



Florida Department of Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Interim Secretary

July 8, 2015

Mr. Craig Sherar
c/o Mr. Ryan Carter
7 Waldo Street
St. Augustine, Florida 32084
ryan@carterenv.com

**RE: Modification of Permit No: 54-294674-001-ES
Modification No.: 54-294674-002-EM**

Dear Mr. Sherar:

Your request to modify the above permit has been reviewed by Department staff in accordance with Section 62-343.100 and 62-343.120, Florida Administrative Code (F.A.C.). Your permit was issued under the authority of Part IV of Chapter 373, Florida Statutes (S.F.), and Title 62, F.A.C., Chapter 253 and Chapter 258, F. S., and Chapter 18-20, F.A.C., if located within an Aquatic Preserve, and Chapter 18-21, and Section 62-343.075, F.A.C., and the policies of the Board of Trustees and in accordance to Operating Agreements executed between the Department and the Water Management Districts, as referenced in Chapter 62-113, F.A.C., and a Coordination Agreement Between the U.S. Army Corps of Engineers, Jacksonville District, and the Department for a State Programmatic General Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 401 of the Clean Water Act. This permit contains a regulatory authorization for the construction and operation of the system, a proprietary authorization for the use of sovereignty submerged lands for private purposes, if applicable, and the Federal State Programmatic General Permit (SPGP) for activities in Wetlands and/or Waters of the United States, if applicable.

The requested modification is to extend the construction phase of the permit by a period of 5 years.

The requested modification(s) will affect these authorizations as listed:

REGULATORY AUTHORIZATION FOR CONSTRUCTION AND OPERATION

The activity authorized by the permit is consistent with the Department's rules in effect at the time that the Department reviewed the request for the permit extension. The authority sought under the provisions of Part IV of Chapter 373, F.S., and Title 62, F.A.C. to construct and operate the system is modified as follows. The construction phase of the permit has been extended by a period of 5 years. The expiration date of the construction phase of the permit has been extended until September 27, 2020. This letter of approval does not alter the original conditions or monitoring requirements of the regulatory authorizations contained in the permit nor does it authorize any new work or work locations. This letter must be attached to the original permit.

PROPRIETARY REVIEW

As staff to the Board of Trustees, the Department has reviewed the proposed modification described herein or on the attached drawing(s) or documents(s), and has determined that the requested changes do not change the sovereign submerged lands authorization granted in the permit for the activity, as long as the work performed is located within the boundaries of the project as described. Therefore, consent is hereby granted, pursuant to Chapter 253.77, F.S. to perform the modification as described herein or on the attached drawing(s) or document(s), for the activity on the specified sovereign submerged lands.

SPGP - STATE PROGRAMMATIC GENERAL PERMIT AUTHORIZATION -

Your proposed modification(s) has been reviewed in accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. The U.S. Army Corps of Engineers (Corps) State Programmatic General Permit (SPGP) was not granted in your original permit. Federal authorization for your project cannot be given in conjunction with this permit modification. A copy of your permit application has been forwarded to the Corps for their review. The Corps will issue their authorization directly to you or contact you if additional information is needed. If you have not heard from the Corps within 30 days from the date your application was received at the local FDEP Office, contact the Corps at the Jacksonville Regulatory Field Office at (904-232-1681), for status and further information. Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.

Authority for review - an agreement with the U.S. Army Corps of Engineers entitled "Coordination Agreement between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1) (a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

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Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Janice Price at the letterhead address or (904) 256-1640 or janice.r.price@dep.state.fl.us.

Executed in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Sincerely,



Michael Savage
Environmental Manager
Permitting Program

MS/jrp/tl

c: U.S. Army Corps of Engineers Jacksonville Office, corpsjaxreg@usace.army.mil
Michael Glover, Carter Environmental, michael@carterenv.com



Florida Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590
Phone: 904/807-3300 ♦ Fax: 904/448-4366

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

Voice 904-807-3300 FAX 904-448-4366

ENVIRONMENTAL RESOURCE PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:

Mr. Craig Sherar
2701 South Bayshore Drive #500
Miami, Florida 33133

CONSULTANT:

Mr. David Dickson
Ecology
2825 Lewis Speedway, Suite 107
St. Augustine, Florida 32084

PERMIT INFORMATION:

Permit Number: 54-294674-001-ES
Date of Issue: September 27, 2010
Expiration Date of Construction Phase:
September 27, 2015

County: Putnam

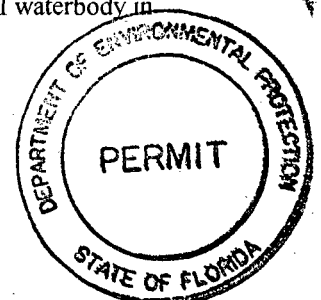
Project: Place fill in jurisdictional wetlands to
repair an existing driveway

This Environmental Resource Permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.) for the regulatory authority to construct, alter, abandon, remove, maintain, and operate the system [project activity and/or structure(s)] as described in the below Description of Project Activity and/or Structure(s). The appropriate proprietary authorization for the use of state-owned submerged lands is granted in accordance with Chapter 253 and Chapter 258, F.S., and Chapter 18-21, F.A.C., and Chapter 18-20, F.A.C., if located in an aquatic preserve. The activity is not exempt from the requirement to obtain an environmental resource permit nor is the activity exempt from the requirement to obtain proprietary authorization. Pursuant to Operating Agreements executed between the Department and the Water Management Districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity. In addition, the project has been reviewed under a Coordination Agreement Between the U.S. Army Corps of Engineers, Jacksonville District, and the Department for a State Programmatic General Permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 401 of the Clean Water Act and may contain Federal authorization to construct and operate the facility as described.

DESCRIPTION OF PROJECT ACTIVITY AND/OR STRUCTURE(S) -

This project is to place fill in jurisdictional, contiguous wetlands in order to repair an existing driveway and construct a single family residence on the property located at 113 Marina Road Palatka, Putnam County, Florida. The applicant is proposing to fill 0.17 acres of bottomland wetlands. The proposed driveway will be 12 feet wide and it will lead to an approximately 90 foot by 70 foot house pad. The fill for the house pad will be held in place by 4 foot high retaining walls on both the east and west sides, and 3:1 sodded slopes will be planted on the north and south sides of the proposed house pad. In order to mitigate for the permanent loss of function of 0.17 acres of wetlands resulting from the project, 4.5 acres of off-site wetlands have been preserved under a recorded conservation easement. The off-site mitigation area is located on the adjacent lot to the west of the project site. The proposed project will also include the construction of a private, single family dock. The proposed dock will consist of a 65 foot by 4 foot wide access pier leading to a 17 foot by 16 foot covered terminal platform adjacent to two 22 foot by 3 foot wide catwalks and a 22 foot by 9 foot open boat slip.

This project is located at Marina Road, Palatka, Putnam County, Florida, on the St. Johns River, a class III waterbody in Section 40, Township 10 South, Range 27 East at Latitude 29°35'51.592", Longitude 81°38'24.987".



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REGULATORY AUTHORIZATION -

This permit constitutes the authority sought under the provisions of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.) to construct and operate the system described above and show on the attached drawing(s), survey, and/or documents.

This activity requires regulatory authorization under the provisions of Part IV, Chapter 373, Florida Statutes (FS). The above named permittee has affirmatively demonstrated that the project as described above is in compliance with the criteria set forth in Section 373.414, FS.

The duration of the construction phase shall be for a period of five (5) years from the date of issuance of this permit, in accordance with Section 62-343.110, subSection (1), paragraph (c), F.A.C. The operation and maintenance phase shall be perpetual in accordance with Section 62-343.110, subSection (1), paragraph (d), F.A.C.

WATER QUALITY CERTIFICATION

This permit constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1344.

PROPRIETARY REVIEW - AUTHORIZATION GRANTED

Your project occurs on state-owned, submerged land and will require authorization from the Department to use these lands for private purposes. The Department has reviewed your project as described above and on the attached documents and/or drawings, and as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions therein, we find your project qualifies for a consent to use state-owned submerged lands. **As such, consider this letter to also constitute authorization to perform the activity. This consent is conditioned upon acceptance of and compliance with the attached General Consent Conditions.**

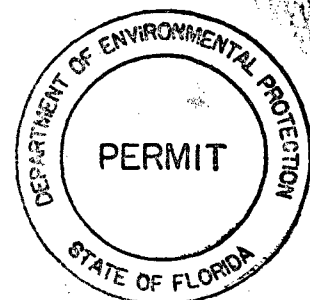
Authority for review - Chapter 253 and Chapter 258, F.S., and Chapter 18-21, F.A.C., and Chapter 18-20, F.A.C. if located in an aquatic preserve, and Section 62-343.075 as required.

SPGP - REVIEW

Your project has been reviewed for compliance with a State Programmatic General Permit (SPGP). Your proposed activity as outlined on the attached drawings is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps.** The authority granted under this SPGP expires September 1, 2011. Your project must be completed prior to this expiration date.

PERMIT CONDITIONS -

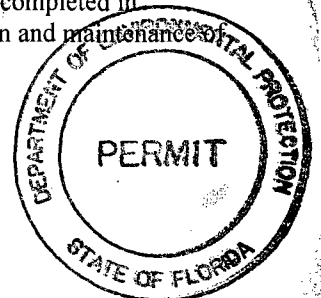
The above named permittee, Mr. Craig Sherar, is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached. **This permit and authorization to use sovereign submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached General Conditions and Specific Conditions which are a binding part of this permit.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.



Operation of the facility is not authorized except when determined to be in conformance with all applicable Rules and with the general and specific conditions of this permit/certification/authorization, as specifically described above and attached hereto.

REGULATORY GENERAL CONDITIONS

- (a) All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
- (b) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
- (c) Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
- (d) Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
- (e) Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
- (f) At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
- (g) When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
- (h) For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subSections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subSections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.
- (i) Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.



(j) Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
3. Dimensions, elevations, contours, or cross-Sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
4. Dimensions, elevations, contours, final grades, or cross-Sections of the system to determine flow directions and conveyance of runoff to the treatment system;
5. Dimensions, elevations, contours, final grades, or cross-Sections of all conveyance systems utilized to convey off-site runoff around the system;
6. Existing water elevation(s) and the date determined; and
7. Elevation and location of benchmark(s) for the survey.

(k) The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph (i) above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subSections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to Section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

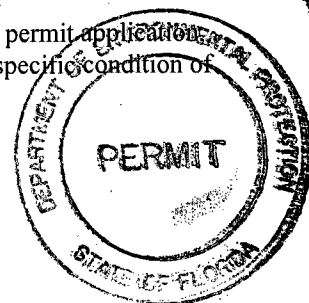
(l) Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.

(m) This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40C-4 or Chapter 40C-40, F.A.C.

(n) The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

(o) The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

(p) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.



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(q) The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Section 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

(r) Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

(s) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

(t) The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

REGULATORY SPECIFIC CONDITIONS

1. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permittee shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the Department of Environmental Protection at 904-807-3300. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes. The following excerpt from **872.05 Unmarked Human Burials is provided for informational purposes:**

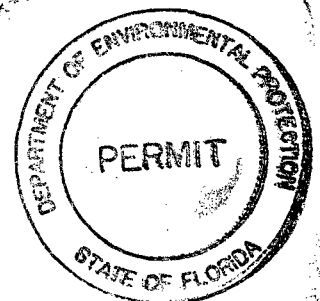
872.05(4) DISCOVERY OF AN UNMARKED HUMAN BURIAL OTHER THAN DURING AN ARCHAEOLOGICAL EXCAVATION --When an unmarked human burial is discovered other than during an archaeological excavation authorized by the state or an educational institution, all activity that may disturb the unmarked human burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or the State Archaeologist.

2. Prior to commencement of work authorized by this permit, the permittee shall provide written notification of the date of the commencement and proposed schedule of construction to the Submerged Lands and Environmental Resources Program, Department of Environmental Protection, Northeast District, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256-7590.

3. All wetland areas or water bodies which are outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, scouring, excess turbidity, or dewatering. Turbidity curtains, hay bales, and other such erosion/turbidity control devices shall be installed pursuant to Chapter 6 of The Florida Land Development Manual, A Guide to Sound Land and Water Management, prior to the commencement of dredging, filling, or construction activity. The devices shall remain functional at all times and shall be maintained on a regular basis. Turbidity and/or sedimentation resulting from any activities associated with the project shall not be allowed to enter waters of the State.

4. Floating turbidity curtains, (FDOT Type II or equivalent), shall be used to surround all open water work areas and shall remain in place until such time as turbidity levels within these work areas have reduced sufficiently so as not to exceed the State water quality standard.

5. The work shall be done during periods of average or low water.



6. The project shall comply with applicable State Water Quality Standards, namely:
 - a) Surface Waters, Minimum Criteria, General Criteria - **62-302.500**,
 - b) Class III Waters - Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife. - **62-302.400**.
7. There shall be no stockpiling of tools, materials (i.e., lumber, pilings, riprap, and debris) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in this permit. Any and all construction debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized by this permit.
8. The structure authorized by this permit shall not be placed on any property, other than that owned by the permittee, without the prior written approval of that property owner.
9. This permit does **not** authorize the removal of any vegetation within the jurisdictional area.
10. Outside the specific limits of construction authorized by this permit, any disturbance of or damage to wetlands or the littoral zone as a result of pier, dock, or bulkhead construction shall be corrected by restoring pre-construction elevations and planting vegetation of the same species, size, and density that exist in adjacent undisturbed wetland or littoral areas.
11. The permittee shall comply with the attached Standard Manatee Construction Conditions for all in-water activities associated with the project.
12. The permittee shall comply with the attached General Conditions For Authorizations To Use Sovereignty Submerged Lands for all activities on sovereign submerged lands.

Wetland Fill Specific Conditions

13. All spoil material generated by demucking or other excavation shall be deposited in a self-contained upland disposal site which will prevent the escape of spoil material or return water from the spoil site into surface waters of the State.
14. All graded areas, fill slopes, and disturbed upland areas shall be stabilized at all times during construction and after construction so as to preclude any erosion into wetlands or waters of the State.
15. Fill material which has escaped the containment devices shall be immediately removed from the wetlands and deposited within the authorized construction area landward of the limit of fill as depicted on the attached permit drawings.
16. All fill slopes, road shoulders, and other disturbed upland areas adjacent to wetlands shall be vegetatively stabilized pursuant to Chapter 6 of The Florida Land Development Manual, A Guide to Sound Land and Water Management, within 7 days following their completion.
17. No dredging, filling, or other construction activity, including the removal of tree stumps and/or vegetative root masses, shall be conducted within the wetlands other than that performed within the specifically authorized work corridor. Outside the specific limits of construction authorized by this permit, the permittee shall not entrench any water, sewer, cable, or utility lines within wetlands, place unpermitted fill material or structures within wetlands, or place sod or landscape materials (timbers, rock, etc.) within the wetlands. Landscape planting shall be accomplished using plant species suitable for site-specific soil types and hydrologic regime.
18. All cleared vegetation (including logging slash), scrap wood, trash, garbage, construction debris and other foreign debris or material shall be removed from the wetlands and placed in approved landfill or other authorized upland location within 14 days of completion of the work authorized in this permit.

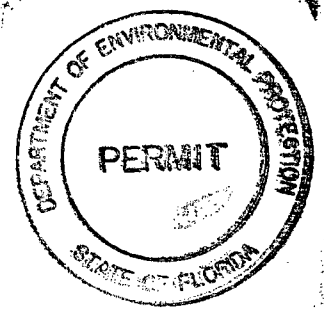


Mr. Craig Sherar
54-294674-001-ES
September 27, 2010

19. Outside the specific limits of construction authorized by this permit, no additional mechanical clearing is authorized within wetlands. Any additional clearing shall be performed using hand tools **only** and shall be limited to the trimming of vines and other herbaceous growth. All work shall be performed in such a manner that no excavation, removal of root masses or stumps, or soil disturbance occurs and all trimmed material shall be removed from wetlands.
20. Outside the specific limits of construction authorized by this permit, the permittee shall not entrench any water, sewer, cable, or utility lines within wetlands, place unpermitted fill material or structures within wetlands, or place sod or landscape materials (timbers, rock, etc.) within the wetlands.
21. Within the conservation areas, non-native, invasive, and/or nuisance vegetation (i.e. willow, cattail, dogfennel, Chinese tallow tree, camphor tree, etc.) and species prohibited by Chapter 16C-52.011, F.A.C., shall be controlled by hand clearing or other methods of removal approved by the Department.
22. The Permittee is responsible for the selection, implementation, and operation of all erosion and sediment controls onsite and to prevent violations of water quality standards in Chapters 62-302 and 62-4, 40C-4, 40C-40, 40C-41, 40C-42 F.A.C., and Chapters 373 and 403 F.S. The Permittee is encouraged to use the appropriate Best Management Practices described in the Florida Land Development Manual: A Guide to Sound Land and Water Management. All wetland areas or water bodies which are outside of the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring, or excess turbidity and dewatering. Turbidity barriers shall be installed at all locations where the possibility of transferring suspended solids into the receiving water body exists due to the proposed work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. The Permittee shall be responsible for the removal of the barriers.
23. In the event that the permittee sells, leases, rents, or transfers title to the subject property, the permittee shall provide a copy of this permit, with attachments, to all successors in title, lessees, renters, and/or occupants of the property, expressly notifying them of the presence of jurisdictional wetlands on the property and the restrictions over their use. The permittee shall also transfer the permit to all successors in title, lessees, renters, and/or occupants of the property and notify them of the legal need to comply with the permit requirements.

Stormwater Specific Conditions

24. All construction, operation, and maintenance of the stormwater system shall be as set forth in the plans, specifications, and performance criteria contained in the Department file and approved by this permit. Any deviations from the permitted plans are to be addressed by the Department prior to their implementation to determine if a modification to the permit is required.
25. To minimize erosion and sedimentation during construction activities, temporary erosion and sedimentation control measures (silt fencing, hay bales, etc) shall be correctly installed, along with other Best Management Practices to provide proper erosion and sediment control during and after construction, until such time as the areas are properly stabilized.
26. No off-site flooding shall occur as a result of the development. Roof runoff shall be maintained on-site through the use of roof gutters and downspouts with energy dissipaters.
27. All fill material within the 10-year floodplain (up to elevation 4.5 feet) shall consist of pervious aggregate material.
28. Side slopes steeper than 3:1 shall be sodded to ensure proper stabilization.
29. The waterward end of the dock shall be marked by a sufficient number of reflectors so as to be visible from the water at night by reflected light. The reflectors shall not be green or red in color.



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30. No portion of the boat slip/mooring area shall be constructed over submerged grass beds.

Dock Specific Conditions

31. Water depth at the boat slip/mooring area shall be sufficient to prevent bottom scouring by boat propellers.

32. Any proposed shelter shall not have enclosed sides.

33. Any non-water dependent structures, such as gazebos or fish cleaning stations, shall not be located on the wetlands or surface waters.

34. The dock decking design and construction will ensure maximum light penetration, with full consideration of safety and practicality. Any wood planking used to construct the walkway surface of a facility shall be no more than eight inches wide and spaced no less than one-half inch apart after shrinkage.

35. The main access pier shall be elevated a minimum of five feet above existing grade.

36. This permit does not authorize the placement of any fill material, including pilings within the wetlands or surface waters not associated with the dock shown on the permit drawings.

37. The access pier pilings through wetlands shall be installed by hand or by other such means so as to prevent damage to wetland vegetation.

PROPRIETARY CONDITIONS

GENERAL CONDITIONS FOR AUTHORIZATIONS TO USE SOVEREIGN SUBMERGED LANDS

All authorizations granted by rule or in writing under Rule 18-21.005; F.A.C., except those for aquaculture activities and geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this Chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or Chapter 258, Part II, F.S.

Chapter 18-21.004(7), F.A.C., General Conditions for Authorizations:

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

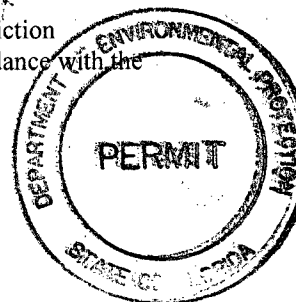
(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.



Mr. Craig Sherar
54-294674-001-ES
September 27, 2010

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 1821.004(1)(f), F.A.C., or any other applicable law.

RIGHTS OF AFFECTED PARTIES

This permit and consent to use are hereby granted. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired.

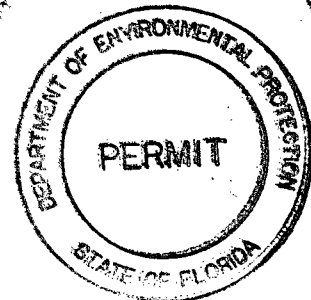
Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under Rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

In accordance with Rule 62-110.106(3)(a)(4) of the Florida Administrative Code, petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3) of the Florida Statutes; however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.



Mr. Craig Sherar
54-294674-001-ES
September 27, 2010

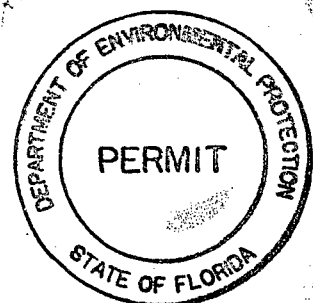
The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes.

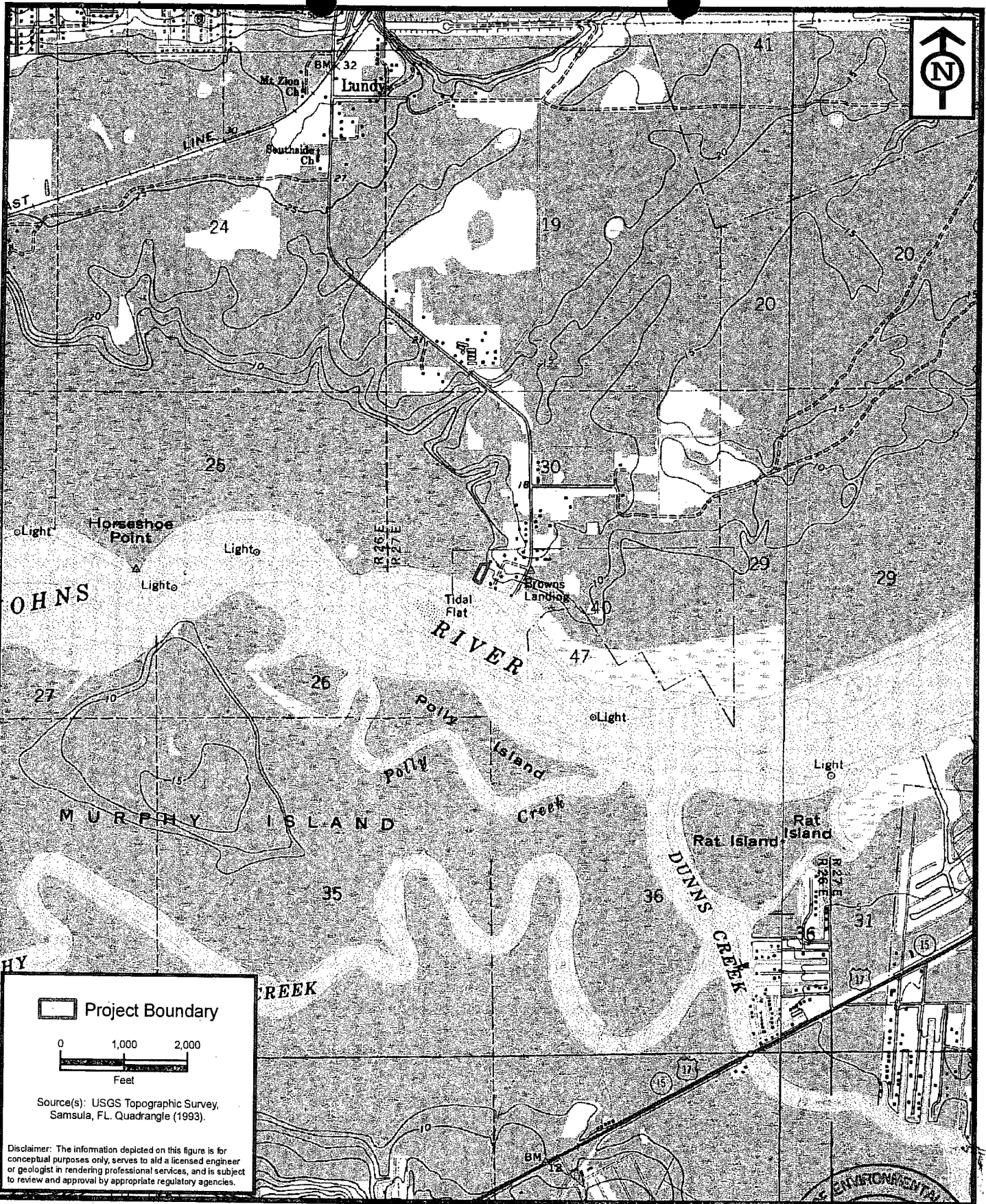
A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific Rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

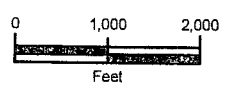
A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code.

Under Sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.





Project Boundary



Source(s): USGS Topographic Survey, Samsula, FL. Quadrangle (1993).

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.



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 Suite 107
 St. Augustine, FL 32084
 904-824-5494
 904-824-8364 FAX
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Project Location Map
Sherar/River Parcel
 Putnam County, Florida





ENVIRONMENTAL SERVICES, INC.

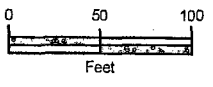
Project: EG06048-06
 Date: **PERMIT** Ser 20089
 Drawn/Chkd: PG/JRN
 Figure:

STATE OF FLORIDA



St. Johns River

-  Project Boundary
-  14, Cassia fine sand
-  26, Terra Ceia muck, frequently flooded
-  99, Water



Source(s): USDA Soil Survey, Putnam County, FL.; Aerials Express, March 2008.

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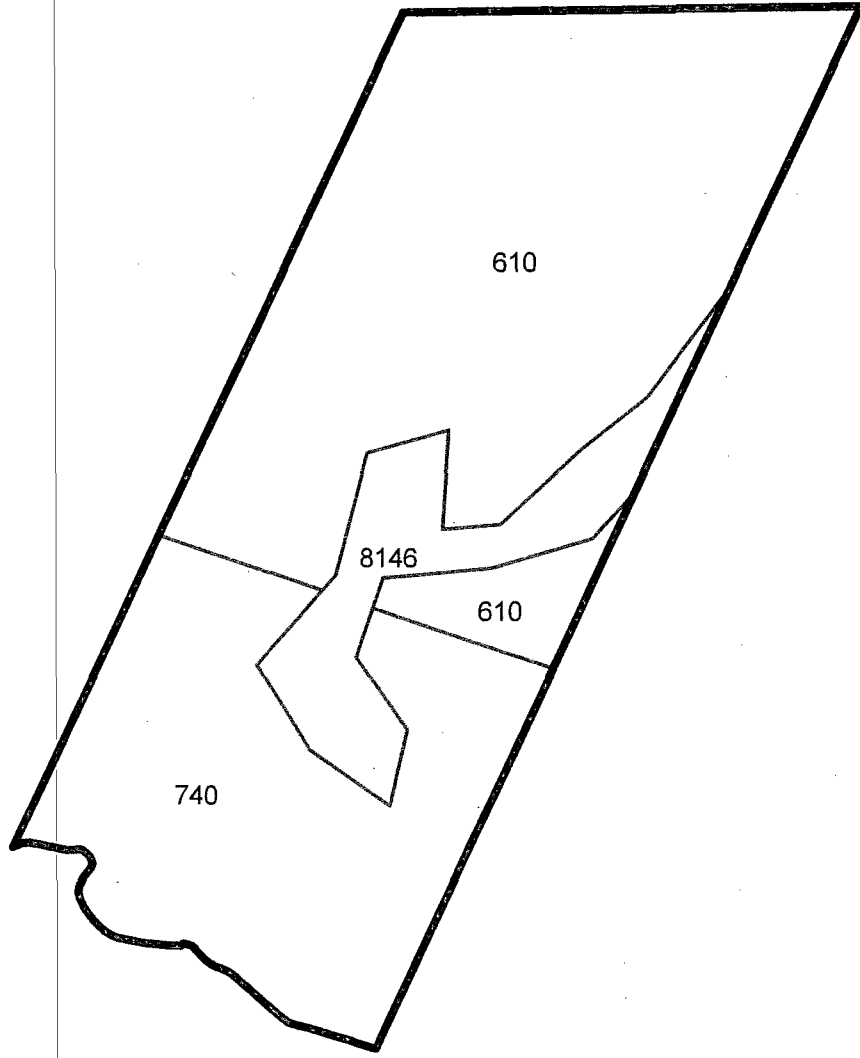


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Soils Map
Sherar/River Parcel
 Putnam County, Florida

Project: EG06048.05
 Date: Sep. 2008
 Drawn/Checked: PG/JRN
 Figure: 2

DEPARTMENT OF
 PERMITS
 STATE OF FLORIDA



St. Johns River

-  Project Boundary (0.78 ac.±)
-  8146 - Access Driveway (0.09 ac.±)
-  610 - Wetland Hardwood Forests (0.43 ac.±)
-  740 - Disturbed Lands (0.26 ac.±)



Source(s): Florida Land Use, Cover and Froms Classification System (FDOT).

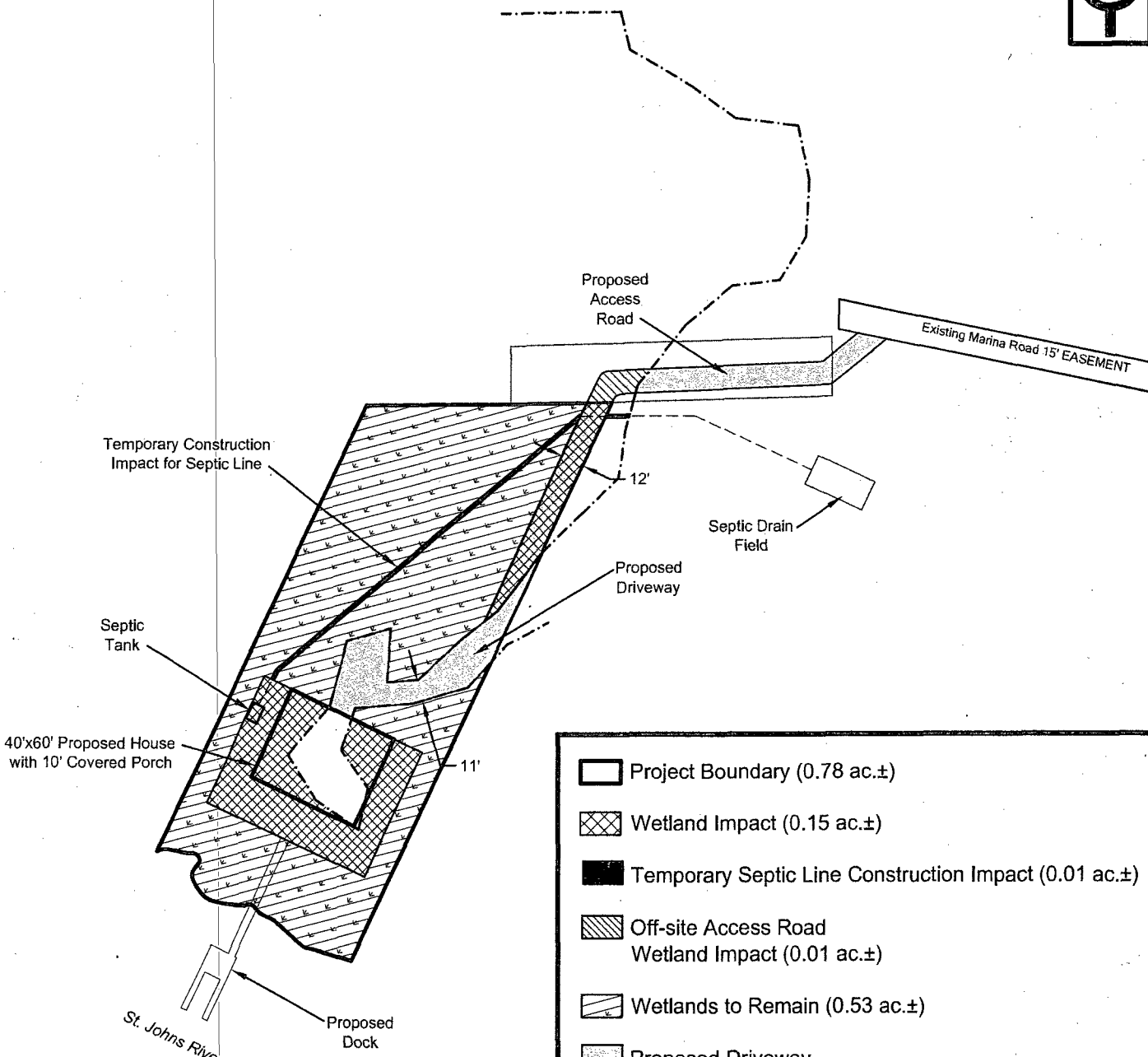
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DEPARTMENT OF ENVIRONMENTAL PROTECTION
 PERMIT
 Project: EG06048305
 Date: Nov. 2008
 Drawn/Checked: JRS/JRN
 Figure: 3



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 St. Augustine, FL 32084
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 904-824-8364 FAX
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Existing Site Conditions Map
Sherar/River Parcel
 Putnam County, Florida



	Project Boundary (0.78 ac.±)
	Wetland Impact (0.15 ac.±)
	Temporary Septic Line Construction Impact (0.01 ac.±)
	Off-site Access Road Wetland Impact (0.01 ac.±)
	Wetlands to Remain (0.53 ac.±)
	Proposed Driveway
	Wetland Line

0 40 80
Feet

Source(s): John H. Walker, LS

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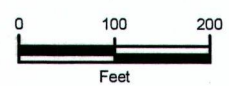
ENVIRONMENTAL SERVICES, INC.
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St. Augustine, Florida 32084
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(904) 824-8364 FAX
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Proposed Site Conditions Map
Sherar/River Parcel
Putnam County, Florida

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT
Project: EG06048.05
Date: May 2010
Drwn/Chkd: PS/JRN
FIGURE 4
STATE OF FLORIDA



-  Project Boundary
-  Parcel Boundary
-  Wetland Preservation (4.50 ac.±)



Source(s): Aerials Express, March 2008.

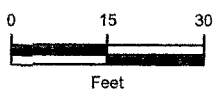
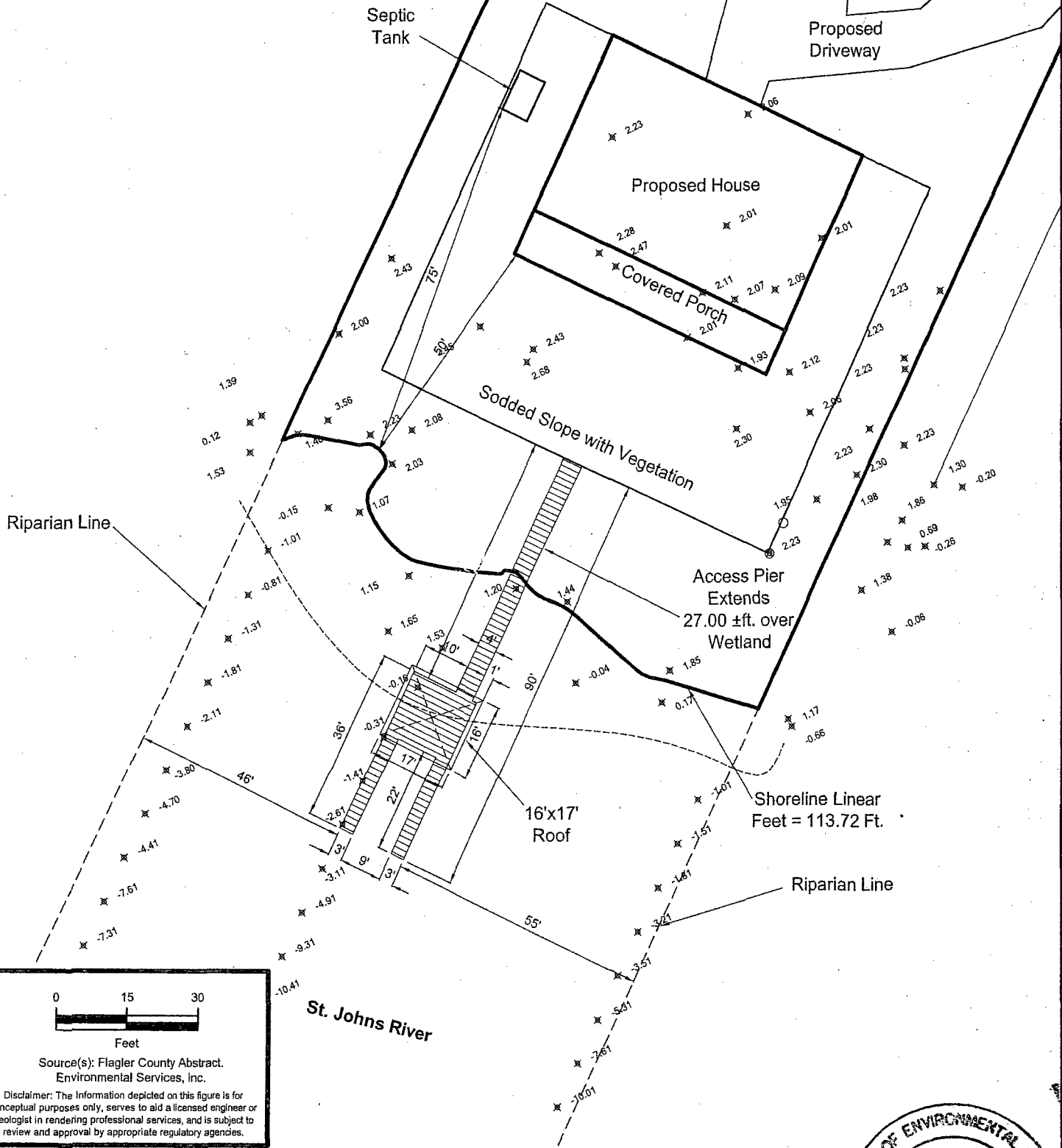
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Off-site Mitigation Area
Sherar/River Parcel
 Putnam County, Florida

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT
 Project: EG06048.05
 Date: July 2009
 Drwn/Chkd: PG/JRN
 Figure: 5



Source(s): Flagler County Abstract.
Environmental Services, Inc.

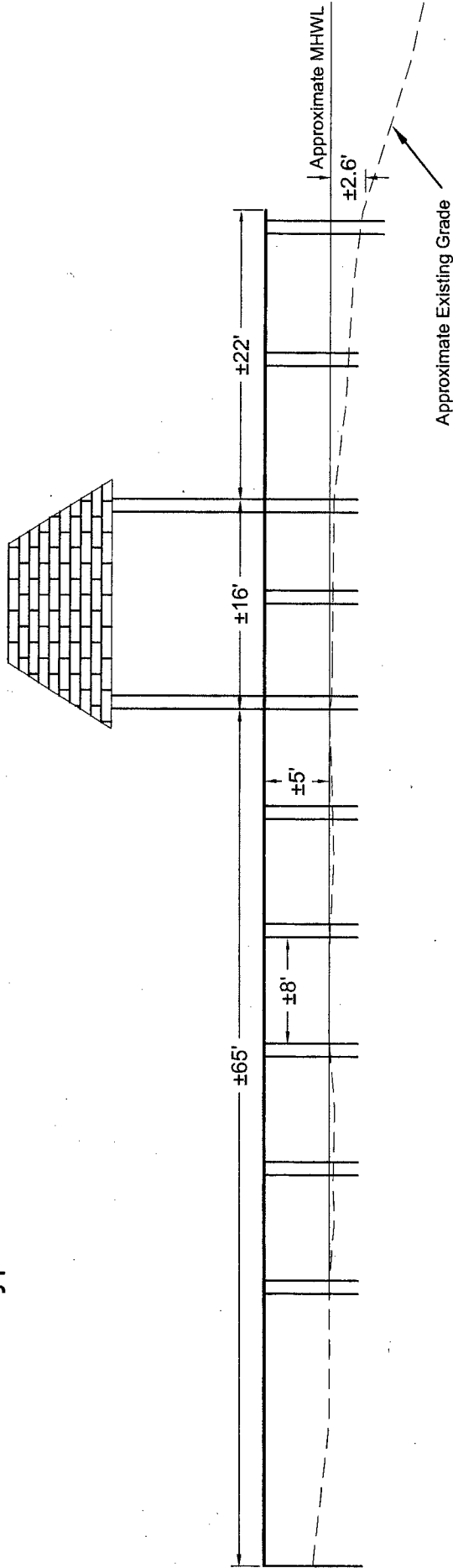
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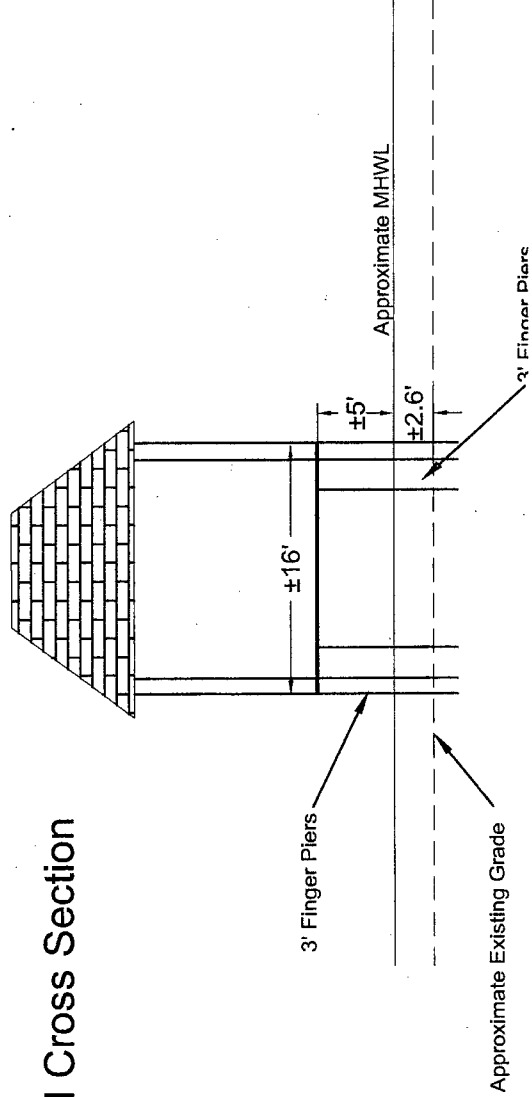
Proposed Dock Plan View
Sherar/River Parcel
Putnam County, Florida

Project: EG06048.05
Date: 01/14/2010
PERMIT
Drwn/Chkd: PG/IRN
Figure: 6A

Typical Horizontal Profile



Typical Cross Section



0 V H 12 12

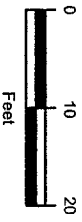
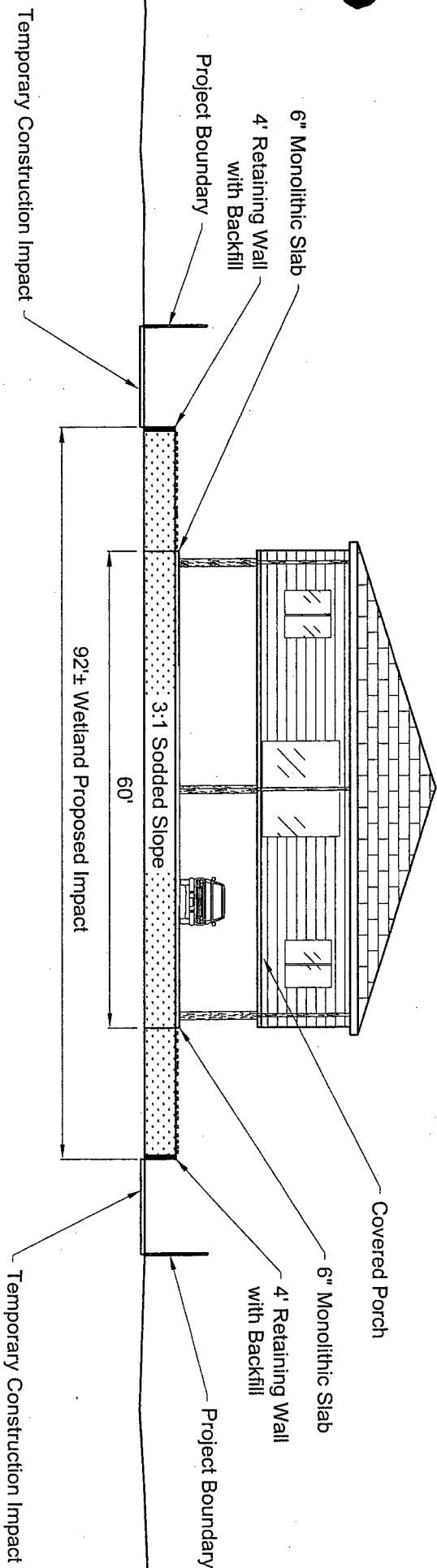
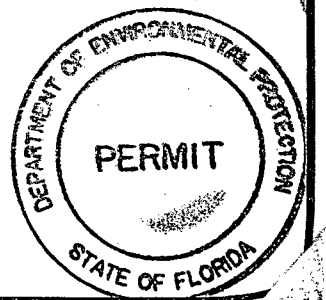
DEPARTMENT OF

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Proposed Dock Cross Section
Sherar/River Parcel
 Putnam County, Florida

Project:	EG06048.05
Date:	May 2010
Drawn/Chkd:	PG/JRN
Figure:	6B



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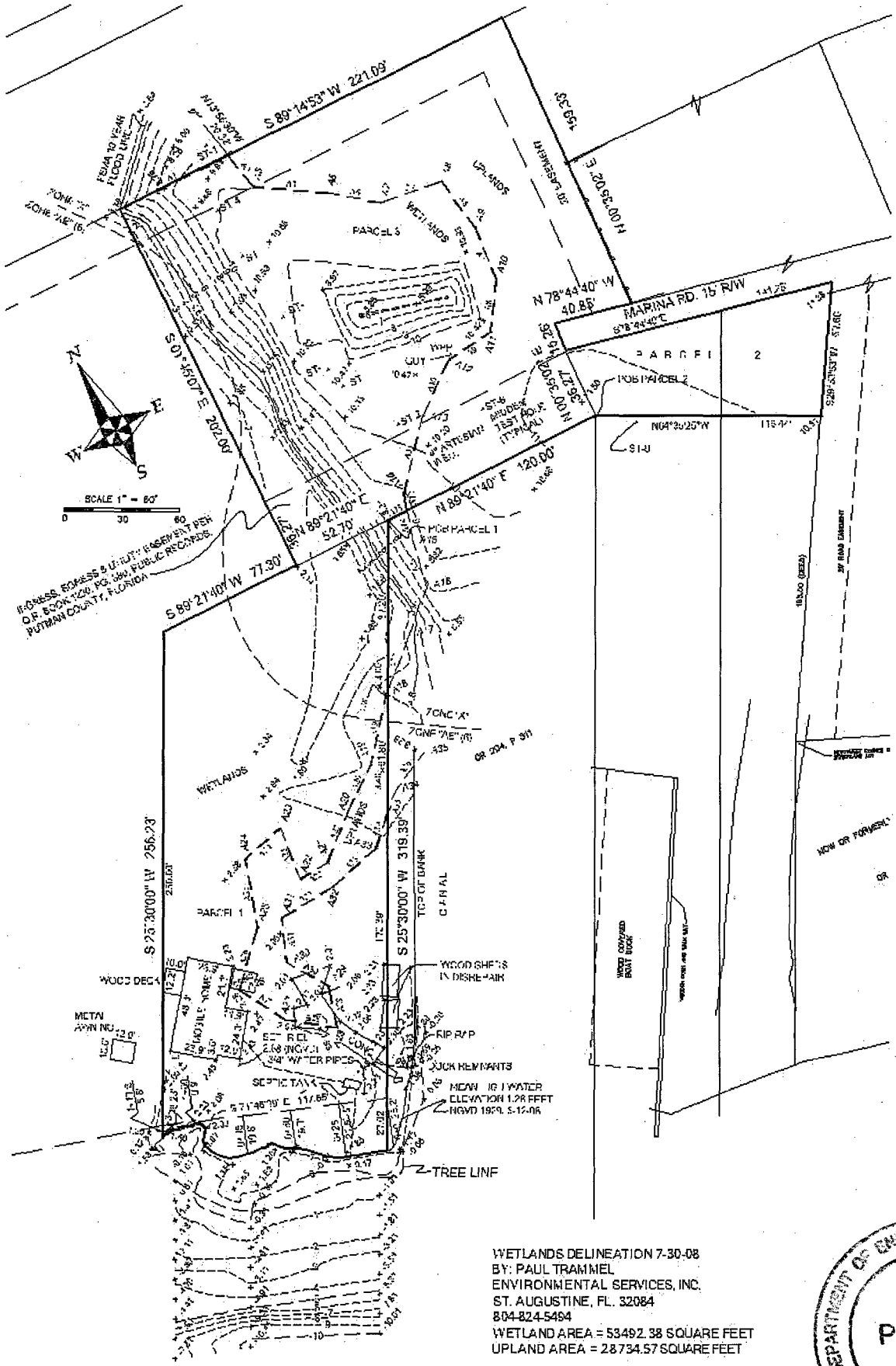
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(904) 824-5494
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North/South Cross Section
Sherar/River Parcel
Putnam County, Florida

Project:	EG06048.05
Date:	July 2009
Drwn/Chkd:	PG/JRN
Figure:	6C

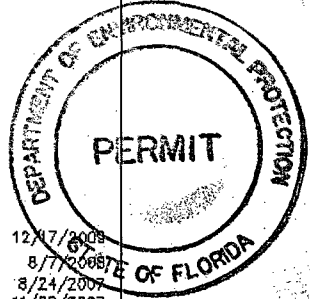
MEAN HIGH WATER SURVEY

A PART OF THE MARTIN GRANT SECTION 40, TOWNSHIP 10 SOUTH, RANGE 27 EAST, PUTNAM COUNTY, FLORIDA



PROGRESS EXPRESS & UTILITIES ROSEMARY PARK
O.F. BOOK 1240, PG. 194 PUBLIC RECORDS
PUTNAM COUNTY, FLORIDA

WETLANDS DELINEATION 7-30-08
BY: PAUL TRAMMEL
ENVIRONMENTAL SERVICES, INC.
ST. AUGUSTINE, FL. 32084
804-824-5494
WETLAND AREA = 53492.38 SQUARE FEET
UPLAND AREA = 28734.57 SQUARE FEET



12/17/2008
8/7/2008
8/24/2007
11/02/2007

This Instrument Prepared By,
Record and Return to:
John Key, Esq.
417 St. Johns Avenue
Palatka, FL 32177

THIS DEED AND THE DEED AT BOOK
1094 PAGE 1428 ARE BEING RE-
RECORDED TO REFLECT A
CORRECTED PURCHASE PRICE OF
\$100,000.00 FOR THIS PARCEL, AND
\$35,000.00 FOR THE PARCEL SOLD BY
DEED RECORDED AT BOOK 1094
PAGE 1428. TOTAL DOCUMENTARY
STAMP TAX PAID ON BOTH PARCELS
IS UNCHANGED.

QUIT-CLAIM DEED

THIS INDENTURE made this May 2nd, 2006, between **WILLIAM L. PRITCHETT, JR.**, conveying non-homestead property, whose address for the purposes hereof is 119 Orange Tree Road, East, Palatka, FL 32131, (hereinafter called "Grantor"), and **CRAIG Z. SHERAR and JESSICA SHERAR, husband and wife**, whose address for the purposes hereof is 6501 S.W. 61st Street, South Miami, FL 33143 (hereinafter called "Grantee").

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto said Grantee, and Grantee's heirs, successors, and assigns forever, the following described land situate, lying and being in PUTNAM County, Florida, to-wit:

See Attached Exhibit "A"
Parcel Identification Number: 40-10-27-0000-0130-0000

This deed is prepared without benefit of title examination.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantors, either in law or equity, to the only proper use, benefit and behoof of the Grantee, his heirs, successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal, the day and year first above written.

Signed, sealed and delivered
in our presence:

John Key
Witness

William L. Pritchett, Jr.
WILLIAM L. PRITCHETT, JR.

John Key
(Print Name)

Sandra H. Davenport
Witness

Sandra H. Davenport
(Print Name)

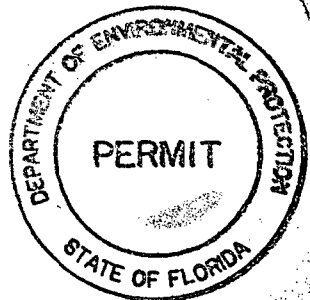
STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me this May 2nd, 2006, by WILLIAM L. PRITCHETT, JR., who is/are personally known to me or who produced _____ as identification, and who did (did not) take an oath.



Sandra H. Davenport
Notary Public, State and County
Aforesaid

Sandra H. Davenport
Name of Notary Public
My Commission Expires:



SEP 13 2010

EXHIBIT A

SEP 13 2010

Parcel #1

Part of the C. W. Martin Grant, Section 40, Township 10 South, Range 27 East, Putnam County, Florida, being more particularly described as follows:

BEGINNING at an iron post (about 2 inches in diameter - screw threaded) set at the Northwest corner of that certain parcel of land conveyed to Betty Clark Griffin and husband, by deed recorded in Deed Book 204, Page 511, public records of Putnam County, Florida, and running thence Westerly along an extension of the North line of said Betty Clark Griffin property, for a distance of 130 feet; thence run Southerly, parallel to the West line of said Betty Clark Griffin property to the St. Johns River; thence run Easterly along the shoreline of the St. Johns River to the point where the said West line of said Betty Clark Griffin property would intersect said River line; (said point is marked by a similar iron post to that marking the said Northwest corner of said Betty Clark Griffin property); thence run Northerly along the West line of said Betty Clark Griffin property to the point of beginning, to close.

DS ST DEED .70 : 0.00 BK 1096 PG 885



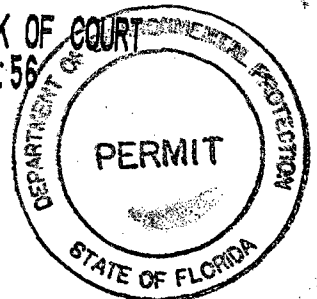
TIM SMITH, PUTNAM CO. CLERK OF COURT
RCD: 05/12/2006 @ 08:46

FILE #: 0000583935
Page 2 of 2



TIM SMITH, PUTNAM CO. CLERK OF COURT
RCD: 05/03/2006 @ 11:56

FILE #: 0000582777
Page 2 of 2



2



THIS INSTRUMENT PREPARED BY:
Craig Z. Sherar
147 Pine Tree Road
East Palatka, FL 32131

Inst:201054713000 Date:9/13/2010 Time:2:58 PM
Doc Stamp-Deed:0.70
DC, Tim Smith, Putnam County Page 1 of 2 B:1270 P:1453

Property Appraisers Parcel Identification (Folio) Numbers: **40.10.27.0000.0030.0020 & 0040.0000**
SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made and executed the **13th** day of **September, 2010** by **KARNAK CORPORATION**, a Florida corporation, herein called the grantor, to **CRAIG Z. SHERAR and JESSICA R. SHERAR**, husband and wife whose post office address is 147 Pine Tree Road – East Palatka, FL 32131, hereinafter called the Grantee:

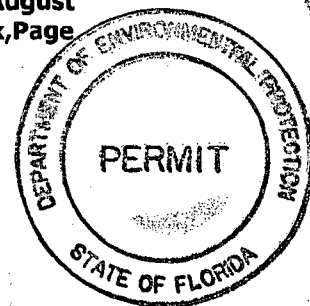
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Putnam County, State of Florida, viz.:

That certain 4.5 acre Conservation Easement, being a part of the C.W. Martin, Section 40, Township 10 South, Range 27 East, Putnam County, Florida, described as follows:

Commence at the intersection of the North line of said C.W. Martin Grant and the Westerly right-of-way line of the Palatka To Brown's Landing Hard-Surfaced County Road; thence run South (South 00 degrees 05 minutes 22 seconds East) along the Westerly right-of-way of said road for a distance of 417.5 feet (417.12 feet) to the fence corner at the Southeast corner of the A.J. Weeks Tract described In Deed Book 83, Page 352; thence run West (South 89 degrees 14 minutes 53 seconds West), along the South line of said Weeks Tract for a distance of 452 feet 8 inches (451.56 feet) to the Northwest corner of lands conveyed to R.E. Kelchner and Wife, Margaret Kelchner by deed recorded in Deed Book 160, Page 248, (also being described as the Northwest corner of lands conveyed by Deed Book 206, Page 219, all Public Records of Putnam County, Florida); and continue West (South 89 degrees 14 minutes 53 seconds West), along the South line of said Weeks Tract for an additional distance of 220 feet (221.09 feet) to the Northeast corner of lands as shown in Official Records Book 187, Page 395; thence continuing along said South line of said Weeks Tract South 89 degrees 14 minutes 53 seconds West 229.21 feet to the Point of Beginning of that certain 4.5 Acre Conservation Easement; thence departing said South line of said Weeks Tract, South 25 degrees 30 minutes 00 seconds West 412.26 feet to the waters of the St. Johns River; thence along the St. Johns River North 77 degrees 16 minutes 11 seconds West 249.02 feet; thence along the St. Johns River North 72 degrees 48 minutes 33 seconds West 320.32 feet to its intersection with the West line of said Section 40; thence North 00 degrees 23 minutes 39 seconds West 213.00 feet, along said West line of Section 40 to its intersection with the South line of said Weeks Tract; thence North 89 degrees 14 minutes 53 seconds East along said South line 727.92 feet to the Point of Beginning.

SUBJECT TO that certain Conservation Easement dated August 23, 2010, filed August 24, 2010 as Instrument Number 201054711928 in Official Records Book 1269k, Page 827 of the Public Records of Putnam County, Florida.



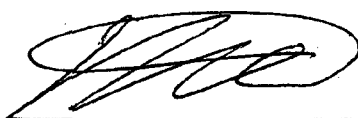
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

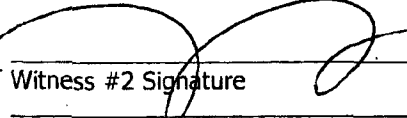
AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2009.

IN WITNESS WHEREOF, the said grantor signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:




Witness #1 Signature
Kenneth W. Schawins
Witness #1 Printed Name



Witness #2 Signature

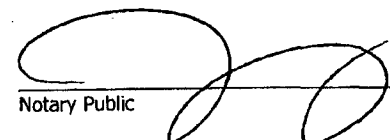
Witness #2 Printed Name

KARNAK CORPORATION, a Florida corporation


BY: CRAIG Z. SHERAR - PRESIDENT
147 Pine Tree Road - East Palatka, FL 32131

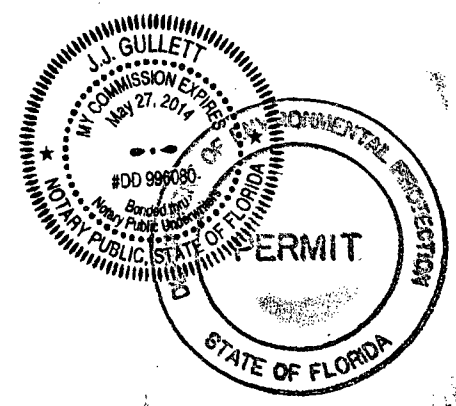
**STATE OF FLORIDA
COUNTY OF PUTNAM**

The foregoing instrument was acknowledged before me this 13th day of September, 2010 by Craig z. Sherar, as President of Karnak Corporation, a Florida corporation, on behalf of the corporation who is personally known to me.



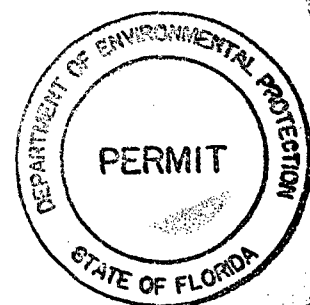
Notary Public

Printed Notary Name



NOTICE

YOUR PROJECT DID NOT QUALIFY FOR THE STATE AND FEDERAL COMBINED STATE PROGRAMMATIC GENERAL PERMIT (SPGP) PROGRAM. THE ATTACHED AUTHORIZATION(S) DOES NOT INCLUDE THE REQUIRED FEDERAL AUTHORIZATION FOR YOU TO CONSTRUCT YOUR PROJECT. A COPY OF YOUR APPLICATION HAS BEEN SENT TO THE US ARMY CORPS OF ENGINEERS (USACOE) FOR PROCESSING. THE FEDERAL AUTHORIZATION FOR YOUR PROJECT WILL BE SENT TO YOU SEPARATELY BY THE USACOE. YOU CANNOT CONSTRUCT YOUR PROJECT WITHOUT THE APPROPRIATE FEDERAL AUTHORIZATION. THE USACOE CAN BE CONTACTED IN JACKSONVILLE AT 904-232-1177.



NOTICES SUBMITTED TO THE DEPARTMENT

Your permit DEP File No.: 54-294674-001-ES requires you to submit the attached Notices to the Department at the times indicated. Failure to submit these notices will constitute noncompliance with the conditions of your permit and an enforcement action may be brought against you. If you are using a contractor you are responsible for insuring these notices are submitted to the Department.

PLEASE NOTE - References to stormwater management systems in the attached forms refers to the activity or activities authorized in your permit.

CONSTRUCTION COMMENCEMENT NOTICE -- FORM 62-343.900(3)

To be submitted 48 hours PRIOR to the commencement of the activity

ANNUAL STATUS REPORT - Form 62-343.900(4)

To be submitted annually each JUNE whenever the construction period exceeds one year after the construction commencement date.

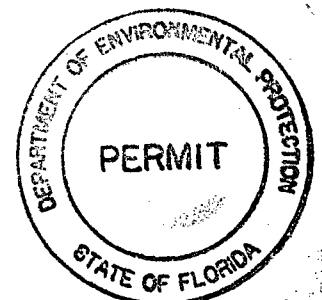
AS BUILT CERTIFICATION - FORM NED/AS-BUILT

Written notice to the Department within 30 days of completion of construction of the date the structure was completed is required.

APPLICATION FOR TRANSFER OF PERMIT -- Form 62-343.900(8)

To be submitted within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or real property at which the system is located.

**SUBMIT ALL NOTICES TO: Department of Environmental Protection
Environmental Resources Program
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256-7590**



**ENVIRONMENTAL RESOURCE PERMIT
CONSTRUCTION COMMENCEMENT NOTICE**

PROJECT: _____ PHASE: one (1)

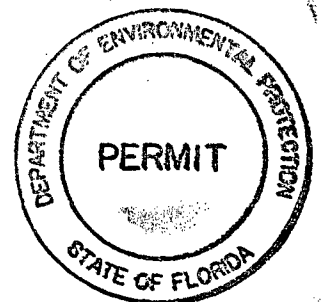
I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit No.: 54-294674-001-ES has / is expected to commence on _____ 200____, and will require a duration of approximately _____ months _____ weeks _____ days to complete.

It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for Surface Water Management System Construction.

PLEASE NOTE: If the actual commencement date is not known, Department staff should be notified in writing in order to satisfy permit conditions.

Permittee or Authorized Agent	Title and Company	Date
Phone	Address	

Form #62-343.900(3), F.A.C.
Form Title: Construction
Commencement Notice
Date: October 3, 1995



**ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL**

PERMIT NUMBER: 54-294674-001-ES

NAME: Mr. Craig Sherar

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or other appropriate individual as authorized by law.

Name (Please print)

Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

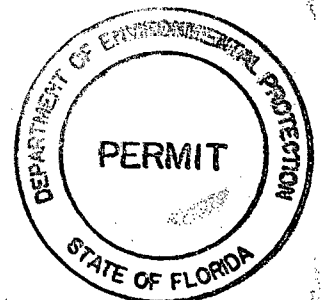
(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

Department of Environmental Protection
Environmental Resources Program
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256-7590



APPLICATION FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT AND NOTIFICATION OF SALE OF A FACILITY OR SURFACE WATER MANAGEMENT SYSTEM

Permit No. _____ Date Issued _____ Date Expires _____

FROM (Name of Current Permit Holder): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

Identification or Name of Facility/Surface Water Management System: _____

Phase of Facility/Surface Water Management System (if applicable): _____

The undersigned hereby notifies the Department of the sale or legal transfer of this facility, or surface-water management system, and further agrees to assign all rights and obligations as permittee to the applicant in the event the Department agrees to the transfer of permit.

Signature of the current permittee: _____

Title (if any): _____ Date: _____

TO (Name of Proposed Permit Transferee): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

The undersigned hereby notifies the Department of having acquired the title to this facility, or surface-water management system. The undersigned also states he or she has examined the application and documents submitted by the current permittee, the basis of which the permit was issued by the Department, and states they accurately and completely describe the permitted activity or project. The undersigned further attests to being familiar with the permit, agrees to comply with its terms and with its conditions, and agrees to assume the rights and liabilities contained in the permit. The undersigned also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project.

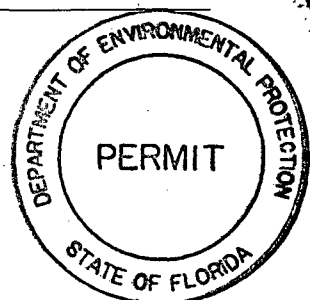
Signature of the applicant (Transferee): _____

Title (if any): _____ Date: _____

Project Engineer Name (if applicable) _____

Mailing Address: _____

Telephone: (____) _____



DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

STATE PROGRAMMATIC GENERAL PERMIT

PERMIT NUMBER: 54-294674-001-ES

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the Department of Environmental Protection, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida, 32256-7590.

(TRANSFEEE-SIGNATURE)

(SUBDIVISION)

(DATE)

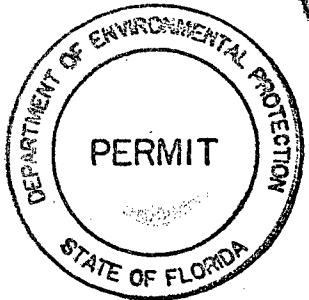
(LOT)

(BLOCK)

(NAME-PRINTED)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)



**ENVIRONMENTAL RESOURCE PERMIT
ANNUAL STATUS REPORT FORM**

Permit No.: 54-294674-001-ES

County: _____

Project Name: Mr. Craig Sherar

Phase: ONE (1)

the following activity has occurred at the above referenced project during the past year, between
June 1, 20____ and May 30, 20_____.

Permit Condition Activity	% of Completion	Date of anticipated Completion	Date of Completion
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Use additional Sheets As Necessary)

Benchmark Description (one per major control structure:)

Not Applicable

Print Name _____

Phone _____

Permittee's or Authorized Agent's Signature _____

Title and Company _____

Date _____

This form shall be submitted to the above referenced Department Office During June of each year for activities whose duration of construction exceeds one year.

Form: #62-343.900(4), F.A.C.
Form Title: Annual Status Report
Date: October 3, 1995

