

Authorization ID WAK1014  
Contact ID LCBOCC, Pilcher  
Use Code: 751

**U. S. DEPARTMENT OF AGRICULTURE**  
**Forest Service**  
**PUBLIC ROAD EASEMENT**  
**National Forest Roads and Trails Act,**  
**October 13, 1964, (P. L. 88-657)**  
**36 CFR 251.50, et seq**

THIS EASEMENT, dated this 26 day of March, 2010, from the UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to Leon County, Florida, a charter county and political subdivision of the State of Florida, 301 South Monroe Street, Tallahassee Florida 32301, hereinafter called Grantee.

WITNESSETH:

WHEREAS, the Grantee has applied for a grant of an easement under the Act of October 13, 1964 (78 Stat. 1089, 16 U.S.C. 532-538), for a road over certain lands or assignable easements owned by the United States in the County of Leon, State of Florida, and administered by the Forest Service, Department of Agriculture.

NOW THEREFORE, Grantor does hereby grant to Grantee an easement for a public road and highway along and across a strip of land, hereinafter defined as the right-of-way (over and across the following described lands in the County of Leon, State of Florida), as described on exhibit A attached hereto.

The word "right-of-way" when used herein means said strip of land whether or not there is an existing road or highway located thereon. Except where it is defined more specifically, the word "highway" shall mean roads or highways now existing or hereafter constructed on the right-of-way or any segment of such roads or highways.

The right-of-way is shown and specifically described on the plat attached hereto and made a part hereof.

This grant is made subject to the following terms, provisions, and conditions:

1. Outstanding valid claims, if any, existing on the date of this grant.
2. The easement herein granted is limited to use of the described right-of-way for the purpose of construction, operation, and maintenance of a highway and does not include the grant of any rights for nonhighway purposes or facilities; Provided, That the Forest Service shall not exercise its right to use or authorize the use of any portion of the right-of-way for nonhighway purposes when such use would interfere with the free flow of traffic or impair the full use and safety of the highway; and Provided further, That nothing herein shall preclude the Forest Service from locating National Forest and other Department of Agriculture information signs on the portions of the right-of-way outside of construction limits.
3. Not applicable.
4. Any reconstruction of the highway situated on this right-of-way shall conform with plans, specifications, and written stipulations approved by the Forest Supervisor or authorized representative prior to beginning such reconstruction.
5. Consistent with highway safety standards, the Grantee shall:
  - (a) Protect and preserve soil and vegetative cover and scenic and esthetic values on the right-of-way outside of construction limits.
  - (b) Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the construction operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed. The Grantee shall perform these activities where it is deemed necessary during a joint review between the authorized Forest Officer and Grantee prior to

completion of the highway. The Grantee also shall maintain all terracing, water bars, leadoff ditches, or other preventive works that may be necessary to accomplish this objective. This provision also shall apply to waste disposal areas and slopes that are reshaped following slides that occur during or after construction.

6. The Grantee shall:

Establish no borrow, sand, or gravel pits; stone quarry; permanent storage areas; sites for highway-operation and maintenance facilities; camps; supply depots; or disposal areas within the right-of-way, unless shown on approved construction plans, without first obtaining approval of the authorized Forest Officer.

7. The Grantee shall maintain the right-of-way clearing by means of chemicals only after the Forest Supervisor has given specific written approval. Application for such approval must be in writing and must specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.

8. The Grantee does by the acceptance of this document covenant and agree for itself, its assigns, and its successors in interest to the property here granted or any part thereof, that the covenant set forth below shall attach to and run with the land:

(a) That the Grantee shall operate the described property and its appurtenant areas and its buildings and facilities whether or not on the land therein granted as a public road, in full compliance with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulations issued thereunder by the Department of Agriculture and in effect on the date of this document to the end that no person in the United States shall, on the grounds of race, sex, color, religion, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs or activities provided thereon; and

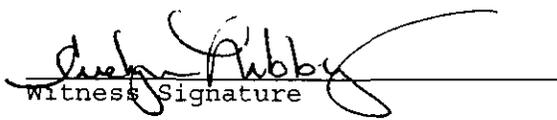
(b) That the United States shall have the right to judicial enforcement of these covenants not only as to the Grantee, its successors and assigns, but also as to lessees and licensees doing business or extending services under contractual or other arrangements on the land therein conveyed.

The Chief, Forest Service, may terminate this easement, or any segment thereof, (1) by consent of the Grantee, (2) by condemnation, or (3) after a five (5) year period of nonuse, by a determination to cancel after notification and opportunity for hearing as prescribed by law.

IN WITNESS WHEREOF, the Grantor, by its Forest Supervisor, Forest Service, has executed this easement on the day and year first above written pursuant to the delegation of authority to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief, Forest Service, to the Regional Forester, Forest Service, effective August 30, 1984 (49 FR 34283), and the delegation of authority by the Regional Forester, Forest Service, to the Forest Supervisor, Forest Service, effective October 26, 1989, (54 FR 43601).

UNITED STATES OF AMERICA

By:   
SUSAN JÉHEBER-MATTHEWS  
Forest Supervisor  
National Forests in Florida  
Department of Agriculture

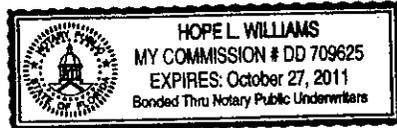
  
Witness Signature  
Evelyn Libby  
Print Name

  
Witness Signature  
KRISTEN JOHNSON  
Print Name

ACKNOWLEDGEMENT

STATE OF FLORIDA  
COUNTY OF LEON

This instrument was acknowledged before me on March 26, 2010, by Susan Jeheber-Matthews in her capacity as Forest Supervisor, Southern Region, Region 8, Forest Service, United States Department of Agriculture, and on behalf of the United States of America.



Notary Public in and for  
the State of Florida

*Hope Williams*  
My commission expires: ~~May 20, 2012~~  
10/27/11 HW

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for this collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

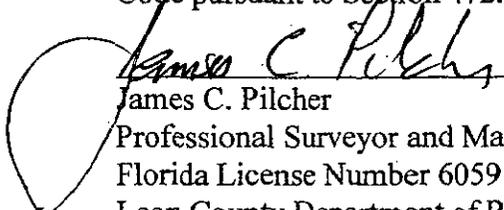
**EXHIBIT "A"**  
**Bice Road**  
**Page 1 of 4**

Commence at a concrete monument with a three inch brass disk stamped "U.S." (Florida Department of Environmental Protection Certified Corner Document #86336) marking the Southeast corner of Section 31, Township 1 South, Range 1 West, Leon County, Florida; thence North 00 degrees 18 minutes 15 seconds East 95.20 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue North 00 degrees 18 minutes 15 seconds East 1269.33 feet; thence South 89 degrees 41 minutes 45 seconds East 45.00 feet; thence South 00 degrees 18 minutes 15 seconds West 335.00 feet; thence South 02 degrees 55 minutes 34 seconds West 647.73 feet; thence South 00 degrees 18 minutes 15 seconds West 287.28 feet; thence North 89 degrees 41 minutes 45 seconds West 15.37 feet to the POINT OF BEGINNING, containing 0.90 acres, more or less.

No abstract of title or title opinion provided. It is possible that there are recorded or unrecorded deeds, easements, agreements or other instruments which could affect the boundaries hereinabove described.

A Sketch of Description attached as Exhibit "A", Page 2 of 4, Page 3 of 4, Page 4 of 4 and by reference incorporated herein. This description is not complete without the attached sketch and the attached sketch is not complete without the description.

This description meets all applicable requirements of the Florida Minimum Technical Standards as contained in Chapter 61G17-6 Florida Administrative Code pursuant to Section 472.027 Florida Statutes.

  
James C. Pilcher  
Professional Surveyor and Mapper  
Florida License Number 6059  
Leon County Department of Public Works  
2280 Miccosukee Road  
Tallahassee, FL 32308

6/29/09  
Date

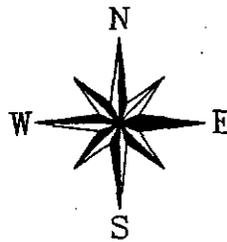
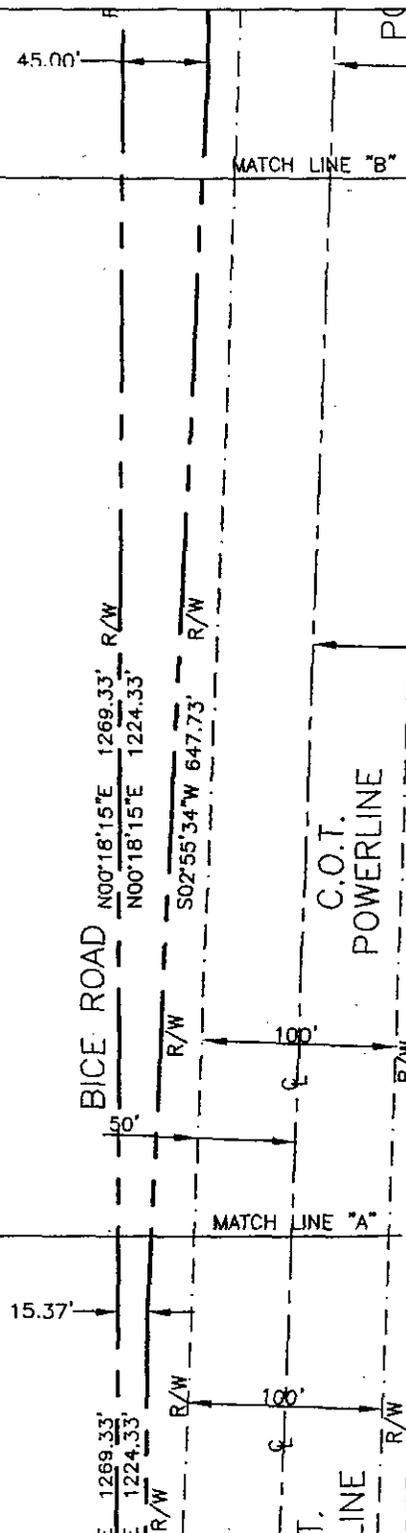
Not valid without the signature and original raised seal of the above signing surveyor



**LÉGEND**

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- N NORTH
- S SOUTH
- E EAST
- W WEST
- ° ' " DEGREES, MINUTES, SECONDS
- ' " FEET, INCHES
- FCM FOUND CONCRETE MONUMENT
- SCM SET CONCRETE MONUMENT
- RLS REGISTERED LAND SURVEYOR
- (F) FIELD MEASUREMENT
- (P) PLAT MEASUREMENT
- (C) COMPUTED MEASUREMENT
- C.O.T. CITY OF TALLAHASSEE

EXHIBIT "A"  
PAGE 3 OF 4



Graphic Scale in U.S. Feet  
SCALE: 1" = 100'

DEPICTION OF C.O.T. POWERLINE BASED ON VISUAL CENTERLINE OF STRUCTURES AS PER CITY OF TALLAHASSEE ELECTRIC DEPARTMENT AND NATIONAL FOREST SPECIAL USE PERMIT NUMBER WAK-1003-07.

WITH A THREE INCH BRASS CORNER OF SECTION 31, 1DA PROTECTION CERTIFIED

**SKETCH OF DESCRIPTION**

THIS SKETCH IS NOT COMPLETE WITHOUT THE ATTACHED LEGAL DESCRIPTION AND THE ATTACHED LEGAL DESCRIPTION IS NOT COMPLETE WITHOUT THE SKETCH. NO ABSTRACT OR TITLE OPINION FURNISHED. IT IS POSSIBLE THAT THERE ARE RECORDED OR UNRECORDED DEEDS, EASEMENTS, AGREEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES HEREINABOVE DESCRIBED.

Prepared for LEON COUNTY BOARD OF COUNTY COMMISSIONERS

DATE OF FIELDWORK: 5-23-06	DATE OF DRAFTING: 6-29-2009	DRAWN BY: D.K.	REVISION:
FIELDBOOK No. 473-06	FILE BICE.DWG	CHECKED BY: J.P.	REVISION:



PREPARED BY:  
LEON COUNTY PUBLIC WORKS DEPARTMENT  
DIVISION OF ENGINEERING SERVICES  
SURVEY AND RIGHT-OF-WAY SECTION  
2280 MICCOSUKEE ROAD  
TALLAHASSEE, FL 32308  
Phone (850) 606-1500  
Fax (850) 606-1501

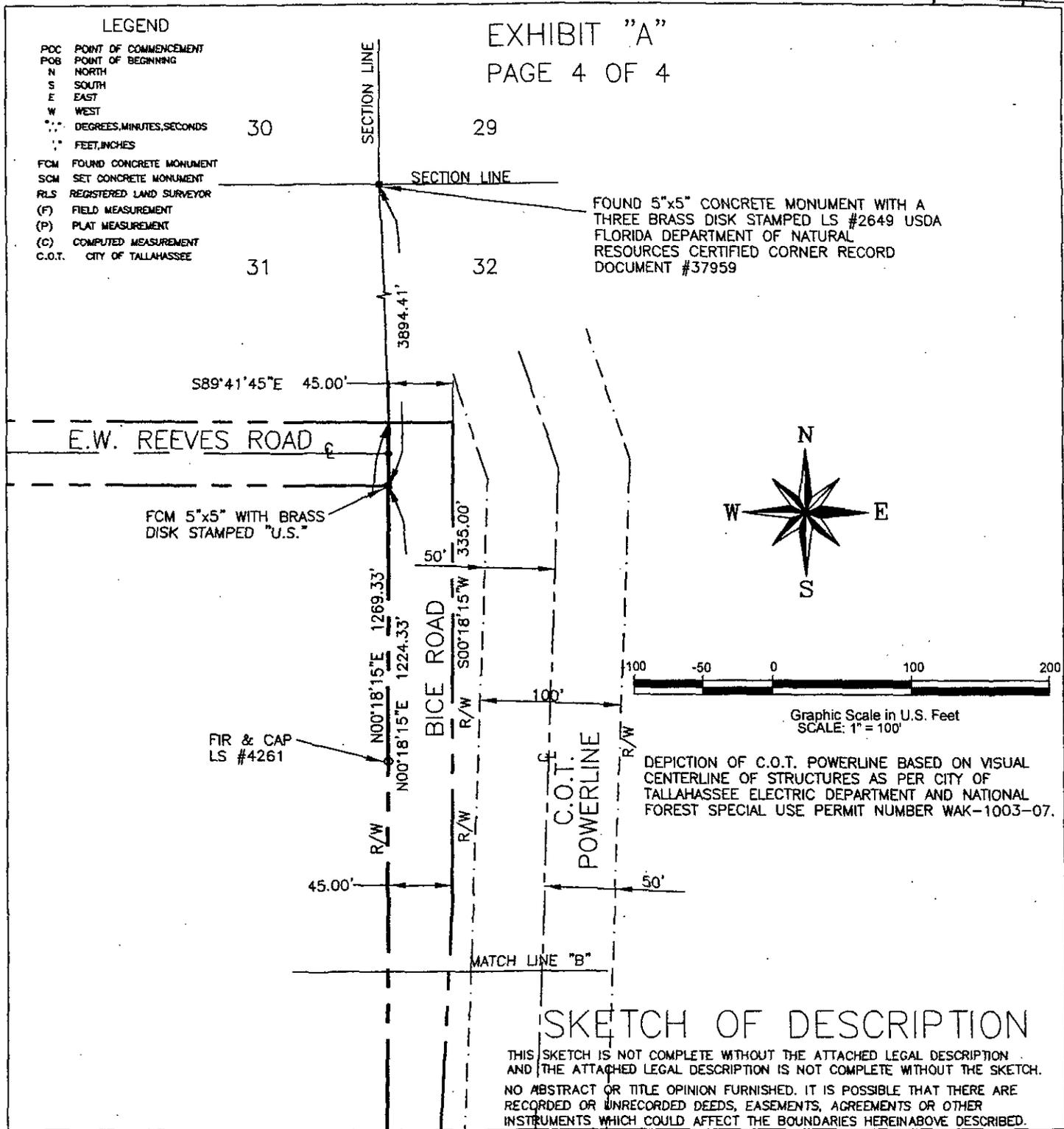
EXHIBIT "A"  
PAGE 4 OF 4

- LEGEND**
- P.C.C. POINT OF COMMENCEMENT
  - P.O.B. POINT OF BEGINNING
  - N NORTH
  - S SOUTH
  - E EAST
  - W WEST
  - ° DEGREES, MINUTES, SECONDS
  - ' FEET, INCHES
  - FCM FOUND CONCRETE MONUMENT
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  - (F) FIELD MEASUREMENT
  - (P) PLAT MEASUREMENT
  - (C) COMPUTED MEASUREMENT
  - C.O.T. CITY OF TALLAHASSEE

30 29

31 32

FOUND 5"x5" CONCRETE MONUMENT WITH A THREE BRASS DISK STAMPED LS #2649 USDA FLORIDA DEPARTMENT OF NATURAL RESOURCES CERTIFIED CORNER RECORD DOCUMENT #37959



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