3) Large 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. LCGEM should be contacted with questions regarding the specific types of herbicides to use and appropriate methods of treatment.

#### 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 if absolutely necessary treated with an appropriate herbicide as described in #3 above.