

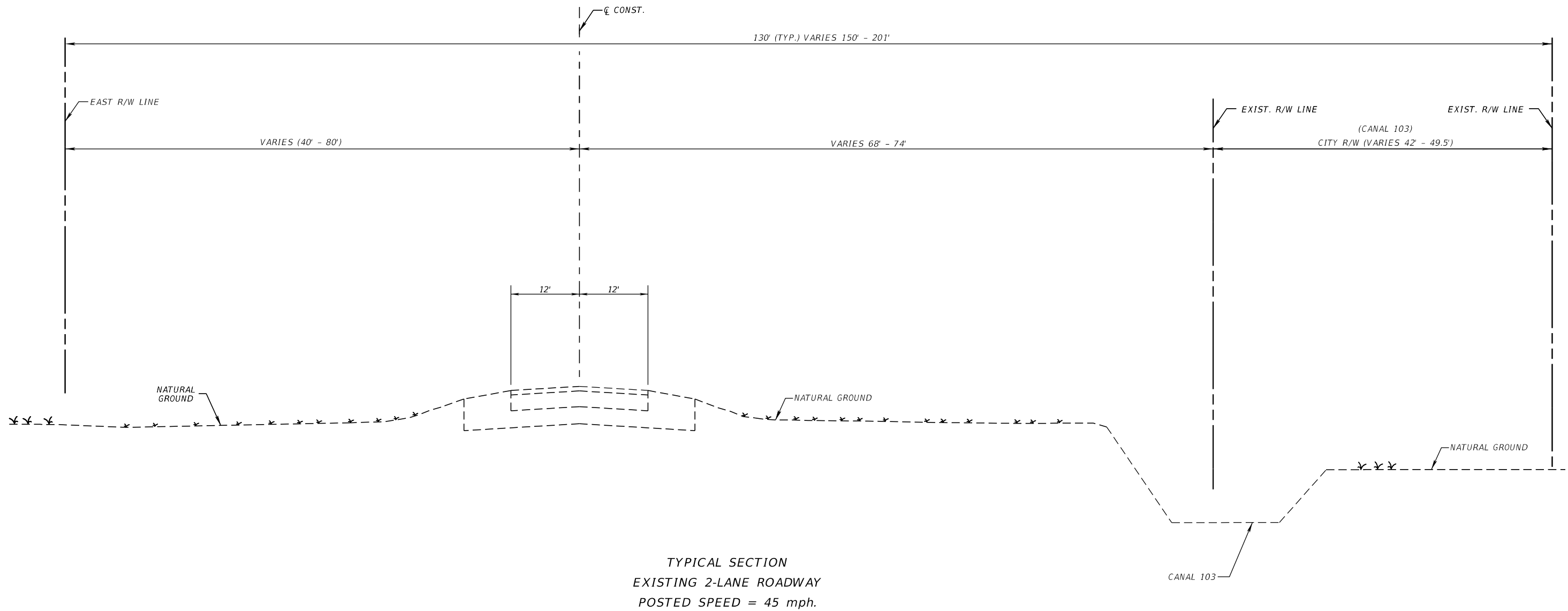
Appendix A

Project Exhibits

- **Exhibit A-1 – Existing Midway Road Typical Section**
- **Exhibit A-2 – Build Alternative 1 Preliminary Concept Plans**
- **Exhibit A-3 – Build Alternative 2 Preliminary Concept Plans**
- **Exhibit A-4 – SHPO Concurrence Letter Dated July 5, 2016**

Exhibit A-1

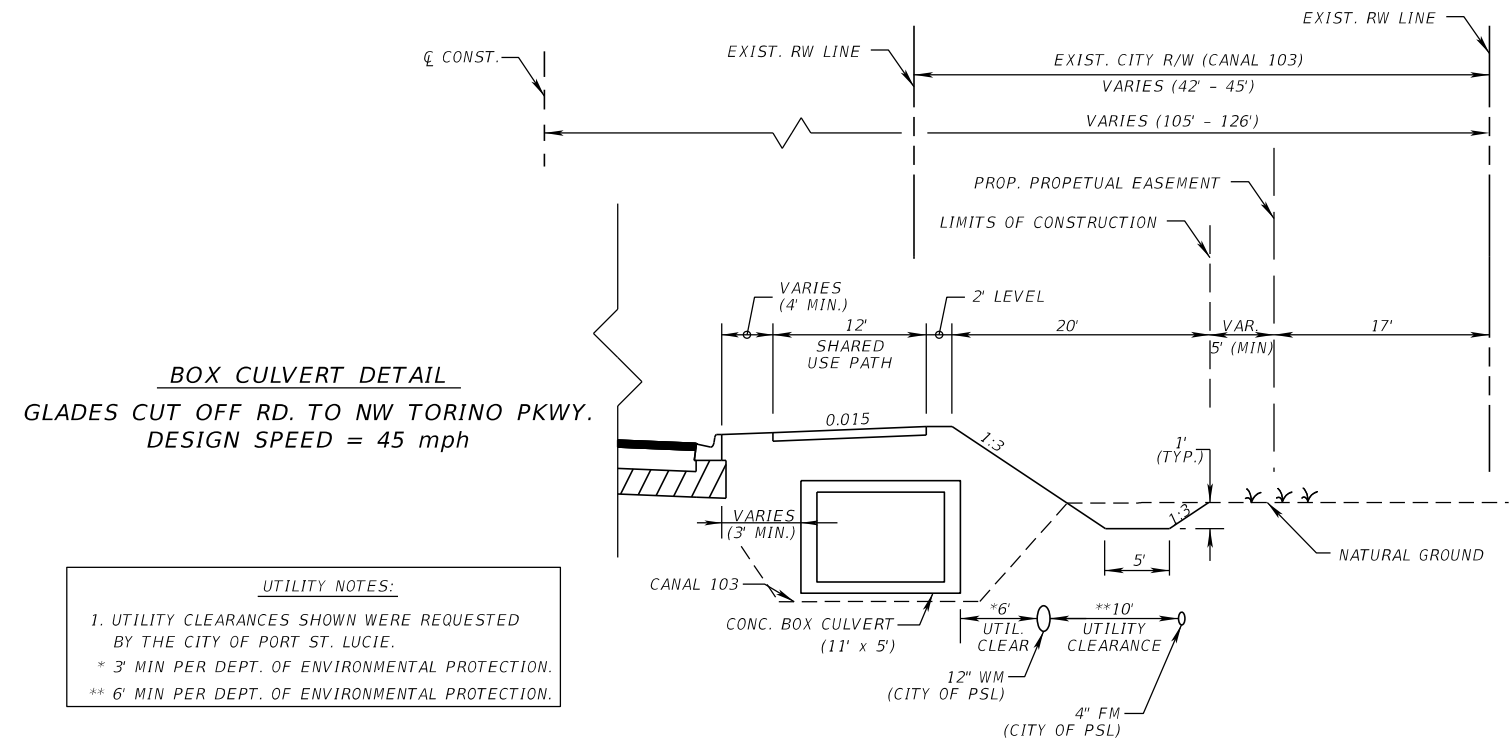
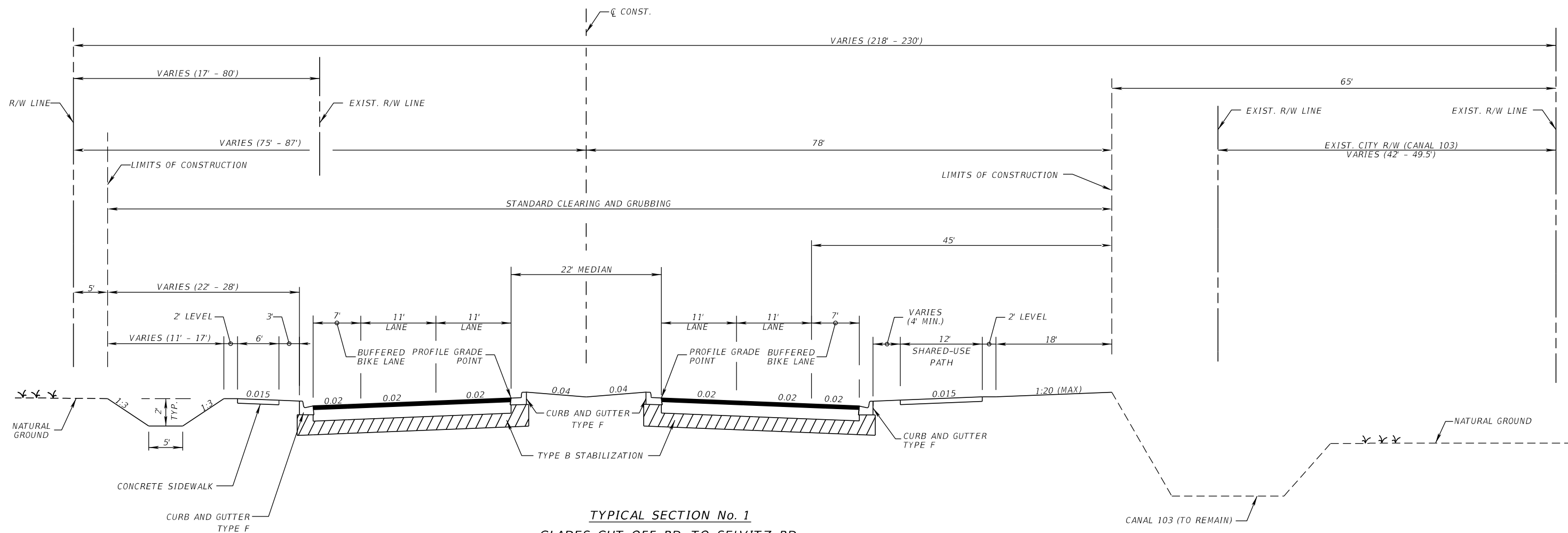
Existing Midway Road Typical Section



REVISIONS				ENGINEER OF RECORD		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			MIDWAY ROAD PD&E STUDY EXHIBIT A-1 EXISTING TYPICAL SECTION		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850		ROAD NO.	COUNTY	FINANCIAL PROJECT ID			
						CR 712	ST. LUCIE	231440-3-22-01			

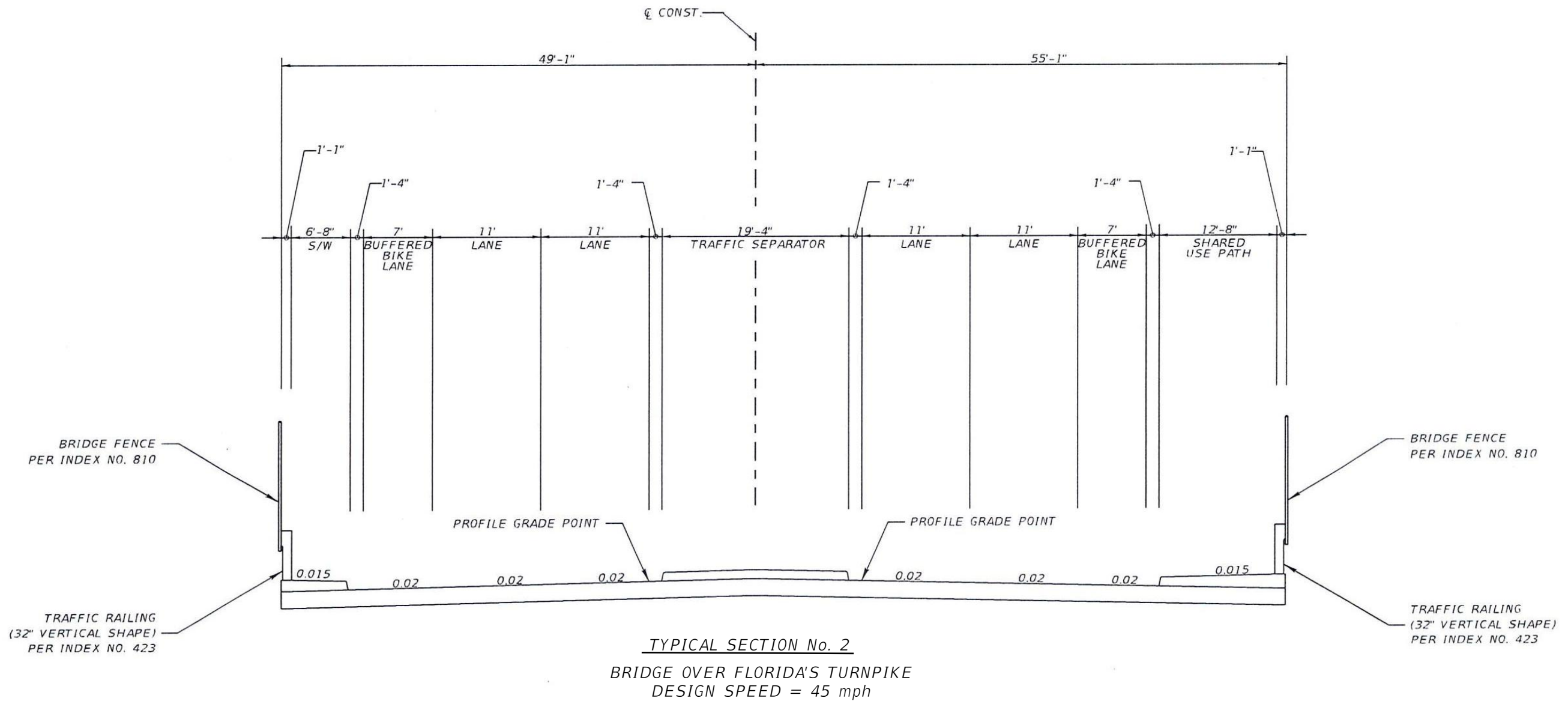
Exhibit A-2

Build Alternative 1 Preliminary Concept Plans



UTILITY NOTES:
 1. UTILITY CLEARANCES SHOWN WERE REQUESTED BY THE CITY OF PORT ST. LUCIE.
 * 3' MIN PER DEPT. OF ENVIRONMENTAL PROTECTION.
 ** 6' MIN PER DEPT. OF ENVIRONMENTAL PROTECTION.

REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-2 BUILD ALTERNATIVE 1 PRELIMINARY CONCEPT PLANS	SHEET NO. 1
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		



REVISIONS	
DATE	DESCRIPTION

ST. LUCIE COUNTY CONCURRENCE

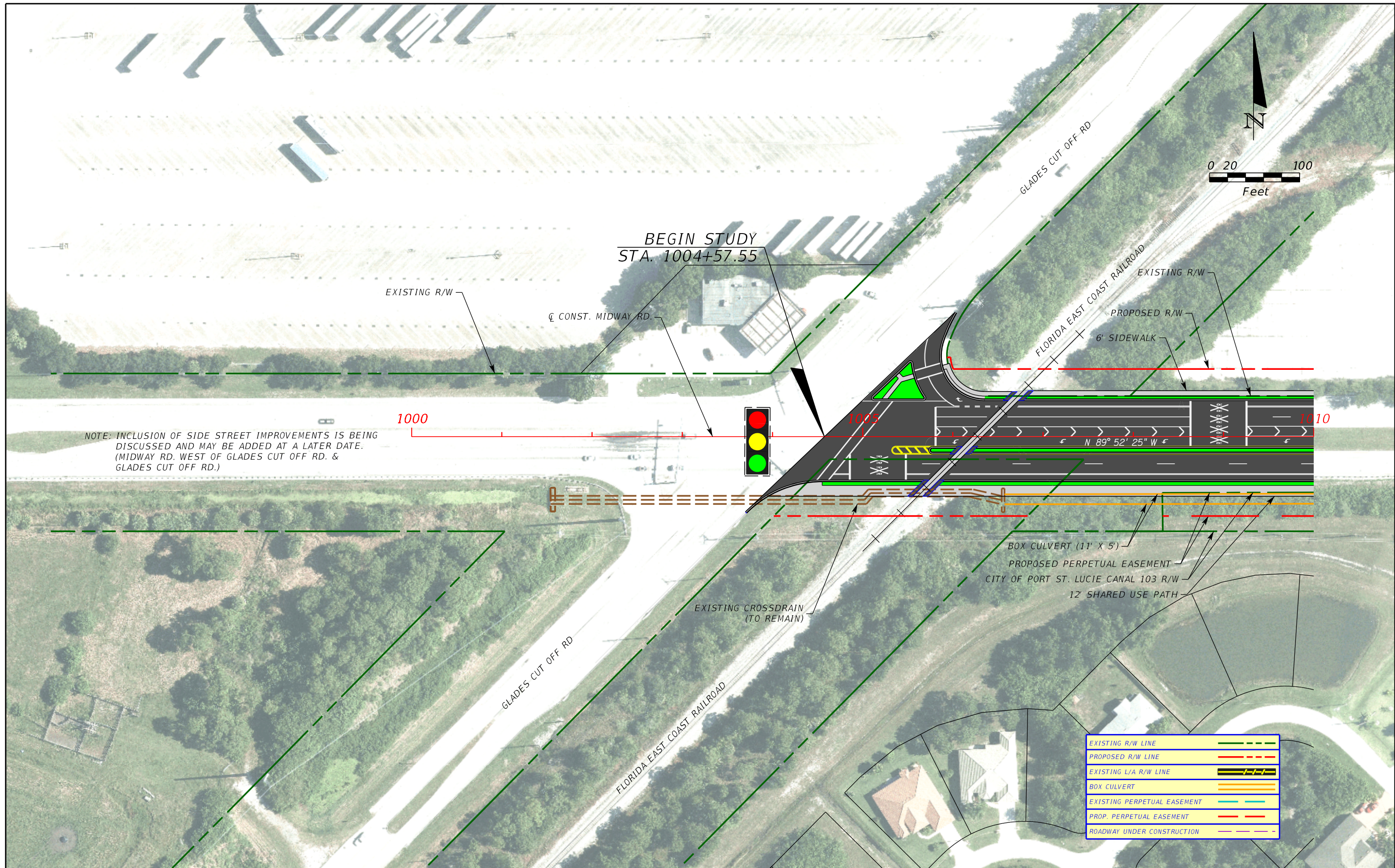
Michael V. Powley 9-21-15
 Michael V. Powley, PE
 St. Lucie County Engineer

Kimley-Horn and Associates, Inc.
 Certificate of Authorization No. 696
 Kenneth W. Jackson, P.E.
 P.E. License No. 50602
 1920 Wekiva Way, Suite 200
 West Palm Beach, Florida 33411

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT A-2
 BUILD ALTERNATIVE 1
 PRELIMINARY CONCEPT PLANS

SHEET NO.
 2



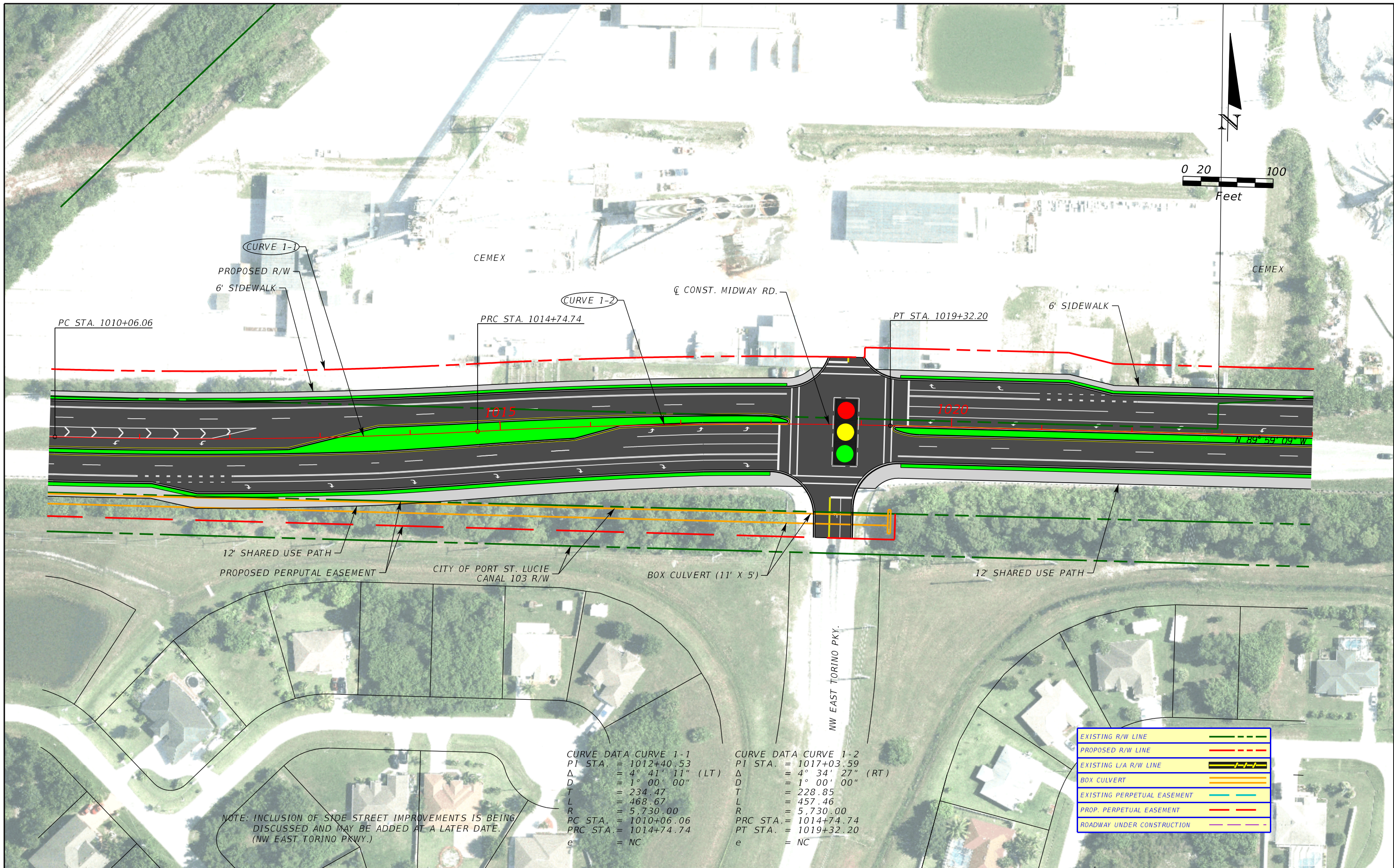
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

**EXHIBIT A-2
 BUILD ALTERNATIVE 1
 PRELIMINARY CONCEPT PLANS**

**SHEET NO.
 3**



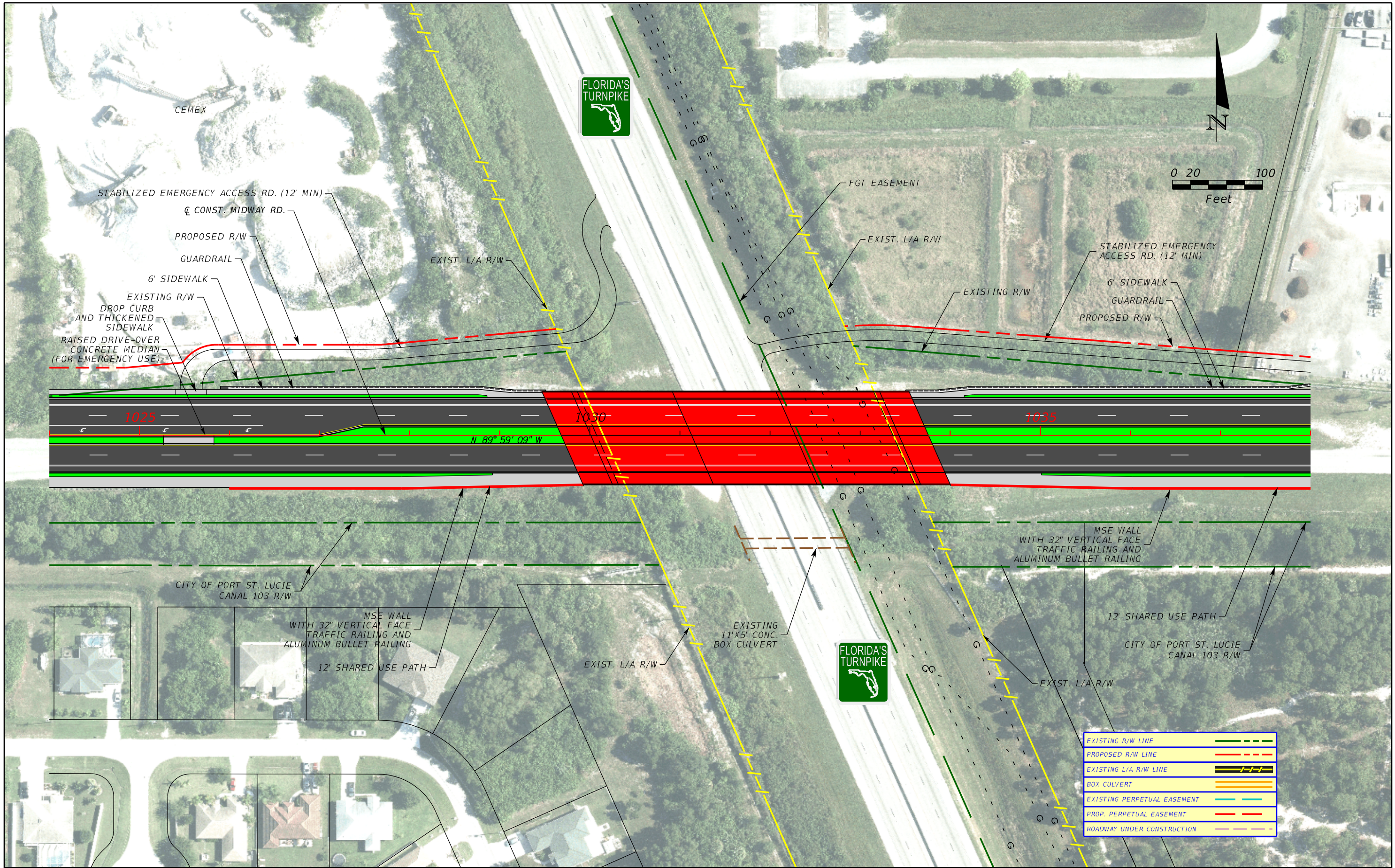
NOTE: INCLUSION OF SIDE STREET IMPROVEMENTS IS BEING DISCUSSED AND MAY BE ADDED AT A LATER DATE. (NW EAST TORINO PKWY.)

CURVE DATA CURVE 1-1
 PI STA. = 1012+40.53
 Δ = 4° 41' 11" (LT)
 D = 1° 00' 00"
 T = 234.47
 L = 468.67
 R = 5,730.00
 PC STA. = 1010+06.06
 PRC STA. = 1014+74.74
 e = NC

CURVE DATA CURVE 1-2
 PI STA. = 1017+03.59
 Δ = 4° 34' 27" (RT)
 D = 1° 00' 00"
 T = 228.85
 L = 457.46
 R = 5,730.00
 PRC STA. = 1014+74.74
 PT STA. = 1019+32.20
 e = NC

EXISTING R/W LINE	---
PROPOSED R/W LINE	---
EXISTING L/A R/W LINE	---
BOX CULVERT	---
EXISTING PERPETUAL EASEMENT	---
PROP. PERPETUAL EASEMENT	---
ROADWAY UNDER CONSTRUCTION	---

REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-2 BUILD ALTERNATIVE 1 PRELIMINARY CONCEPT PLANS	SHEET NO. 4
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		



CEMEX

STABILIZED EMERGENCY ACCESS RD. (12' MIN)

CL CONST. MIDWAY RD.

PROPOSED R/W

GUARDRAIL

6' SIDEWALK

EXISTING R/W

DROP CURB AND THICKENED SIDEWALK

RAISED DRIVE-OVER CONCRETE MEDIAN (FOR EMERGENCY USE)

EXIST. L/A R/W

FGT EASEMENT

EXIST. L/A R/W

EXISTING R/W

STABILIZED EMERGENCY ACCESS RD. (12' MIN)

6' SIDEWALK

GUARDRAIL

PROPOSED R/W

1025

1030

1035

N 89° 59' 09" W

MSE WALL WITH 32" VERTICAL FACE TRAFFIC RAILING AND ALUMINUM BULLET RAILING

CITY OF PORT ST. LUCIE CANAL 103 R/W

MSE WALL WITH 32" VERTICAL FACE TRAFFIC RAILING AND ALUMINUM BULLET RAILING

12' SHARED USE PATH

EXISTING 11'X5' CONC. BOX CULVERT

12' SHARED USE PATH

CITY OF PORT ST. LUCIE CANAL 103 R/W

EXISTING R/W LINE	---
PROPOSED R/W LINE	---
EXISTING L/A R/W LINE	---
BOX CULVERT	---
EXISTING PERPETUAL EASEMENT	---
PROP. PERPETUAL EASEMENT	---
ROADWAY UNDER CONSTRUCTION	---

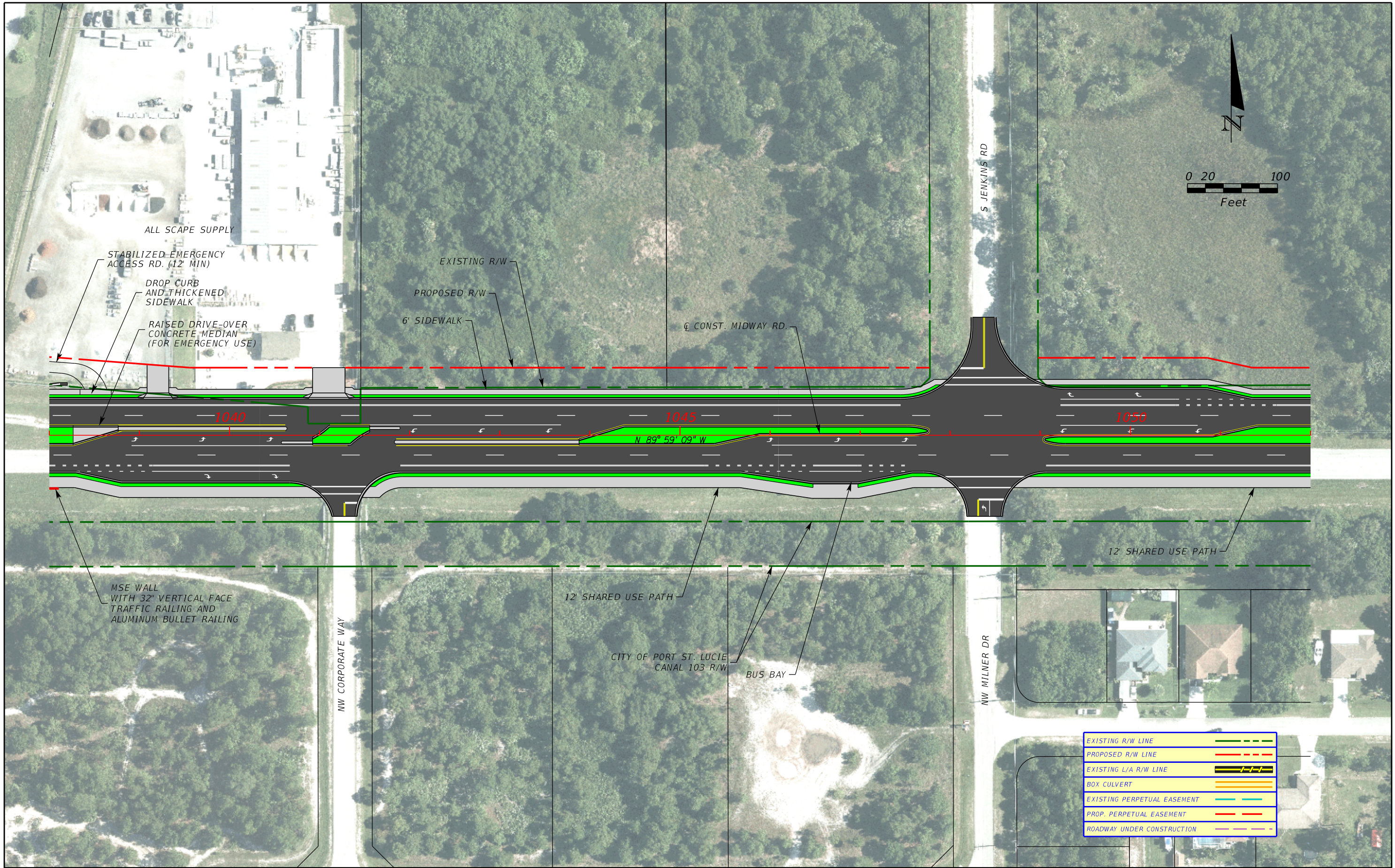
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT A-2
 BUILD ALTERNATIVE 1
 PRELIMINARY CONCEPT PLANS

SHEET NO.
5



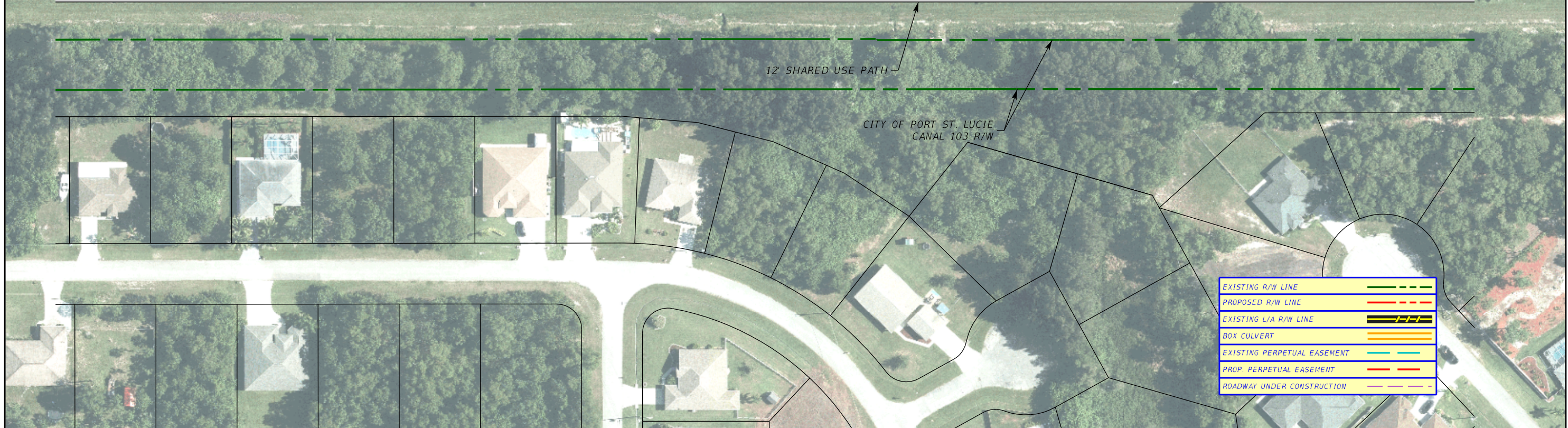
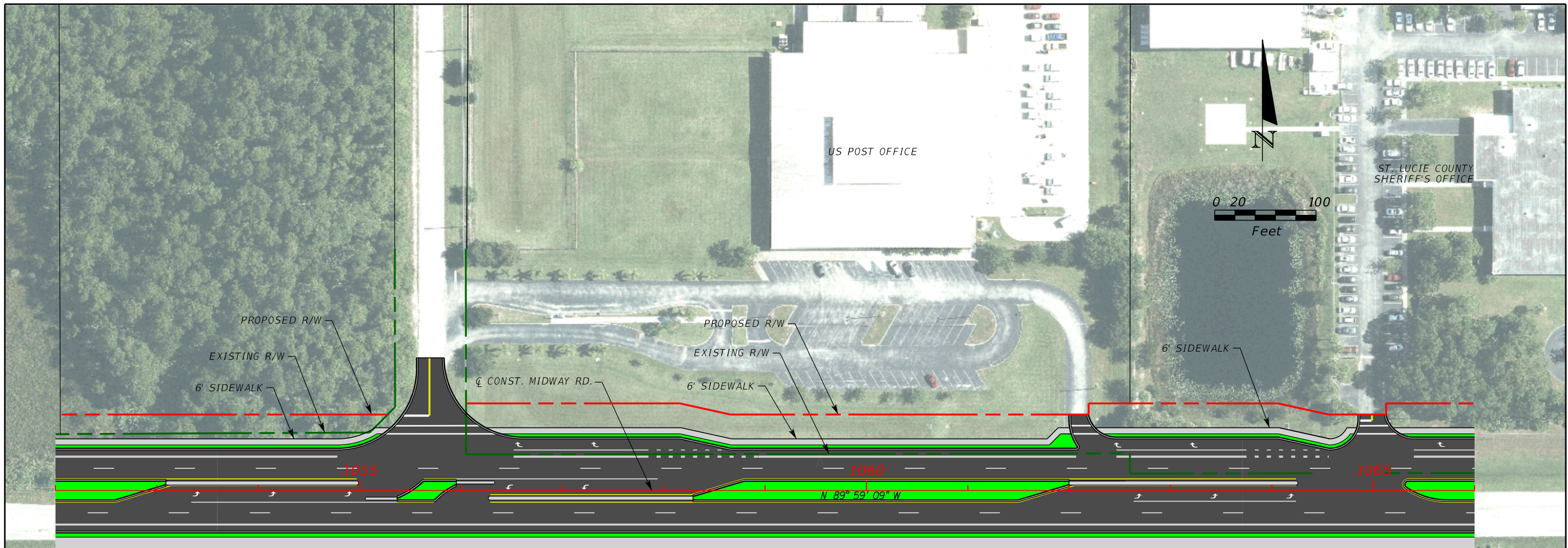
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

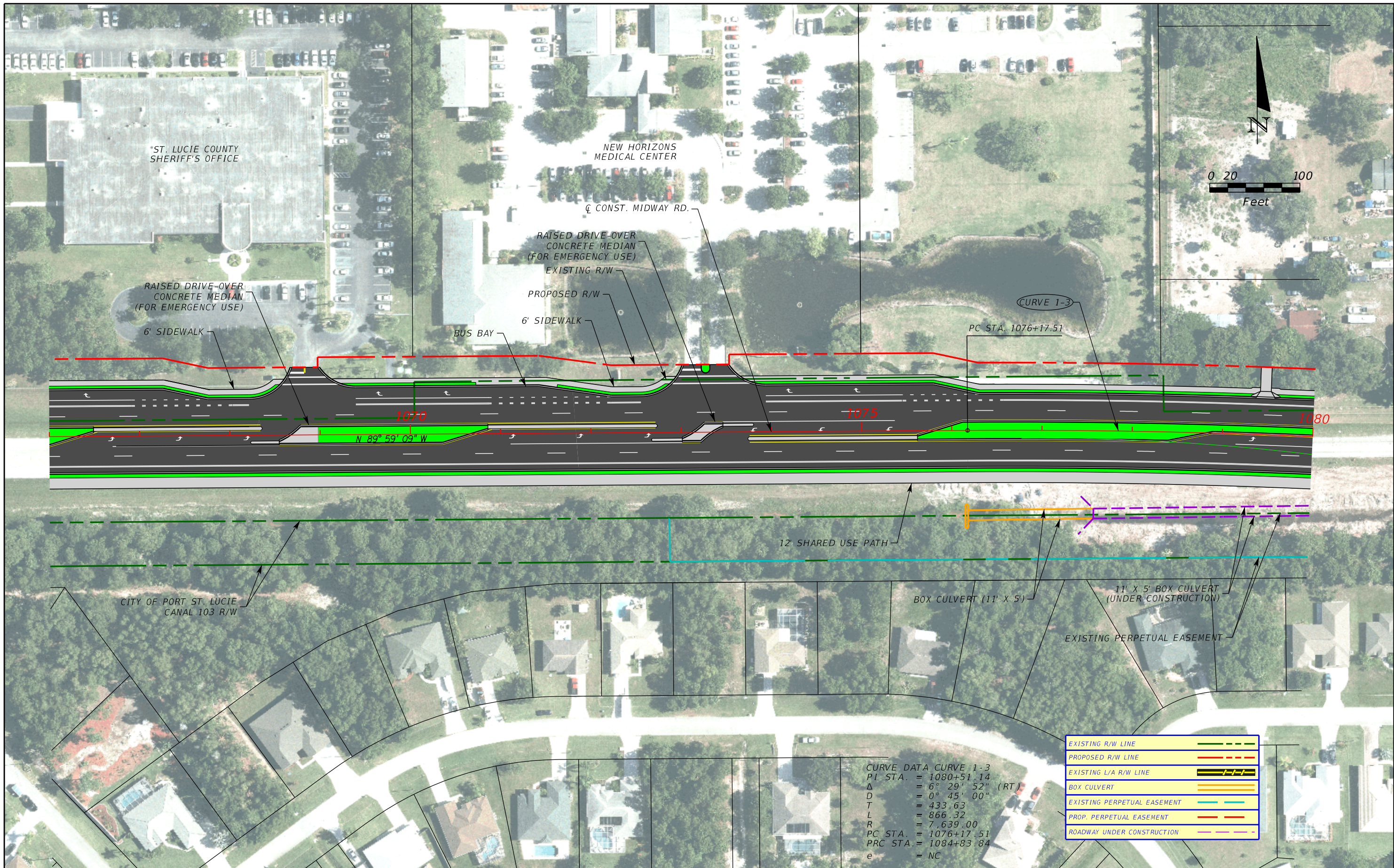
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT A-2
 BUILD ALTERNATIVE 1
 PRELIMINARY CONCEPT PLANS

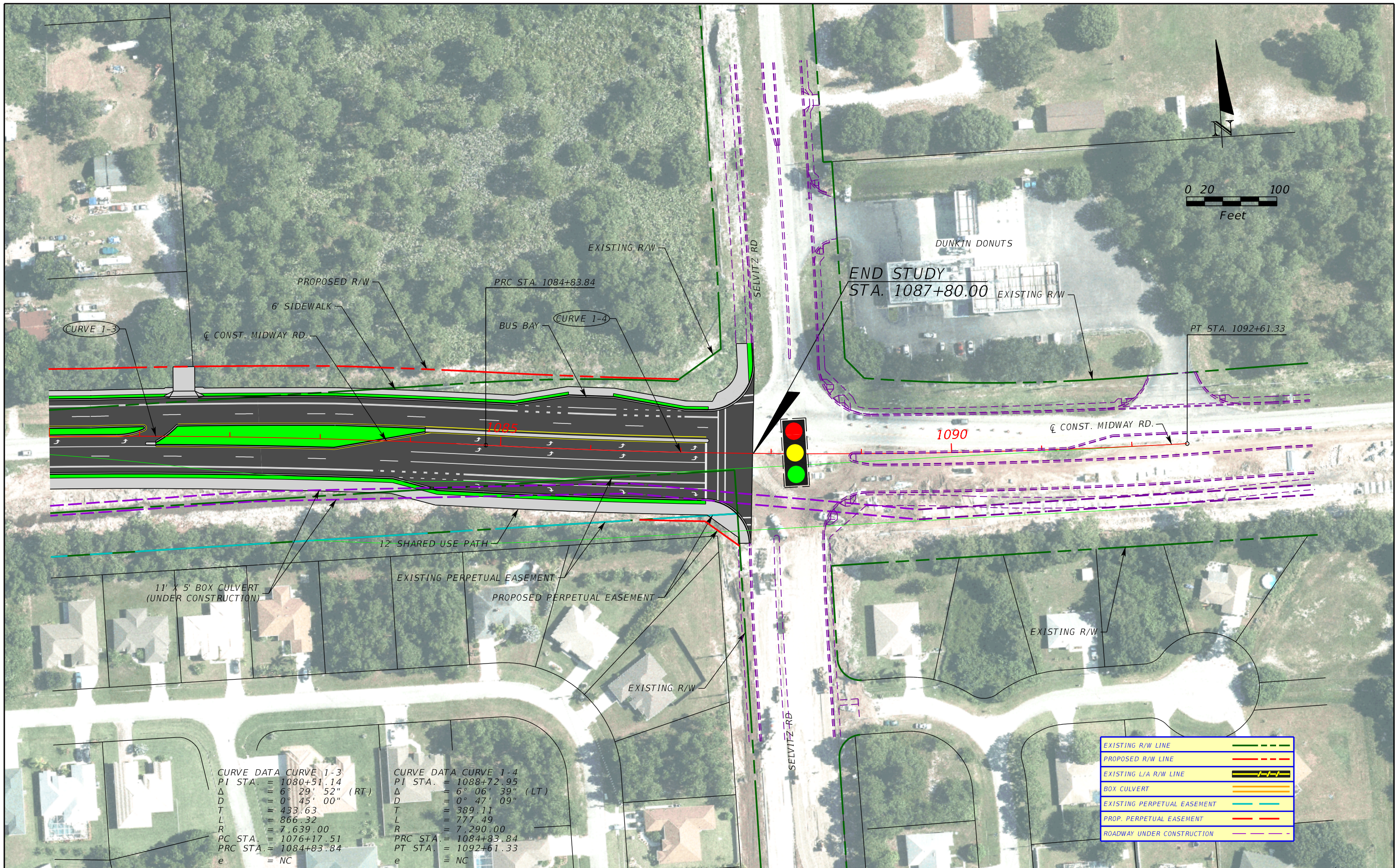
SHEET NO.
 6



REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-2 BUILD ALTERNATIVE 1 PRELIMINARY CONCEPT PLANS	SHEET NO. 7
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		



REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-2 BUILD ALTERNATIVE 1 PRELIMINARY CONCEPT PLANS	SHEET NO. 8
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		



CURVE 1-3

CL CONST. MIDWAY RD.

PROPOSED R/W
6' SIDEWALK

PRC STA. 1084+83.84

BUS BAY

CURVE 1-4

END STUDY
STA. 1087+80.00

EXISTING R/W

PT STA. 1092+61.33

CL CONST. MIDWAY RD.

12' SHARED USE PATH

11' x 5' BOX CULVERT
(UNDER CONSTRUCTION)

EXISTING PERPETUAL EASEMENT

PROPOSED PERPETUAL EASEMENT

EXISTING R/W

EXISTING R/W

CURVE DATA CURVE 1-3
 PI STA. = 1080+51.14
 Δ = 6° 29' 52" (RT)
 D = 0° 45' 00"
 T = 433.63
 L = 866.32
 R = 7,639.00
 PC STA. = 1076+17.51
 PRC STA. = 1084+83.84
 e = NC

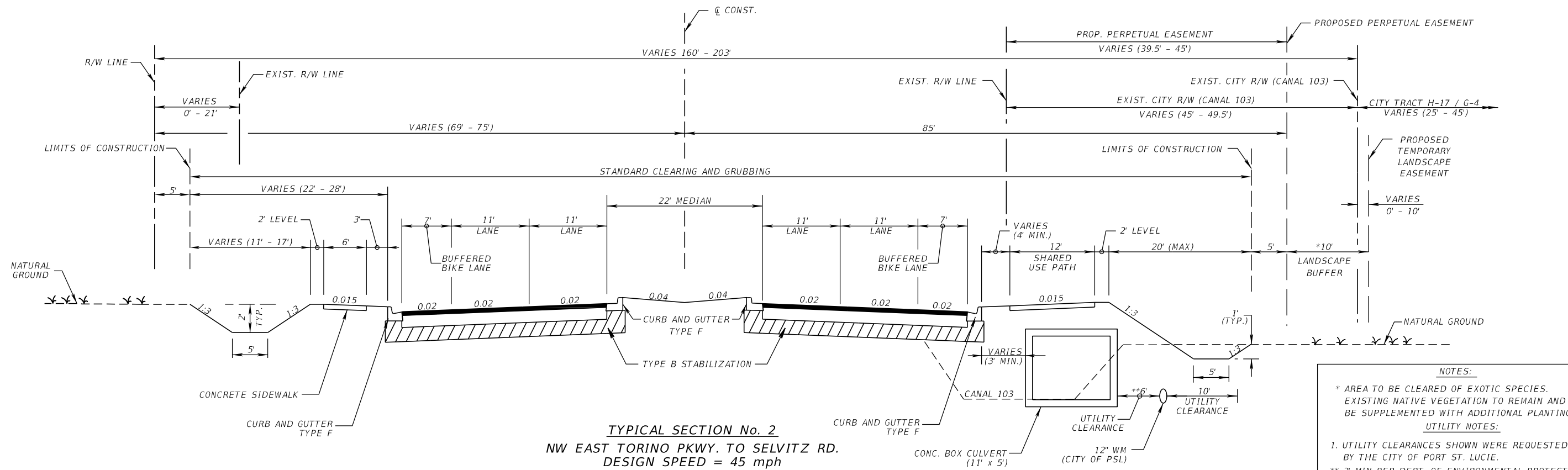
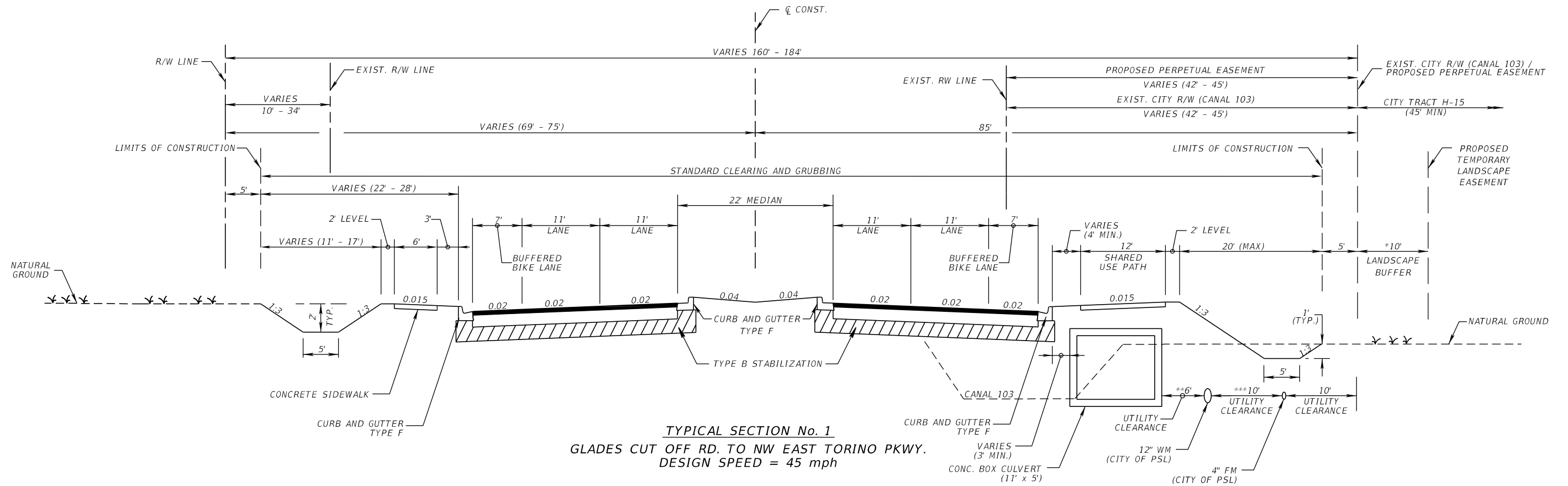
CURVE DATA CURVE 1-4
 PI STA. = 1088+72.95
 Δ = 6° 06' 39" (LT)
 D = 0° 47' 09"
 T = 389.11
 L = 777.49
 R = 7,290.00
 PRC STA. = 1084+83.84
 PT STA. = 1092+61.33
 e = NC

EXISTING R/W LINE	
PROPOSED R/W LINE	
EXISTING L/A R/W LINE	
BOX CULVERT	
EXISTING PERPETUAL EASEMENT	
PROP. PERPETUAL EASEMENT	
ROADWAY UNDER CONSTRUCTION	

REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			SHEET NO. 9
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID	
					CR 712	ST. LUCIE	231440-3-22-01	

Exhibit A-3

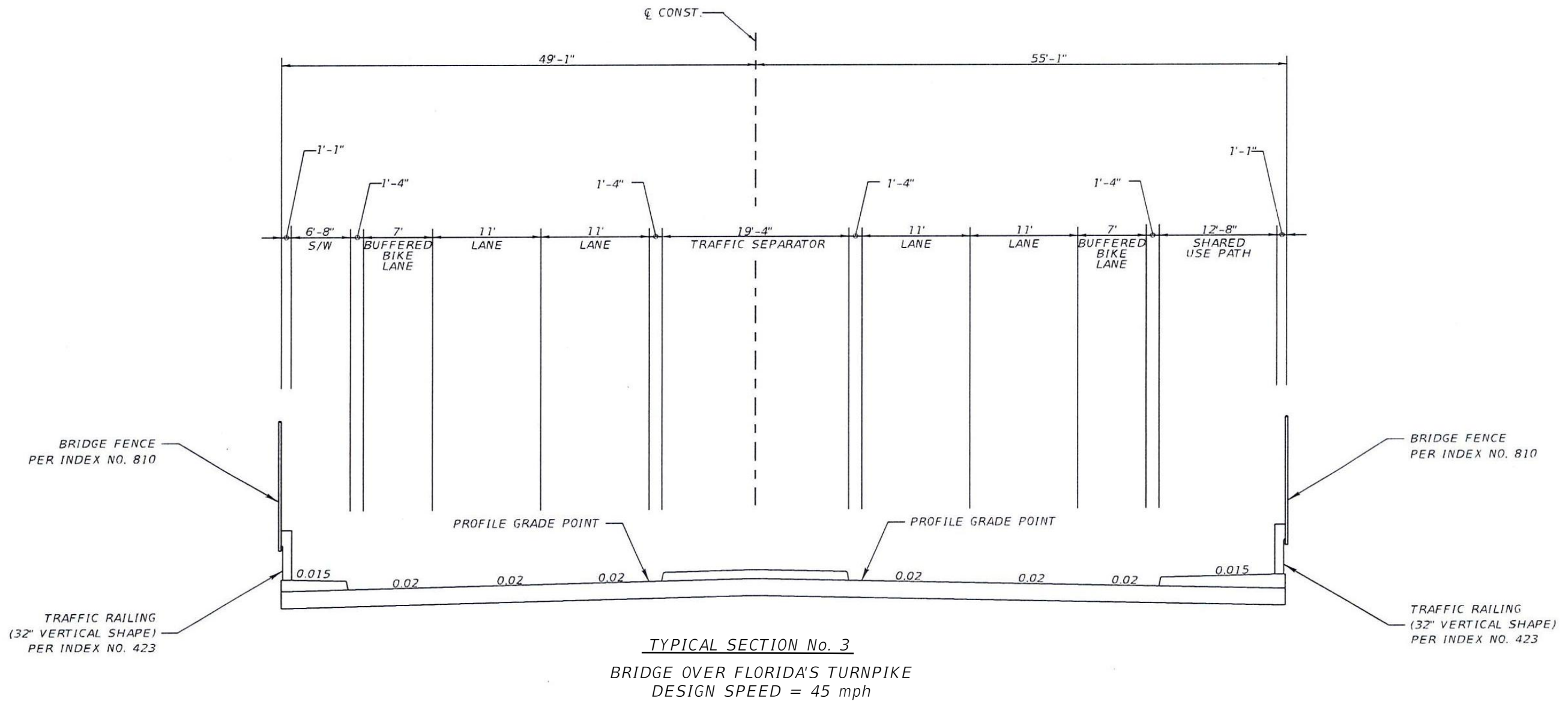
Build Alternative 2 Preliminary Concept Plans



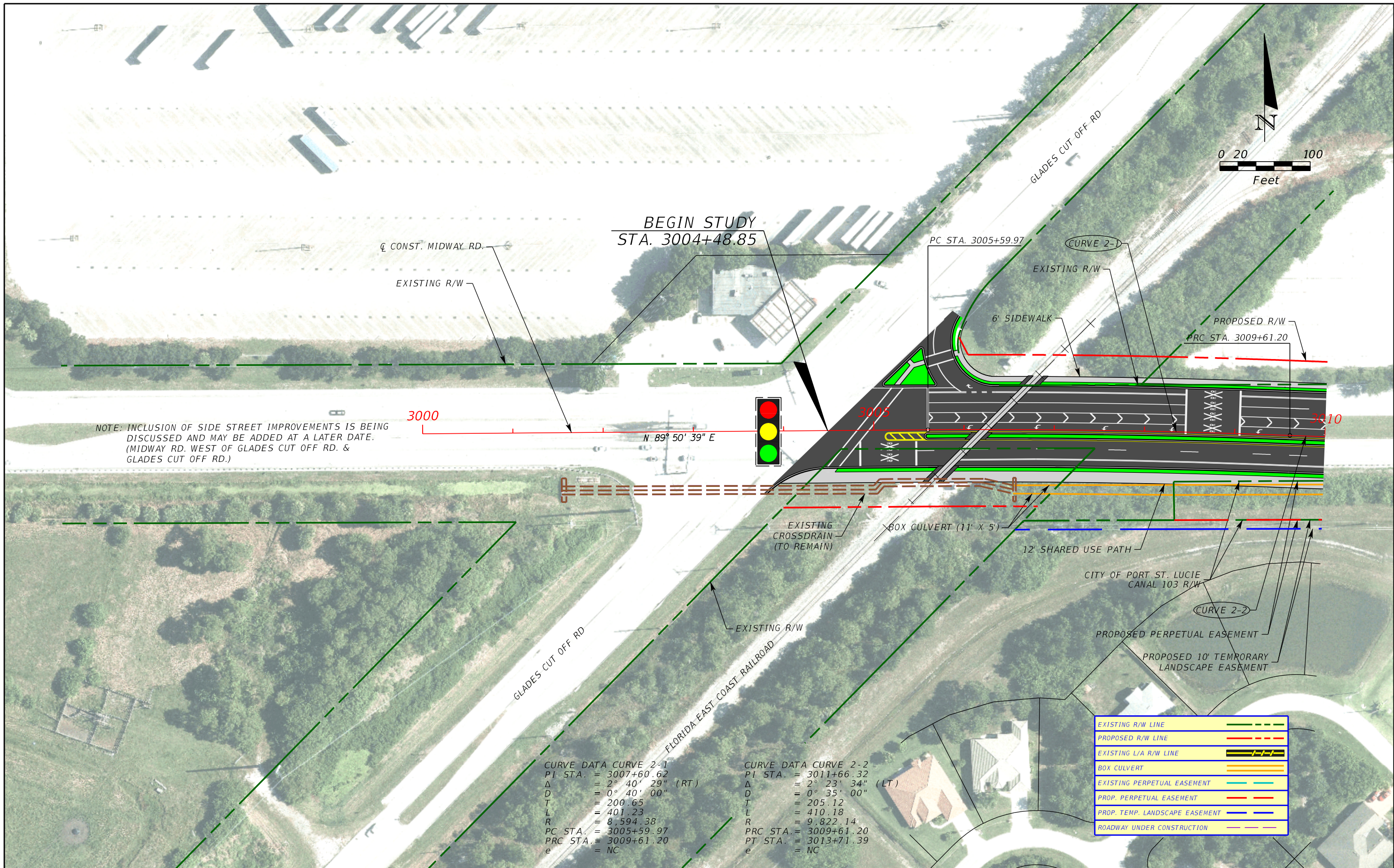
NOTES:

- * AREA TO BE CLEARED OF EXOTIC SPECIES. EXISTING NATIVE VEGETATION TO REMAIN AND BE SUPPLEMENTED WITH ADDITIONAL PLANTINGS.
- UTILITY NOTES:**
- 1. UTILITY CLEARANCES SHOWN WERE REQUESTED BY THE CITY OF PORT ST. LUCIE.
- ** 3' MIN PER DEPT. OF ENVIRONMENTAL PROTECTION.
- *** 6' MIN PER DEPT. OF ENVIRONMENTAL PROTECTION.

REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-3 BUILD ALTERNATIVE 2 PRELIMINARY CONCEPT PLANS	SHEET NO. 1
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		



REVISIONS		ST. LUCIE COUNTY CONCURRENCE		Kimley-Horn and Associates, Inc. Certificate of Authorization No. 696 Kenneth W. Jackson, P.E. P.E. License No. 50602 1920 Wekiva Way, Suite 200 West Palm Beach, Florida 33411	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-3 BUILD ALTERNATIVE 2 PRELIMINARY CONCEPT PLANS	SHEET NO.
DATE	DESCRIPTION	 Michael V. Powley, PE St. Lucie County Engineer	9-21-15 Date		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		2
					CR 712	ST. LUCIE	231440-3-22-01		



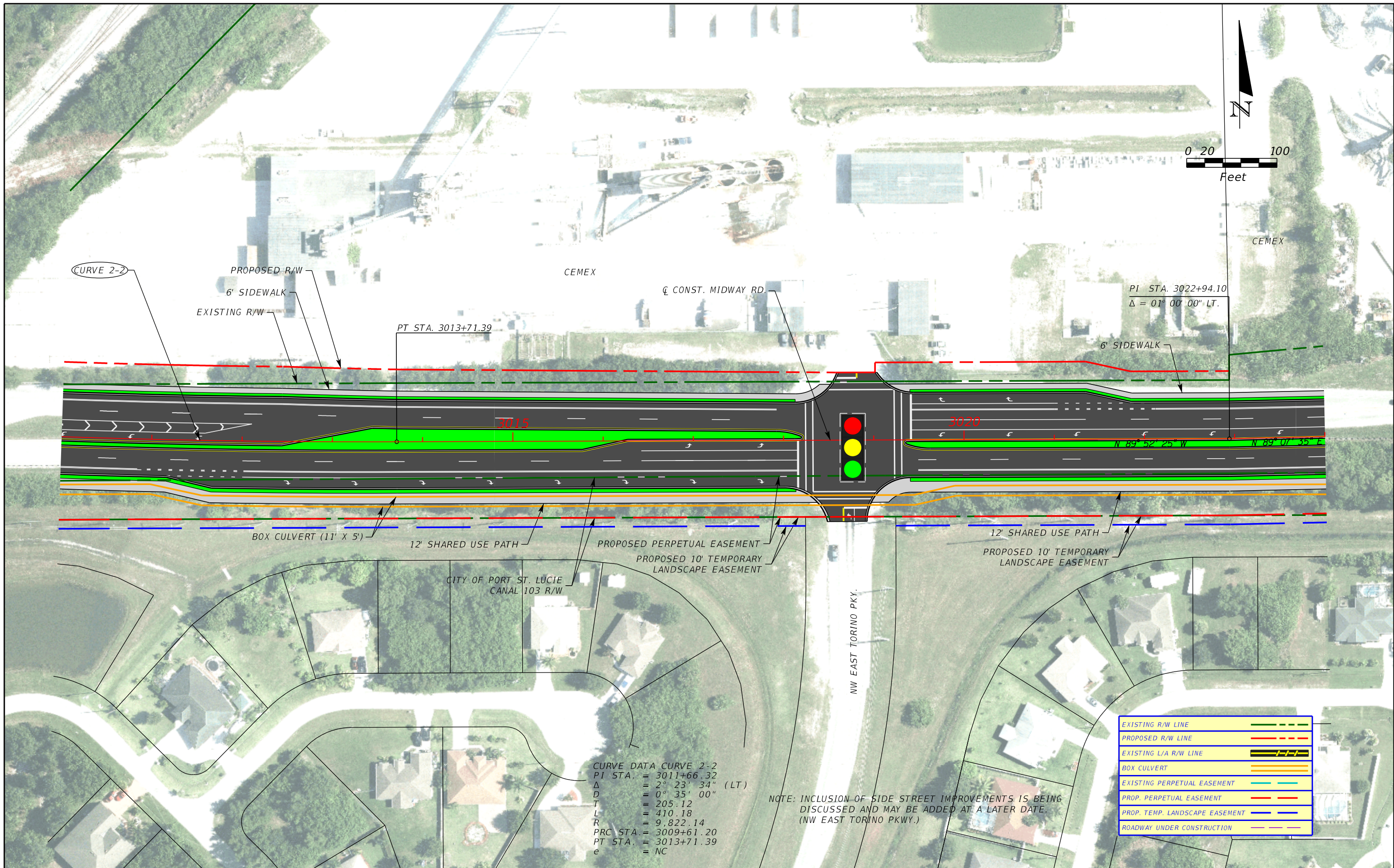
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

**EXHIBIT A-3
 BUILD ALTERNATIVE 2
 PRELIMINARY CONCEPT PLANS**

SHEET NO.
3

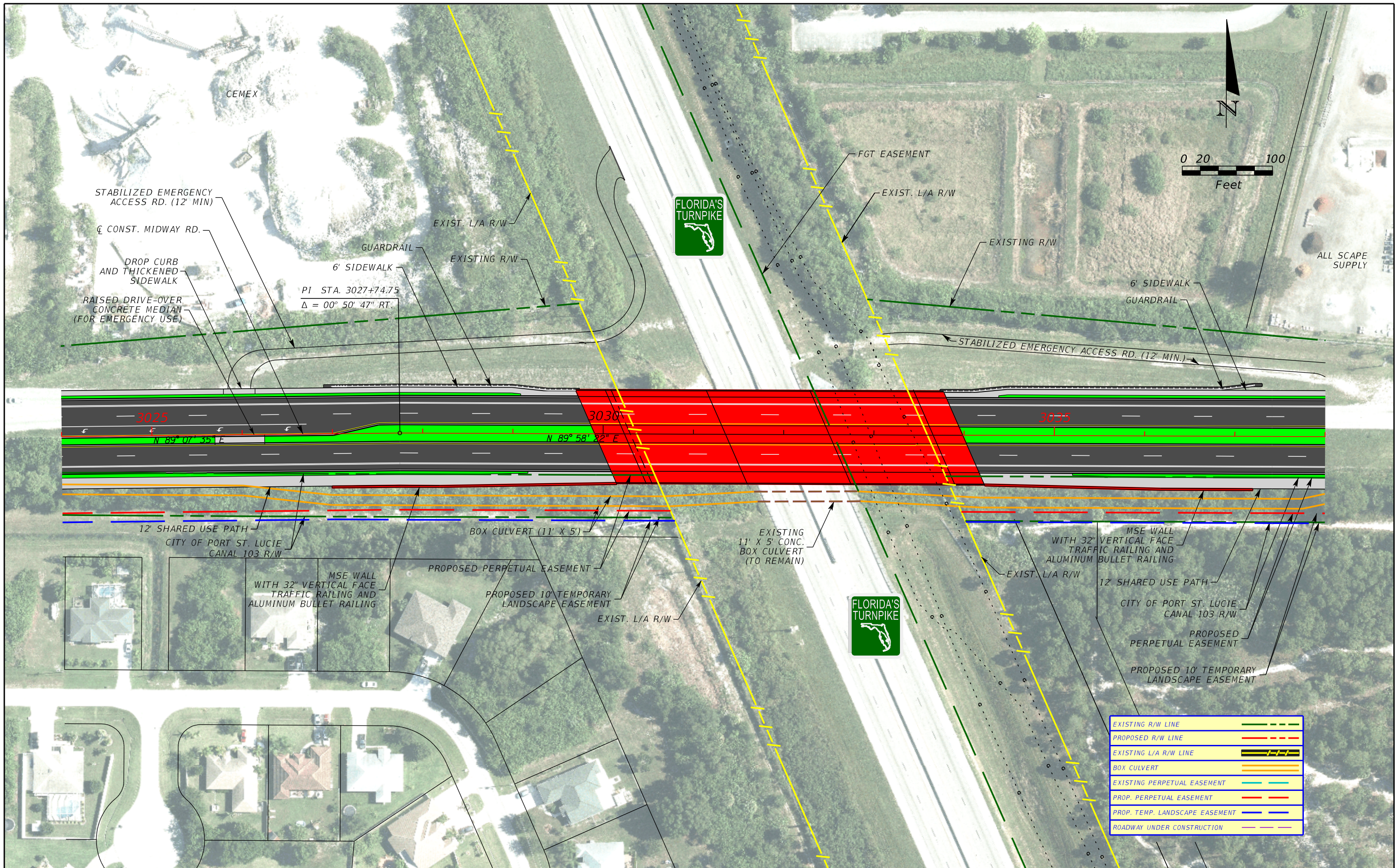


CURVE DATA CURVE 2-2
 PI STA. = 3011+66.32
 Δ = 2° 23' 34" (LT)
 D = 0° 35' 00"
 T = 205.12
 L = 410.18
 R = 9,822.14
 PRC STA. = 3009+61.20
 PT STA. = 3013+71.39
 e = NC

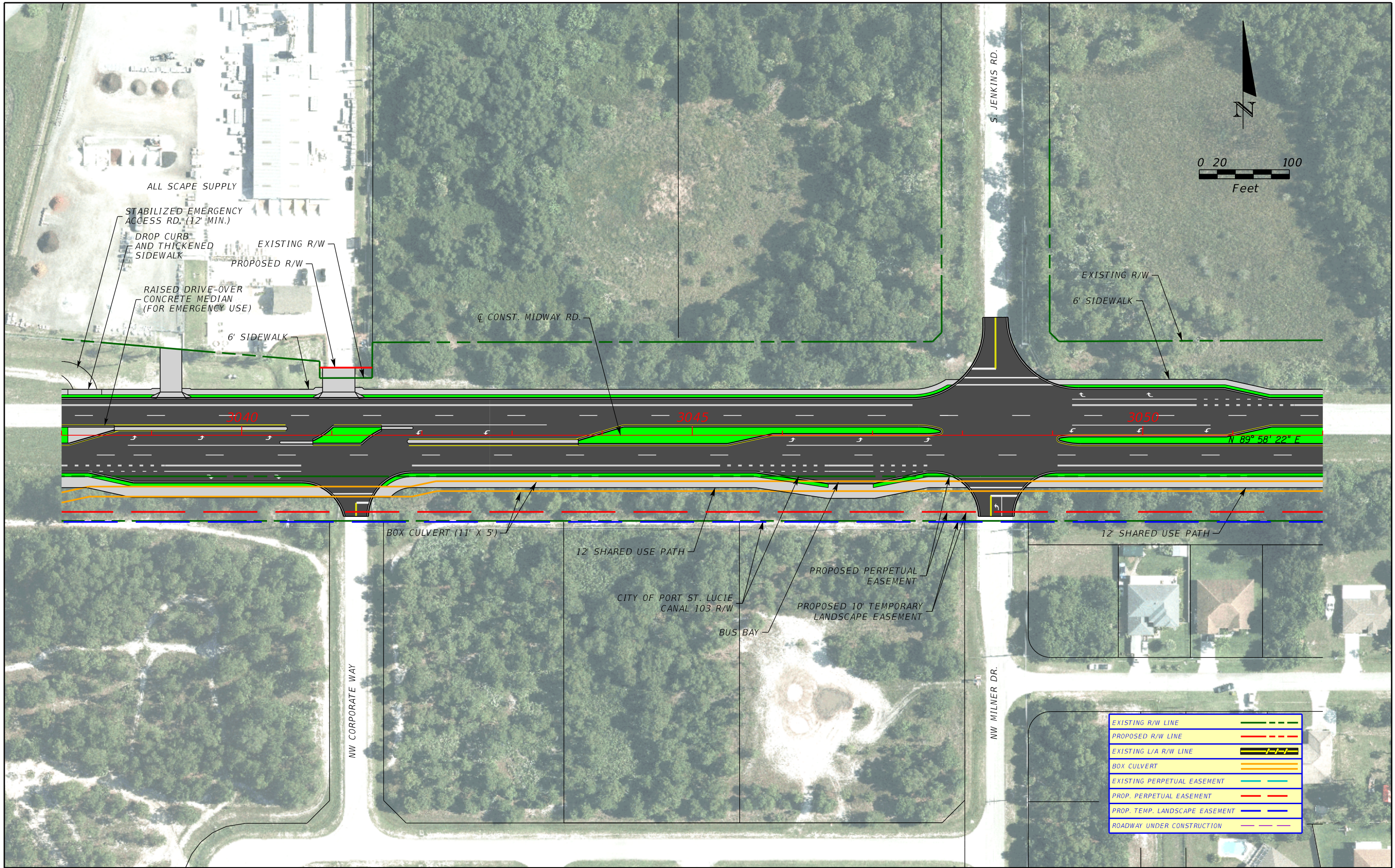
NOTE: INCLUSION OF SIDE STREET IMPROVEMENTS IS BEING DISCUSSED AND MAY BE ADDED AT A LATER DATE. (NW EAST TORINO PKWY.)

EXISTING R/W LINE	
PROPOSED R/W LINE	
EXISTING L/A R/W LINE	
BOX CULVERT	
EXISTING PERPETUAL EASEMENT	
PROP. PERPETUAL EASEMENT	
PROP. TEMP. LANDSCAPE EASEMENT	
ROADWAY UNDER CONSTRUCTION	

REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-3 BUILD ALTERNATIVE 2 PRELIMINARY CONCEPT PLANS	SHEET NO. 4
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		



REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-3 BUILD ALTERNATIVE 2 PRELIMINARY CONCEPT PLANS	SHEET NO. 5
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		



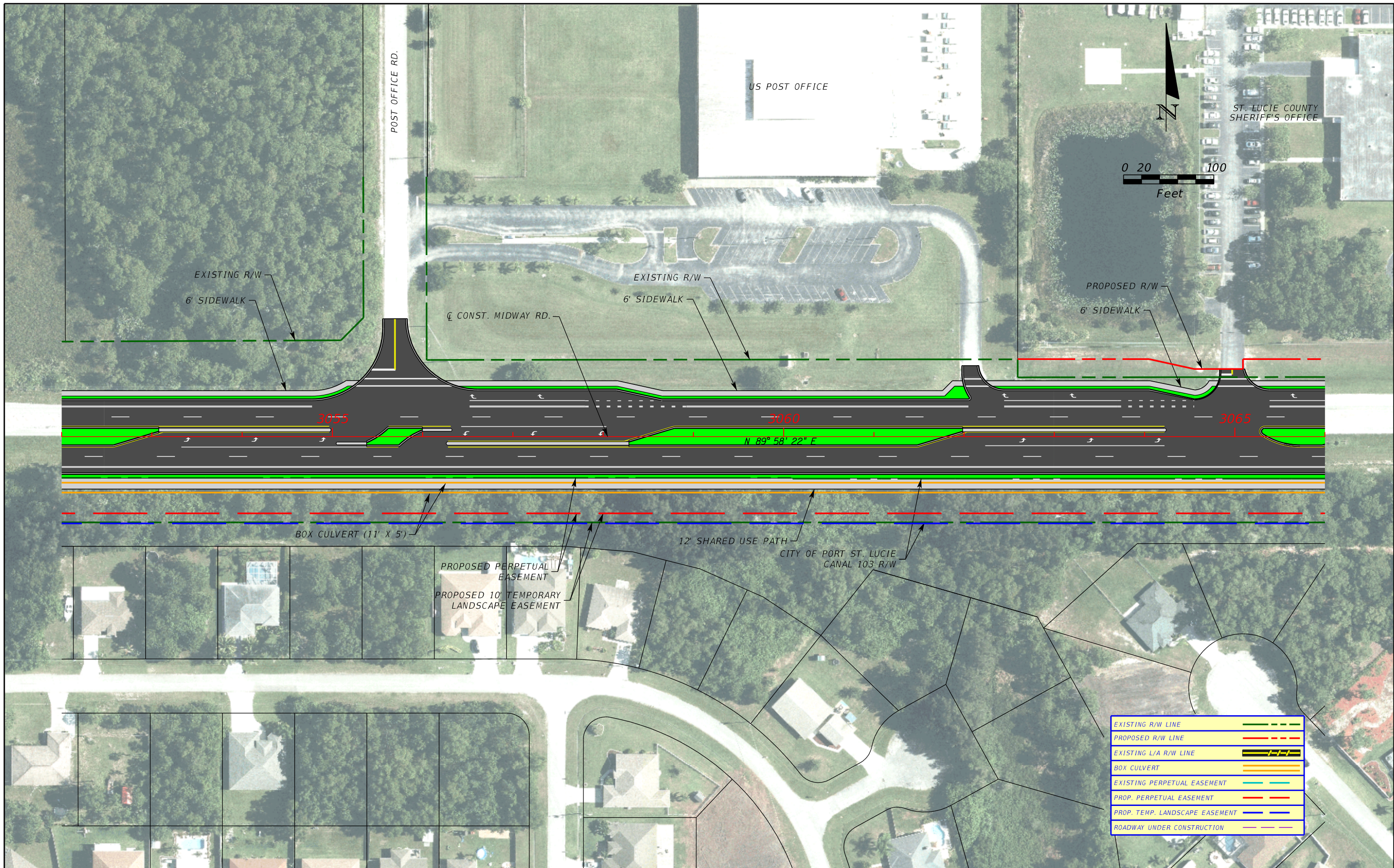
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

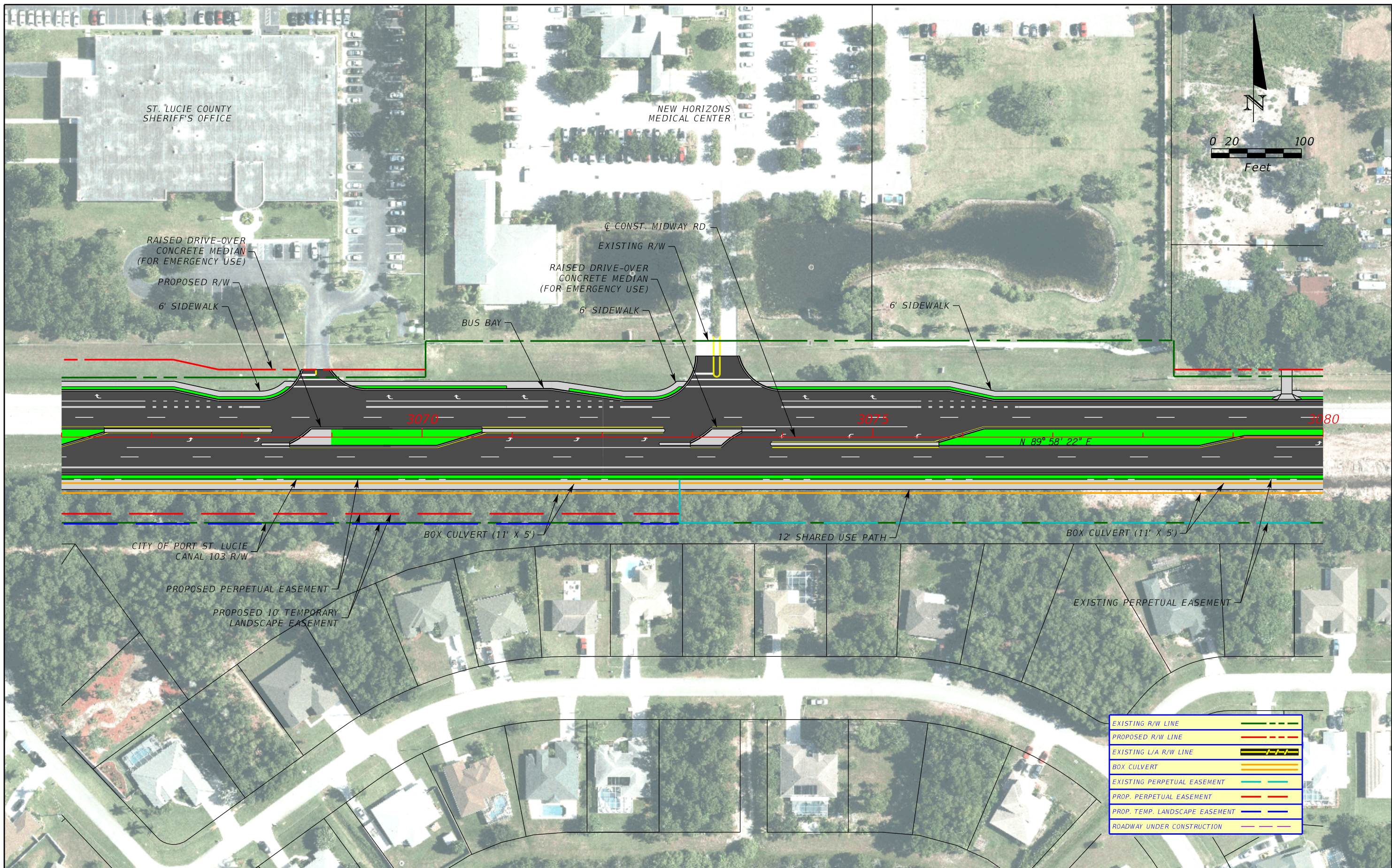
EXHIBIT A-3
 BUILD ALTERNATIVE 2
 PRELIMINARY CONCEPT PLANS

SHEET NO.
 6



EXISTING R/W LINE	
PROPOSED R/W LINE	
EXISTING L/A R/W LINE	
BOX CULVERT	
EXISTING PERPETUAL EASEMENT	
PROP. PERPETUAL EASEMENT	
PROP. TEMP. LANDSCAPE EASEMENT	
ROADWAY UNDER CONSTRUCTION	

REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			SHEET NO. 7
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID	
					CR 712	ST. LUCIE	231440-3-22-01	



EXISTING R/W LINE	
PROPOSED R/W LINE	
EXISTING L/A R/W LINE	
BOX CULVERT	
EXISTING PERPETUAL EASEMENT	
PROP. PERPETUAL EASEMENT	
PROP. TEMP. LANDSCAPE EASEMENT	
ROADWAY UNDER CONSTRUCTION	

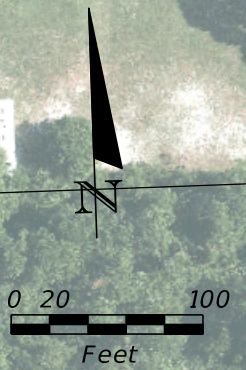
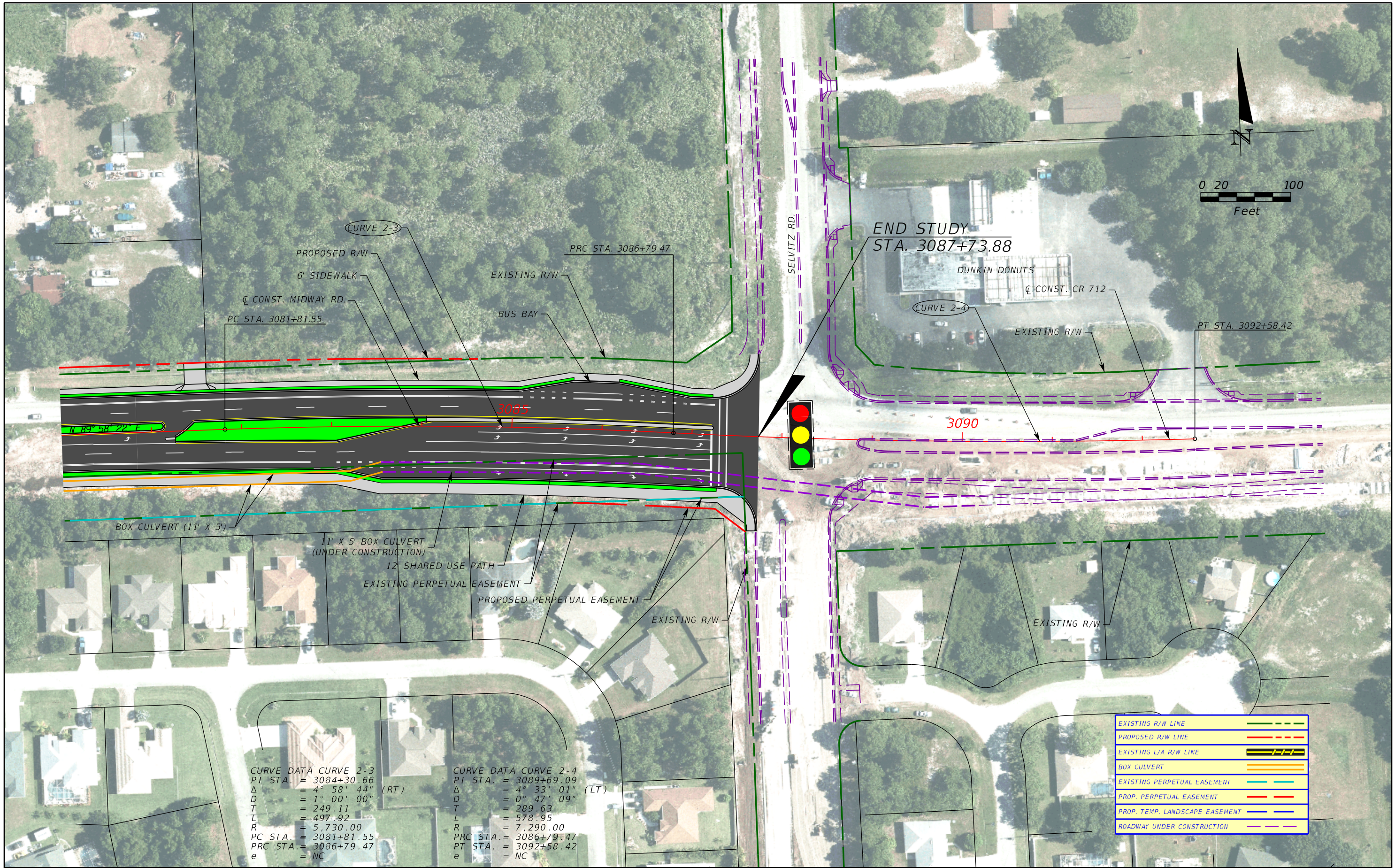
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT A-3
 BUILD ALTERNATIVE 2
 PRELIMINARY CONCEPT PLANS

SHEET NO.
 8



CURVE DATA CURVE 2-3		CURVE DATA CURVE 2-4	
PI STA.	= 3084+30.66	PI STA.	= 3089+69.09
Δ	= 4° 58' 44" (RT)	Δ	= 4° 33' 01" (LT)
D	= 1° 00' 00"	D	= 0° 47' 09"
T	= 249.11	T	= 289.63
L	= 497.92	L	= 578.95
R	= 5,730.00	R	= 7,290.00
PC STA.	= 3081+81.55	PC STA.	= 3086+79.47
PRC STA.	= 3086+79.47	PT STA.	= 3092+58.42
e	= NC	e	= NC

EXISTING R/W LINE	
PROPOSED R/W LINE	
EXISTING L/A R/W LINE	
BOX CULVERT	
EXISTING PERPETUAL EASEMENT	
PROP. PERPETUAL EASEMENT	
PROP. TEMP. LANDSCAPE EASEMENT	
ROADWAY UNDER CONSTRUCTION	

REVISIONS				ENGINEER OF RECORD Kevin Joseph Iannarone, PE PE No. 71527 Inwood Consulting Engineers, Inc. Certificate of Authorization No. 7074 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 P 407.971.8850	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			EXHIBIT A-3 BUILD ALTERNATIVE 2 PRELIMINARY CONCEPT PLANS	SHEET NO. 9
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					CR 712	ST. LUCIE	231440-3-22-01		

Exhibit A-4

SHPO Concurrence Letter Dated July 5, 2016



Florida Department of Transportation

**RICK SCOTT
GOVERNOR**

3400 West Commercial Blvd.
Fort Lauderdale, FL 33309

**JIM BOXOLD
SECRETARY**

June 28, 2016

Dr. Timothy Parsons, Director and
State Historic Preservation Officer
Division of Historical Resources
500 South Bronough Street
Tallahassee, Florida 32301

Subject: **Request for Review**
Cultural Resources Assessment Survey (CRAS)
Midway Road/County Road 712 Project Development & Environment Study
Financial Management #: 231440-3-22-01
St. Lucie County, Florida

RECEIVED
BUREAU OF
HISTORIC PRESERVATION
2016 JUL -1 A 10:07

Attention: Ginny Jones

Dear Ms. Jones;

A Cultural Resource Assessment Survey (CRAS) was conducted for the Midway Road/CR 712 from Glades Cut Off Road (CR 709) to Selvitz Road (CR 611) in St. Lucie County for the Florida Department of Transportation (FDOT), District 4. FDOT proposes to widen Midway Road/CR 712 from the existing two lane configuration to four lanes within the project limits to satisfy future traffic demand and capacity needs. The improvements also include proposed bike lanes, sidewalks, a shared-use path, and drainage improvements.

The area of potential effect (APE) for archaeological resources includes the proposed project improvements and the proposed right of way (ROW). The historic resources APE includes the existing and proposed ROW and an additional 200 feet from the edge of the proposed ROW.

No previously or newly identified archaeological sites were identified within the archaeological APE. Five previously recorded historic resources (8SL1657, 8SL1806, 8SL1809, 8SL3014, and 8SL3149) and one newly recorded historic bridge (8SL3282) were identified within the historic resources APE. One previously recorded historic structure (8SL1806) and portions of two previously recorded historic resources Midway Road (8SL1657) and Canal 103 (8SL1809) were previously determined National Register-ineligible in 20006. Newly recorded portions of Midway Road (8SL1657), Canal 103 (8SL1809), CR 709/Glades Cut Off Road (8SL3149) and newly recorded FDOT Bridge No. 940050 (8SL3282) are considered National Register-ineligible.

The FEC Railroad – Lake Harbor Branch (8SL3014) is considered National Register– eligible within the APE under National Register Criterion A in the areas of Community Planning and Development and

Transportation. Proposed improvements to Midway Road in the vicinity of the Railroad include a 5 foot wide buffered bike lane and a 12 foot shared-use path on the south side of Midway Road. A 15 foot wide buffered bike lane and dedicated right turn lane and a 6 foot sidewalk are proposed on the north side of Midway Road. The widening will require the relocation of the existing rail pre-emption equipment (non-historic traffic control devices). Midway Road may actually be reconstructed across the rail tracks, but the alignment / profile /elevation will not change, it is only a width change. Please note, Midway Road is already a divided 4-laned roadway as it crosses the rail tracks. The attachment to this letter shows the proposed improvements on the current aerial photograph.

Although Midway Road will be widened in proximity to the Railroad, the linear resource's essential physical features will remain intact as part of the proposed improvements. The railroad ties and tracks will not be replaced as part of these improvements. In addition, the corridor and route will be maintained. The Railroad's significance in the areas of Community Planning and Development and Transportation will still be conveyed following the construction of the improvements. These improvements will have no adverse effects on the National Register-eligible FEC Railroad – Lake Harbor Branch.

This CRAS report is provided for you review and coordination with the SHPO. Provided your office concurs with the findings, please transmit one unbound copy of the CRAS report, the FMSF forms, the Survey Log, and the CD with electronic copies of the required files to the SHPO for review and concurrence. The bound copy of the report is for your files. If you have any questions, please contact me at 954-777-4325, or Lynn Kelley at 954-777-4334.

Enclosed you will find the following,

one unbound copy of the CRAS report
one unbound copy of the FMSF forms
one unbound copy of the Survey Log
one CD with electronic copies of the required files

Sincerely,



Ann Broadwell
Environmental Administrator
FDOT - District 4

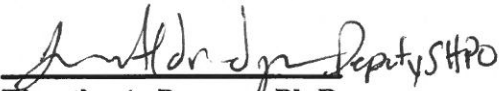
Enclosures

Cc: Vanita Saini– District Four
Project File

Cultural Resources Assessment Survey
Midway Road/CR 712 PD&E Study
FM 231440.3

The Florida State Historic Preservation Officer finds the attached Cultural Resources Assessment Report complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number 2015-5898.

SHPO Comments:

For  Deputy SHPO
Timothy A. Parsons, Ph.D.
Director, Division of Historical Resources
& State Historic Preservation Officer

July 5, 2016
Date

Appendix B

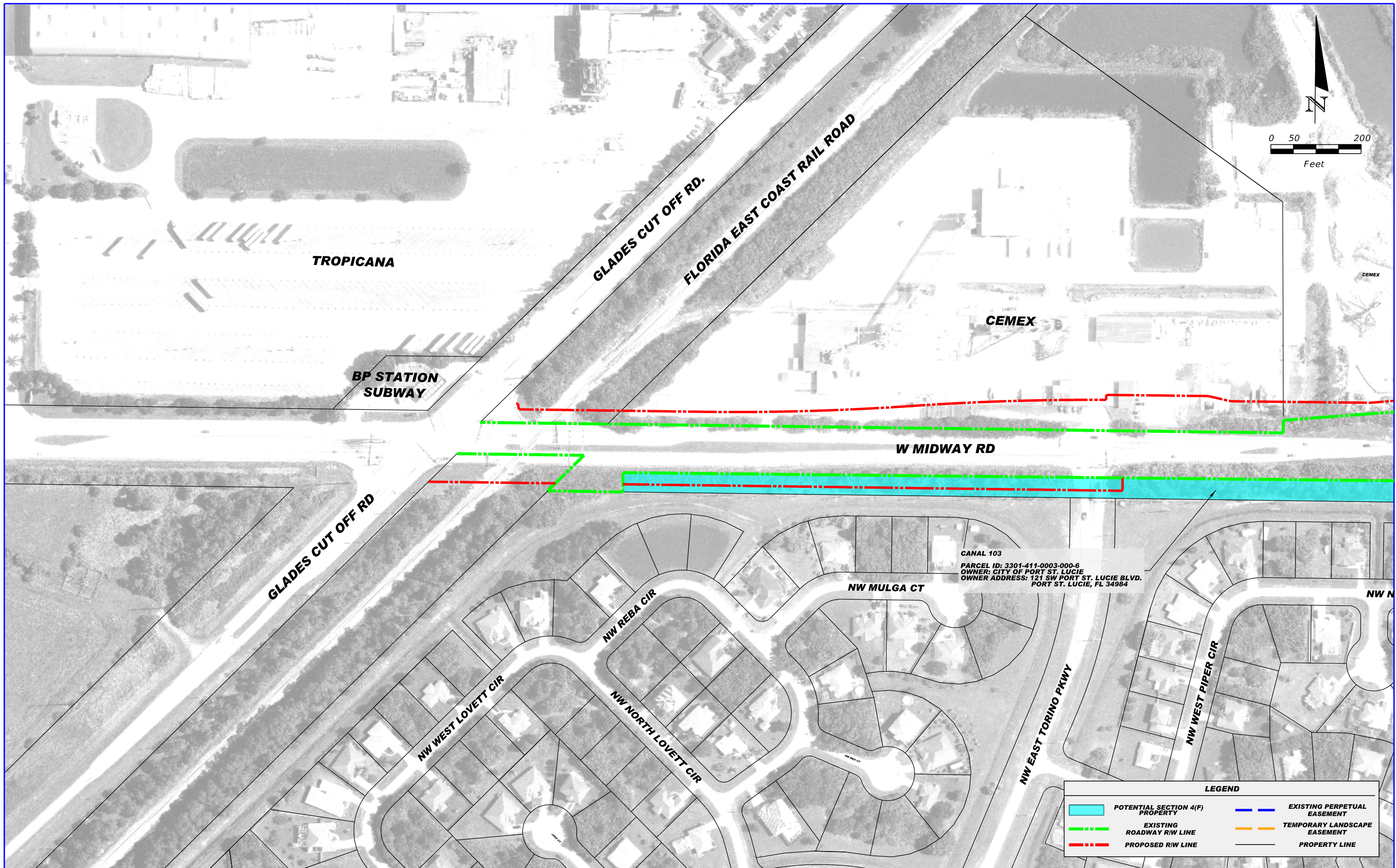
Canal 103 Documentation

- **Exhibit B-1 – Canal 103 Location – Build Alternative 1**
- **Exhibit B-2 – Canal 103 Location – Build Alternative 2**
- **Exhibit B-3 – Canal 103 Photographs**
- **Exhibit B-4 – Canal 103 Ownership, Management and Function Documentation**
- **Exhibit B-5 – Canal 103 Project Correspondence**

Exhibit B-1

Canal 103

Location – Build Alternative 1



CANAL 103
 PARCEL ID: 3301-411-0003-000-6
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

LEGEND			
	POTENTIAL SECTION 4(F) PROPERTY		EXISTING PERPETUAL EASEMENT
	EXISTING ROADWAY R/W LINE		TEMPORARY LANDSCAPE EASEMENT
	PROPOSED R/W LINE		PROPERTY LINE

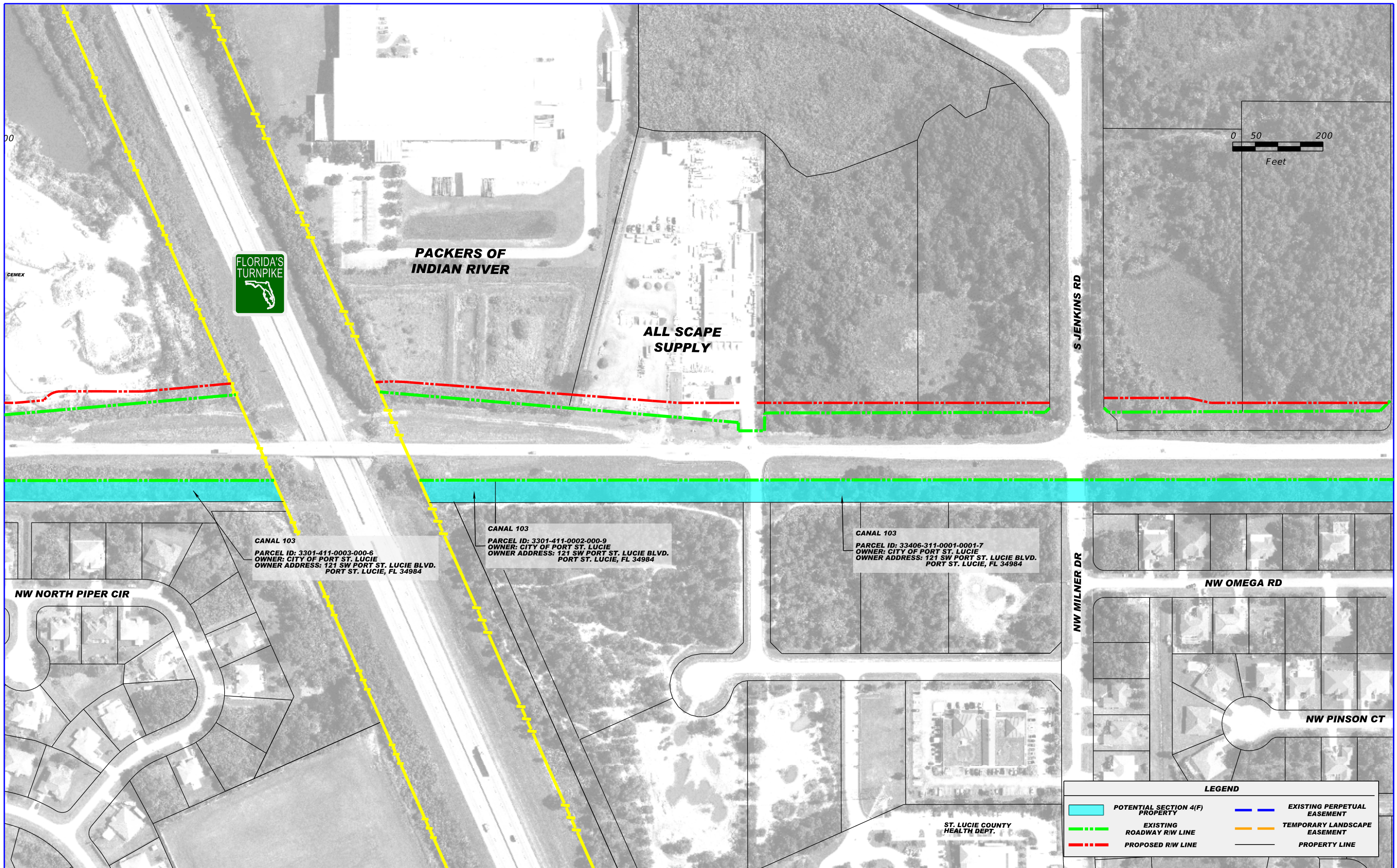
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT B-1
CANAL 103 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
 1



CANAL 103
 PARCEL ID: 3301-411-0003-000-6
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

CANAL 103
 PARCEL ID: 3301-411-0002-000-9
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

CANAL 103
 PARCEL ID: 33406-311-0001-0001-7
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

LEGEND			
	POTENTIAL SECTION 4(F) PROPERTY		EXISTING PERPETUAL EASEMENT
	EXISTING ROADWAY R/W LINE		TEMPORARY LANDSCAPE EASEMENT
	PROPOSED R/W LINE		PROPERTY LINE

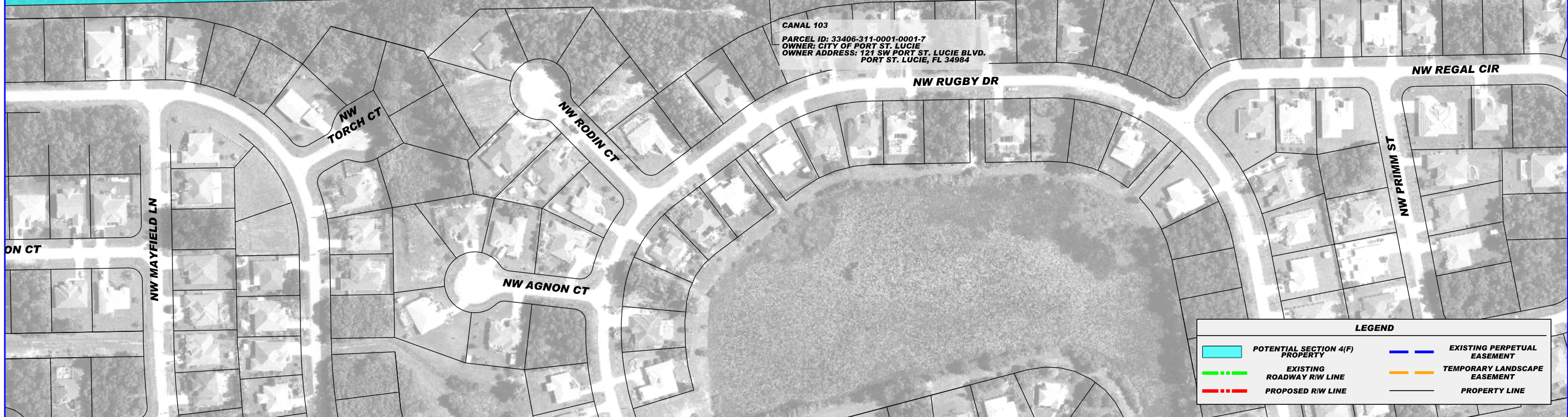
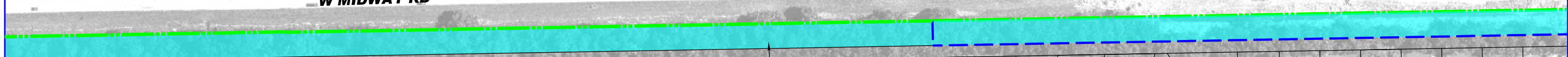
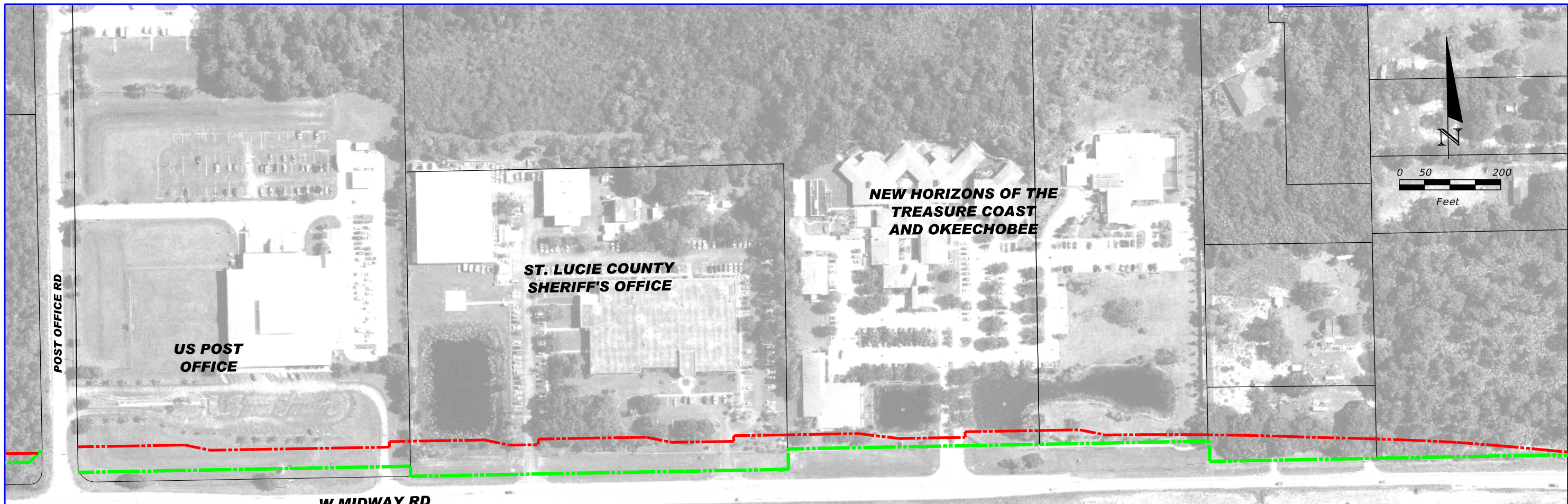
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT B-1
CANAL 103 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
 2



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT B-1
CANAL 103 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
 3



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

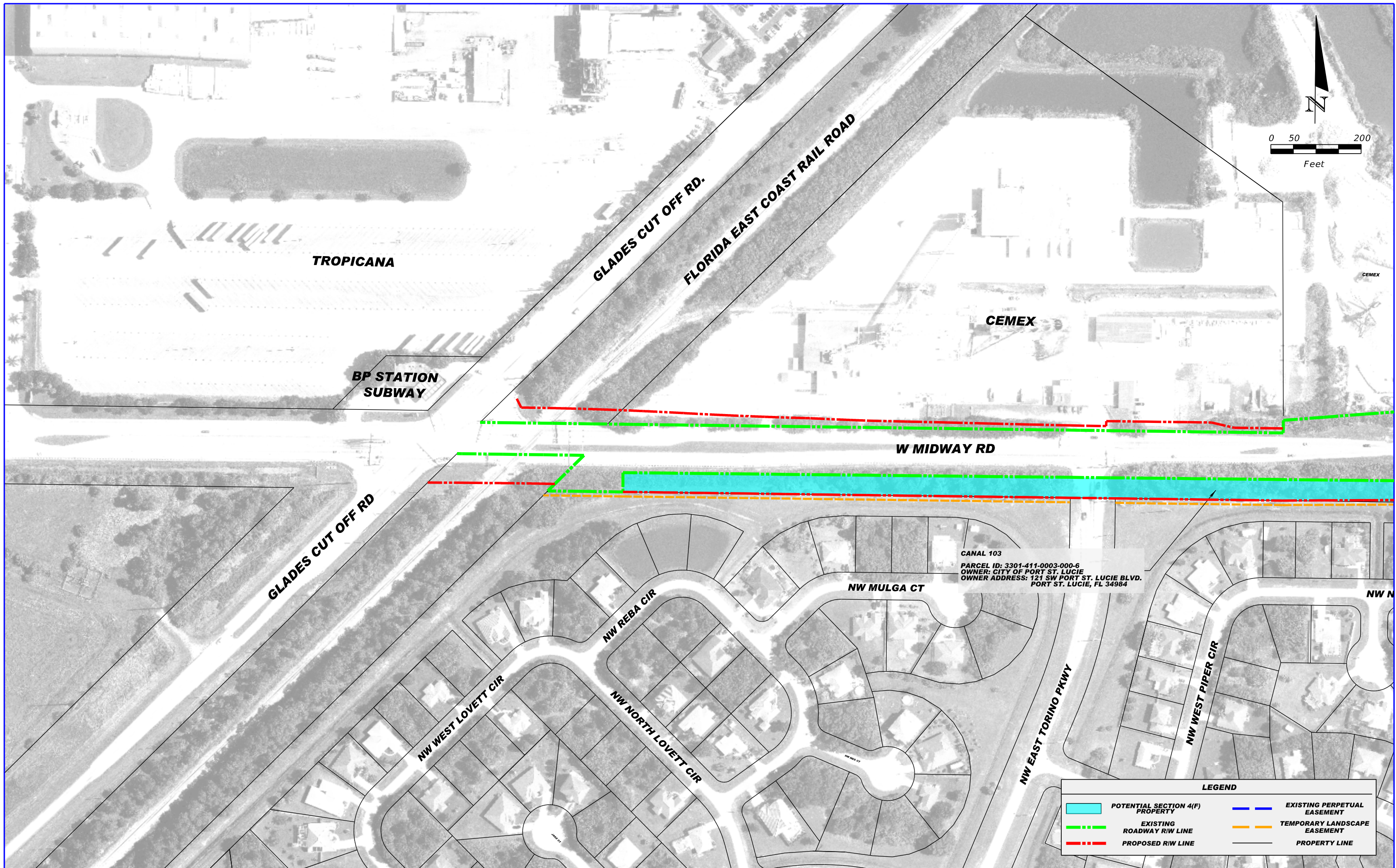
EXHIBIT B-1
CANAL 103 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
4

Exhibit B-2

Canal 103

Location – Build Alternative 2



CANAL 103
 PARCEL ID: 3301-411-0003-000-6
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

LEGEND	
	POTENTIAL SECTION 4(F) PROPERTY
	EXISTING ROADWAY RIW LINE
	PROPOSED RIW LINE
	EXISTING PERPETUAL EASEMENT
	TEMPORARY LANDSCAPE EASEMENT
	PROPERTY LINE

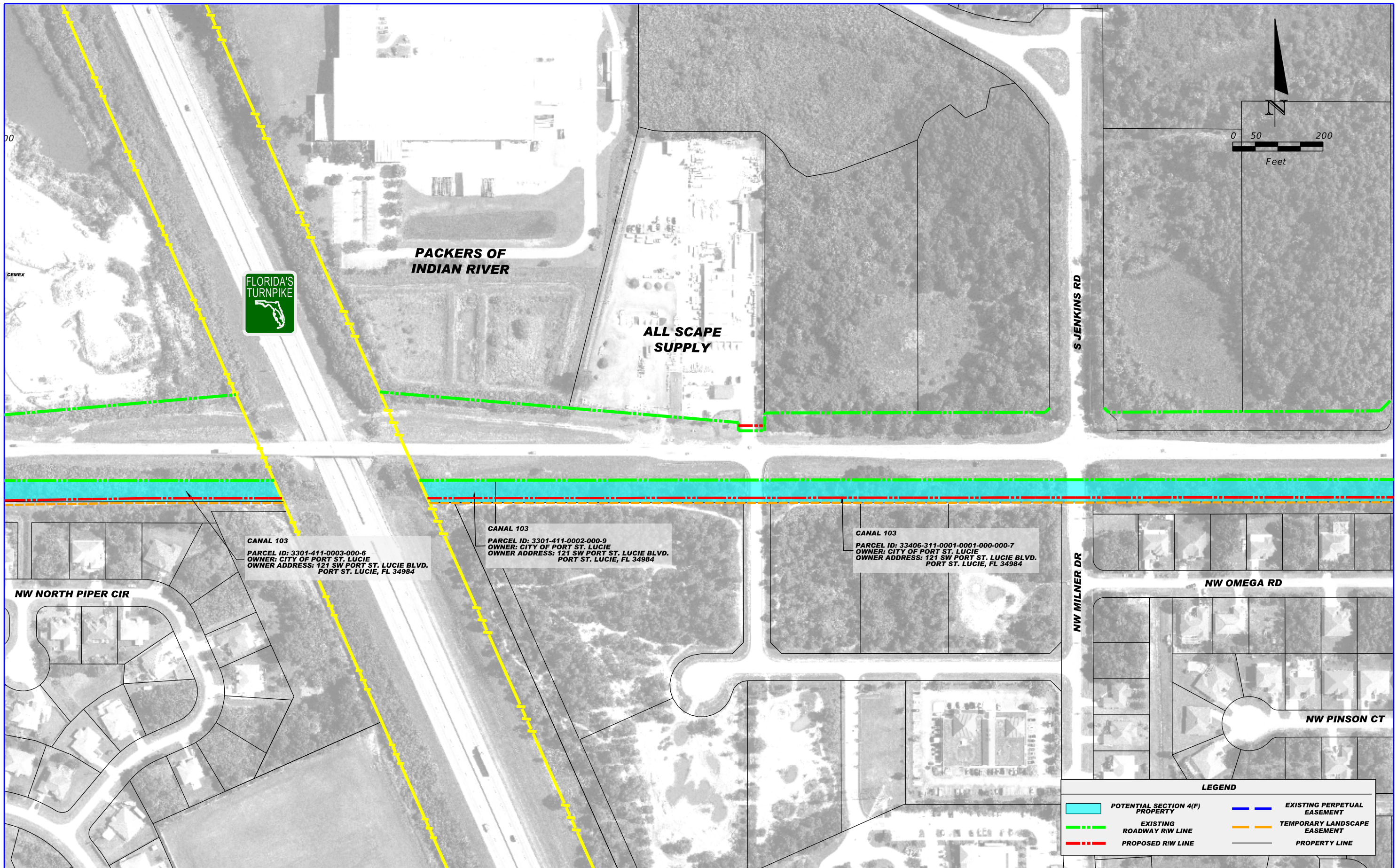
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT B-2
CANAL 103 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
 1



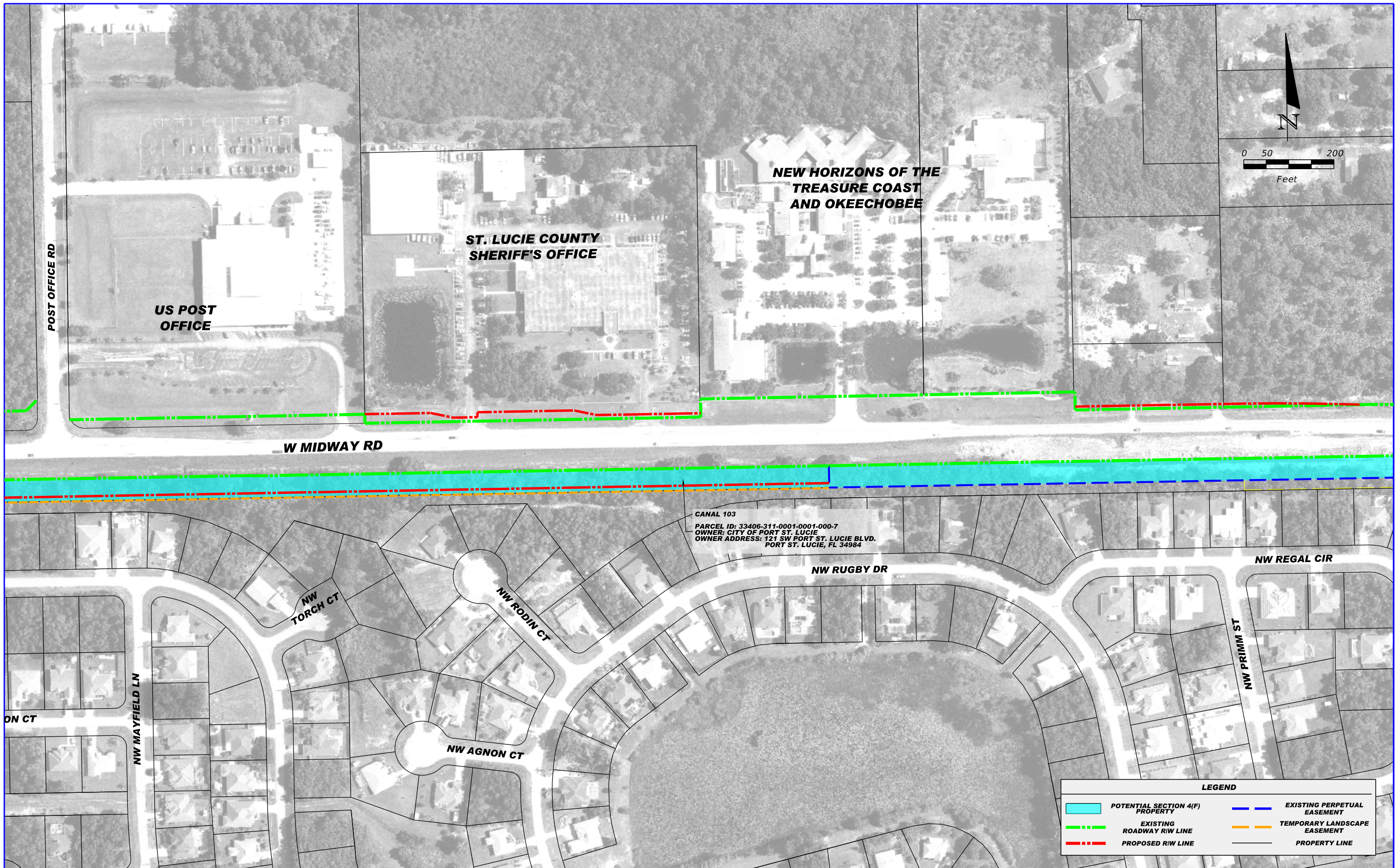
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT B-2
CANAL 103 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
2



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT B-2
CANAL 103 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
 3



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT B-2
CANAL 103 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
4

Exhibit B-3

Canal 103

Photographs



Facing East



Facing East



Facing West



Facing East



Facing East



Facing West

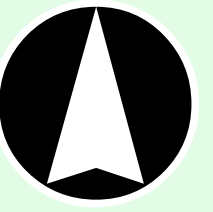


Exhibit B-4

Canal 103

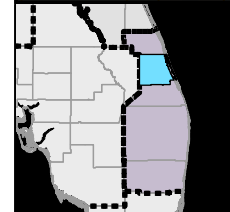
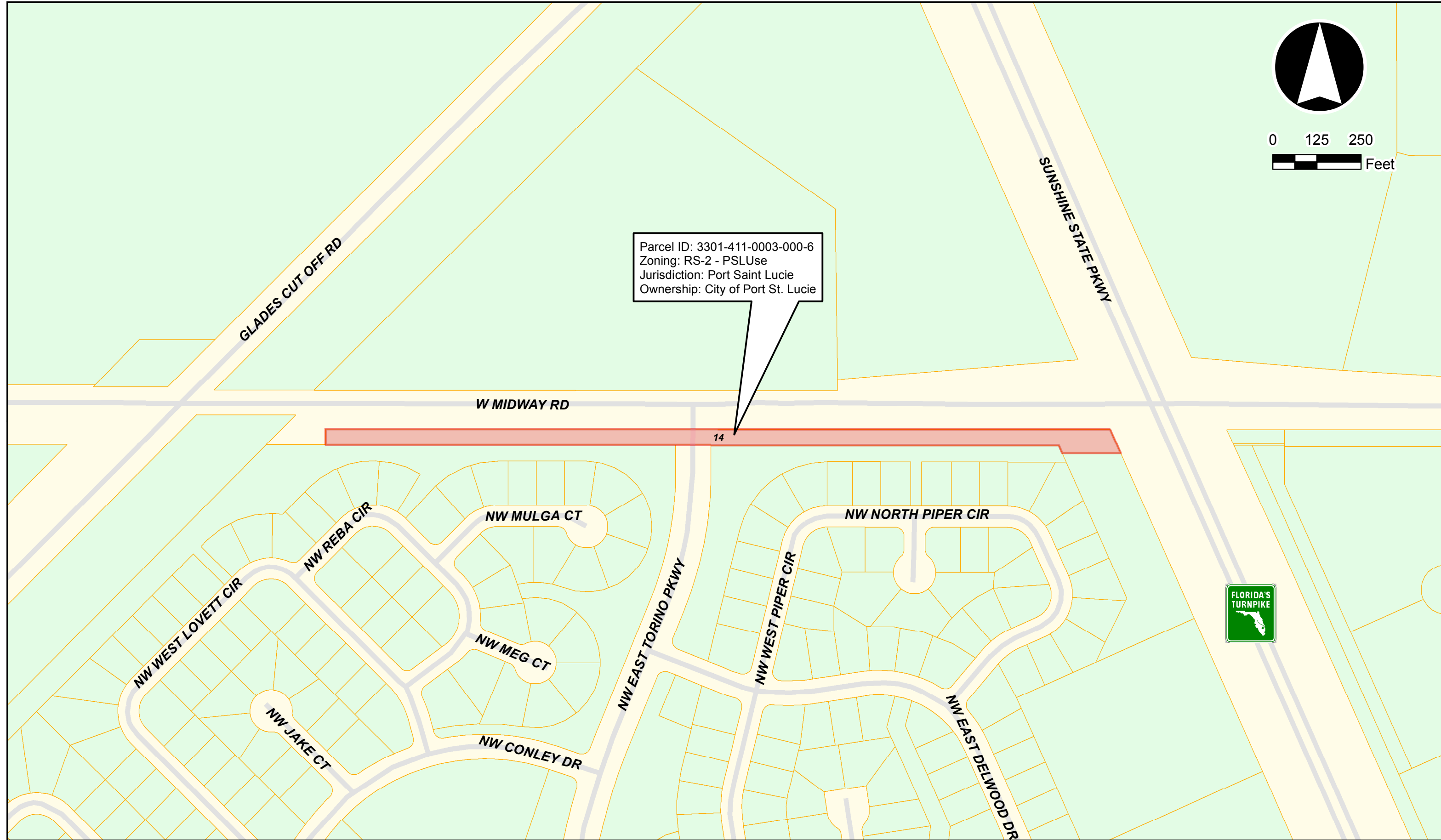
Ownership, Management and Function Documentation

- **St. Lucie County Property Appraiser Maps**
- **North St. Lucie River Water Control District Location Map**
- **Midway Road / Canal 103 Interlocal Agreement**
- **Canal 103 Quit Claim from NSLRWCD to General Development Corporation (GDC)**
- **Transfer from GDC to City of Port St. Lucie, Including Non-Exclusive Easement to NSLRWCD**



0 125 250
Feet

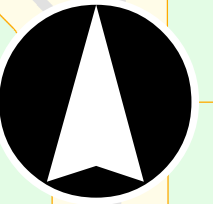
Parcel ID: 3301-411-0003-000-6
Zoning: RS-2 - PSLUse
Jurisdiction: Port Saint Lucie
Ownership: City of Port St. Lucie



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01

**ST. LUCIE COUNTY
PROPERTY APPRAISER INFORMATION**

**Map ID
14**



0 100 200
Feet

SUNSHINE STATE PKWY

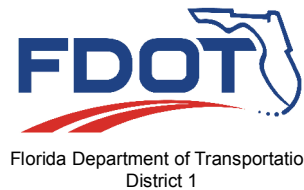
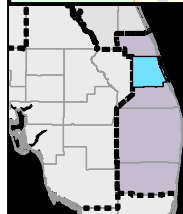
28

Parcel ID: 3301-411-0002-000-9
Zoning: CG
Jurisdiction: Port St. Lucie
Ownership: City of Port St. Lucie

NW NORTH PIPER CIR

NW WEST PIPER CIR

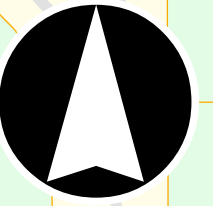
NW EAST DE



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01

ST. LUCIE COUNTY PROPERTY APPRAISER INFORMATION

Map ID
28



0 100 200
Feet

SUNSHINE STATE PKWY

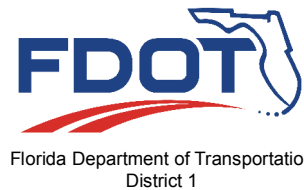
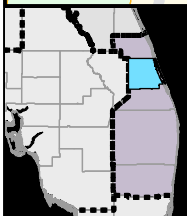
29

Parcel ID: 3301-411-0001-000-2
Zoning: N/A
Jurisdiction: Port St. Lucie
Ownership: City of Port St. Lucie

NW NORTH PIPER CIR

NW WEST PIPER CIR

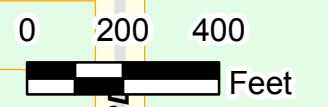
NW EAST DE



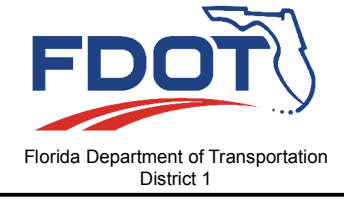
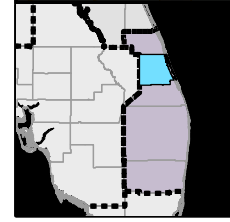
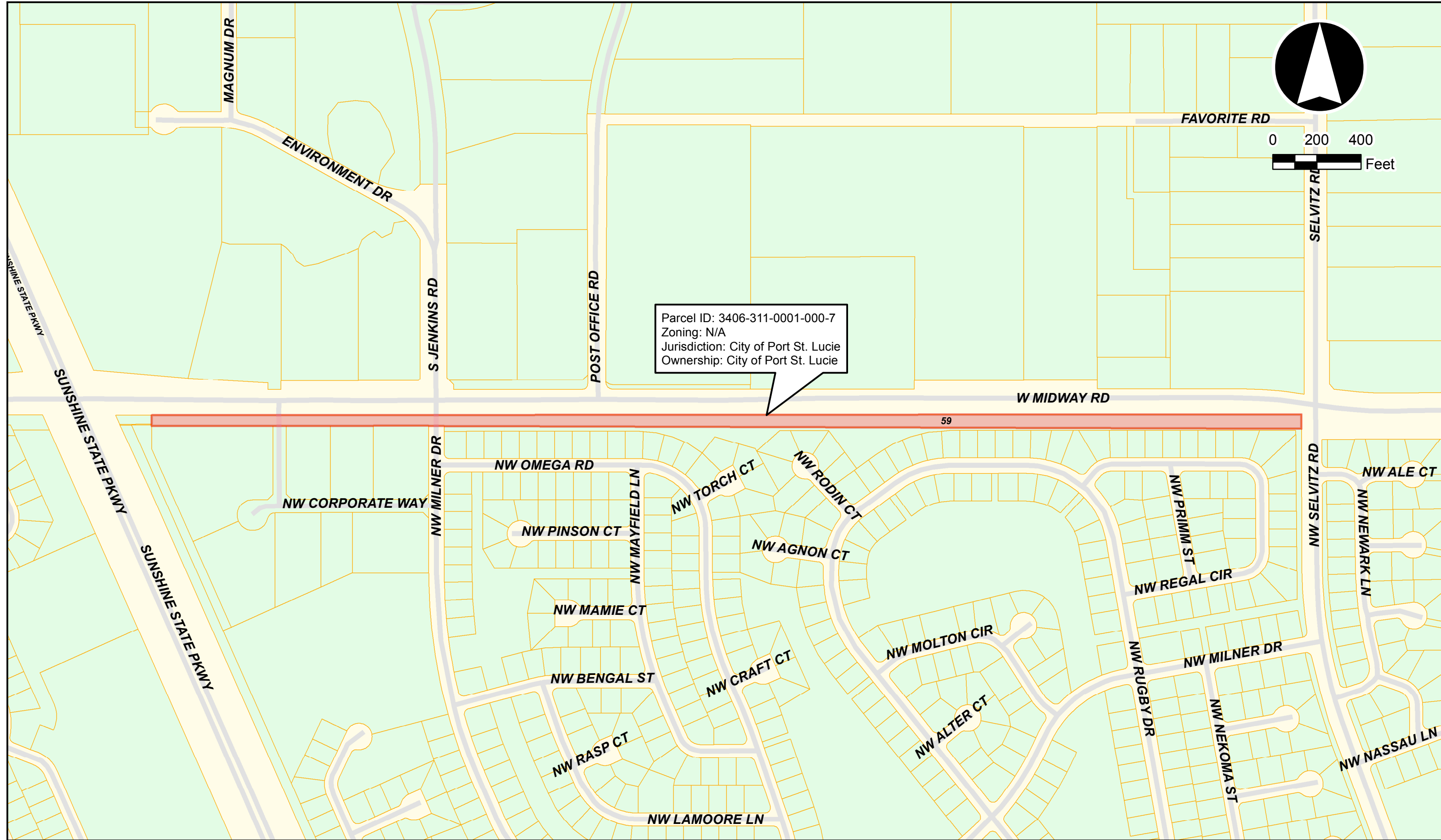
Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01

**ST. LUCIE COUNTY
PROPERTY APPRAISER INFORMATION**

**Map ID
29**



Parcel ID: 3406-311-0001-000-7
 Zoning: N/A
 Jurisdiction: City of Port St. Lucie
 Ownership: City of Port St. Lucie

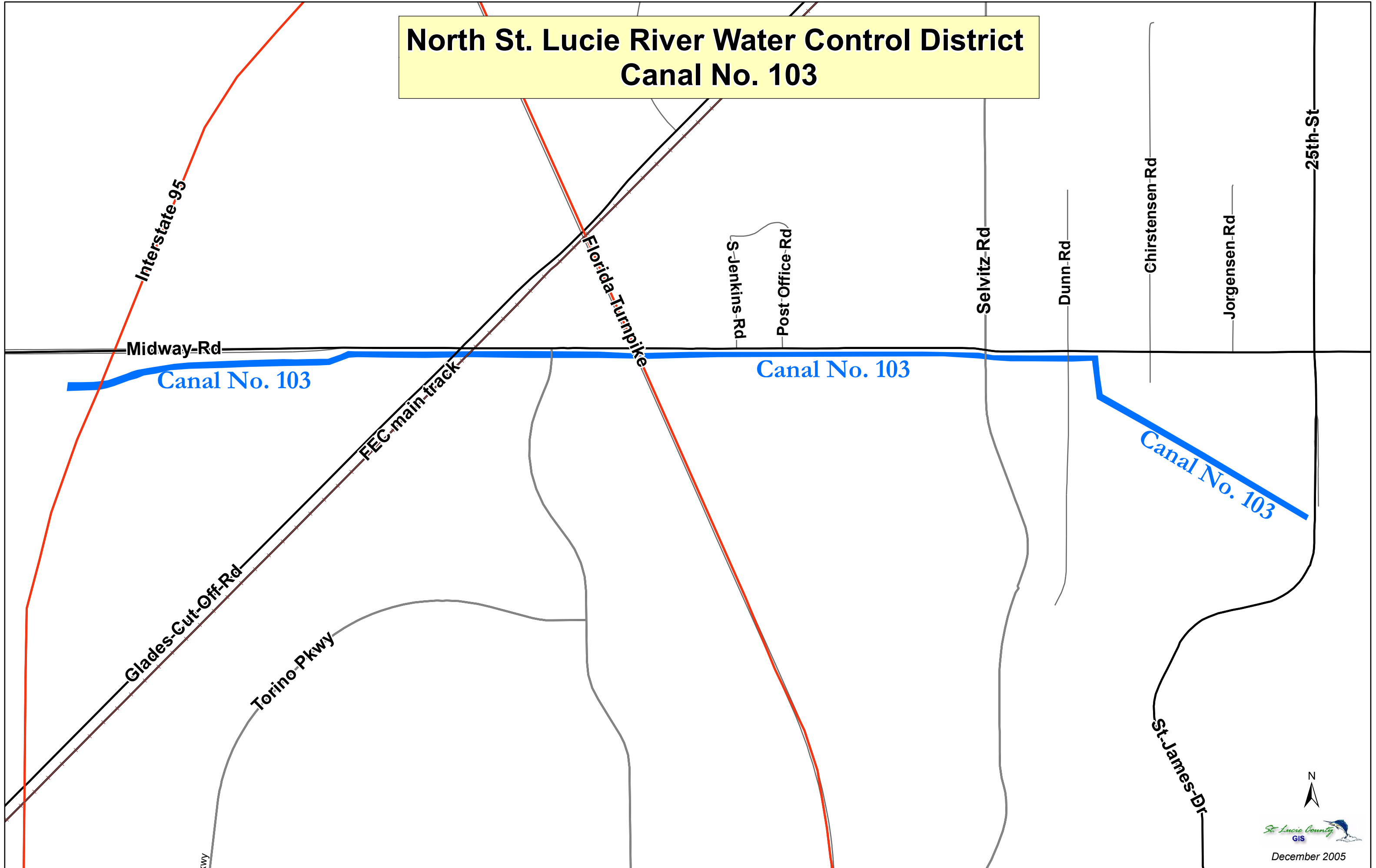


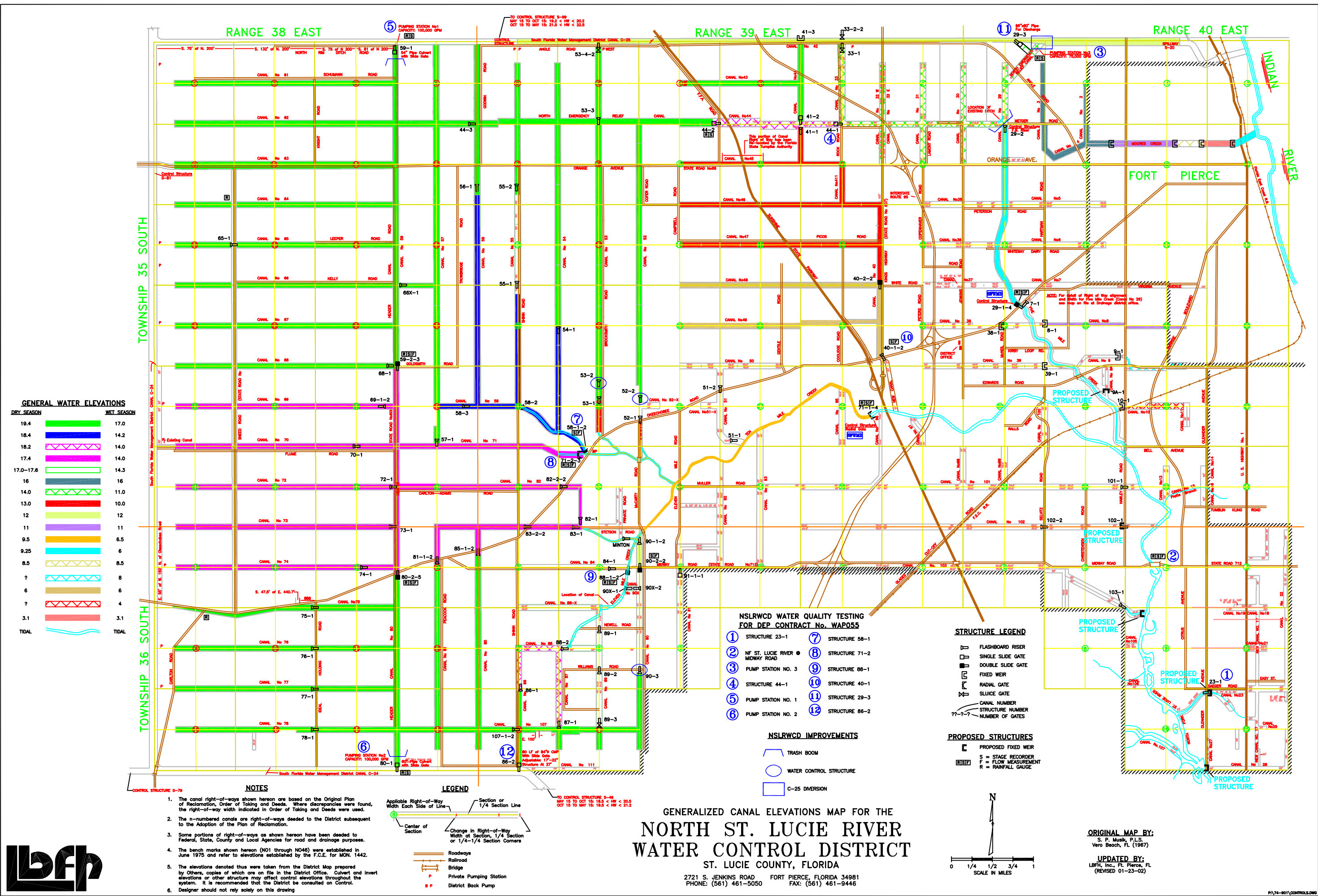
Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01

**ST. LUCIE COUNTY
 PROPERTY APPRAISER INFORMATION**

**Map ID
 59**

North St. Lucie River Water Control District Canal No. 103

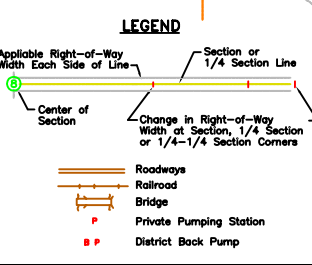




GENERAL WATER ELEVATIONS

DRY SEASON	WET SEASON
19.4	17.0
18.4	14.2
18.2	14.0
17.4	14.0
17.0-17.6	14.3
16	16
14.0	11.0
13.0	10.0
12	12
11	11
9.5	6.5
9.25	6
8.5	8.5
8	8
6	6
?	4
3.1	3.1
TIDAL	TIDAL

- NOTES**
- The canal right-of-ways shown hereon are based on the Original Plan of Reclamation, Order of Taking and Deeds. Where discrepancies were found, the right-of-way width indicated in Order of Taking and Deeds were used.
 - The n-numbered canals are right-of-ways deeded to the District subsequent to the Adoption of the Plan of Reclamation.
 - Some portions of right-of-ways as shown hereon have been deeded to Federal, State, County and Local Agencies for road and drainage purposes.
 - The bench marks shown hereon (NO1 through NO48) were established in June 1975 and refer to elevations established by the F.C.E. for MON. 1442.
 - The elevations denoted thus were taken from the District Map prepared by Others, copies of which are on file in the District Office. Culvert and invert elevations or other structure may affect control elevations throughout the system. It is recommended that the District be consulted on Control.
 - Designer should not rely solely on this drawing.



- NSLRWCD WATER QUALITY TESTING FOR DEP CONTRACT No. WAP055**
- | | | | |
|---|----------------------------------|---|----------------|
| ① | STRUCTURE 23-1 | ⑦ | STRUCTURE 58-1 |
| ② | NF ST. LUCIE RIVER @ MIDWAY ROAD | ⑧ | STRUCTURE 71-2 |
| ③ | PUMP STATION NO. 3 | ⑨ | STRUCTURE 88-1 |
| ④ | STRUCTURE 44-1 | ⑩ | STRUCTURE 40-1 |
| ⑤ | PUMP STATION NO. 1 | ⑪ | STRUCTURE 29-3 |
| ⑥ | PUMP STATION NO. 2 | ⑫ | STRUCTURE 86-2 |

- NSLRWCD IMPROVEMENTS**
- TRASH BOOM
 - WATER CONTROL STRUCTURE
 - C-25 DIVERSION

- STRUCTURE LEGEND**
- FLASHBOARD RISER
 - SINGLE SLIDE GATE
 - DOUBLE SLIDE GATE
 - FIXED WEIR
 - RADIAL GATE
 - SLUICE GATE
 - CANAL NUMBER
 - STRUCTURE NUMBER
 - NUMBER OF GATES

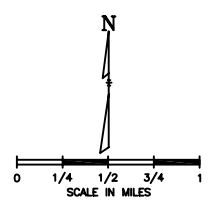
- PROPOSED STRUCTURES**
- PROPOSED FIXED WEIR
 - S = STAGE RECORDER
 - F = FLOW MEASUREMENT
 - R = RAINFALL GAUGE

GENERALIZED CANAL ELEVATIONS MAP FOR THE NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT
 ST. LUCIE COUNTY, FLORIDA

2721 S. JENKINS ROAD FORT PIERCE, FLORIDA 34981
 PHONE: (561) 461-5050 FAX: (561) 461-9446

ORIGINAL MAP BY:
 S. P. Musick, P.L.S.
 Vero Beach, FL (1967)

UPDATED BY:
 LBFH, Inc., Ft. Pierce, FL
 (REVISED 01-23-02)



**BOARD OF
COUNTY
COMMISSIONERS**



**COUNTY
ATTORNEY**

Daniel S. McIntyre

Heather Young
Katherine Davis Barbieri

ASSISTANT COUNTY ATTORNEY
ASSISTANT COUNTY ATTORNEY

April 9, 2014

Azlina Goldstein Siegel, Esq.
Assistant City Attorney
City of Port St. Lucie
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984

RE: Midway Road/Canal 103 – Interlocal Agreement

Dear Azlina:

Enclosed are five (5) original Interlocal Agreements signed by the appropriate County Officials. If the Agreement is in appropriate form, please have the appropriate City Officials sign the Agreements and return three (3) of the originals to this office. Upon receipt, I will record one signed original in the Public Records of St. Lucie County and forward a copy of the signed original to you.

Thank you again for your efforts in resolving this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel S. McIntyre", is written over the typed name below it.

Daniel S. McIntyre
County Attorney

DSM/sb

Copies: Public Works Director
County Engineer
County Surveyor
Property Acquisitions Manager

**INTERLOCAL AGREEMENT
FOR RIGHT-OF-WAY IMPROVEMENTS RELATING TO WIDENING OF MIDWAY ROAD
FROM SELVITZ ROAD EAST TO SOUTH 25TH STREET**

THIS INTERLOCAL AGREEMENT (“Agreement”) made and entered into this _____ day of _____, 2014, by and between the **CITY OF PORT ST LUCIE, a Florida municipal corporation**, (hereinafter “CITY”) and **ST LUCIE COUNTY, a political subdivision of the State of Florida** (hereinafter “COUNTY”).

RECITALS

WHEREAS, the COUNTY and CITY desire to enter into this Agreement pursuant to Section 163.01 of the Florida Statutes, known as the “Florida Interlocal Cooperation Act of 1969,” which authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage; and

WHEREAS, the COUNTY is in the process of pursuing the construction of roadway improvements concerning the widening of Midway Road from Selvitz Road east to South 25th Street (the “Project”); and

WHEREAS, the COUNTY’S proposed design for the widening of Midway Road is a four (4) lane divided urban section with a sidewalk on the north side of the Project that will be approximately six (6) feet wide and a twelve-foot (12 ft.) multi-purpose path located on the south side of the Project will need to accommodate in the future two (2) additional lanes and pedestrian walkways in accordance with the COUNTY’S Long Range Transportation Plan; and

WHEREAS, the COUNTY needs to acquire a right-of-way easement from the CITY over a portion of Canal 103 in order to construct the necessary proposed roadway improvements and to accommodate the two (2) future additional travel lanes; and

WHEREAS, the CITY has agreed to sell and convey to the COUNTY the necessary right-of-way easement over a portion of the CITY’S Canal 103; and

WHEREAS, the COUNTY and CITY have mutually agreed that it is in the best interest of the parties and the public to include, as part of the COUNTY’S design and construction plans for the Project, certain landscaping improvements on CITY-owned property along Canal 103 within the Project area, (hereinafter referred to as the “Canal 103 Landscape Work”); and

WHEREAS, the COUNTY and CITY are desirous of including in the COUNTY’S Project plans certain landscaping improvements, in addition to the roadway improvements to the CITY-owned portion of Selvitz Road, and the continued ownership and maintenance of Selvitz Road and any future improvements thereto or thereon (hereinafter referred to as the “Selvitz Road Landscape Work”) shall be the responsibility of the CITY after the completion of the COUNTY’S proposed Project; and

WHEREAS, except as provided in Paragraph 9, the COUNTY and CITY agree that the CITY will not be responsible for any of the Project costs incurred for the Canal 103 Landscape Work and the Selvitz Road Landscape Work; and

WHEREAS, this Agreement serves a public purpose, and COUNTY and CITY represent to the other that each has the power, privilege, and authority to undertake and enter into this Agreement; and

WHEREAS, COUNTY and CITY agree to cooperate and coordinate in the design and construction of the proposed Project improvements in an economic, timely and efficient manner.

WITNESSETH

NOW, THEREFORE, in consideration of the foregoing premises, mutual benefits to be derived from the cooperation of the parties on the Project, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, COUNTY and CITY intending to legally bind the respective entities and successors and assigns, hereby agree as follows:

1. **Recitations**. The foregoing recitations are true and correct and are incorporated herein by reference.

2. **Right-of Way Necessary for the Project**. The COUNTY shall acquire, at its sole cost and expense, any and all additional right-of-way required for the construction of the proposed improvements for the COUNTY'S Project. COUNTY hereby accepts and CITY hereby agrees to convey to the COUNTY a perpetual, 48.5-foot wide right-of-way easement over a portion of the CITY'S Canal 103 ("Canal 103 Easement"), which is more specifically described in the attached Exhibit "A." The purchase price to be paid by the COUNTY to the CITY for the Canal 103 Easement shall be FIFTEEN THOUSAND DOLLARS AND NO CENTS (\$15,000.00). The conveyance document for the Canal 103 Easement shall be in the form as attached hereto as Exhibit "B." The conveyance and simultaneous payment of the purchase price for the Canal 103 Easement shall be completed by the parties within forty-five (45) days of the Effective Date of this Agreement. The parties agree that any and all costs and expenses associated with the CITY'S conveyance of the Canal 103 Easement to the COUNTY, including but not limited to recording fees, title insurance (if applicable), and any other costs, shall be borne solely by the COUNTY and at no cost or expense whatsoever to the CITY.

3. **Landscape Cost Estimate for the Project**. The COUNTY has budgeted an approximate total of THREE HUNDRED NINE THOUSAND ONE HUNDRED DOLLARS AND NO CENTS (\$309,100.00), which includes a ten percent (10%) contingency (the "Budgeted Amount"), for the Canal 103 Landscape Work and Selvitz Road Landscape Work (collectively, the "Landscape Work"). The proposed Landscape Work is graphically depicted within those certain "Contract Documents" that have been reviewed and approved by both the CITY and the COUNTY. Said Contract Documents are defined herein as those set of plans that will be used in the field for the construction of the Project, including the Landscape Work. The Landscape Work is more specifically described as follows:

a. **Canal 103 Landscape Work.** The cost estimate for the Canal 103 Landscape Work is ONE HUNDRED FORTY-ONE THOUSAND DOLLARS AND NO CENTS (\$141,000.00). The CITY-owned property to be improved as part of the Project is located within, along and adjacent to the proposed Canal 103 Easement Area, as described and depicted in the attached Exhibit "B." Said area is currently vegetated with mature trees and provides a buffer between the residential neighborhood and Midway Road. The area commences approximately 1500-feet west of Selvitz Road, which marks the beginning of the Project, and extends approximately 700-feet east of Selvitz Road. The COUNTY'S landscaping activities will involve the clearing of certain areas while preserving the native vegetation in accordance with the Contract Documents. In addition, prior to the commencement of any clearing activities related to the Canal 103 Landscape Work, the COUNTY and its contractor(s) shall meet on-site with the CITY to discuss and review the proposed activities so that the CITY is able to ensure that the existing native plant communities are preserved to the greatest extent possible. Further, such clearing activities will be strictly limited to the removal of vegetation on an as needed basis to facilitate construction activities. Any and all exotic trees, shrubs, vines and other non-native invasive plants shall be removed by the COUNTY.

In the Canal Easement Area that does not contain roadway improvements, such as pavement or sidewalks, but rather continues to serve as a buffer between the residential neighborhood and Midway Road, the COUNTY shall plant native vegetation in a manner that will serve to fill in gaps in the vegetated/landscaped buffer that were created by the COUNTY'S clearing activities. The staff of both the CITY and COUNTY shall work together in determining the placement of the new vegetation. The COUNTY'S contractor will provide temporary irrigation for this area utilizing potable water obtained from the CITY. Further, it is understood that the CITY shall not be responsible for any costs or charges associated with the use of CITY water for the irrigation of the landscaping until the date the CITY assumes responsibility for the maintenance of the landscape improvements. The CITY assures that a water main will be accessible to the subject location and the CITY will cooperate with the COUNTY'S contractor at the time of connection. The CITY'S assumption of maintenance responsibility for the landscape improvements shall include but not be limited to the ownership and maintenance of any and all temporary irrigation systems and/or facilities installed by COUNTY and its contractor(s) for the Canal 103 Landscape Work.

The COUNTY'S contractor will maintain the improvements for a period of one (1) year following the COUNTY'S acceptance of the work for the Project (the "Initial Warranty Period"). After the Initial Warranty Period terminates and notice is provided by the COUNTY to the CITY of such termination, the CITY will assume the maintenance responsibility for the landscaping improvements that will be completed in accordance with the Contract Documents and located within the CITY'S rights-of-way and other CITY-owned property. The CITY'S assumption of the maintenance responsibility shall not include any maintenance whatsoever of any of the roadway improvements, including but not limited to sidewalks, traffic signs and signals, curbs and gutters, and any other

attendant facilities constructed and/or installed by the COUNTY as part of the Project. Further, the CITY will determine whether it desires to continue to use the temporary irrigation system that was installed by the COUNTY'S contractor. In the event the CITY determines that the temporary irrigation system installed by the COUNTY'S contractor shall be removed, then the CITY shall remove said irrigation system at its sole cost and expense following the CITY'S assumption of the landscape maintenance responsibility.

b. **Selvitz Road Landscape Work.** The cost for the Selvitz Road Landscape Work is estimated to be ONE HUNDRED FORTY THOUSAND DOLLARS AND NO CENTS (\$140,000.00). The Selvitz Road Landscape Work will involve the creation and construction of (1) a landscape barrier on Newark Lane and (2) a landscaped median on Selvitz Road, in accordance with the Contract Documents.

i. **Newark Lane Landscape Barrier.** The landscape barrier is being constructed as the COUNTY'S Project plans call for the elimination of access from the north to Newark Lane in order to reduce the potential for vehicular traffic conflicts with the proposed improvements to Selvitz Road. The plant and other landscape materials to be used by the COUNTY shall be native species. In addition, the COUNTY'S installation of an irrigation system shall be in accordance with the Contract Documents and must utilize the CITY'S potable water. The CITY assures that a water main will be accessible to the subject location and the CITY will cooperate with the COUNTY'S contractor at the time of connection. Further, the CITY shall not be responsible for any costs or charges associated with the use of CITY water for the irrigation of the landscaping unless and until the CITY assumes responsibility for the maintenance of the landscape barrier.

ii. **Selvitz Road Landscaped Median.** The COUNTY'S proposed improvements to Selvitz Road include the construction and installation of a 515-foot landscaped median. The plants and other landscape materials to be used by the COUNTY shall be native species. The installation of an irrigation system in the median by the COUNTY shall be in accordance with the Contract Documents and must utilize the CITY'S potable water. The CITY assures that a water main will be accessible to the subject location and the CITY will cooperate with the COUNTY'S contractor at the time of connection. In addition, a "Welcome to Port St. Lucie" monument sign shall be constructed by the COUNTY, at no cost or expense to the CITY, and located in the median approximately 560-feet south of the intersection of Selvitz Road and Midway Road in accordance with the Contract Documents and any applicable rules and regulations.

4. **Permission to Construct Improvements on CITY Right-of-Way.** The CITY hereby agrees to allow the COUNTY to perform the Landscape Work on and within CITY rights-of-way and land, as contemplated in the Contract Documents for the Project. This temporary license granted to the

COUNTY and its contractors and consultants to access, enter, and perform construction activities on CITY-owned property and rights-of-way shall terminate immediately following the completion of the Project and upon the COUNTY'S acceptance of the roadway and landscape improvements, unless otherwise provided for herein. In addition to the Landscape Work, the COUNTY'S Contract Documents have incorporated the construction of certain improvements on the CITY-owned portion of Selvitz Road which include but are not limited to a 4-lane divided roadway, curb and gutter, drainage, sidewalks, and improvements to Pond 6 (hereinafter, together with the Landscape Work, collectively referred to as the "CITY Improvements"). The construction of CITY Improvements by the COUNTY will also include the permanent closure of Newark Lane at its northern intersection with Selvitz Road. Said closure of Newark Lane is necessary for the safety and welfare of the neighborhood, and it is depicted in the attached Exhibit "C." Area residents will continue to have access to the neighborhood at the southern intersection of Newark Lane and Selvitz Road.

5. **Design; Permitting; Bidding; Award; and Contract Administration.** The COUNTY has issued to the CITY 100% bid set drawings, bid documents, and specifications (the "Project Bid Documents") for the CITY Improvements. The COUNTY shall bid the Project Bid Documents as approved by the COUNTY and the CITY. The COUNTY shall be responsible for obtaining all necessary permits. The CITY'S approval and execution of this Agreement shall constitute the CITY'S permission to construct the CITY Improvements as contemplated in the approved Project Bid Documents and Contract Documents. The COUNTY shall notify and allow the CITY to attend and actively participate in any Project design meetings held by the COUNTY. The parties agree that the COUNTY shall be the contracting agency responsible for the administration of the construction contract(s) for the Project. Except as otherwise provided herein, the COUNTY shall provide the engineering, administrative, inspection and clerical services necessary for the execution of the Project to the completion of construction. However, the CITY shall at all times have the right to inspect, comment or object to the proposed CITY Improvements, and shall do so in a timely manner so as not to delay the Project. The CITY agrees to coordinate its inspections of the CITY Improvements with the firm that has been independently hired by the COUNTY to provide construction engineering inspection services (the "COUNTY CEI"). The CITY shall provide any comments or objections concerning the CITY Improvements directly to the COUNTY CEI. The CITY shall be provided by the COUNTY with notice, at least a two (2) days in advance, of the date and time of any pre-construction meetings, and shall be kept informed by the COUNTY of any other meetings, and the CITY, in its sole discretion, may attend those meetings that CITY deems its attendance to be appropriate.

6. **CITY'S Acceptance of Improvements.** No later than thirty (30) days prior to the expiration of the Initial Warranty Period, the COUNTY and the CITY shall coordinate and conduct a final inspection of the CITY Improvements ("CITY'S Final Inspection"). The CITY shall have the right to object to items concerning the CITY Improvements that are not installed, constructed or completed in accordance with the approved Contract Documents. In the event the CITY determines that any deficiencies exist, then the CITY shall, within ten (10) days of the date of the CITY'S Final Inspection, provide notice to the COUNTY of the deficiencies prior to the CITY'S assumption of the maintenance obligations for and acceptance of the CITY Improvements on CITY-owned property and rights-of-way. The COUNTY shall ensure that any and all warranties extending beyond the Initial Warranty Period and

all bonds that concern the CITY Improvements are effectively assigned to the CITY at the time the CITY accepts said improvements.

7. **Insurance Requirements for COUNTY’S Contractor(s)**. The COUNTY will require any and all of the contractors who enter upon and perform work on the CITY’S rights-of-way and lands to obtain and maintain in full force and effect the below-identified types and amounts of insurance policies/coverages, which shall serve to insure and the protect the CITY against loss or liability in connection with any bodily injury, death, property damage or destruction, occurring on or about the CITY’S property and rights-of-way, and the performance of the Landscape Work. The City of Port St. Lucie shall be named as an additional insured under the below-required policies.

Prior to commencement of the work and entry on the CITY’S property and rights-of-way by any contractor, the COUNTY shall deliver to CITY certificates of insurance of its contractor(s) evidencing the coverages required under this paragraph and its subparts. Said certificates of insurance shall be specifically endorsed to provide a minimum thirty (30) day written notice to the CITY and COUNTY prior to cancellation, non-renewal, or adverse change of coverage. The name for the Additional Insured endorsement required to be provided to the CITY and issued by the insurer shall read “City of Port St. Lucie, a municipality for the State of Florida, its officers, employees, agents and the public – COUNTY Contract # XXXXXX.” Copies of the Additional Insured endorsements including Completed Operations coverage should be attached to the Certificate of Insurance.

a. **Commercial General Liability**. Commercial General Liability insurance shall be issued under an occurrence form basis, including contractual liability to cover the liability assumed under any indemnification provisions of the contract or agreement with the COUNTY, with limits of not less than the following:

Each Occurrence	\$1,000,000.00
Personal/Advertising injury	\$1,000,000.00
Products/Completed operations aggregate	\$2,000,000.00
General aggregate	\$2,000,000.00
Fire Damage	\$100,000.00 any 1 fire
Medical Expense	\$10,000.00 any 1 person

An Addition Insured endorsement must be attached to the Certificate of Insurance and must include coverage for Completed Operations (which should be ISO CG20101185 or CG20370704 & CG20100704) under the General Liability Policy. Products & Completed Operations coverage is to be provided for a minimum of five (5) years from the date of possession by the Owner or Completion of the Contract. Coverage shall be written on an occurrence form basis and shall apply as primary. A per project aggregate limit endorsement shall be attached. Further, defense costs shall be in addition to the limit of liability. A Waiver of Subrogation in favor of the CITY must be provided. Coverage for the hazards of explosion, collapse and underground property damage (XCU) must also be included when applicable to the work to be performed. Coverage shall extend to independent contractors and fellow employees. Contractual Liability shall be included.

Coverage shall include a cross liability or severability of interests provision as provided under the standard ISO form separation of insureds clause/provision.

b. Workers' Compensation. Workers' Compensation Insurance & Employers' Liability shall be maintained in accordance with Section 440, Florida Statutes. Employers' Liability must include limits of at least \$100,000.00 each accident, \$100,000.00 each disease/employee, and \$500,000.00 each disease/maximum. A Waiver of Subrogation endorsement must be provided. Coverage should apply on a primary basis. Should the scope of work performed by a contractor qualify its employee for benefits under the Federal Workers' Compensation Statute (example, U.S. Longshore and Harbor Workers Act or Merchant Marine Act), proof of appropriate Federal Act coverage must be provided.

c. Business Auto Policy. Business Automobile Liability at a limit of liability not less than \$1,000,000.00 each occurrence for any auto, owned, non-owned, and hired automobiles shall be maintained. In the event that no automobiles are owned by the COUNTY'S contractor(s), the Business Auto Liability requirement may be waived provided that Hired & Non-Owned Liability of the same amount is maintained. This requirement may be satisfied by way an endorsement to the Commercial General Liability, or a separate Business Auto Coverage form. A Waiver of Subrogation must also be provided, and the coverage required, pursuant to this sub-paragraph, should apply on a primary basis.

d. Umbrella or Excess Liability. The COUNTY'S Contractor(s) may satisfy the minimum limits required above under this Paragraph "7" and its subparts, for Commercial General Liability, Business Auto Liability, or Workers' Compensation Insurance & Employers' Liability coverage under the Umbrella or Excess Liability. The Umbrella or Excess Liability shall have an aggregate limit not less than the highest "Each occurrence" limit for the Commercial General Liability, Business Auto Liability, or Workers' Compensation Insurance & Employers' Liability. When required by the insurer, or when Umbrella or Excess Liability is written on "Non-Follow" form, the CITY shall be endorsed as an "Additional Insured."

e. Waiver of Subrogation. A Waiver of Subrogation shall be provided to the CITY for each required policy. When required by the insurer, or should a policy condition not permit an insured to enter into a pre-loss agreement to waive subrogation without an endorsement then a notification to the insurer and a request that the policy be endorsed with a Waiver of Transfer of Rights of Recovery Against Others, or its equivalent, shall be required. This Waiver of Subrogation requirement shall not apply to any policy where a condition to the policy specifically prohibits such an endorsement, or voids coverage if the COUNTY'S contractor enters into such an agreement on a pre-loss basis.

8. Hazardous Materials. The COUNTY, or its contractors, subcontractors, successors or assigns shall not, in the performance of any activities concerning the Project, store, locate or dispose of

any contaminants, pollutants, or toxic or hazardous materials or substances, including solid waste and debris, on, in or upon the CITY'S rights-of-way, Canal 103, and lands.

9. **Financial Obligations.** The COUNTY shall be responsible for all design and construction costs and expenses associated with the roadway and other landscape improvements for the Project identified in the Contract Documents. Unless otherwise agreed to by the CITY as further discussed hereinbelow, the CITY shall not be responsible for any costs or expenses whatsoever associated with or incurred as a result of the COUNTY'S proposed roadway and landscape improvements for the Project that are specifically addressed in this Agreement.

The COUNTY intends to bid the Project so that the bid costs for the Canal 103 Landscape Work and the Selvitz Road Landscape Work are separately identified on the COUNTY'S bid form. The Parties understand and agree that the COUNTY shall be responsible for allocating at least the Budgeted Amount for the Landscape Work. In the event the bid(s) for the Landscape Work is/are lower than the Budgeted Amount, the excess amount shall be allocated by the COUNTY to the Project contingency. However, in the event the bid(s) for the Landscape Work exceed(s) the Budgeted Amount, the COUNTY and the CITY hereby agree that the COUNTY shall have the following options:

- a. The COUNTY, in its sole discretion, shall elect to be responsible for the payment of any and all amounts that exceed the Budgeted Amount for the Landscape Work; or
- b. The COUNTY shall provide written notice to the CITY of its election to not provide any additional monies beyond the Budgeted Amount. Within fifteen (15) days of the CITY'S receipt of said written notice from the COUNTY, the CITY shall notify the COUNTY of its decision on whether the CITY will agree to be responsible for the payment of those costs and expenses that are in excess of the Budgeted Amount, and which are solely attributable to the construction and/or installation of those certain improvements for the Landscape Work which are identified in the Contract Documents; or
- c. The CITY and the COUNTY shall modify the Contract Documents so that the costs identified in the bid(s) for the Canal 103 Landscape Work and the Selvitz Road Landscape Work are collectively reduced to a total amount that will not exceed the COUNTY'S Budgeted Amount. This joint modification shall be completed within five (5) business days.

10. **Notices.** All written notices required under this Agreement, but excluding communications concerning the approval of design and construction plans for the Project and other matters requiring the approval of the City Engineer or his/her designee out in the field, shall be in writing and shall be (as elected by the party giving such notice) hand delivered by messenger or courier service, by regular United States Mail with postage prepaid, or by certified mail, return receipt requested (Airmail if international), and shall be directed to the following persons and places designated by the parties:

FOR THE CITY:	FOR THE COUNTY:
PUBLIC WORKS DEPARTMENT CITY OF PORT ST. LUCIE 121 S.W. Port St. Lucie Boulevard Port St. Lucie, FL 34984 Attn: Patricia Roebing, P.E., Public Works Director/City Engineer <u>With a copy to:</u> OFFICE OF THE CITY ATTORNEY CITY OF PORT ST. LUCIE 121 S.W. Port St. Lucie Boulevard Port St. Lucie, FL 34984 Attn: Public Works Attorney	ST. LUCIE COUNTY ADMINISTRATOR County Administration Annex 2300 Virginia Avenue Ft. Pierce, FL 34982 <u>With a copy to:</u> ST. LUCIE COUNTY ATTORNEY County Administration Annex 2300 Virginia Avenue Ft. Pierce, FL 34982

Each such notice shall be deemed delivered (i) on the date delivered if by personal delivery or (ii) on the date mailed, postage prepaid.

11. **Invalid Provisions.** In the event any term or provision of this Agreement is held illegal, unenforceable or inoperative as a matter of law, the remaining terms and provisions will not be affected thereby, but will be valid and remain in full force and effect so far as possible. If any provision of this Agreement may be construed in two or more ways, one of which would render the provision invalid or otherwise voidable or unenforceable and another of which would render the provision valid and enforceable, such provision shall have the meaning which renders it valid and enforceable.

12. **COUNTY Release, Hold Harmless and Indemnification of CITY.** To the extent permitted by law, the COUNTY hereby agrees to release, waive, relinquishes, discharges, holds harmless, and indemnify the CITY, its officers, elected officials, employees, agents, successors and assigns, from any and all claims, actions, causes of action, liens (including mechanic's liens and materialman's liens), demands, and liabilities of any nature and character whatsoever, that may arise in any manner from or relate to the COUNTY'S construction activities on the CITY-owned rights-of-way and lands, such as Selvitz Road and Canal 103. The COUNTY shall defend and be responsible for any and all costs, fees and expenses for any action or proceeding brought against the CITY, its officers, elected officials, employees, agents, successors and assigns, for any and all matters arising from or relating to this Agreement. The types of claims, actions, causes of action, demands and liabilities that are released, waived, discharged, relinquished, and will be indemnified herein include, but are not limited to, claims for acts of the COUNTY'S contractors, agents, employees, members, invitees, and consultants. Further, the COUNTY understands that this release, hold harmless and indemnification agreement detailed in this paragraph shall inure to the benefit of the CITY, its officers, elected officials, employees, agents, successors, and assigns, and that it shall bind the COUNTY and the COUNTY'S heirs, legal representatives, members, assigns and successors in interest. The foregoing indemnities with respect to any waiver of sovereign immunity shall be limited to the extent specified in Section 768.28 of the Florida Statutes. This paragraph shall not be construed to constitute an agreement by the COUNTY to indemnify the CITY for the willful or malicious misconduct or negligent actions performed by and solely caused by the CITY or its consultants, experts, contractors, employees, or agents acting for or on behalf of the CITY.

13. **Public Construction Bond; No Liens.** The COUNTY shall require that its contractor(s) provide a public construction bond pursuant to Section 255.05 of the Florida Statutes. Said public construction bond(s) shall serve to provide security for the performance by the contractor(s) of the construction work and the payment obligations of the contractor(s) for the labor, materials, subcontractors and any other items or services used and/or obtained to construct the Project. The Parties acknowledge that under the Chapter 713 "Construction Lien Law" of the Florida Statutes, the term "owner" specifically excludes governmental entities. However, the Parties hereby agree that the COUNTY'S contract with the contractor(s) shall include a provision that no liens or claims of liens (including mechanic's liens and materialman's liens) shall be recorded against the CITY'S rights-of-way and lands by any person or party in the performance of any and all activities concerning the COUNTY'S Project.

14. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

15. **Entire Agreement.** This Agreement contains the entire agreement between the parties hereto as it pertains to the subject matter contained herein and shall supersede and take precedence over any and all prior and contemporaneous verbal or written agreements and understandings between the parties hereto.

16. **Amendments.** This Agreement may not be amended, modified, altered, or changed in any respect whatsoever, except by a further agreement in writing duly executed by each and all of the parties hereto.

17. **Effective Date; Recording .** The Effective Date of this Agreement shall be the date on which the last of the parties cause this Agreement to be executed. This Agreement shall be recorded by the COUNTY in the Official Public Records of the Clerk of the Court of St. Lucie County, Florida. A copy of the recorded Agreement shall be forwarded to the CITY.

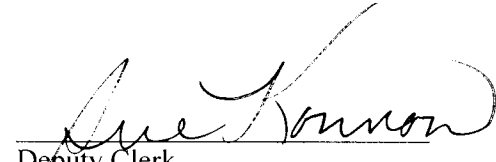
[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the CITY and the COUNTY have caused this Agreement to be executed on behalf of their respective entities, their successors and assigns, on the day first above written.

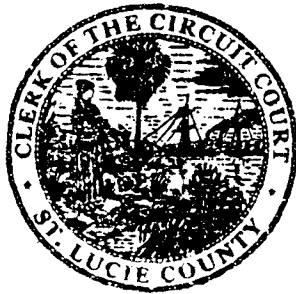
COUNTY:

ST. LUCIE COUNTY,
a political subdivision of the State of Florida

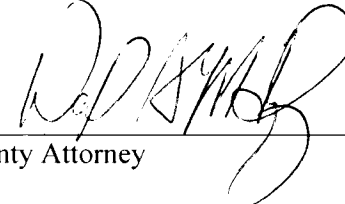
ATTEST:


Deputy Clerk

BY: 
Chair



APPROVED AS TO FORM AND CORRECTNESS:


County Attorney

CITY:

CITY OF PORT ST. LUCIE,
a Florida municipal corporation

ATTEST:

City Clerk

BY: _____
JoAnn M. Faiella, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Roger G. Orr, City Attorney

LEGAL DESCRIPTION:

Midway Road
Canal 103 In City of Port St. Lucie

That part of:

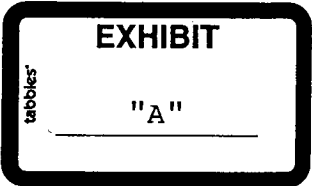
Canal 103 adjacent to First Replat in Port St. Lucie Section Forty-Eight as recorded in Plat book 26, page 23 of the Public Records of St. Lucie County, Florida, being the North 48.50 feet as measured at right angles and parallel with the North line of the Southeast 1/4 of Section 6, Township 36 South, Range 40 East, St. Lucie County, Florida.

(Said property being a portion of the same lands described in Official Records Book 439, page 1530 of the Public Records of St. Lucie County, Florida.)

described as follows:

Commence at a found railroad spike marking the Northeast corner of the Northeast 1/4 of Section 6, Township 36 South, Range 40 East, St. Lucie County, Florida; thence run South 00°09'27" West along the East line of said Northeast 1/4 a distance of 2665.81 feet to the Northeast Corner of the Southeast 1/4 of said Section 6 for a Point of Beginning; thence run South 89°58'22" West along the North line of the Southeast 1/4 of said Section 6 a distance of 1468.73 feet; thence departing said North line run South 00°01'38" East a distance of 48.50 feet to a point on the South line of the North 48.50 feet of the Southeast 1/4 of said Section 6, also being a point on the North boundary of First Replat in Port St. Lucie Section Forty-Eight as recorded in Plat Book 26, page 23 of the Public Records of St. Lucie County, Florida and the existing Southerly right of way line of Canal 103 as described in Official Records Book 439, page 1530 of the Public Records of St. Lucie County, Florida; thence run North 89°58'22" East along said boundary and said existing right of way line a distance of 1468.88 feet to a point on the East line of the Southeast 1/4 of said Section 6; thence departing said boundary and said existing right of way line run North 00°12'06" West along said East line a distance of 48.50 feet to the Point of Beginning.

Containing 1.635 acres, more or less.



SURVEYOR'S NOTES:

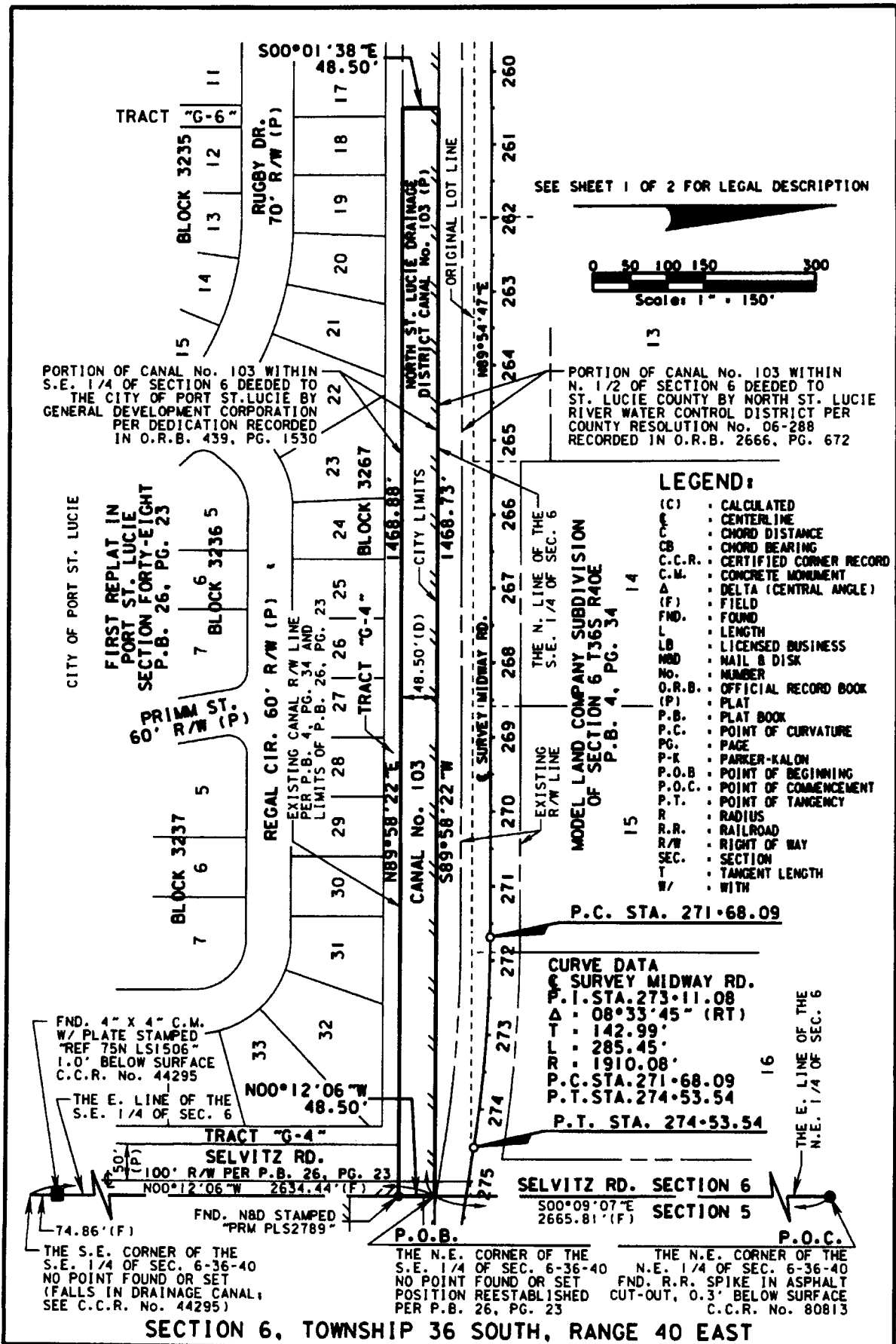
1. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 1990 ADJUSTMENT, AS NOTED ON ST. LUCIE COUNTY RIGHT OF WAY MAP FOR MIDWAY ROAD, COUNTY JOB NO. 0618, DERIVING A BEARING OF NORTH 89°58'22" EAST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST.
2. THIS SKETCH OF DESCRIPTION IS BASED ON INFORMATION SHOWN ON THE RIGHT OF WAY MAP FOR MIDWAY ROAD AS PREPARED FOR ST. LUCIE COUNTY BY LOCHRANE ENGINEERING, INC., COUNTY PROJECT No. 0618, UNDER THE RESPONSIBLE CHARGE OF JOHN J. CAMPBELL, JR., FLORIDA REGISTERED SURVEYOR AND MAPPER NO. 5522.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
4. SEE SHEET 2 OF 2 FOR PARCEL SKETCH.
5. THIS IS NOT A BOUNDARY SURVEY.

LOCHRANE ENGINEERING, INC.
L.B. No. 2856

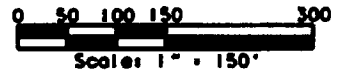
John J. Campbell, Jr. 4/17/12

JOHN J. CAMPBELL, JR.
P.S.M. No. 5522
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

			ST. LUCIE COUNTY - RIGHT OF WAY ENGINEERING SECTION	
			SKETCH OF DESCRIPTION - NOT A FIELD SURVEY	
			MIDWAY ROAD - CANAL No. 103	
			BY	DATE
			DRAIN	J.J.C. 4/10/12
			CHECKED	C.J.L. 4/16/12
REVISION	BY	DATE	PREPARED BY:	COUNTY JOB NO. 0618
			LOCHRANE ENGINEERING, INC.	
			LB NO. 2856	
			201 SOUTH BUMBY AVENUE	
			ORLANDO, FL 32803	SHEET 1 OF 2



SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION



PORTION OF CANAL No. 103 WITHIN S.E. 1/4 OF SECTION 6 DEEDED TO THE CITY OF PORT ST. LUCIE BY GENERAL DEVELOPMENT CORPORATION PER DEDICATION RECORDED IN O.R.B. 439, PG. 1530

PORTION OF CANAL No. 103 WITHIN N. 1/2 OF SECTION 6 DEEDED TO ST. LUCIE COUNTY BY NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT PER COUNTY RESOLUTION No. 06-288 RECORDED IN O.R.B. 2666, PG. 672

LEGEND:

- (C) • CALCULATED
- CL • CENTERLINE
- CD • CHORD DISTANCE
- CB • CHORD BEARING
- C.C.R. • CERTIFIED CORNER RECORD
- C.C.F. • CONCRETE CORNER
- Δ • DELTA (CENTRAL ANGLE)
- (F) • FIELD
- FN • FOUND
- LN • LENGTH
- LB • LICENSED BUSINESS
- NBD • NAIL B DISK
- NO. • NUMBER
- O.R.B. • OFFICIAL RECORD BOOK
- (P) • PLAT
- P.B. • PLAT BOOK
- P.C. • POINT OF CURVATURE
- PG. • PAGE
- P.K. • PARKER-KALON
- P.O.B. • POINT OF BEGINNING
- P.O.C. • POINT OF COMMENCEMENT
- P.T. • POINT OF TANGENCY
- R • RADIUS
- R.R. • RAILROAD
- R/W • RIGHT OF WAY
- SEC. • SECTION
- T • TANGENT LENGTH
- W/ • WITH

CURVE DATA

SURVEY MIDWAY RD.
 P.I. STA. 273+11.08
 Δ = 08°33'45" (RT)
 P.T. = 142.99'
 P.C. = 285.45'
 P.T. = 1910.08'
 P.C. STA. 271+68.09
 P.T. STA. 274+53.54
 P.T. STA. 274+53.54

SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST

**ST. LUCIE COUNTY - RIGHT OF WAY ENGINEERING SECTION
 SKETCH OF DESCRIPTION - NOT A FIELD SURVEY**

MIDWAY ROAD - CANAL No. 103

DRAWN		BY	DATE	PREPARED BY:		COUNTY JOB NO. 0618
CHECKED		J.J.C.	4/11/12	LOCHRANE ENGINEERING, INC. LB NO. 2856 201 SOUTH BUMBY AVENUE ORLANDO, FL 32803		
REVISION	BY	DATE	CHECKED	C.J.L.	4/16/12	SHEET 2 OF 2

EXHIBIT "B"

Prepared by and when recorded return to:
Azlina Goldstein Siegel, Assistant City Attorney
CITY OF PORT ST. LUCIE
City Attorney's Office
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984

(Space above this line reserved for recording office use only)

RIGHT-OF-WAY EASEMENT

THIS RIGHT-OF-WAY EASEMENT ("Easement"), executed this _____ day of _____, 2014 by the **CITY OF PORT ST. LUCIE**, a Florida municipal corporation, whose mailing address is 121 S.W. Port St. Lucie Boulevard, Port St. Lucie, Florida, 34984 of the County of St. Lucie, State of Florida ("Grantor") to **ST. LUCIE COUNTY**, a political subdivision of the State of Florida, whose mailing address is 2300 Virginia Avenue, 3rd Floor Admin. Annex, Fort Pierce, Florida, 34982 ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" shall include all the parties to this instrument and their respective heirs, legal representatives, successors and assigns.)

WITNESSETH:

WHEREAS, the Grantor is the owner of certain real property located in St. Lucie County, Florida, which property is commonly referred to as "Canal 103"; and

WHEREAS, the Grantee needs to acquire a right-of-way easement from the Grantor over a portion of Canal 103 (the "Easement Area") that is more specifically described in Exhibit "A", which is attached hereto and incorporated herein, in order to construct certain roadway and drainage improvements for Grantee's proposed widening of Midway Road; and

WHEREAS, the Grantor desires to grant Grantee a perpetual, non-exclusive right-of-way easement over the Easement Area for the purposes set forth herein; and

NOW THEREFORE, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration in hand paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey to said Grantee, its successors or assigns forever, a non-exclusive perpetual right-of-way easement for the purpose of locating, establishing, constructing, installing, maintaining, repairing and operating certain roadway and attendant improvements, including but not limited to pavement, sidewalks, stormwater and drainage facilities and systems upon, over, under and across the Easement Area described in Exhibit "A."

TO HAVE AND TO HOLD the Easement hereby granted unto the Grantee, its licensees, agents, legal representatives, successors and assigns, together with all conditions and covenants set forth herein

shall be covenants running with the land that benefit the public at large, and shall inure to and be binding upon the heirs, representatives, successors and assigns of Grantee.

IT IS UNDERSTOOD that the Grantee, at its sole cost and expense, shall be responsible for the maintenance of the Easement Area, in addition to the maintenance, repair, construction, operation and replacement of any and all improvements installed, erected, constructed or in anywise made over, under, across, through or upon the Easement Area by, for, on the behalf of the Grantee. However, the Grantee will not be required to maintain any landscaping improvements located within the Easement Area once the Grantor assumes the maintenance responsibility of the same pursuant to that certain Interlocal Agreement for Right-of-Way Improvements Relating to Widening of Midway Road from Selvitz Road East to South 25th Street between the Grantor and Grantee. If any of the real estate, vegetation, landscaping, sod, or any other improvement situated on Grantor's property, and located outside the Easement area, is disturbed or damaged by any of the activities of Grantee, its agents, employees, servants, contractors, consultants, or persons acting pursuant to contracts or agreement with Grantee then Grantee shall restore all such property to a condition, substantially similar to the condition, existing prior to the disturbance or damage.

IT IS ALSO UNDERSTOOD that the Grantor, for itself and its successors and assigns, reserves the right to install, construct, repair and maintain any improvements, including but not limited to utility facilities, within the Easement Area at any location, in Grantor's sole discretion, provided Grantor's use of the Easement Area does not unreasonably interfere with the Easement rights granted to Grantee herein.

IT IS FURTHER UNDERSTOOD that to the extent permitted by law, Grantee shall indemnify, defend, save, and hold harmless the Grantor and Grantor's successors and assigns from any and all liability, losses, damages, suits, actions, judgments, claims and demands of any kind or nature whatsoever, including but not limited to attorney's fees, expenses and costs of defense, which Grantor may incur as a result of any and all losses, claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to, or resulting from Grantee's use of the Easement Area, including any activities performed by Grantee, its agents, employees, licensees, invitees, contractors, and consultants. The Grantee shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits, or actions of any kind or nature in the name of the Grantor, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon. Nothing in this paragraph is intended to waive the provisions of Section 768.28, Florida Statutes, as it applies to Grantee or Grantor.

IT IS ALSO FURTHER UNDERSTOOD that the Grantor, and its licensees, agents, successors, or assigns, assume no liability or responsibility to the Grantee, its licensees, agents, successors, assigns, or to any person performing any activity within the Easement Area or using the Easement for any reason whatsoever with or without invitation, whether express or implied, or by reason of any business conducted with the Grantee, its licensees, agents, successors or assigns, or otherwise.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, and set its hand and seal by its proper, duly authorized officer or representative the day and year first above written.

[SIGNATURE PAGE TO FOLLOW]

Attest: _____
Karen A. Phillips, City Clerk

CITY OF PORT ST. LUCIE,
a Florida municipal corporation

**Signed, sealed and delivered
in the presence of:**

Witness
Print Name: _____

By: _____
JoAnn M. Faiella, Mayor

Witness
Print Name: _____

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by **JoAnn M. Faiella**, as **Mayor** for **the City of Port St. Lucie**, who is personally known to me, or who has produced _____ as identification.

Notary Signature

Print Name of Notary

NOTARY SEAL/STAMP

Agreed to and Accepted By Grantee:

Attest: _____
Deputy Clerk
Print Name: _____

ST. LUCIE COUNTY,
a political subdivision of the State of Florida

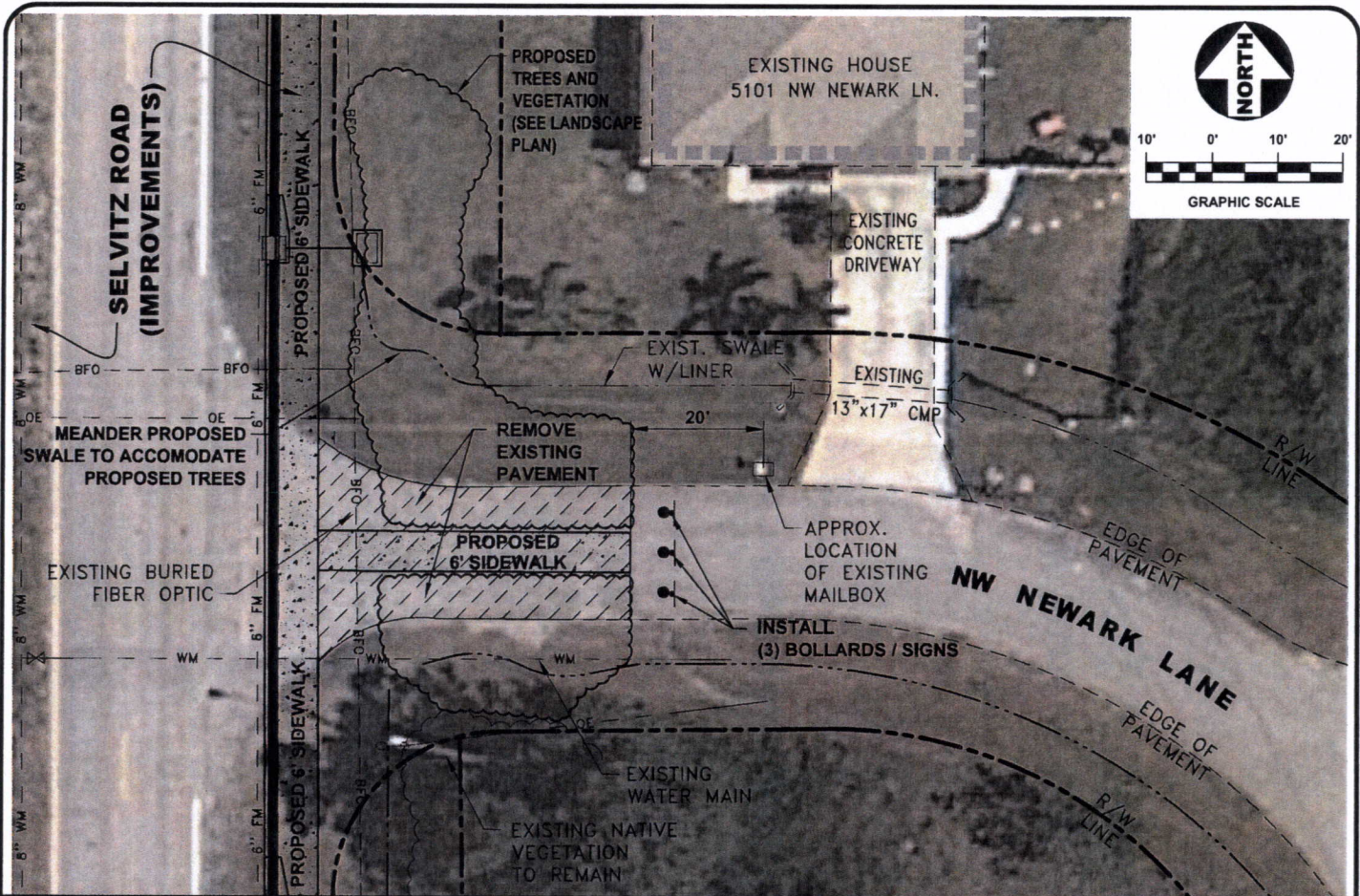
Approved as to Form and Correctness:

County Attorney
Print Name: _____

By: _____
Chairperson
Print Name: _____

EXHIBIT

"C"



Joseph W. Capra
301 N.W. Flagler Ave
Stuart, Florida 34994
P.E. No. 37638
Phone: (772) 692-4344
Fax: (772) 692-4341

Engineering Business
No. EB-0007657

DATE: 01/17/14
DRAWN BY: HLT
DESIGNED BY: HLT
CHECKED BY: JWC
PROJECT No.: 1136.2
HORIZ. SCALE: N/A
VERT. SCALE: 1"=20'
CADD FILE: Newark Exhibits

**MIDWAY ROAD / SELVITZ ROAD
IMPROVEMENTS**
CITY OF PORT SAINT LUCIE, ST. LUCIE COUNTY, FLORIDA

**NEWARK LANE
ROAD CLOSURE EXHIBIT**

SCALE VERIFICATION

0.5" = 10.0'
SOLID BAR IS EQUAL TO
HALF AN INCH ON ORIGINAL
DRAWING. ADJUST ALL
SCALED DIMENSIONS
ACCORDINGLY

Sheet No. 1 of 2



• Joseph W. Capra
 301 N.W. Flagler Ave
 Stuart, Florida 34994
 P.E. No. 37638
 Phone: (772) 692-4344
 Fax: (772) 692-4341

Engineering Business
 No. EB-007657

DATE: 01/17/14
 DRAWN BY: HLT
 DESIGNED BY: HLT
 CHECKED BY: JWC
 PROJECT No.: 1138.2
 HORZ. SCALE: N/A
 VERT. SCALE: 1"=500'
 CADD FILE: Newark Exhibits

**MIDWAY ROAD / SELVITZ ROAD
 IMPROVEMENTS**
 CITY OF PORT SAINT LUCIE, ST. LUCIE COUNTY, FLORIDA
NEWARK LANE
AERIAL EXHIBIT

SCALE
 VERIFICATION
 0 0.5
 SOLID BAR IS EQUAL TO
 HALF AN INCH ON ORIGINAL
 DRAWING. ADJUST ALL
 SCALED DIMENSIONS
 ACCORDINGLY
 Sheet No. 2 of 2

Civil Engineering Professionals

1121715

Rec Fee \$ 15.00 DOUGLAS DIXON
 Adm Fee \$ _____ St. Lucie County
 Dist Fee \$ 60 Clerk of Circuit Court
 De Tax \$ _____ By CD
 Total \$ 75 Deputy Clerk

THIS INSTRUMENT PREPARED BY:
 Nancy H. Roen, Esquire
 1111 South Bayshore Drive
 Miami, Florida 33131

THIS QUIT CLAIM DEED, executed this 31st day of January, 1986,
 by THE NORTH ST. LUCIE RIVER WATER MANAGEMENT DISTRICT (herein
 called "District") to GENERAL DEVELOPMENT CORPORATION, a Delaware
 corporation authorized to do business in the State of Florida, whose post
 office address is 1111 South Bayshore Drive, Miami, Florida, second party:

(Wherever used herein the terms "first party" and "second party"
 shall include singular and plural, heirs, legal representatives, and assigns
 of individuals, and the successors and assigns of corporations, wherever
 the context so admits or requires.)

WITNESSETH, That the said first party, for and in consideration of
 the sum of \$10.00 and other good and valuable consideration in hand paid
 by the said second party, the receipt whereof is hereby acknowledged,
 does hereby remise, release and quit-claim unto the said second party
 forever, all the right, title, interest, claim and demand which the said first
 party has in and to the described at Exhibit A situate, lying and being the
 St. Lucie County of the State of Florida.

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 the said
 first party, either in law or equity, to the only proper use, benefit and
 behoof of the said second party forever.

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

Signed, sealed and delivered
 in the presence of:

THE NORTH ST. LUCIE RIVER
 WATER MANAGEMENT DISTRICT
 BY ITS BOARD OF SUPERVISORS

Joseph R. King
Richard B. Hamilton

By: John R. King
 President
 Attest: Carol A. Donahue
 Secretary

STATE OF FLORIDA
 COUNTY OF ~~INDIE~~ ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an officer duly
 authorized in the State aforesaid and in the County aforesaid to take
 acknowledgments, personally appeared JOHN R. KING and CAROL A. DONAHUE
 President and Secretary, respectively, of the Board of Supervisors of the
 North St. Lucie River Water Management District, to me known to be the
 persons described in and who executed the foregoing instrument and they
 acknowledged before me that they executed the same in behalf of the
 corporation.

WITNESS my hand and official seal in the County and State last
 aforesaid this 31st day of January, 1986.

My Commission Expires:
2-5-89

Carolyn Anderson
 NOTARY PUBLIC
 State of Florida at Large

See Book

PARCEL 1 (CANAL 103)

The North 45.00 feet of the South $\frac{1}{2}$ of Section 1, Township 36 South, Range 39 East lying Easterly of FLORIDA EAST COAST RAILROAD and the North 49.50 feet of the Southwest $\frac{1}{4}$ and the North 46.50 feet of the Southeast $\frac{1}{4}$ Section 6, Township 36 South, Range 40 East, being the same as that known as Canal No. 103, North St. Lucie Drainage District and recorded Deed Book 41, Pages 483, and 484, Public Records of St. Lucie County, Florida.

PARCEL 2 (CANAL 104)

The South 46.50 feet of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2 and the North 43.50 feet of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 11, Township 36 South, Range 39 East, being the same as that known as Canal No. 104, said Drainage District and recorded in Deed Book 41, Pages 479 and 480, said Public Records.

AND

The North 44.50 feet of the Northwest $\frac{1}{4}$ and the North 43.00 feet of the Northeast $\frac{1}{4}$ of Section 12, Township 36 South, Range 39 East, being the same as that known as Canal No. 104, said Drainage District and recorded in Deed Book 46, Page 77, said Public Records.

AND

The South 44.50 feet of the Southwest $\frac{1}{4}$ and the South 43.00 feet of the Southeast $\frac{1}{4}$ Section 1, Township 36 South, Range 39 East. The South 48.50 feet of Section 6 and the North 48.50 feet of Section 7 and the North 41.50 feet of Section 8 and the South 41.50 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ Section 5, Township 36 South, Range 40 East, being the same as that known as Canal No. 104, said Drainage District and recorded in Deed Book 41, Pages 481 thru 486, said Public Records.

PARCEL 3 (CANAL 105)

The South 43.00 feet of the North $\frac{1}{2}$ and the North 43.00 feet of the South $\frac{1}{2}$ of Section 11, Township 36 South, Range 39 East lying Easterly of the FLORIDA EAST COAST RAILROAD, being the same as that known as Canal No. 105, said Drainage District and recorded in Deed Book 41, Page 480, said Public Records.

AND

The South 43.00 feet of the North $\frac{1}{2}$ of Section 12, Township 36 South, Range 39 East, being the same as that known as Canal No. 105, said Drainage District and recorded in Deed Book 46, Page 77, said Public Records.

AND

The South 48.50 feet of the Northwest $\frac{1}{4}$ and the South 46.00 feet of the Northeast $\frac{1}{4}$ and the North 42.50 feet of the Southwest $\frac{1}{4}$ and the North 46.00 feet of the Northeast $\frac{1}{4}$ of Section 7. The South 49.50 feet of the Northwest $\frac{1}{4}$ and the South 46.00 feet of the Northeast $\frac{1}{4}$ and the North 49.50 feet of the Southwest $\frac{1}{4}$ and the North 46.00 feet of the Southeast $\frac{1}{4}$ of Section 8, Township 36 South, Range 40 East, being the same as that known as Canal No. 105, said Drainage District and recorded in Deed Book 41, Page 484, said Public Records.

AND

All of Lot 201 as shown on the Plat of "WHITE CITY" as recorded in Plat Book 1, Page 23, of the Public Records of St. Lucie County, Florida.

PARCEL 4 (CANAL 106)

The South 37.00 feet of the Southeast 1/4 of Section 10 lying easterly of the FLORIDA EAST COAST RAILROAD and the South 43.50 feet of Section 11 and the North 43.50 feet of Section 13, Township 36 South, Range 39 East, being the same as that known as Canal No. 106, said Drainage District and Recorded in Deed Book 41, Page 480 said Public Records.

AND

The South 43.50 feet of the Southwest 1/4 of the Southwest 1/4 and the South 46.00 feet of the Southeast 1/4 of the Southwest 1/4 and the South 46.00 feet of the Southeast 1/4 of Section 7. The South 48.00 feet of Section 8. The North 48.00 feet of Section 17. The North 43.50 feet of the Northwest 1/4 of the Northwest 1/4 and the North 46.00 feet of the Northeast 1/4 of the Northwest 1/4 and the North 46.00 feet of the Northeast 1/4 of Section 18, Township 36 South, Range 40 East, being the same as that known as Canal No. 106, said Drainage District and recorded in Deed Book 41, Pages 484 and 485, said Public Records.

AND

The South 46.00 feet of the Southwest 1/4 of land Section 9, Township 36 South, Range 40 East, lying west of the North Fork of the St. Lucie River, lying and being in the City of Port St. Lucie, St. Lucie County, Florida.

PARCEL 5 (CANAL 107)

The South 47.50 feet of the North 1/2 and the North 47.50 feet of the South 1/2 of Section 13, Township 36 South, Range 39 East, being the same as that known as Canal No. 107, said Drainage District and recorded in Deed Book 41, Page 480, said Public Records.

AND

The South 47.50 feet of the North 1/2 and the North 47.50 feet of the South 1/2 of Section 14, Township 36 South, Range 39 East, being the same as than known as Canal 107.

AND

The South 49.50 feet of the Northwest 1/4 and the South 51.50 feet of the Northeast 1/4 and the North 49.50 feet of the Southwest 1/4 and the North 51.50 feet of the Southeast 1/4 of Section 17. The South 42.50 feet of the Northwest 1/4 and the South 46.00 feet of the Northeast 1/4 and the North 42.50 feet of the Southwest 1/4 and the North 46.00 feet of the Southeast 1/4 of Section 18, Township 36 South, Range 40 East, being the same as that known as Canal No. 107, said Drainage District and recorded in Deed Book 41, Pages 484 and 485, said Public Records.

AND

A 99.00 foot wide strip of land in Section 16, Township 36 South, Range 40 East, whose centerline is more particularly described as follows:

BEGINNING at the West 1/2 corner of said Section 16; thence meander in an easterly and southeasterly direction to the water's edge of the North Fork of the St. Lucie River (more generally as shown on a map entitled "Elevation Map of North St. Lucie River Water Management District", dated May, 1980, and prepared by Musick-Fowler Land Surveying Company, 1125-12th Street, Suite "D", Vero Beach, Florida), lying and being in the City of Port St. Lucie, St. Lucie County, Florida.

1121715

PARCEL 6 (CANAL 108)

The South 96.00 feet of the SW 1/4 of the SW 1/4, and the South 96.00 feet of the SE 1/4 of the SW 1/4, and the South 96.00 feet of the SW 1/4 of the SE 1/4, and the South 96.00 feet of the SE 1/4 of the SE 1/4, all in Section 13, Township 36 South, Range 39 East, being the same as that known as Canal No. 108, said Drainage District and Recorded in Deed Book 41, Page 480 said Public Records.

All lying in St. Lucie County, Florida.

LEG. 50/03.4/08/29/84

91 JUL 9 2 140
FILED AND RECORDED
DOUGLAS DIXON CLERK
ST. LUCIE COUNTY, FL

OR 0746 MEO289

THIS INSTRUMENT PREPARED BY:
PETER L. BRETON, ESQUIRE
1111 So. Bayshore Drive
Miami, Florida 33131

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that GENERAL DEVELOPMENT CORPORATION, a Delaware corporation authorized to do business in the State of Florida, does hereby dedicate, grant and convey to THE CITY OF PORT ST. LUCIE, a municipal corporation, whose Post Office address is City Hall Plaza, Port St. Lucie, Florida 33452, for drainage purposes, the property described as follows:

Canal 103 adjacent to Port St. Lucie Section Forty Eight - A portion of land Section 1, Township 36 South, Range 39 East and a portion of Section 6, Township 36 South, Range 40 East, being more particularly described as follows:

SECTION 1:

The Northerly 45.50 feet as measured at right angles and parallel with the North line of the South 1/2 of said Section 1, lying Easterly of the SUNSHINE STATE PARKWAY.

SECTION 6:

The Northerly 49.50 feet as measured at right angles and parallel with the North line of the Southwest 1/4 and the Northerly 48.50 feet as measured at right angles and parallel with the North line of the Southeast 1/4 of said Section 6.

Said dedication is subject to the terms and conditions of that certain Agreement dated June 21, 1973 by and between General Development Corporation (General) and the North St. Lucie Water Management District (NSLWMD), attached as Exhibit "A", which provides that in return for the NSLWMD remising, releasing and quit claiming to General all right, title, interest, claim and demand which the NSLWMD has unto the portions of the dedication property formerly known as Canal 103 as more particularly

described herein, it shall retain a non-exclusive easement to drain, flow and conduct water into and through the property described herein, provided that the flow of water is propelled into and through the property by gravity only; a non-exclusive easement to maintain the property and the right of ingress and egress to the property. Provided, however, that the NSLWMD shall not be obligated to exercise either the right to drain flow or conduct the water or the right to maintain granted in the Agreement.

By acceptance of this Dedication the City hereby agrees to continue to provide the non-exclusive easement to the NSLWMD as set forth in the Agreement (Exhibit "A").

Whenever said property shall be discontinued or cease to be used for the purpose above described, title thereto shall ipso facto revert to General Development Corporation, its successors or assigns.

In consideration of said dedication, The City of Port St. Lucie, a municipal corporation, by the execution of this instrument, agrees to accept the said dedication and maintain the said properties for the purposes and uses above described.

IN WITNESS WHEREOF, GENERAL DEVELOPMENT CORPORATION has caused this dedication to be executed and its corporate seal to be hereunto affixed by its proper officers hereunto duly authorized all on this 20th day of June, 1984.

Signed, sealed and delivered in the presence of:

[Handwritten signatures]

GENERAL DEVELOPMENT CORPORATION

BY: *[Signature]*
GORDON J. PFERSICH
SR. VICE PRESIDENT

ATTEST: *[Signature]*
NANCY H. ROEN, SECRETARY

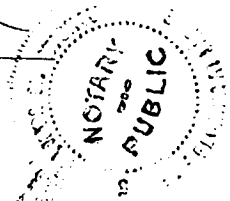
STATE OF FLORIDA)
COUNTY OF DADE)ss.

BEFORE ME personally appeared GORDON J. PFERSICH and NANCY H. ROEN, the Senior Vice President and Secretary respectively of GENERAL DEVELOPMENT CORPORATION on behalf of the Corporation.

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES MAY 12, 1989
BONDED THROUGH GENERAL TRUST UNDERWRITERS

[Signature]
NOTARY PUBLIC
State of Florida at Large



ACCEPTANCE

THE CITY OF PORT ST. LUCIE, a municipal corporation, by the execution of this instrument, does hereby accept the dedication aforesaid and agrees to accept and maintain the same. Such acceptance is limited to the interests herein conveyed and is not intended to extend to any other property or interest.

IN WITNESS WHEREOF, THE CITY OF PORT ST. LUCIE has caused this Acceptance to be executed by its duly authorized officers hereinafter named and the corporate seal of the County to be affixed hereunto this 25th day of ~~June~~ July, 1984.

THE CITY OF PORT ST. LUCIE,
a municipal corporation

BY: *[Signature]*
MAYOR

ATTEST: *[Signature]*
CITY CLERK



AGREEMENT

THIS AGREEMENT, made as of the 21st day of June, 1973, by and between THE NORTH ST. LUCIE RIVER WATER MANAGEMENT DISTRICT (herein called the "District") and GENERAL DEVELOPMENT CORPORATION, a Delaware corporation authorized to do business in Florida (herein called "General");

WITNESSETH:

WHEREAS, the District conveyed certain real property in St. Lucie County, Florida to William D. Sharrett and Mary E. Sharrett by deed dated April 30, 1947, recorded the same day in Deed Book 134, Page 214 of the Public Records of St. Lucie County, Florida (herein called the "Deed"); and

WHEREAS, William D. Sharrett and others subsequently conveyed that portion of the property described in the Deed lying Easterly of the Florida East Coast Railroad right-of-way adjacent to Glades Road (herein called the "Property") to General by deed dated May 25, 1970, recorded June 1, 1970, in Official Records Book 184, Page 2688 of the Public Records of St. Lucie County, Florida; and

WHEREAS, the Deed contains the following reservation:

ALSO saving, reserving and excepting, nevertheless unto the said party of the first part and its successor in interest the easement and right in common with the said parties of the second part, and their respective heirs and assigns, at all times to freely and uninterruptedly drain, flow and conduct into and through the two drainage canals located on said land commonly known as 103 and 107 all water which the said party of the first part now is entitled to drain, flow and conduct into and through said canals, together with the right of ingress to and egress from said canals for the purpose of maintaining and operating same

(herein called "Reservation"); and

WHEREAS, the District has not conveyed or assigned the Reservation and

WHEREAS, the District desires to release and terminate the Reservation; and

WHEREAS, the Deed contains the following covenants and agreement

That the said party of the first part and its successor in interest shall continue to maintain and operate said

drainage canals 103 and 107 and shall maintain and operate same in such manner as in no way to hinder or prevent the proper planting and cultivation of said premises or the use thereof for live stock grazing and ranch purposes, and shall bear and pay all cost and expense incident thereto and in connection therewith, it being distinctly understood and hereby expressly agreed that any and all fences and grounds removed or distrubed by the said party of the first part or its successor in interest for or in connection with the maintenance and operation of said canals shall be restored to their former condition by the said party of the first part or its successor in interest and at no cost or expense to the said parties of the second part, or their respective heirs or assigns; That the said parties of the second part, and their respective heirs and assigns, shall at all times have the right and privilege to freely use and enjoy the drainage water flowing through said canals 103 and 107 for the irrigation of the above granted premises and for live stock grazing and ranch purposes thereon; That the said parties of the second part, and their respective heirs and assigns, agents, servants, employees and live stock including the agents, servants, employees and live stock of any subsequent owner or lessee of the above granted premises, shall at all times have the right and privilege to freely and uninterruptedly cross and re-cross; pass and re-pass, travel and go over, on, upon and in each of said canals, their banks and rights-of-way, except, however, that no cattle shall be permitted to freely enter, and the said parties of the second part, and their respective heirs and assigns, shall build and at all times maintain a fence and install such gates sufficient to prevent the free entry of all cattle, from the North side into that portion of said canal 107 lying between the West right-of-way of the Florida East Coast Railway Company's Fort Pierce-Glades Cutoff and the West boundary of said premises; That the said party of the first part shall always have the privilege of building and maintaining along the South line of that portion of canal 107 lying West of said railroad right-of-way a fence sufficient to prevent the free entry of all cattle therein, but it is distinctly understood and expressly agreed that nothing herein contained shall be construed so as to restrict or prevent the said parties of the second part, and their respective heirs and assigns, from driving their cattle across said portion of said canal, as well as the cattle of any subsequent owner or lessee of said premises; That the said parties of the second part, and their respective heirs and assigns, shall build and perpetually maintain a fence sufficient to prevent the passage of all cattle across the dam as now constructed on the South side of canal 107 and located about one-half mile East of said railroad right-of-way; That all covenants and agreements herein contained shall run with the above granted premises and shall extend to and be binding upon the heirs, assigns and legal representatives of the parties hereto;

(herein called "Covenants and Agreements"); and

WHEREAS, the District and General desire to terminate the Covenants and Agreements, and all rights and obligations arising therefrom, insofar as they affect the Property; and

WHEREAS, the District desires to remise, release and quit-claim unto General any right, title, interest, claim or demand it may have in the canals located on the Property, formerly Known as Canals 103, 104, 105, 106, and 107, as more particularly described on Schedule B, initialed by the parties, attached hereto and by this reference made a part hereof;

WHEREAS, General desires to grant the District a non-exclusive easement to drain, flow and conduct gravity flow water into and through the property described on Schedule A, initialed by the parties, attached hereto and by this reference made a part hereof, a non-exclusive easement to maintain the property described on Schedule A and the right of ingress and egress solely within the property described on Schedule A in order to exercise either of those easements:

NOW, THEREFORE, in consideration of the premises and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The District hereby releases and terminates the Reservation insofar as it affects the Property.

2. The District and General hereby terminate the Covenants and Agreements, together with all rights and obligations arising therefrom, insofar as they affect the Property.

3. The District hereby remises, releases and quit-claims unto General all right, title, interest, claim and demand which the District has in and to the property formerly known as portions of Canals 103, 104, 105, 106, and 107, as more particularly described on Schedule B, 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 the District to that property either in law or in equity, to the use and benefit of General forever.

4. General hereby grants the District a non-exclusive easement to drain, flow and conduct water into and through the property described on Schedule A; provided that the flow of water is propelled into and through the property by gravity only, a non-exclusive easement to maintain the property included in Schedule A, and the right of ingress and egress solely within the property described on Schedule A in order to exercise either of those easements. The District shall not be obligated to exercise either the right to drain, flow and conduct water or the right to maintain granted herein.

5. This Agreement shall bind and inure to the benefit of the successors and assigns of the District and General.

IN WITNESS WHEREOF, the District and General have caused this Agreement to be executed by their duly authorized officers, and their Seals to be affixed, as of the day and year first above written.

THE NORTH ST. LUCIE RIVER WATER
MANAGEMENT DISTRICT
BY ITS BOARD OF SUPERVISORS

Signed, sealed and delivered
in the presence of:

Frank Lee
W. B. Lee
(As to the District)

By: Walter A. Jones
WALTER A. JONES, PRESIDENT

Attest: Carmen M. Goodson
CARMEN M. GOODSON, SECRETARY
(Seal)

GENERAL DEVELOPMENT CORPORATION

Signed, sealed and delivered
in the presence of:

Walter A. Jones
David A. Jones
(As to General)

By: Frederick A. Jones
Frederick A. Jones

David A. Jones
(Seal)

STATE OF FLORIDA)
COUNTY OF St. Lucie) ss

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared

Walter A. Jones and Carmen M. Goodson the
President and Secretary of the Board of

Supervisors of The North St. Lucie River Water Management District,

to me well known, and severally acknowledged before me that they are the persons and officers named above, and that they executed the foregoing agreement as such officers under authority duly vested in them by the District, and affixed the official seal of the District

and that the execution of the Agreement is the free act and deed of the District for the uses and purposes therein stated.

WITNESS my hand and official seal in the County and State last aforesaid this 21 day of June, 1973.

My Commission Expires:

Notary Public, State of Florida at Large
My commission expires Apr. 21, 1978

Notary Public, State of Florida at

BOOK 439 PAGE 1535

ILLEGIBLE

Schedule A

PARCEL 1

A portion of Section 1, Township 36 South, Range 39 East and a portion of Section 6, Township 36 South, Range 40 East, being more particularly described as follows:

SECTION 1:

The Northerly 45.50 feet as measured at right angles and parallel to the North line of the South 1/2 of said Section 1, lying Easterly of the FLORIDA EAST COAST RAILROAD. Less and Except that portion lying within the right of way of the SUNSHINE STATE PARKWAY.
Containing 2.70 Acres, more or less.

SECTION 6:

The Northerly 49.50 feet as measured at right angles and parallel to the North line of the Southwest 1/4 and the Northerly 48.50 feet as measured at right angles and parallel to the North line of the Southeast 1/4 said Section 6.
Containing 5.94 Acres, more or less.

PARCEL 2

A portion of Sections 13, 14 and 15 Township 36 South, Range 39 East and Sections 17 and 18, Township 36 South, Range 40 East, being more particularly described as follows:

That portion of said Sections 13, 14 and 18 as shown on Plat of PORT ST. LUCIE SECTION FORTY FOUR, recorded in Plat Book 16, Page 23, Public Records of St. Lucie County, Florida as being designated as NOT INCLUDED and being 199.00 feet in width.

AND

A strip of land 199.00 feet wide in said Section 15 lying Easterly of the FLORIDA EAST COAST RAILROAD. The Northerly line of said strip being the Westerly prolongation of the Northerly line of the heretofore mentioned NOT INCLUDED portion said PORT ST. LUCIE SECTION FORTY FOUR.

AND

That portion of said Sections 17 and 18 as shown on Plat of PORT ST. LUCIE SECTION FORTY THREE, recorded in Plat Book 16, Page 15, Public Records of St. Lucie County, Florida as being designated as NOT INCLUDED lying Westerly of the SUNSHINE STATE PARKWAY and being 199.00 feet in width.
Containing 108.20 Acres, more or less.

All lying in the City of Port St. Lucie, St. Lucie County, Florida and containing a total of 116.84 Acres, more or less.

PARCEL 1

The North 45.50 feet of the South 1/2 of Section 1, Township 36 South, Range 39 East lying Easterly of FLORIDA EAST COAST RAILROAD and the North 49.50 feet of the Southwest 1/4 and the North 48.50 feet of the Southeast 1/4 Section 6, Township 36 South, Range 40 East, being the same as that known as Canal No.103, North St. Lucie Drainage District and recorded Deed Book 41, Pages 483 and 484, Public Records of St. Lucie County, Florida.

PARCEL 2

The South 46.50 feet of the Southeast 1/4 of the Southeast 1/4 of Section 2 and the North 43.50 feet of the Northeast 1/4 of the Northeast 1/4 of Section 11, Township 36 South, Range 39 East, being the same as that known as Canal No. 104, said Drainage District and recorded in Deed Book 41, Pages 479 and 480, said Public Records.

AND

The North 44.50 feet of the Northwest 1/4 and the North 43.00 feet of the Northeast 1/4 of Section 12, Township 36 South, Range 39 East, being the same as that known as Canal No. 104, said Drainage District and recorded in Deed Book 46, Page 77, said Public Records.

AND

The South 44.50 feet of the Southwest 1/4 and the South 43.00 feet of the Southeast 1/4 Section 1, Township 36 South, Range 39 East. The South 48.50 feet of Section 6 and the North 48.50 feet of Section 7 and the North 41.50 feet of Section 5, Township 36 South, Range 40 East, being the same as that known as Canal No. 104, said Drainage District and recorded in Deed Book 41, Pages 481 thru 486, said Public Records.

PARCEL 3

The South 43.00 feet of the North 1/2 and the North 43.00 feet of the South 1/2 of Section 11, Township 36 South, Range 39 East lying Easterly of the FLORIDA EAST COAST RAILROAD, being the same as that known as Canal No. 105, said Drainage District and recorded in Deed Book 41, Page 480, said Public Records.

AND

The South 43.00 feet of the North 1/2 of Section 12, Township 36 South, Range 39 East, being the same as that known as Canal No. 105, said Drainage District and recorded in Deed Book 46, Page 77, said Public Records.

AND

The South 48.50 feet of the Northwest 1/4 and the South 46.00 feet of the Northeast 1/4 and the North 42.50 feet of the Southwest 1/4 and the North 46.00 feet of the Northeast 1/4 of Section 7. The South 49.50 feet of the Northwest 1/4 and the South 46.00 feet of the Northeast 1/4 and the North 49.50 feet of the Southwest 1/4 and the North 46.00 feet of the Southeast 1/4 of Section 8, Township 36 South, Range 40 East, being the same as that known as Canal No. 105, said Drainage District and recorded in Deed Book 41, Page 484, said Public Records.

PARCEL 4

The South 37.00 feet of the Southeast 1/4 of Section 10 lying Easterly of the FLORIDA EAST COAST RAILROAD and the South 43.50 feet of Section 11 and the North 43.50 feet of Section 13, Township 36 South, Range 39 East, being the same as that known as Canal No. 106, said Drainage District and Recorded in Deed Book 41, Page 45 said Public Records.

AND

The South 43.50 feet of the Southwest 1/4 of the Southwest 1/4 and the South 46.00 feet of the Southeast 1/4 of the Southwest 1/4 and the South 46.00 feet

of the Southeast 1/4 of Section 7. The South 48.00 feet of Section 8. The North 48.00 feet of Section 17. The North 43.50 feet of the Northwest 1/4 of the Northwest 1/4 and the North 46.00 feet of the Northeast 1/4 of the Northwest 1/4 and the North 46.00 feet of the Northeast 1/4 of Section 18, Township 36 South, Range 40 East, being the same as that known as Canal No. 106, said Drainage District and recorded in Deed Book 41, Pages 484 and 485, said Public Records.

PARCEL 5

The South 47.50 feet of the North 1/2 and the North 47.50 feet of the South 1/2 of Section 13, Township 36 South, Range 39 East, being the same as that known as Canal No. 107, said Drainage District and recorded in Deed Book 41, Page 480, said Public Records.

AND

The South 49.50 feet of the Northwest 1/4 and the South 51.50 feet of the Northeast 1/4 and the North 49.50 feet of the Southwest 1/4 and the North 51.50 feet of the Southeast 1/4 of Section 17. The South 42.50 feet of the Northwest 1/4 and the South 46.00 feet of the Northeast 1/4 and the North 42.50 feet of the Southwest 1/4 and the North 46.00 feet of the Southeast 1/4 of Section 18, Township 36 South, Range 40 East, being the same as that known as Canal No. 107, said Drainage District and recorded in Deed Book 41, Pages 484 and 485, said Public Records.

All lying in St. Lucie County, Florida.

667358

'84 AUG -1 P2:40

REC
S

Exhibit B-5

Canal 103

Project Correspondence



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

September 16, 2016

Mr. Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie Parks and Recreation Department
2195 S.E. Airoso Blvd.
Port St. Lucie, FL 34984

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

The Florida Department of Transportation (FDOT) is conducting a PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. **Figure 1 – Project Location Map** is attached and shows the project location. The project is located in the City of Port St. Lucie and St. Lucie County. Land uses along the corridor include several undeveloped parcels zoned Open Space Conservation and Canal 103 owned by the City of Port St. Lucie.

As part of the PD&E process, the FDOT will be seeking a Section 4(f) Determination of Applicability (DOA) from the Federal Highway Administration (FHWA). Section 4(f) of the US Department of Transportation Act of 1966 pertains to the protection of public resource lands such as parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance. In order to be considered a Section 4(f) resource a property must function or be designated as a significant public park, recreation area, wildlife/waterfowl refuge, or historic site. For additional information, please see Part II, Chapter 13 – Section 4(f), Page 13-6, of FDOT Project Development and Environment Manual that can be accessed through the following website: <http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm>

The FDOT is requesting your assistance (as jurisdictional agency) in determining the significance and function (both existing and planned facilities) of the following property in your agency's jurisdiction:

- Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 33406-311-0001-0007)
- Tract H-15 (Parcel ID: 3420-735-0022-000-6)

- Tract H-17 (Parcel ID: 3420-735-0024-000-0)
- Tract G-4 (Parcel ID: 3420-735-0024-000-0)
- Tract F (Parcel ID: 3301-800-0010-000-2)

These properties are shown in in relationship to the project area on **Figure 2 – Potential Section 4(f) Properties**. The FHWA will make the formal determination of Section 4(f) applicability. To assist the FHWA with this determination, please provide a signed letter with an indication of significance for these properties. Within the context of Section 4(f), “significance” means that in comparing the availability and function of the property for park, wildlife refuge, or recreational objectives of the community, the property in question plays an important role in achieving those objectives.

As part of your response the following information is requested to be included in your Statement of Significance, if applicable. If the information is not applicable or not available, please state that in your response letter.

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

Attached is an example letter that can be used as a template for the Statement of Significance Letter that is needed.

If you need further information or have any questions, please contact either Christie Pritchard, Environmental Consultant at (561) 818-2751 or me at (954) 777-4415. Thank you for assistance and coordination with this project.

Sincerely,

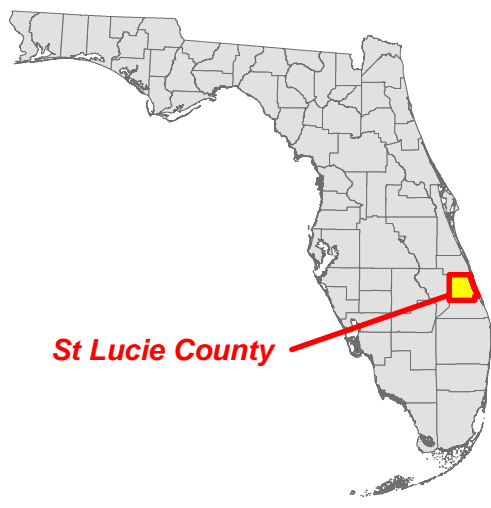
July C. Jimenez, P.E.
Project Manager
Florida Department of Transportation – District IV

Attachments: Figure 1 – Project Location Map
Figure 2 – Potential Section 4(f) Properties

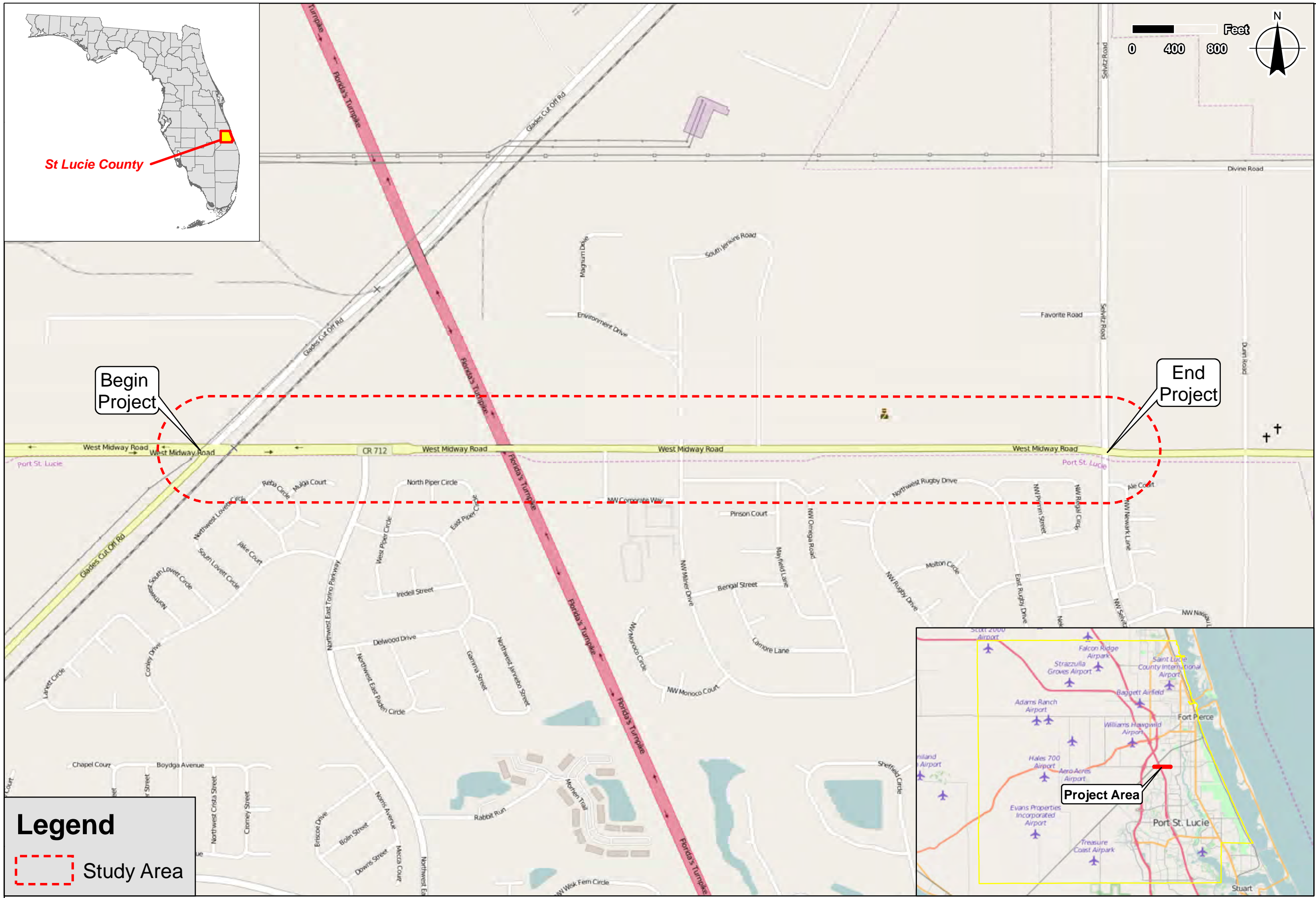
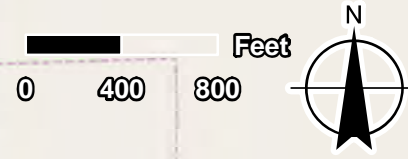
Mr. Sherman Conrad
September 16, 2016
Page 3

Sample Statement of Significance Letter

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers



St Lucie County

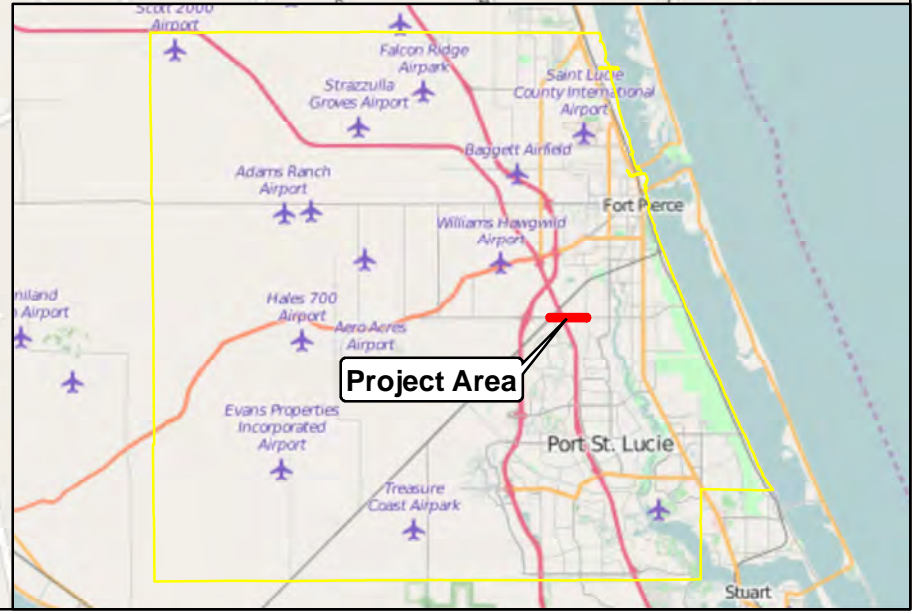


Begin Project

End Project

Legend

Study Area



Project Area



Project Location Map
 Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

1 inch = 800 feet

MAY 2016

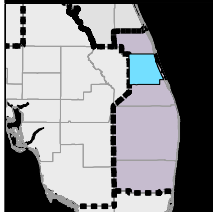
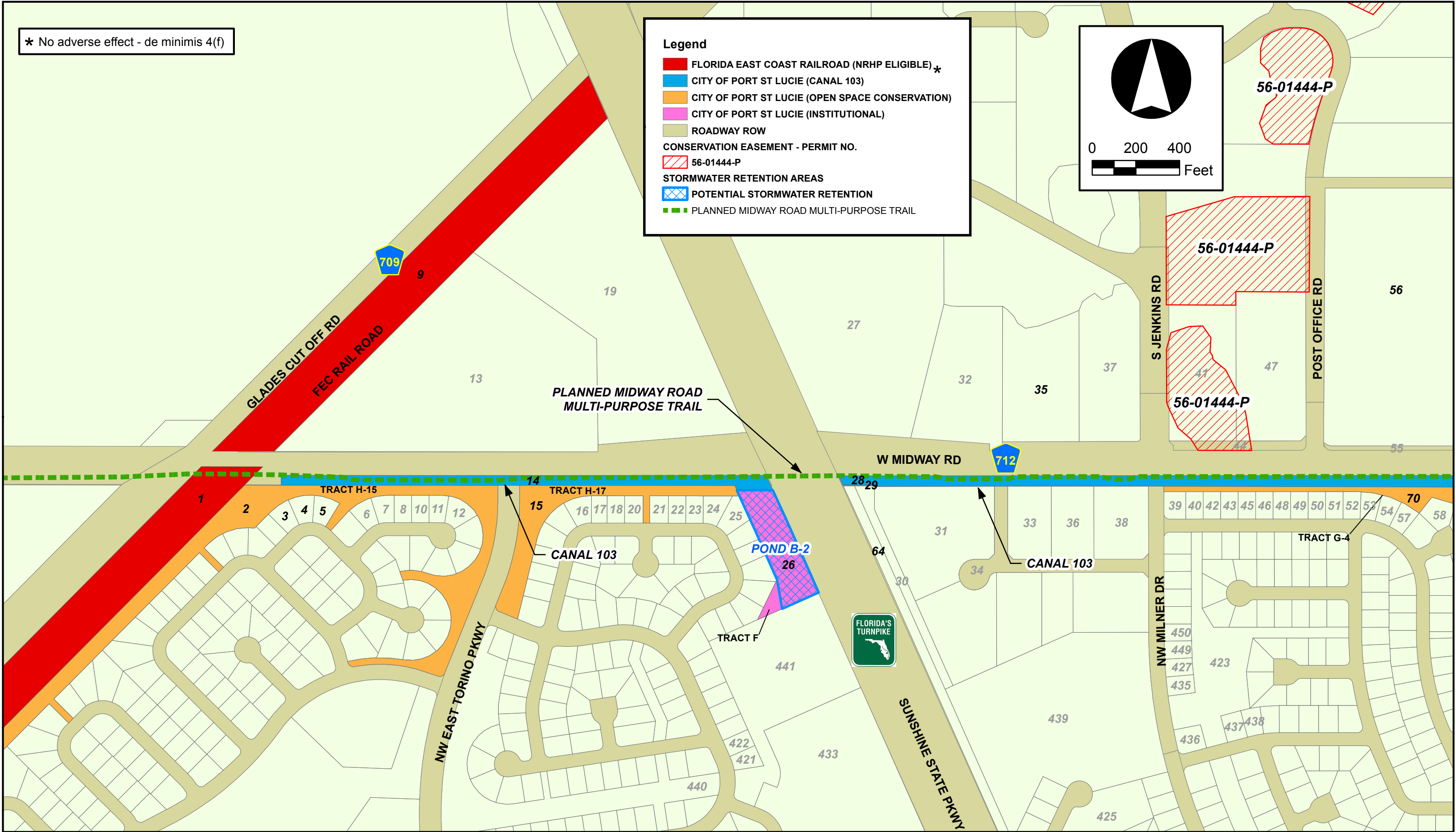
FIGURE 1

Source: Data courtesy of ESRI.

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
- 56-01444-P
- STORMWATER RETENTION AREAS
- POTENTIAL STORMWATER RETENTION
- PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL



Florida Department of Transportation
District 1

Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

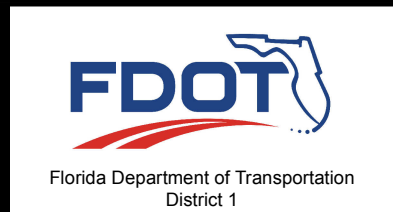
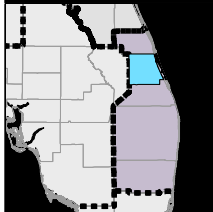
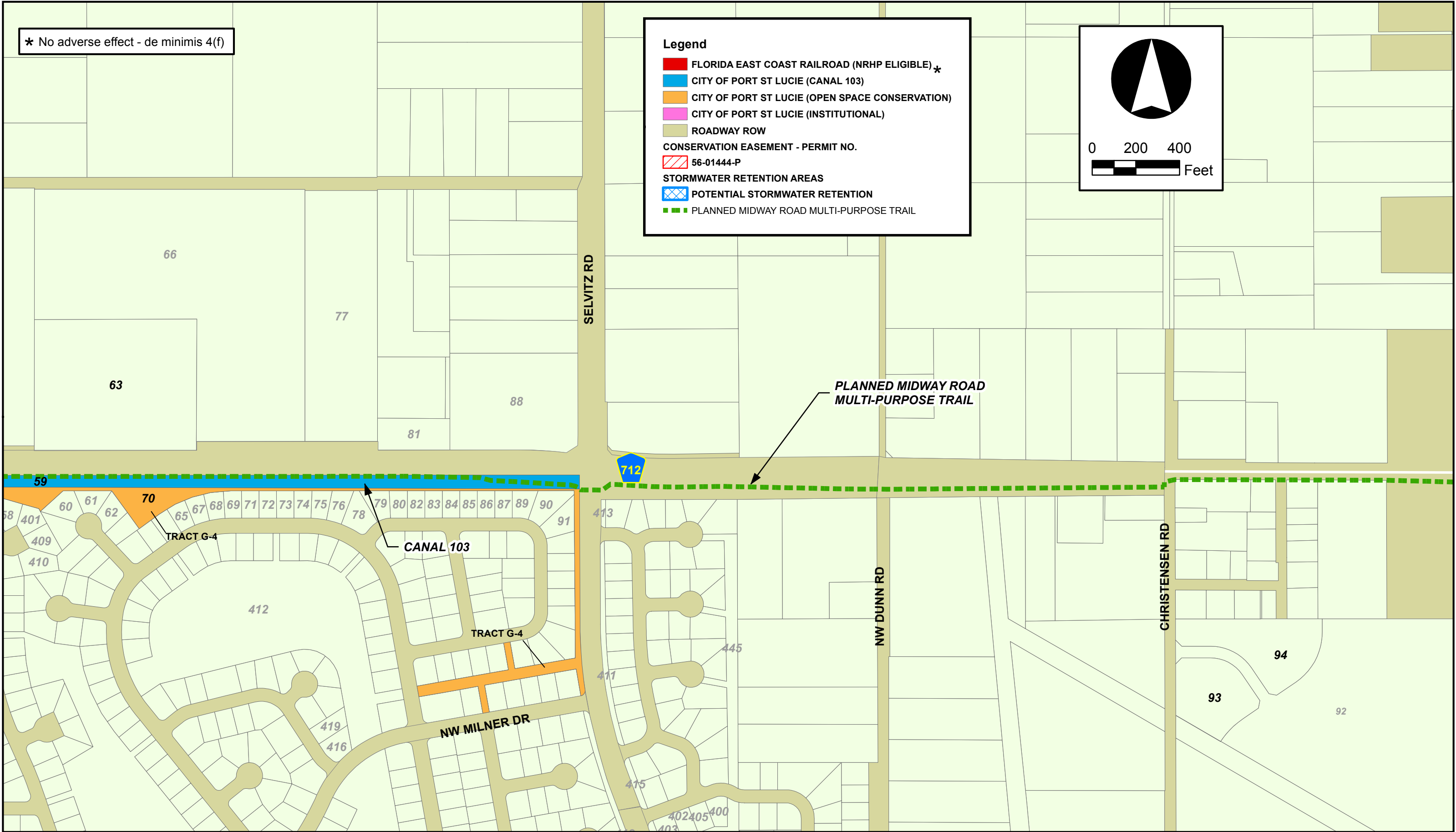
POTENTIAL SECTION 4(f) PROPERTIES

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
 - 56-01444-P
- STORMWATER RETENTION AREAS
 - POTENTIAL STORMWATER RETENTION
 - PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL

0 200 400 Feet



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01
Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

SAMPLE

August 5, 2016

Ms. July Jimenez
Project Manager
Florida Department of Transportation - District 4
3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

In your letter dated August 5, 2016 to our Agency, you requested that we provide information regarding the significance of several properties owned by the City of Port St. Lucie in relationship to the ongoing Florida Department of Transportation (FDOT) PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. These properties included several undeveloped parcels and Canal 103.

In response to this request we are providing the following requested information for each property if it is applicable and available:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

The information is found in attachments to this letter. If you need further information or have any questions, please contact me at (954) 777-4415.

Sincerely,

Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie

City of Port St. Lucie - Section 4(f) Statement of Significance

Midway Road (CR 712) Widening PD&E Study

From Glades Cut Off Road to Selvitz Road

Introduction

The City of Port St. Lucie received a letter dated September 16, 2016 from the Florida Department of Transportation (FDOT), District Four requesting information regarding properties owned by the City and located adjacent to Midway Road (CR 712) from Glades Cutoff Road to Selvitz Road in St. Lucie County. The proposed project would widen the existing 2-lane rural roadway (no pedestrian or trail features) to a 4-lane urban roadway, including the construction of a shared-use path on the south side of the roadway and a sidewalk on the north side of the roadway.

The purpose of this Section 4(f) Statement of Significance is to provide the Federal Highway Administration (FHWA) with the information on function and use needed to determine the Section 4(f) applicability or non-applicability for five potential Section 4(f) uses associate with properties owned by the City of Port St. Lucie. These properties include:

1. Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-7)
2. Tract H-15 (Parcel ID: 3420-735-0022-000-6)
3. Tract H-17 (Parcel ID: 3420-735-0024-000-0)
4. Tract G-4 (Parcel ID: 3420-741-0007-000-4)
5. Tract F (Parcel ID: 3301-800-0010-000-2)

The requested information included the following:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

Section 4(f) Statement of Significance

City of Port St. Lucie

Management Plans

No management plans exist for any of the properties included in this Section 4(f) Statement of Significance. Canal 103 functions as a drainage canal.

Tract H-15, Tract H-17 and Tract G-4 are zoned Open Space Conservation and primarily function as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Tract F is zoned as Multi-Family Residential and is located adjacent to Winterlakes Park which is owned and managed by the City of Port St. Lucie. Tract F primary functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property. Expansion of, or use by visitors from Winterlakes Park does not exist and is not planned for Tract F.

Approximate date that these properties were designated as public resources.

The properties included in this Section 4(f) Statement of Significance have been owned by the City of Port St. Lucie since the mid 1980's. Exact dates of ownership are not readily available.

Description and location of all existing and planned facilities

The locations of the properties included in this Section 4(f) Statement of Significance have no existing or planned facilities.

Access (pedestrian, vehicular, etc.) and usage (approximate number of users)

Public access is not maintained or managed by the City of Port St. Lucie for any of the properties included in this Section 4(f) Statement of Significance. Occasional and dispersed use may occur.

Relationship to other similarly used lands in the vicinity of the property

Section 4(f) Statement of Significance

City of Port St. Lucie

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road by utilizing a portion of Canal 103 from just east of Selvitz Road to Selvitz Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. Among other stipulations, the construction of a “multi-purpose path” along the south side of Midway Road was included as a condition of the use of the City owned R/W.

Under the proposed build alternatives, the widening of Midway Road from Glades Cut Off Road to Selvitz Road would also include a “multi-purpose” trail. The inclusion of the trail would provide an additional segment for the trail through the project limits. The “multi-purpose” trail is a planned facility by St. Lucie County. The City of Port St. Lucie supports the inclusion of this “multi-purpose” trail within the project limits but the location of the trail is planned for the Midway Road R/W and is not planned for any properties included in this Section 4(f) Statement of Significance. The Transportation Element, Page 9 of the City of Port St. Lucie Comprehensive Plan includes a reference to the St Lucie TPO Bicycle and Pedestrian Plan. Page 9 of this document is included in **Attachment A**

Tract H-15, Tract H-17, Tract G-4 and Tract F are similar open space properties within the project corridor.

Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure

The North St. Lucie River Water Control District currently holds a non-exclusive drainage easement for maintenance and management of Canal 103. Any modifications to Canal 103 would require accommodation of the existing drainage. Build Alternative 1 would not modify Canal 103. Build Alternative 2 proposes to enclose Canal 103.

No other clauses affecting ownership exist for the properties included in this Section 4(f) Statement of Significance.

Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

Section 4(f) Statement of Significance

City of Port St. Lucie

Summary of Significance

The City of Port St Lucie-owned Canal 103 property functions and is significant for surface water drainage. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

The City of Port St. Lucie-owned Tracts H-15, H-17, G-4, and F function and are significant for use as vegetated open space. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

SAMPLE

Attachment A
City of Port St Lucie
Comprehensive Plan

- **City of Port St. Lucie Comprehensive Plan – Transportation Element – Page 9**

SAMPLE

pedestrian facilities and the encouragement of their use serve several important purposes which benefit all of the citizens of Port St. Lucie including:

- 1) Health and physical benefits
- 2) Environmental benefits
- 3) Transportation benefits
- 4) Recreational benefits
- 5) Quality of life benefits

Sidewalk Program

Through the sidewalk program alone, the City has installed approximately 10.5 miles of sidewalk. In addition to the City's funds, the City has applied for and received confirmation of funding for an additional sidewalk project through the American Recovery And Reinvestment Act of 2009 (ARRA) stimulus program. In coordination with St. Lucie County, the City has received grant funding for sidewalks through the Safe Route to Schools Program.

The City currently requires that pedestrian and bicycle accommodations be incorporated into all development projects and urban roadway projects. Federal, State, and County guidelines also address the provision of bicycle and pedestrian facilities in conjunction with roadway improvement projects.

The St. Lucie TPO recently completed the St. Lucie County Bicycle, Pedestrian, Greenways & Trails Master Plan in 2008. The Master Plan inventoried all the existing sidewalks, bike paths, missing sidewalks, and provided suggestions to improve the system, many of which were located within the City of Port St. Lucie. These improvements primarily consisted of proposed sidewalks and bike lanes along arterials, proposed greenways and recreational trails, multi-purpose trails and canal trails. The analysis portion of the plan identified US-1, Port St. Lucie Boulevard, and St. Lucie West Boulevard as high bicycle and pedestrian crash corridors.

The City would like to continue to work towards the implementation of the St. Lucie TPO Bicycle and Pedestrian Plan. In addition, the plan calls for the establishment of sidewalks on both sides of arterial and collector streets, where they do not currently exist.

The City has developed a process for reviewing and prioritizing sidewalk locations for construction with the assistance of the Engineering Department, Planning and Zoning Department, Parks Department, members of the School Board, and the Police Department. Many factors are considered when selecting the locations including the proximity to a school, number of bus stops, existing sidewalks in the area, number of users, the speed limit on adjacent roads, existing drainage conditions, obstacles, right-of-way width, safety hazards, and estimated costs. Ultimately, the priority locations are approved by City Council and constructed as funding permits.

The Martin MPO/St. Lucie TPO 2035 Regional Long Range Transportation Plan (RLRTP) outlines plans for the Treasure Coast Loop Trail. The project, which will be built to multi-use trail standards, is planned to be a greenway trail connecting Martin and St. Lucie Counties. The Treasure Coast Trail will also serve to improve non-motorized access to areas within the eastern core of the Counties, as well as access to and from Hutchinson Island. The Trail is projected to extend along Green River Parkway through the City.

Appendix C

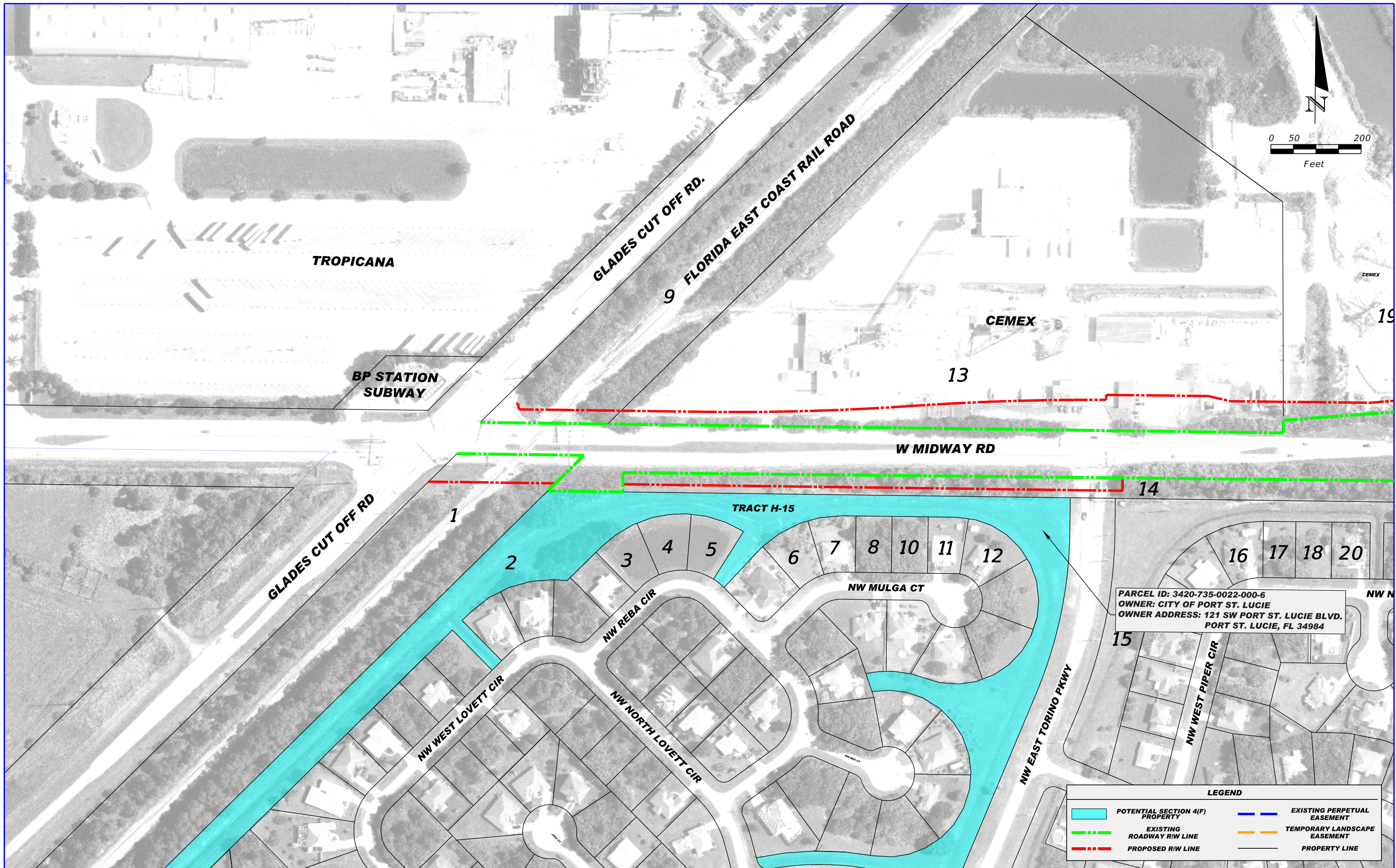
Tract H-15 Documentation

- **Exhibit C-1 – Tract H-15 Location – Build Alternative 1**
- **Exhibit C-2 – Tract H-15 Location – Build Alternative 2**
- **Exhibit C-3 – Tract H-15 Photographs**
- **Exhibit C-4 – Tract H-15 Ownership, Management and Function Documentation**
- **Exhibit C-5 – Tract H-15 Project Correspondence**

Exhibit C-1

Tract H-15

Location – Build Alternative 1



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

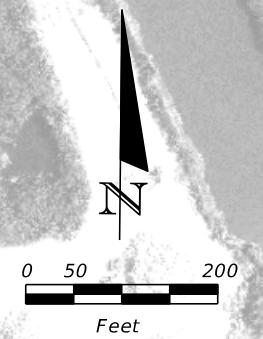
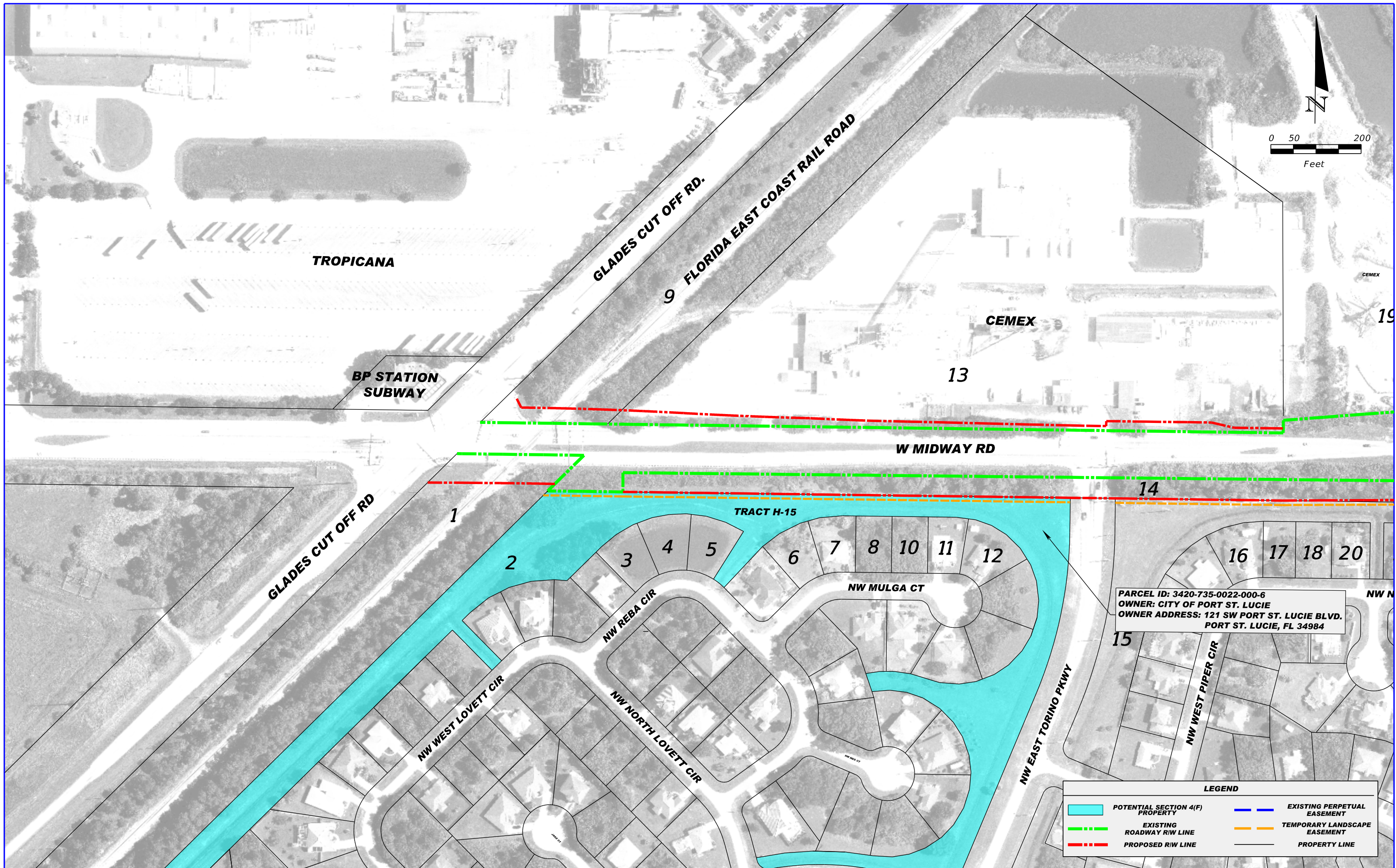
EXHIBIT C-1
TRACT H-15 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
1

Exhibit C-2

Tract H-15

Location – Build Alternative 2



PARCEL ID: 3420-735-0022-000-6
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

LEGEND			
	POTENTIAL SECTION 4(F) PROPERTY		EXISTING PERPETUAL EASEMENT
	EXISTING ROADWAY R/W LINE		TEMPORARY LANDSCAPE EASEMENT
	PROPOSED R/W LINE		PROPERTY LINE

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT C-2
TRACT H-15 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
 1

Exhibit C-3
Tract H-15
Photographs



NW East Torino Parkway Facing Northwest



NW East Torino Facing West



NW East Torino Parkway Facing Southwest

Exhibit C-4

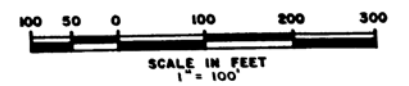
Tract H-15

Ownership, Management and Function Documentation

- **St. Lucie County Plat Book – 40K**
- **St. Lucie County Property Appraiser Maps**
- **City of Port St. Lucie Future Land Use Map**
- **City of Port St. Lucie Section 158 Zoning Code (Open Space)**
- **City of Port St. Lucie Parks Map**

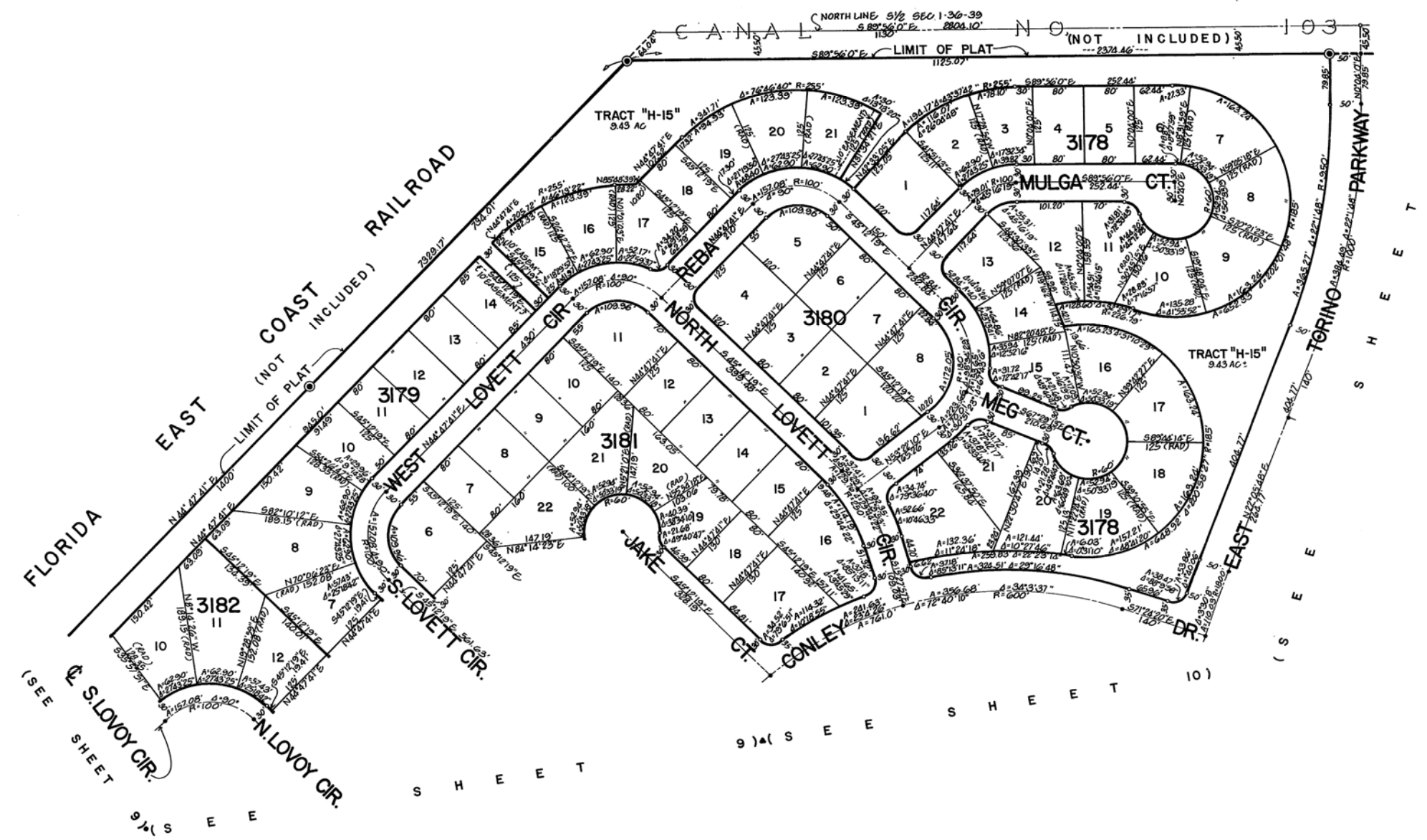
PORT ST. LUCIE SECTION FORTY SEVEN

PLAT BOOK 16
AND PAGE 40K



CITY OF PORT ST. LUCIE,
ST. LUCIE COUNTY, FLORIDA
SHEET 12 OF 13 SHEETS

(N O T S U B D I V I D E D)



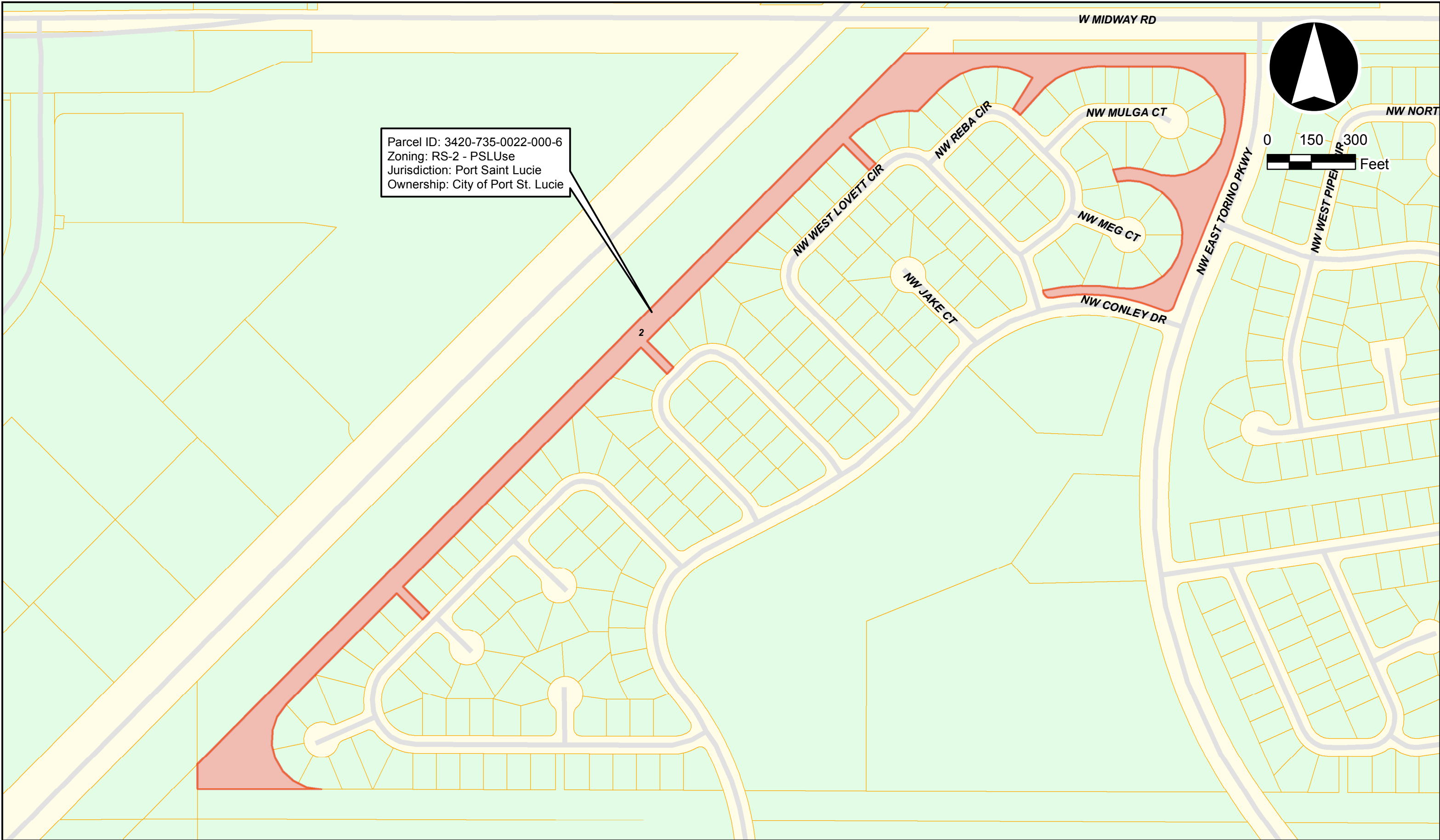
11)



CALCULATED BY G.L.
DRAWN BY *[Signature]* P.Y.
CHECKED BY *[Signature]*
APPROVED BY *[Signature]*

ERNEST C. TROTT
LAND SURVEYOR
MIAMI-FLORIDA

SHEET 12 OF 13 SHEETS
65 LOTS THIS SHEET



Parcel ID: 3420-735-0022-000-6
 Zoning: RS-2 - PSLUse
 Jurisdiction: Port Saint Lucie
 Ownership: City of Port St. Lucie

2

Property Identification

Site Address: 6350 NW East Torino PKWY
Parcel ID: 3420-735-0022-000-6
Account #: 107686
Map ID: 33/01S
Use Type: 8900
Zoning: RS-2
City/County: Port Saint Lucie

Ownership

Port St Lucie City of
121 SW Port St Lucie Blvd
Port St Lucie, FL 34984

Legal Description

PORT ST LUCIE-SECTION 47- TRACT H-15 (9.43 AC) (MAP 33/01S) (OR 608-42)

Current Values

Just/Market Value: \$66,000
Assessed Value: \$66,000
Exemptions: \$66,000
Taxable Value: \$0
Taxes for this parcel: SLC Tax Collector's Office
Download TRIM for this parcel: [Download PDF](#)



Total Areas

Finished/Under Air (SF): 0
Gross Area (SF): 0
Land Size (acres): 9.43
Land Size (SF): 410,770.8

Sale History

Date: Aug 25, 1988
Book/Page: 0608 / 0042
Sale Code: 01
Deed: QC
Grantor:
Price: \$100

Building Information (1 of 1)

Finished Area: 0 SF
Gross Total Area: 0 SF

Exterior Data

View:	Roof Cover:	Roof Structure:
Building Type:	Year Built: N/A	Frame:
Grade:	Effective Year: 2014	Primary Wall:
Story Height:	No. Units: 0	Secondary Wall:

Interior Data

Bedrooms: 0
 Full Baths: 0
 Half Baths: 0
 A/C %: 0%

Electric:
 Heat Type:
 Heat Fuel:
 Heated %: N/A%

Primary Int Wall:
 Avg Hgt/Floor: 0
 Primary Floors:
 Sprinkled %: 0%




Image
 or
 Sketch
 unavailable
 for display

Special Features and Yard Items

Current Year Values

Current Values Breakdown		Current Year Exemption Value Breakdown				
		Tax Year	Grant Year	Code	Description	Amount
Building:	\$0					
Land:	\$66,000	2015		7900	City of Port St Lucie	\$66,000
Just/Market:	\$66,000					
Ag Credit:	\$0					
Save Our Homes or 10% Cap:	\$0					
Assessed:	\$66,000					
Exemption(s):	\$66,000					
Taxable:	\$0					

Current Year Special Assessment Breakdown

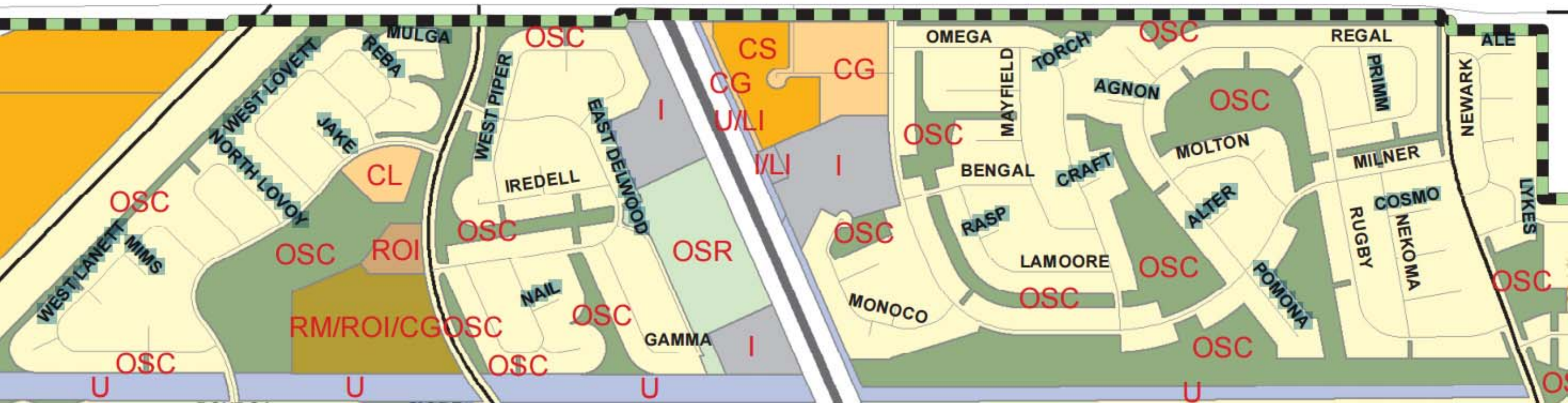
This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount charged for special assessments is reflected on the most current tax statement and information is available with the SLC Tax Collector's Office .


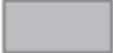



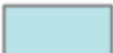











Historical Values

Permits

Notice: This does not necessarily represent all the permits for this property.
 Click the following link to check for additional permit data in Port Saint Lucie

City of Port St. Lucie Future Land Use



- | | | | |
|---|------------------------------------|---|-----------------------------|
|  | SLC AGRICULTURAL |  | INSTUTIONAL |
|  | RESIDENTIAL (RL)(RGC) |  | RECREATION OPEN SPACE |
|  | RESIDENTIAL (RM)(RH) |  | NEW COMMUNITY DEVELOPMENT |
|  | RESIDENTIAL - OFFICE - INSTUTIONAL |  | PRESERVATION |
|  | COMMERCIAL LIMITED (CL)(CG) |  | UTILITY |
|  | COMMERCIAL SERVICE (CS)(CH) |  | SLC RESIDENTIAL URBAN ZONED |
|  | INDUSTRIAL (HI)(LI) |  | SLC COMMERCIAL |
|  | CRA Limits |  | City Limits |
| | |  | Urban Service Boundary |

Date:
2/7/2014

Tech:
DG

MISGIS#:
misgis0095

Page:
1 of 1

Sec. 158.101. Open Space Conservation Zoning District (OSC).

(A) Purpose. The purpose of the open space conservation zoning district (OSC) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the conservation of open space and the natural environment, while allowing the limited use of said areas for recreational and open space activities.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

- (1) Open space devoted to the conservation and maintenance of natural waterways, vegetation, and wild life.
- (2) Hiking and/or bicycle trails.
- (3) Nature study areas and boardwalks.
- (4) Picnic areas.
- (5) Boat ramps or docks.
- (6) Experimental stations (public or private).
- (7) Observation towers or platforms.
- (8) Pavilions for outdoor exhibits and special nature study instruction.

(C) Special Exception Uses. The following uses may be permitted only following the review and specific approval thereof by the City Council. Building coverage and maximum building height shall be limited to that specifically approved under special exception review.

- (1) Camping area (public or non-profit).
- (2) Drainage areas serving adjacent development.
- (3) Wireless communication antennas and towers, as set forth in Section 158.213.

(D) Accessory Uses. As set forth in Section 158.217.

(E) Minimum Lot Requirements. No minimum requirements.

(F) Maximum Building Coverage. Building coverage shall be established for each specific use as part of the site plan review process.

(G) Maximum Building Height. Maximum building height shall be established for each specific use as part of the site plan review

(H) Setback Requirements and Buffering. All yard requirements shall be established for each specific use as part of the site plan review process. When applicable, buffering shall be provided in accordance with the landscaping requirements of Chapter 154.

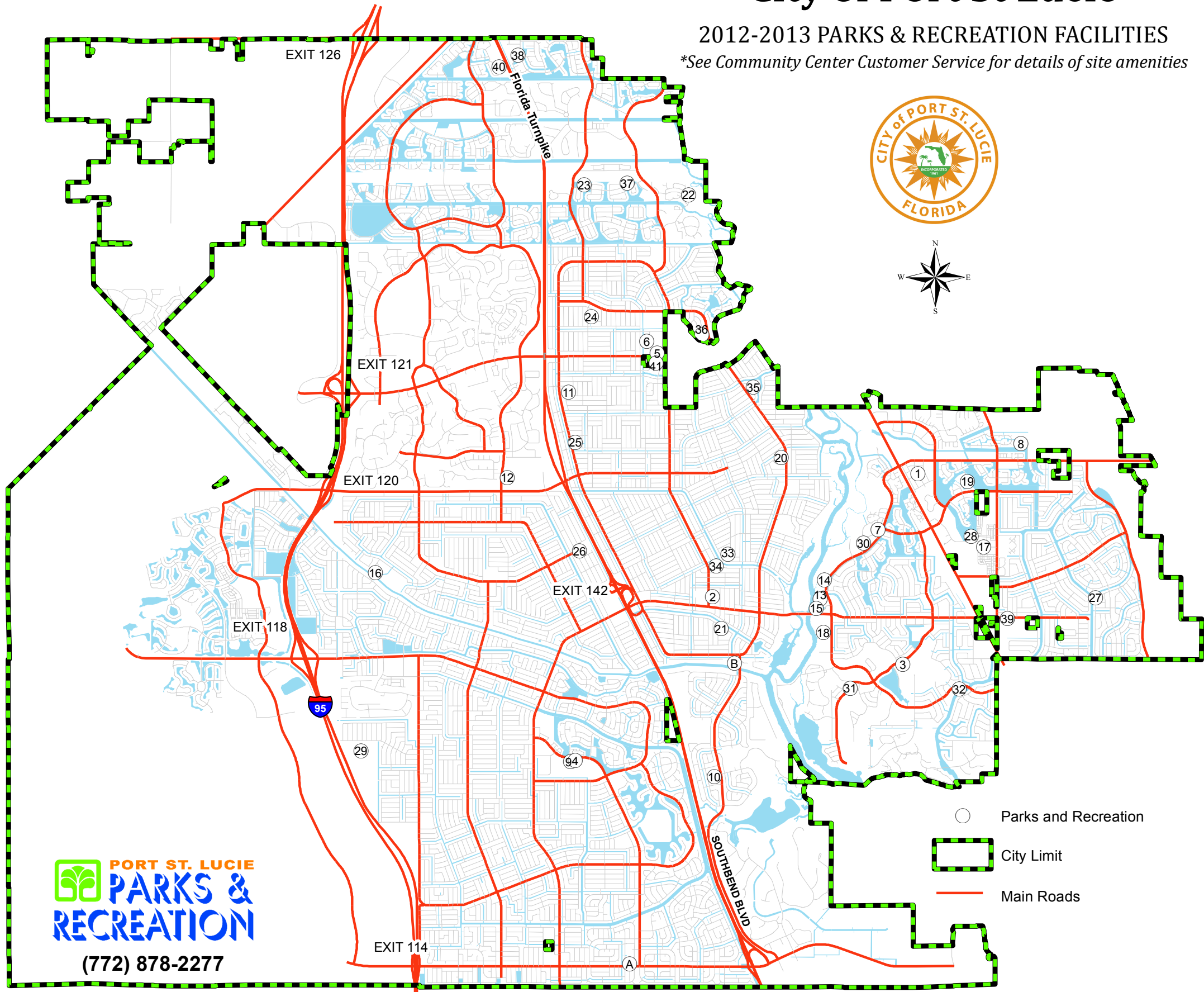
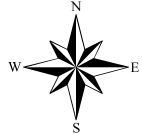
(I) Off-Street Parking and Service Requirements. As set forth in Section 158.221.

(J) Site Plan Review. All permitted and special exception uses shall be subject to the provisions of sections 158.235 through 158.245.

City of Port St Lucie

2012-2013 PARKS & RECREATION FACILITIES

*See Community Center Customer Service for details of site amenities



(772) 878-2277

- Parks and Recreation
- ▭ City Limit
- Main Roads

ADMINISTRATION / CENTERS / GOLF COURSE

1. PSL Civic Center, 9221 SE Civic Center Place, (772) 807-4488
 - Martin Health System Village Square
 - Interactive Play Fountain
 - Parking Garage (free 700+ parking spaces)
2. Community Center / Parks & Recreation Main Office, 2195 SE Airoso Blvd., (772) 878-2277
3. The Saints at Port St. Lucie Golf Course, 2601 SE Morningside Blvd., (772) 398-2901
4. Robert E. Minsky Gymnasium, 750 SW Darwin Blvd., (772) 344-4142

COMMUNITY PARKS: Developed Active Use Facilities (night use & lights)

5. Sportsman's Park, 201 NW Prima Vista Blvd. (night use & lights)
6. Sportsman's Park West, 220 NW Irving St. (football fields & track with lights)
7. Lyngate Park, 1301 SE Lyngate Dr. (night use & lights)
8. Sandhill Crane Park, 2355 SE Scenic Park Dr. (off Walton Rd.) (night use & lights)
9. Whispering Pines Park, 800 SW Darwin Blvd. (night use & lights)
 - Skate City (facility closed)
10. Jessica Clinton Park, 3200 SE Southbend Blvd. (night use & lights)

COMMUNITY SOCCER PARKS: Primary Soccer Use Facilities

11. Swan Park, 700 SW Carmelite St. (night use & lights)
12. William McChesney Park, 1585 SW Cashmere Blvd. St Lucie West (night use & lights)

COMMUNITY SPECIAL FACILITIES

13. Veterans Park @ Rivergate, 2200 SE Veterans Memorial Pkwy. (boat ramps open 24 hours with lighted boardwalk on St Lucie River)
14. Veterans Memorial Park, 2100 SE Veterans Memorial Pkwy. (ceremonial grounds & monuments)
15. Tom Hooper Park, 2340 SE Rivergate Pkwy (lighted & boardwalk on St Lucie River)
16. Oak Hammock Park, 1982 SW Villanova Rd. (boat ramp on C-24 canal & trails)
17. Mary Ann Cernuto Park, 2060 SE Grand Dr. (central plaza in East Lake Village)
18. Botanical Gardens, 2410 SE Westmoreland Blvd., (772) 337-1959

NEIGHBORHOOD PARKS: Active & Passive Use Facilities (closed at dusk)

19. Rotary Park, 2101 SE Tiffany Ave.
20. Kiwanis Park, 1320 SE Floresta Dr.
21. Fred Cook Park, 400 SE Glenwood Ave.
22. River Place Park, 690 Bayou Country Rd. (off St. James Dr. / Lazy River Pkwy.)
23. Charles E. Ray Park, 5626 NW Manville Dr. (covered basketball / pavillion)
24. Girl Scout Friendship Park, 315 NW Heather St.
25. Jaycee Park, 1301 SW Bayshore Blvd.
 - YMCA Program Center at Park, (772) 878-7337
26. Turtle Run Park, 1945 SW Cameo Blvd.
27. PSL Elks Lodge #2658 / Friendship Park, 2264 SE West Blackwell Dr.
28. Woodstork Trail, 1957 SE Hillmoor Dr. (sidewalk trail around lake)
29. O.L. Peacock Sr. Park / Lake, 1950 SW Dreyfuss Blvd.

NEIGHBORHOOD OPEN SPACES: Limited or No Facilities (closed at dusk)

30. Midport Lake, 1800 SE Veterans Memorial Pkwy. (model boating and dogs permitted on leash)
31. Loyalty Park, 2810 SE Morningside Blvd.
32. Sandpiper Bay Park, 1870 SE Westmoreland Blvd.
33. Doat Park, 425 SE Doat St.
34. Whitmore Park, 474 SE Whitmore Dr.
35. Harborview Park, 624 SE Harborview Dr.
36. Gulf Stream Park, 210 NE Ardsley Dr.
37. Ian T. Zook Park, 5600 NW Manville Dr.
38. Milner Tot Lot, 5160 NW Milner Dr.
39. Mariposa Cane Slough Preserve, 2280 SE Mariposa Ave.
40. Winterlakes Park, 5241 NW Jannebo St.
41. Ravenswood Racquetball Courts, 400 SW Ravenswood Ln. (currently closed)

OTHER FACILITIES

- (A) Treasure Coast Model Railroad Club, 273 SW Becker Rd., (772) 621-9636
- (B) Canal Park, Oakridge Dr. (Under design / construction 2012-13)

Exhibit C-5

Tract H-15

Project Correspondence



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

September 16, 2016

Mr. Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie Parks and Recreation Department
2195 S.E. Airoso Blvd.
Port St. Lucie, FL 34984

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

The Florida Department of Transportation (FDOT) is conducting a PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. **Figure 1 – Project Location Map** is attached and shows the project location. The project is located in the City of Port St. Lucie and St. Lucie County. Land uses along the corridor include several undeveloped parcels zoned Open Space Conservation and Canal 103 owned by the City of Port St. Lucie.

As part of the PD&E process, the FDOT will be seeking a Section 4(f) Determination of Applicability (DOA) from the Federal Highway Administration (FHWA). Section 4(f) of the US Department of Transportation Act of 1966 pertains to the protection of public resource lands such as parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance. In order to be considered a Section 4(f) resource a property must function or be designated as a significant public park, recreation area, wildlife/waterfowl refuge, or historic site. For additional information, please see Part II, Chapter 13 – Section 4(f), Page 13-6, of FDOT Project Development and Environment Manual that can be accessed through the following website: <http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm>

The FDOT is requesting your assistance (as jurisdictional agency) in determining the significance and function (both existing and planned facilities) of the following property in your agency's jurisdiction:

- Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 33406-311-0001-0007)
- Tract H-15 (Parcel ID: 3420-735-0022-000-6)

- Tract H-17 (Parcel ID: 3420-735-0024-000-0)
- Tract G-4 (Parcel ID: 3420-735-0024-000-0)
- Tract F (Parcel ID: 3301-800-0010-000-2)

These properties are shown in in relationship to the project area on **Figure 2 – Potential Section 4(f) Properties**. The FHWA will make the formal determination of Section 4(f) applicability. To assist the FHWA with this determination, please provide a signed letter with an indication of significance for these properties. Within the context of Section 4(f), “significance” means that in comparing the availability and function of the property for park, wildlife refuge, or recreational objectives of the community, the property in question plays an important role in achieving those objectives.

As part of your response the following information is requested to be included in your Statement of Significance, if applicable. If the information is not applicable or not available, please state that in your response letter.

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

Attached is an example letter that can be used as a template for the Statement of Significance Letter that is needed.

If you need further information or have any questions, please contact either Christie Pritchard, Environmental Consultant at (561) 818-2751 or me at (954) 777-4415. Thank you for assistance and coordination with this project.

Sincerely,

July C. Jimenez, P.E.
Project Manager
Florida Department of Transportation – District IV

Attachments: Figure 1 – Project Location Map
Figure 2 – Potential Section 4(f) Properties

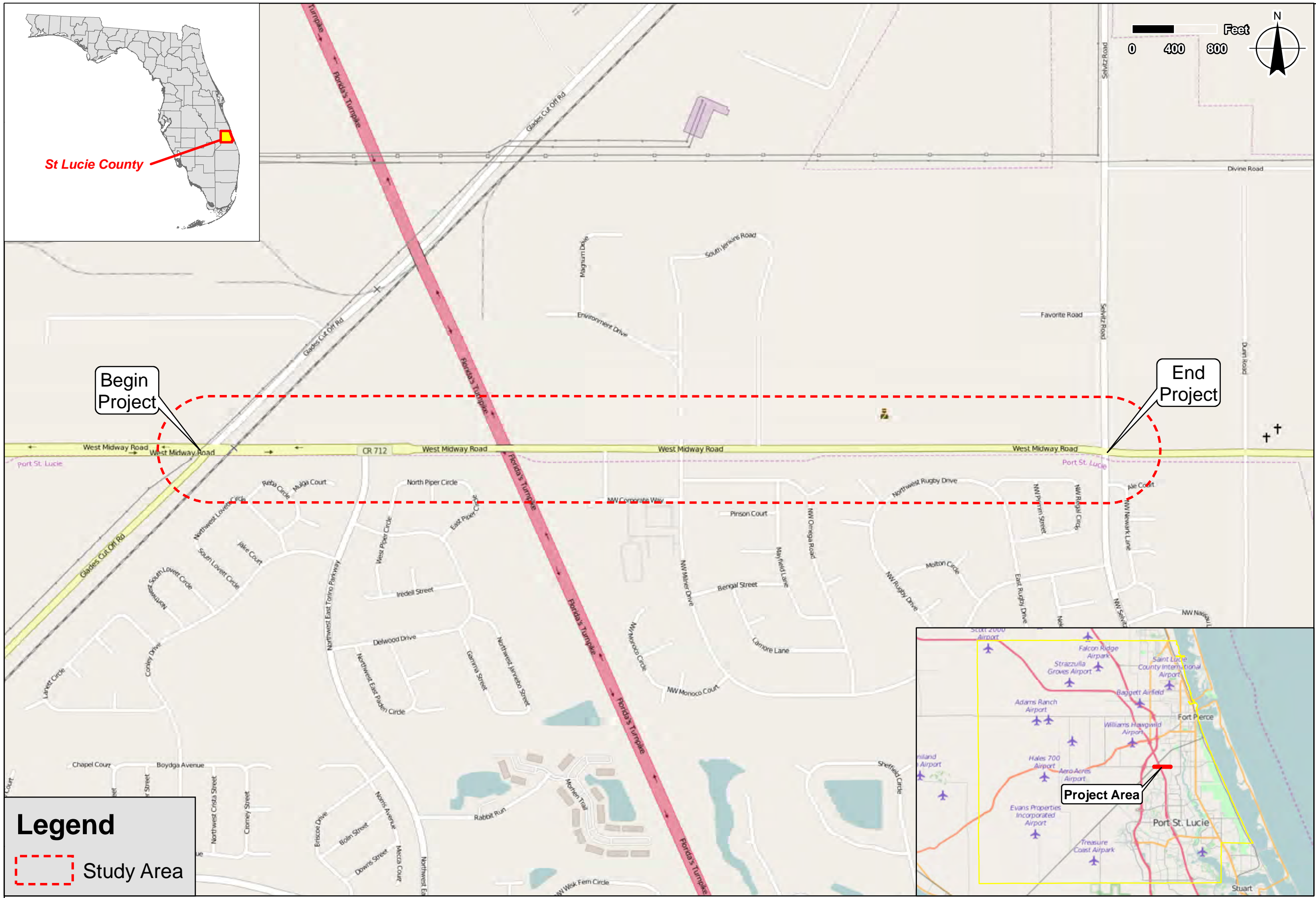
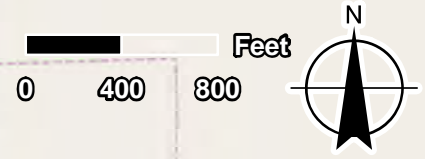
Mr. Sherman Conrad
September 16, 2016
Page 3

Sample Statement of Significance Letter

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers



St Lucie County

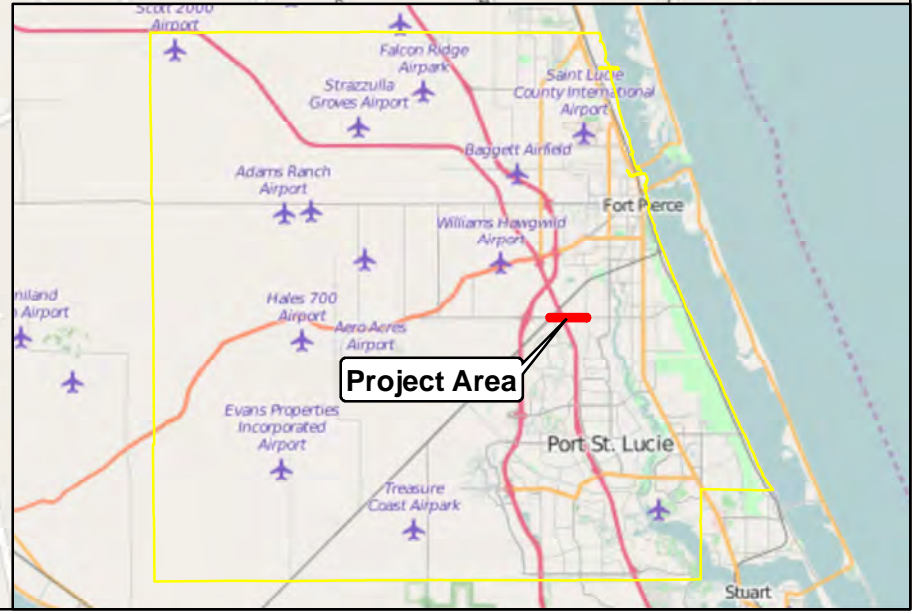


Begin Project

End Project

Legend

Study Area



Project Area



Project Location Map
 Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

1 inch = 800 feet

MAY 2016

FIGURE 1

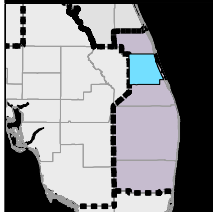
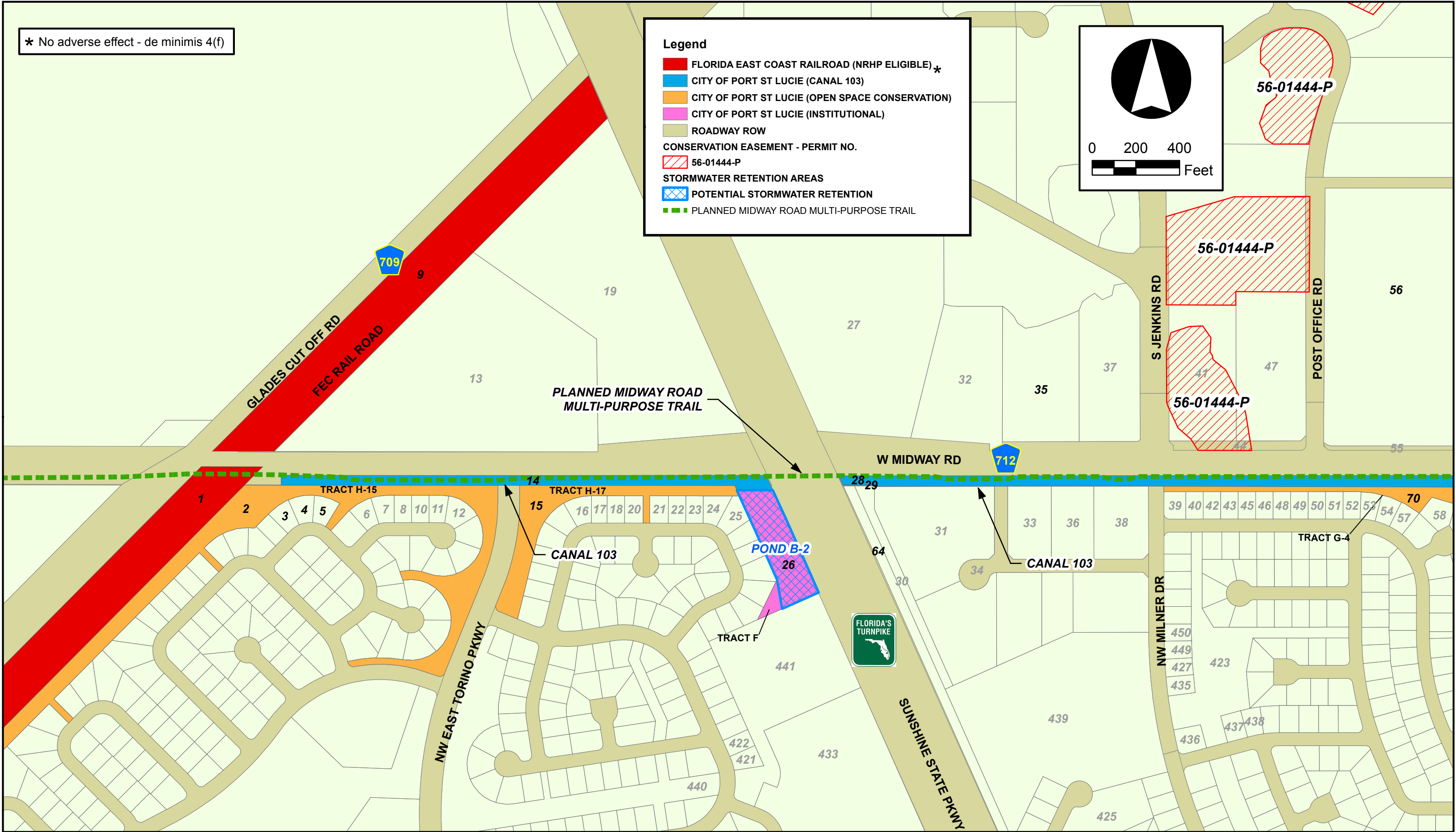
Source: Data courtesy of ESRI.

Document Path: K:\V\RB_E\Environmental\4703 Midway Road PD&E\ENV\GIS\Map\Figure 1 - Project Location Map.mxd

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
- 56-01444-P
- STORMWATER RETENTION AREAS
- POTENTIAL STORMWATER RETENTION
- PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL



Florida Department of Transportation
District 1

Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

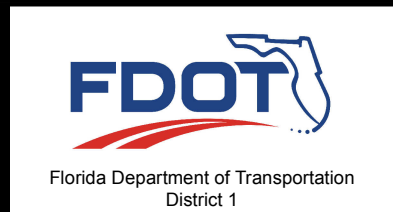
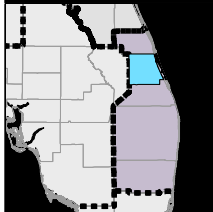
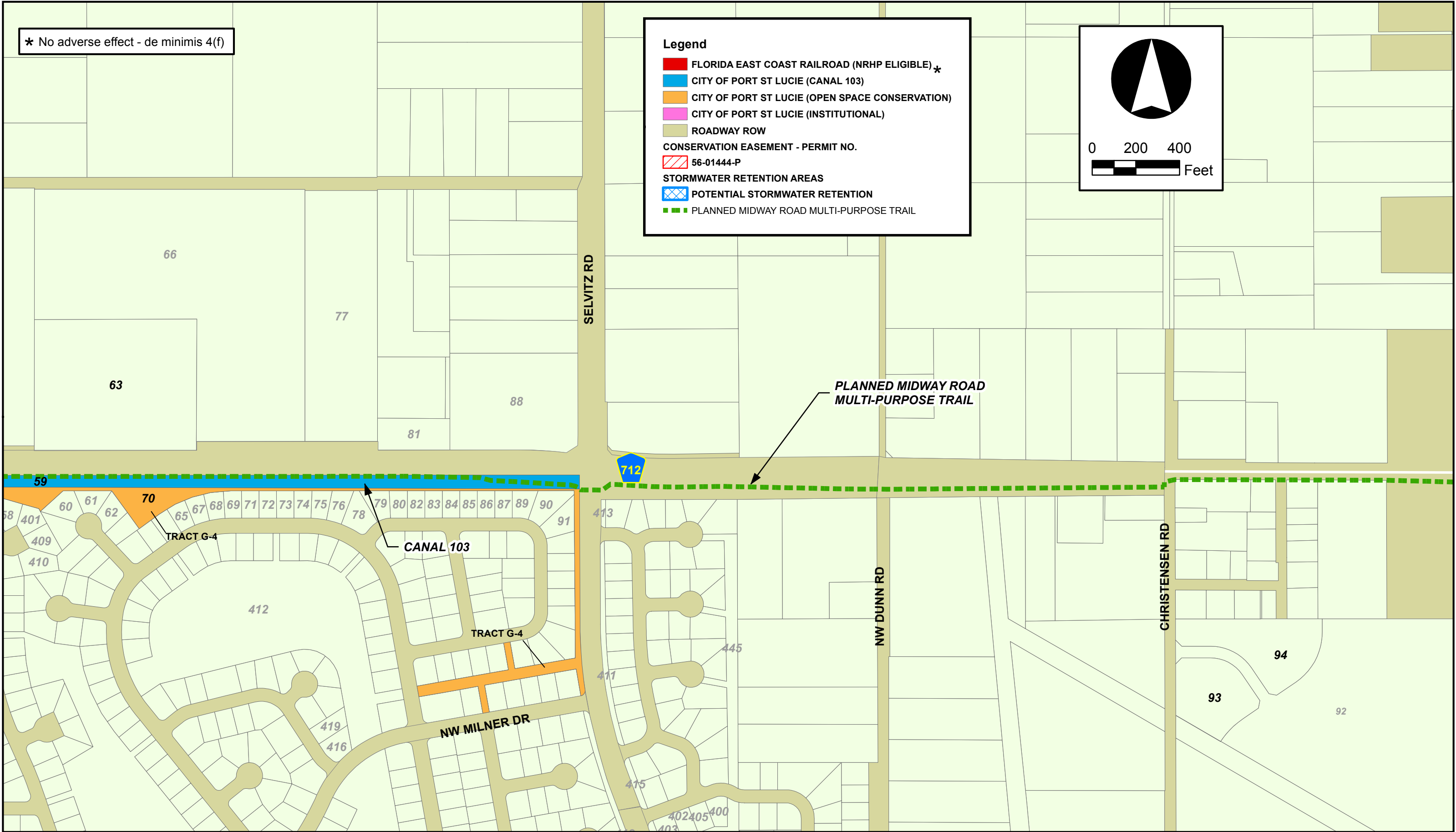
POTENTIAL SECTION 4(f) PROPERTIES

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
 - 56-01444-P
- STORMWATER RETENTION AREAS
 - POTENTIAL STORMWATER RETENTION
 - PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL

0 200 400 Feet



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01
Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

SAMPLE

August 5, 2016

Ms. July Jimenez
Project Manager
Florida Department of Transportation - District 4
3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

In your letter dated August 5, 2016 to our Agency, you requested that we provide information regarding the significance of several properties owned by the City of Port St. Lucie in relationship to the ongoing Florida Department of Transportation (FDOT) PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. These properties included several undeveloped parcels and Canal 103.

In response to this request we are providing the following requested information for each property if it is applicable and available:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

The information is found in attachments to this letter. If you need further information or have any questions, please contact me at (954) 777-4415.

Sincerely,

Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie

City of Port St. Lucie - Section 4(f) Statement of Significance

Midway Road (CR 712) Widening PD&E Study

From Glades Cut Off Road to Selvitz Road

Introduction

The City of Port St. Lucie received a letter dated September 16, 2016 from the Florida Department of Transportation (FDOT), District Four requesting information regarding properties owned by the City and located adjacent to Midway Road (CR 712) from Glades Cutoff Road to Selvitz Road in St. Lucie County. The proposed project would widen the existing 2-lane rural roadway (no pedestrian or trail features) to a 4-lane urban roadway, including the construction of a shared-use path on the south side of the roadway and a sidewalk on the north side of the roadway.

The purpose of this Section 4(f) Statement of Significance is to provide the Federal Highway Administration (FHWA) with the information on function and use needed to determine the Section 4(f) applicability or non-applicability for five potential Section 4(f) uses associate with properties owned by the City of Port St. Lucie. These properties include:

1. Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-7)
2. Tract H-15 (Parcel ID: 3420-735-0022-000-6)
3. Tract H-17 (Parcel ID: 3420-735-0024-000-0)
4. Tract G-4 (Parcel ID: 3420-741-0007-000-4)
5. Tract F (Parcel ID: 3301-800-0010-000-2)

The requested information included the following:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

Section 4(f) Statement of Significance

City of Port St. Lucie

Management Plans

No management plans exist for any of the properties included in this Section 4(f) Statement of Significance. Canal 103 functions as a drainage canal.

Tract H-15, Tract H-17 and Tract G-4 are zoned Open Space Conservation and primarily function as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Tract F is zoned as Multi-Family Residential and is located adjacent to Winterlakes Park which is owned and managed by the City of Port St. Lucie. Tract F primary functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property. Expansion of, or use by visitors from Winterlakes Park does not exist and is not planned for Tract F.

Approximate date that these properties were designated as public resources.

The properties included in this Section 4(f) Statement of Significance have been owned by the City of Port St. Lucie since the mid 1980's. Exact dates of ownership are not readily available.

Description and location of all existing and planned facilities

The locations of the properties included in this Section 4(f) Statement of Significance have no existing or planned facilities.

Access (pedestrian, vehicular, etc.) and usage (approximate number of users)

Public access is not maintained or managed by the City of Port St. Lucie for any of the properties included in this Section 4(f) Statement of Significance. Occasional and dispersed use may occur.

Relationship to other similarly used lands in the vicinity of the property

Section 4(f) Statement of Significance

City of Port St. Lucie

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road by utilizing a portion of Canal 103 from just east of Selvitz Road to Selvitz Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. Among other stipulations, the construction of a “multi-purpose path” along the south side of Midway Road was included as a condition of the use of the City owned R/W.

Under the proposed build alternatives, the widening of Midway Road from Glades Cut Off Road to Selvitz Road would also include a “multi-purpose” trail. The inclusion of the trail would provide an additional segment for the trail through the project limits. The “multi-purpose” trail is a planned facility by St. Lucie County. The City of Port St. Lucie supports the inclusion of this “multi-purpose” trail within the project limits but the location of the trail is planned for the Midway Road R/W and is not planned for any properties included in this Section 4(f) Statement of Significance. The Transportation Element, Page 9 of the City of Port St. Lucie Comprehensive Plan includes a reference to the St Lucie TPO Bicycle and Pedestrian Plan. Page 9 of this document is included in **Attachment A**

Tract H-15, Tract H-17, Tract G-4 and Tract F are similar open space properties within the project corridor.

Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure

The North St. Lucie River Water Control District currently holds a non-exclusive drainage easement for maintenance and management of Canal 103. Any modifications to Canal 103 would require accommodation of the existing drainage. Build Alternative 1 would not modify Canal 103. Build Alternative 2 proposes to enclose Canal 103.

No other clauses affecting ownership exist for the properties included in this Section 4(f) Statement of Significance.

Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

Section 4(f) Statement of Significance

City of Port St. Lucie

Summary of Significance

The City of Port St Lucie-owned Canal 103 property functions and is significant for surface water drainage. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

The City of Port St. Lucie-owned Tracts H-15, H-17, G-4, and F function and are significant for use as vegetated open space. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Sample

Attachment A

City of Port St Lucie

Comprehensive Plan

- **City of Port St. Lucie Comprehensive Plan – Transportation Element – Page 9**

Sample

pedestrian facilities and the encouragement of their use serve several important purposes which benefit all of the citizens of Port St. Lucie including:

- 1) Health and physical benefits
- 2) Environmental benefits
- 3) Transportation benefits
- 4) Recreational benefits
- 5) Quality of life benefits

Sidewalk Program

Through the sidewalk program alone, the City has installed approximately 10.5 miles of sidewalk. In addition to the City's funds, the City has applied for and received confirmation of funding for an additional sidewalk project through the American Recovery And Reinvestment Act of 2009 (ARRA) stimulus program. In coordination with St. Lucie County, the City has received grant funding for sidewalks through the Safe Route to Schools Program.

The City currently requires that pedestrian and bicycle accommodations be incorporated into all development projects and urban roadway projects. Federal, State, and County guidelines also address the provision of bicycle and pedestrian facilities in conjunction with roadway improvement projects.

The St. Lucie TPO recently completed the St. Lucie County Bicycle, Pedestrian, Greenways & Trails Master Plan in 2008. The Master Plan inventoried all the existing sidewalks, bike paths, missing sidewalks, and provided suggestions to improve the system, many of which were located within the City of Port St. Lucie. These improvements primarily consisted of proposed sidewalks and bike lanes along arterials, proposed greenways and recreational trails, multi-purpose trails and canal trails. The analysis portion of the plan identified US-1, Port St. Lucie Boulevard, and St. Lucie West Boulevard as high bicycle and pedestrian crash corridors.

The City would like to continue to work towards the implementation of the St. Lucie TPO Bicycle and Pedestrian Plan. In addition, the plan calls for the establishment of sidewalks on both sides of arterial and collector streets, where they do not currently exist.

The City has developed a process for reviewing and prioritizing sidewalk locations for construction with the assistance of the Engineering Department, Planning and Zoning Department, Parks Department, members of the School Board, and the Police Department. Many factors are considered when selecting the locations including the proximity to a school, number of bus stops, existing sidewalks in the area, number of users, the speed limit on adjacent roads, existing drainage conditions, obstacles, right-of-way width, safety hazards, and estimated costs. Ultimately, the priority locations are approved by City Council and constructed as funding permits.

The Martin MPO/St. Lucie TPO 2035 Regional Long Range Transportation Plan (RLRTP) outlines plans for the Treasure Coast Loop Trail. The project, which will be built to multi-use trail standards, is planned to be a greenway trail connecting Martin and St. Lucie Counties. The Treasure Coast Trail will also serve to improve non-motorized access to areas within the eastern core of the Counties, as well as access to and from Hutchinson Island. The Trail is projected to extend along Green River Parkway through the City.

Appendix D

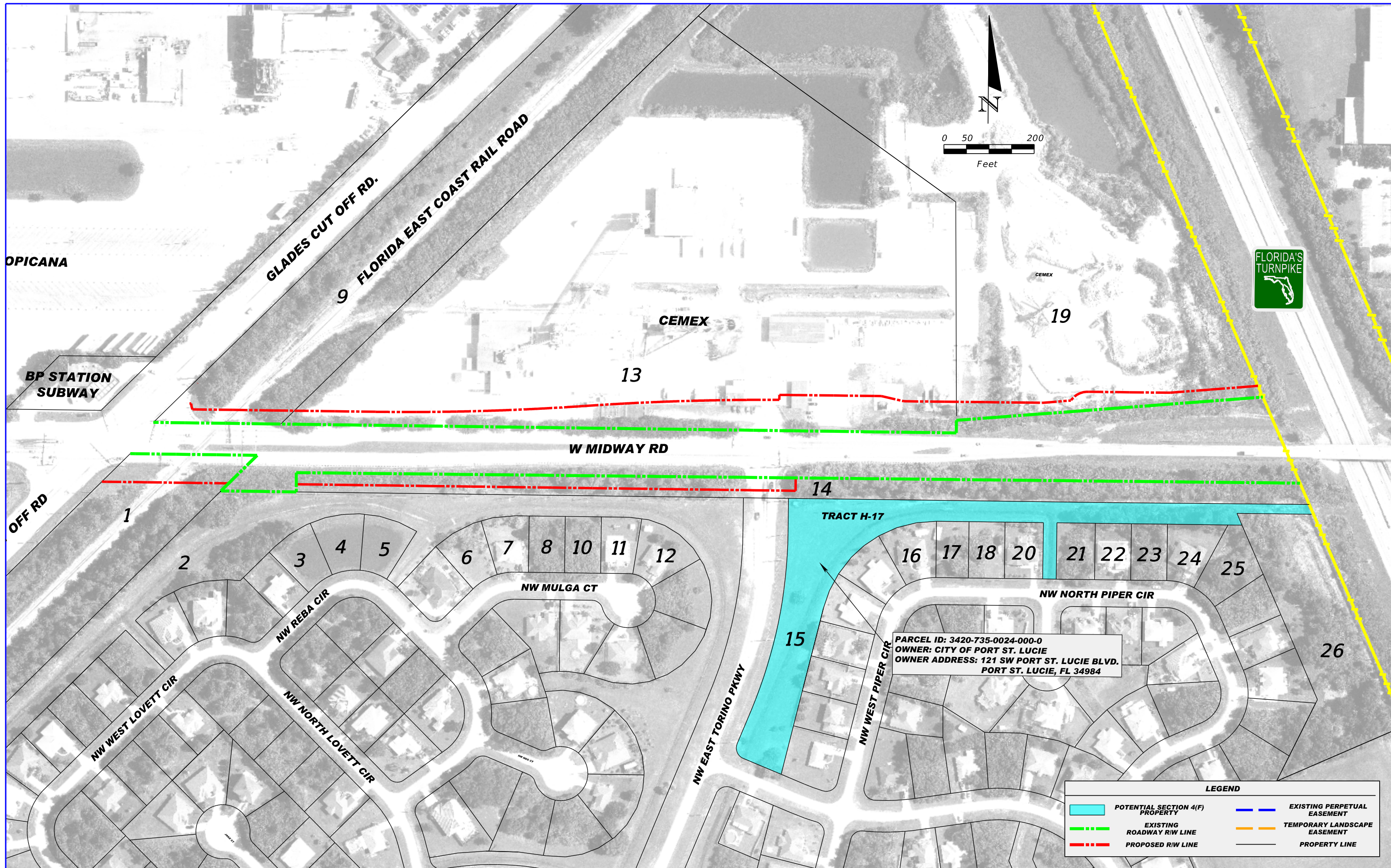
Tract H-17 Documentation

- **Exhibit D-1 – Tract H-17 Location – Build Alternative 1**
- **Exhibit D-2 – Tract H-17 Location – Build Alternative 2**
- **Exhibit D-3 – Tract H-17 Photographs**
- **Exhibit D-4 – Tract H-17 Ownership, Management and Function Documentation**
- **Exhibit D-5 – Tract H-17 Project Correspondence**

Exhibit D-1

Tract H-17

Location – Build Alternative 1



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

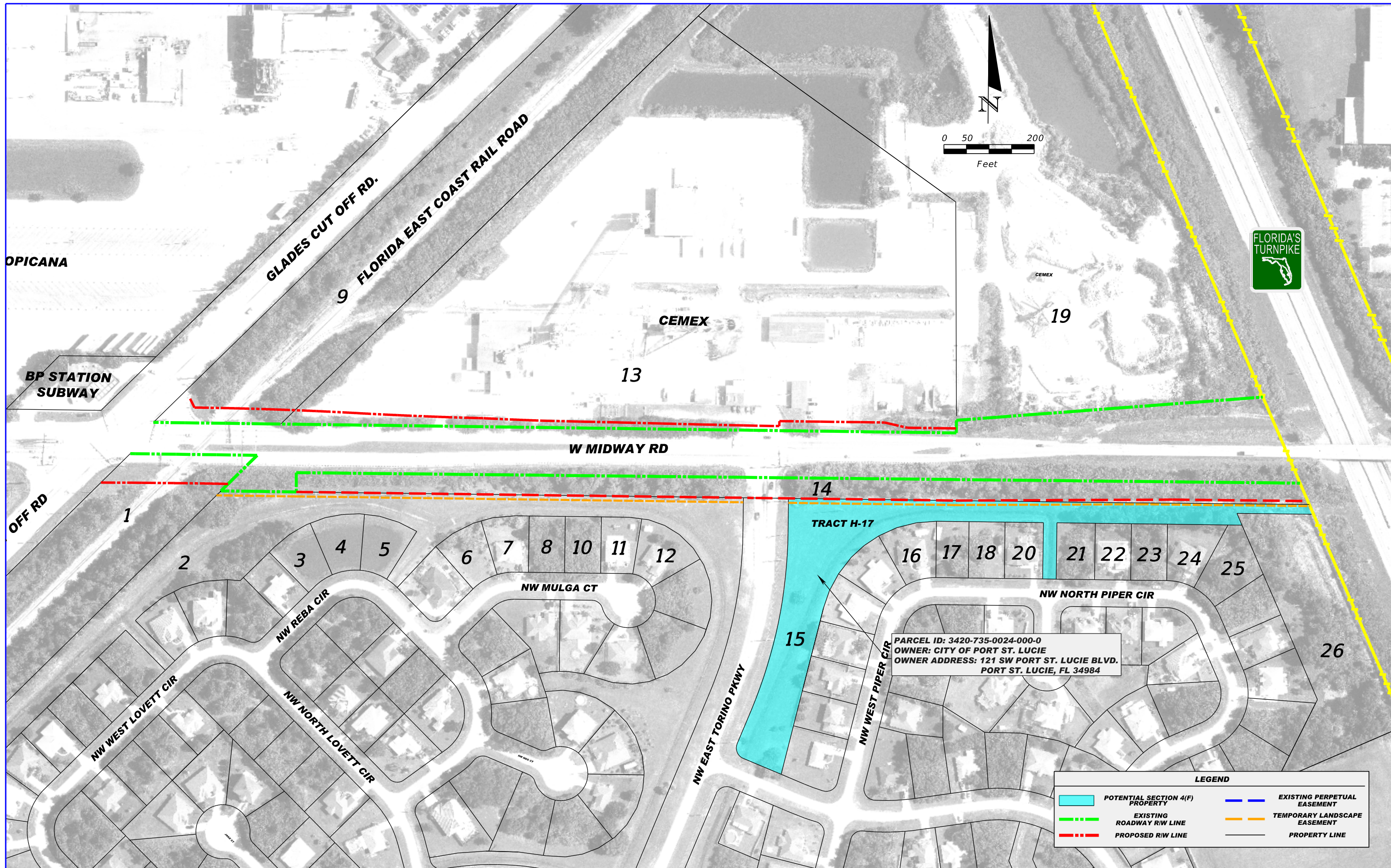
EXHIBIT D-1
TRACT H-17 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
1

Exhibit D-2

Tract H-17

Location – Build Alternative 2



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT D-2
TRACT H-17 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
1

Exhibit D-3

Tract H-17

Photographs



NW East Torino Parkway Facing East



NW East Torino Facing South

Exhibit D-4

Tract H-17

Ownership, Management and Function Documentation

- **St. Lucie County Plat Book – 40J**
- **St. Lucie County Property Appraiser Maps**
- **City of Port St. Lucie Future Land Use Map**
- **City of Port St. Lucie Section 158 Zoning Code (Open Space)**
- **City of Port St. Lucie Parks Map**

CANAL NOT INCLUDED
LIMIT OF PLAT
--- 589°56'0"E 1178.01' ---
NO. 103
--- 2373.46' ---
2803.49' ---

12
PKWY.
TORINO
A. 384.49'
A. 403.72'
A. 340.25'
A. 82.87'
A. 123.39'
A. 123.39'
A. 76°27'1" R. 255'
A. 123.39'
A. 10.60'
A. 5.46'
A. 27°43'25"
A. 62.90'
A. 133.43'
A. 76°27'1" R. 100'
A. 93.40'
A. 65.46'
A. 135.03'
A. 135.03'
A. 108.40'
A. 110'
A. 21.67'
A. 49°40'47" R. 60'
A. 52.02'
A. 52.94'
A. 50°33'19"
A. 82.67'
A. 106.14'
A. 39°22'41" E
A. 145.29'
A. 104.57'
A. 16°52'36"
A. 85°55'50" R. 200'
A. 90.08'
A. 25°48'26"
A. 76.57'
A. 15.49'
A. 6°49'45"
A. 30°53'9" E
A. 126.82' (RAD)
A. 69.79'

TRACT
"H-17"
2.67 Ac. ±

3186

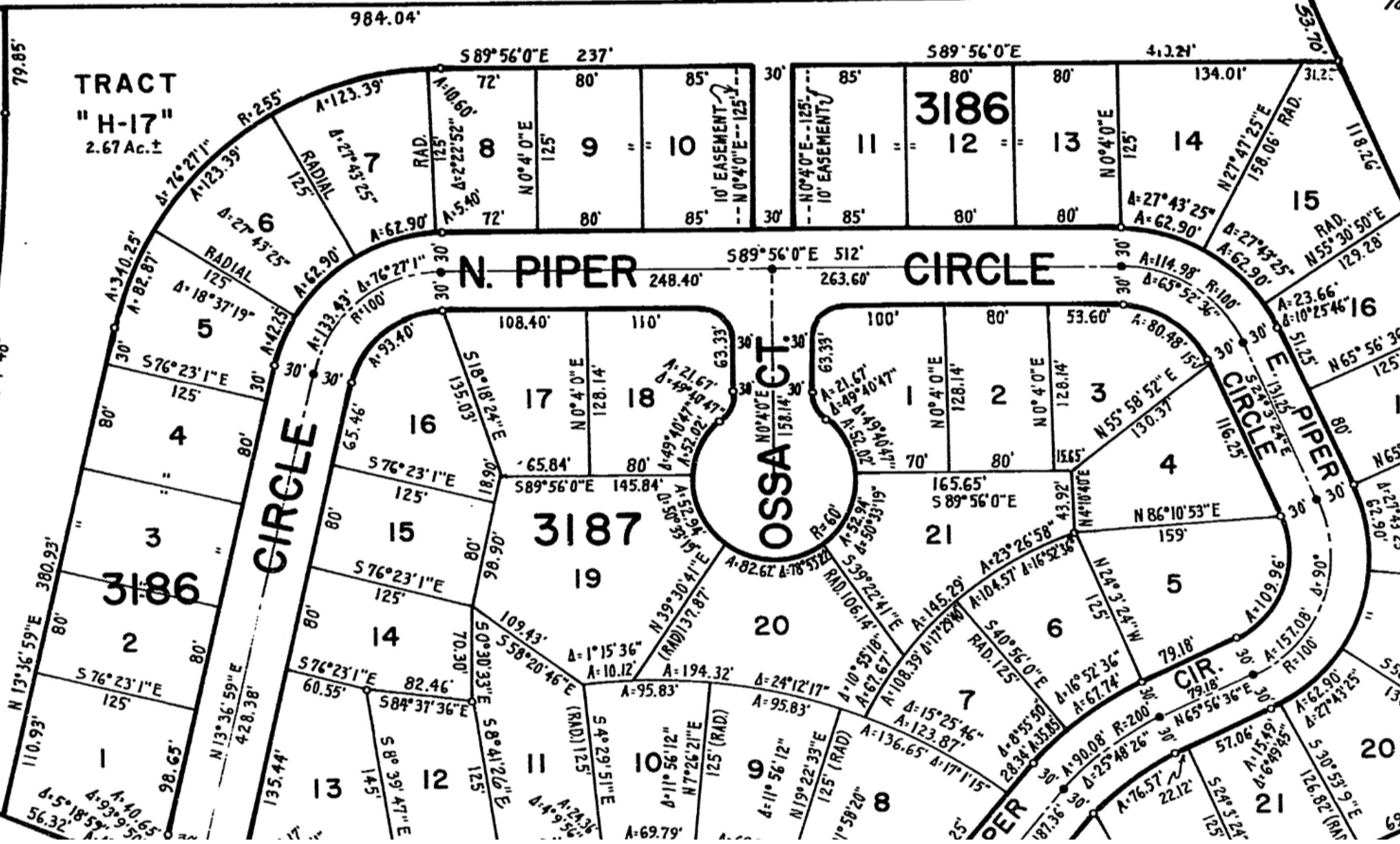
N. PIPER

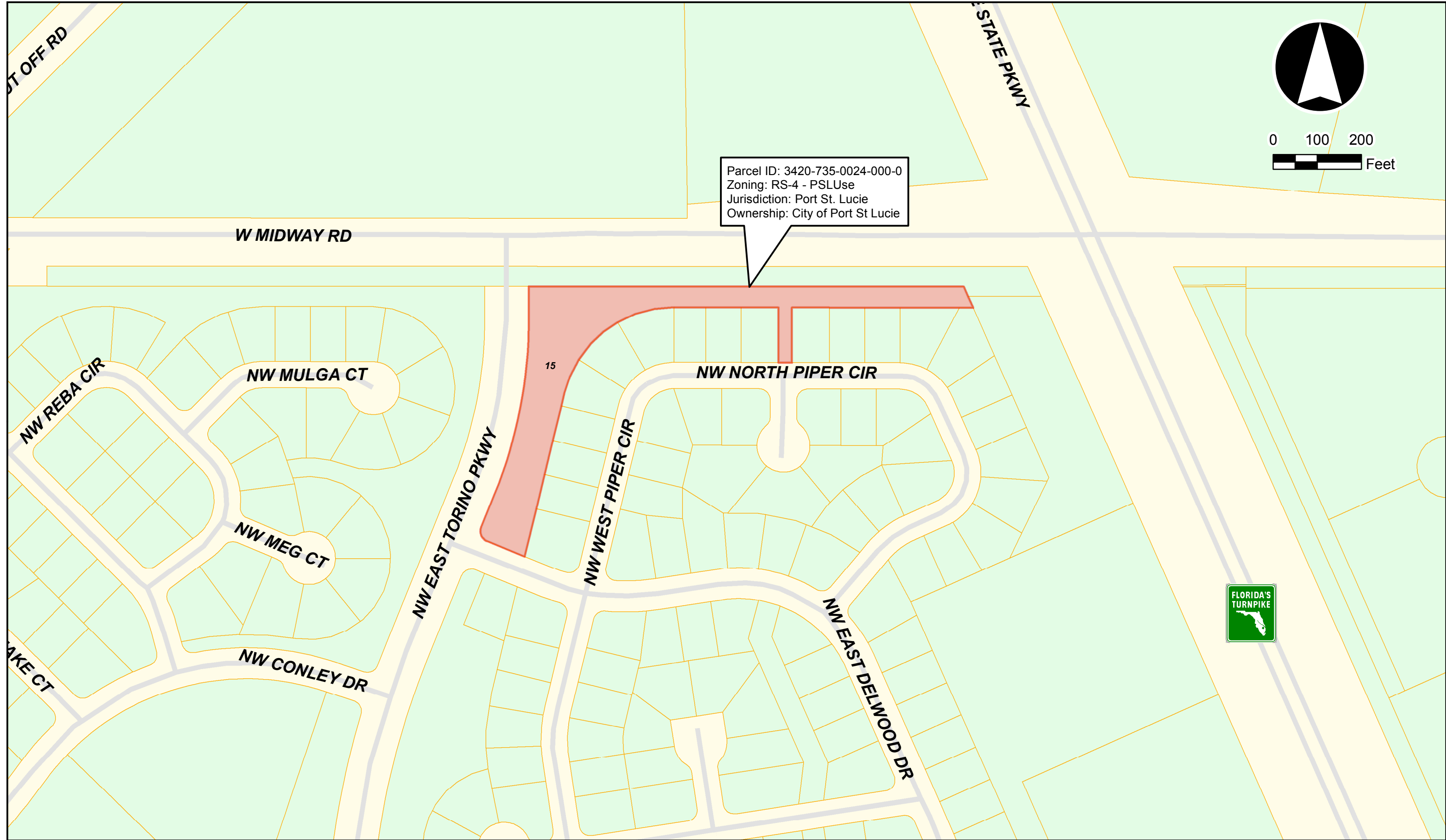
CIRCLE

OSSA CT

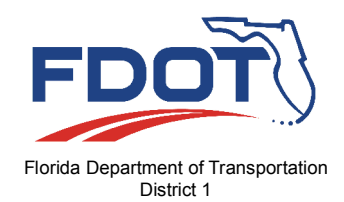
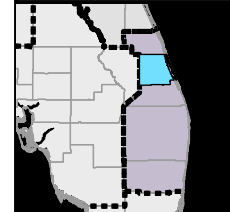
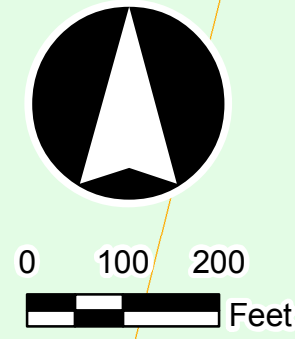
CIRCLE

CIR.





Parcel ID: 3420-735-0024-000-0
 Zoning: RS-4 - PSLUse
 Jurisdiction: Port St. Lucie
 Ownership: City of Port St Lucie

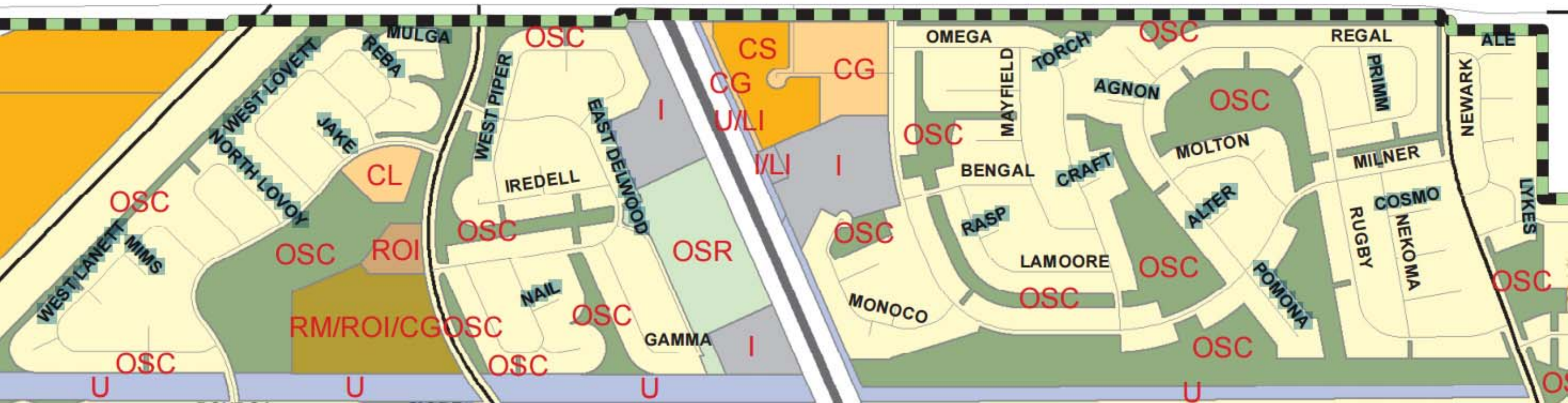



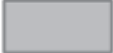



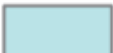











Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01

**ST. LUCIE COUNTY
 PROPERTY APPRAISER INFORMATION**

**Map ID
 15**

City of Port St. Lucie Future Land Use



- | | | | |
|---|------------------------------------|---|-----------------------------|
|  | SLC AGRICULTURAL |  | INSTUTIONAL |
|  | RESIDENTIAL (RL)(RGC) |  | RECREATION OPEN SPACE |
|  | RESIDENTIAL (RM)(RH) |  | NEW COMMUNITY DEVELOPMENT |
|  | RESIDENTIAL - OFFICE - INSTUTIONAL |  | PRESERVATION |
|  | COMMERCIAL LIMITED (CL)(CG) |  | UTILITY |
|  | COMMERCIAL SERVICE (CS)(CH) |  | SLC RESIDENTIAL URBAN ZONED |
|  | INDUSTRIAL (HI)(LI) |  | SLC COMMERCIAL |
|  | CRA Limits |  | City Limits |
| | |  | Urban Service Boundary |

Date:
2/7/2014

Tech:
DG

MISGIS#:
misgis0095

Page:
1 of 1

Sec. 158.101. Open Space Conservation Zoning District (OSC).

(A) Purpose. The purpose of the open space conservation zoning district (OSC) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the conservation of open space and the natural environment, while allowing the limited use of said areas for recreational and open space activities.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

- (1) Open space devoted to the conservation and maintenance of natural waterways, vegetation, and wild life.
- (2) Hiking and/or bicycle trails.
- (3) Nature study areas and boardwalks.
- (4) Picnic areas.
- (5) Boat ramps or docks.
- (6) Experimental stations (public or private).
- (7) Observation towers or platforms.
- (8) Pavilions for outdoor exhibits and special nature study instruction.

(C) Special Exception Uses. The following uses may be permitted only following the review and specific approval thereof by the City Council. Building coverage and maximum building height shall be limited to that specifically approved under special exception review.

- (1) Camping area (public or non-profit).
- (2) Drainage areas serving adjacent development.
- (3) Wireless communication antennas and towers, as set forth in Section 158.213.

(D) Accessory Uses. As set forth in Section 158.217.

(E) Minimum Lot Requirements. No minimum requirements.

(F) Maximum Building Coverage. Building coverage shall be established for each specific use as part of the site plan review process.

(G) Maximum Building Height. Maximum building height shall be established for each specific use as part of the site plan review

(H) Setback Requirements and Buffering. All yard requirements shall be established for each specific use as part of the site plan review process. When applicable, buffering shall be provided in accordance with the landscaping requirements of Chapter 154.

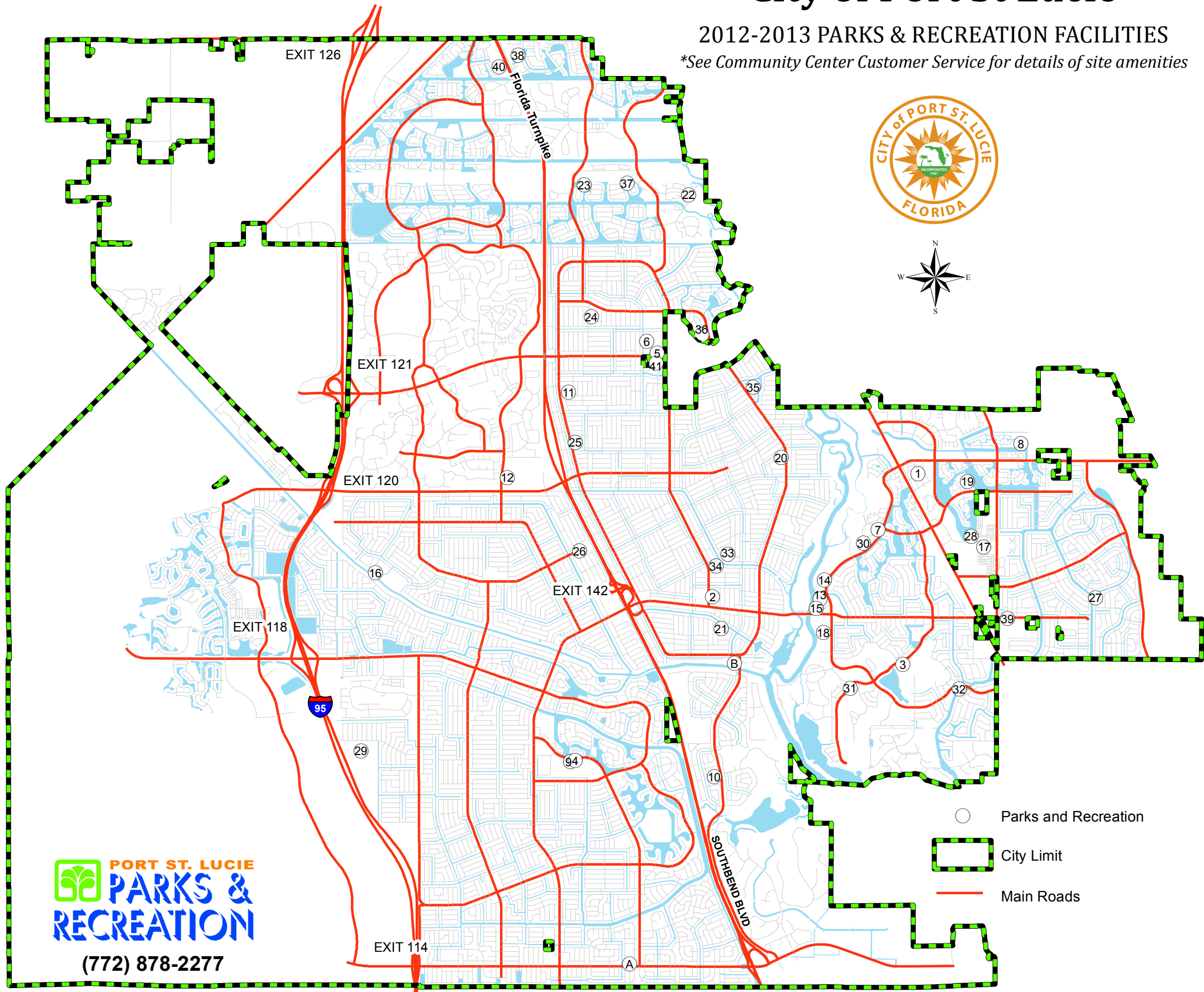
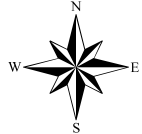
(I) Off-Street Parking and Service Requirements. As set forth in Section 158.221.

(J) Site Plan Review. All permitted and special exception uses shall be subject to the provisions of sections 158.235 through 158.245.

City of Port St Lucie

2012-2013 PARKS & RECREATION FACILITIES

*See Community Center Customer Service for details of site amenities



(772) 878-2277

ADMINISTRATION / CENTERS / GOLF COURSE

1. PSL Civic Center, 9221 SE Civic Center Place, (772) 807-4488
 - Martin Health System Village Square
 - Interactive Play Fountain
 - Parking Garage (free 700+ parking spaces)
2. Community Center / Parks & Recreation Main Office, 2195 SE Airoso Blvd., (772) 878-2277
3. The Saints at Port St. Lucie Golf Course, 2601 SE Morningside Blvd., (772) 398-2901
4. Robert E. Minsky Gymnasium, 750 SW Darwin Blvd., (772) 344-4142

COMMUNITY PARKS: Developed Active Use Facilities (night use & lights)

5. Sportsman's Park, 201 NW Prima Vista Blvd. (night use & lights)
6. Sportsman's Park West, 220 NW Irving St. (football fields & track with lights)
7. Lyngate Park, 1301 SE Lyngate Dr. (night use & lights)
8. Sandhill Crane Park, 2355 SE Scenic Park Dr. (off Walton Rd.) (night use & lights)
9. Whispering Pines Park, 800 SW Darwin Blvd. (night use & lights)
 - Skate City (facility closed)
10. Jessica Clinton Park, 3200 SE Southbend Blvd. (night use & lights)

COMMUNITY SOCCER PARKS: Primary Soccer Use Facilities

11. Swan Park, 700 SW Carmelite St. (night use & lights)
12. William McChesney Park, 1585 SW Cashmere Blvd. St Lucie West (night use & lights)

COMMUNITY SPECIAL FACILITIES

13. Veterans Park @ Rivergate, 2200 SE Veterans Memorial Pkwy. (boat ramps open 24 hours with lighted boardwalk on St Lucie River)
14. Veterans Memorial Park, 2100 SE Veterans Memorial Pkwy. (ceremonial grounds & monuments)
15. Tom Hooper Park, 2340 SE Rivergate Pkwy (lighted & boardwalk on St Lucie River)
16. Oak Hammock Park, 1982 SW Villanova Rd. (boat ramp on C-24 canal & trails)
17. Mary Ann Cernuto Park, 2060 SE Grand Dr. (central plaza in East Lake Village)
18. Botanical Gardens, 2410 SE Westmoreland Blvd., (772) 337-1959

NEIGHBORHOOD PARKS: Active & Passive Use Facilities (closed at dusk)

19. Rotary Park, 2101 SE Tiffany Ave.
20. Kiwanis Park, 1320 SE Floresta Dr.
21. Fred Cook Park, 400 SE Glenwood Ave.
22. River Place Park, 690 Bayou Country Rd. (off St. James Dr. / Lazy River Pkwy.)
23. Charles E. Ray Park, 5626 NW Manville Dr. (covered basketball / pavillion)
24. Girl Scout Friendship Park, 315 NW Heather St.
25. Jaycee Park, 1301 SW Bayshore Blvd.
 - YMCA Program Center at Park, (772) 878-7337
26. Turtle Run Park, 1945 SW Cameo Blvd.
27. PSL Elks Lodge #2658 / Friendship Park, 2264 SE West Blackwell Dr.
28. Woodstork Trail, 1957 SE Hillmoor Dr. (sidewalk trail around lake)
29. O.L. Peacock Sr. Park / Lake, 1950 SW Dreyfuss Blvd.

NEIGHBORHOOD OPEN SPACES: Limited or No Facilities (closed at dusk)

30. Midport Lake, 1800 SE Veterans Memorial Pkwy. (model boating and dogs permitted on leash)
31. Loyalty Park, 2810 SE Morningside Blvd.
32. Sandpiper Bay Park, 1870 SE Westmoreland Blvd.
33. Doat Park, 425 SE Doat St.
34. Whitmore Park, 474 SE Whitmore Dr.
35. Harborview Park, 624 SE Harborview Dr.
36. Gulf Stream Park, 210 NE Ardsley Dr.
37. Ian T. Zook Park, 5600 NW Manville Dr.
38. Milner Tot Lot, 5160 NW Milner Dr.
39. Mariposa Cane Slough Preserve, 2280 SE Mariposa Ave.
40. Winterlakes Park, 5241 NW Jannebo St.
41. Ravenswood Racquetball Courts, 400 SW Ravenswood Ln. (currently closed)

OTHER FACILITIES

- (A) Treasure Coast Model Railroad Club, 273 SW Becker Rd., (772) 621-9636
- (B) Canal Park, Oakridge Dr. (Under design / construction 2012-13)

Exhibit D-5

Tract H-17

Project Correspondence



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

September 16, 2016

Mr. Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie Parks and Recreation Department
2195 S.E. Airoso Blvd.
Port St. Lucie, FL 34984

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

The Florida Department of Transportation (FDOT) is conducting a PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. **Figure 1 – Project Location Map** is attached and shows the project location. The project is located in the City of Port St. Lucie and St. Lucie County. Land uses along the corridor include several undeveloped parcels zoned Open Space Conservation and Canal 103 owned by the City of Port St. Lucie.

As part of the PD&E process, the FDOT will be seeking a Section 4(f) Determination of Applicability (DOA) from the Federal Highway Administration (FHWA). Section 4(f) of the US Department of Transportation Act of 1966 pertains to the protection of public resource lands such as parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance. In order to be considered a Section 4(f) resource a property must function or be designated as a significant public park, recreation area, wildlife/waterfowl refuge, or historic site. For additional information, please see Part II, Chapter 13 – Section 4(f), Page 13-6, of FDOT Project Development and Environment Manual that can be accessed through the following website: <http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm>

The FDOT is requesting your assistance (as jurisdictional agency) in determining the significance and function (both existing and planned facilities) of the following property in your agency's jurisdiction:

- Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 33406-311-0001-0007)
- Tract H-15 (Parcel ID: 3420-735-0022-000-6)

- Tract H-17 (Parcel ID: 3420-735-0024-000-0)
- Tract G-4 (Parcel ID: 3420-735-0024-000-0)
- Tract F (Parcel ID: 3301-800-0010-000-2)

These properties are shown in in relationship to the project area on **Figure 2 – Potential Section 4(f) Properties**. The FHWA will make the formal determination of Section 4(f) applicability. To assist the FHWA with this determination, please provide a signed letter with an indication of significance for these properties. Within the context of Section 4(f), “significance” means that in comparing the availability and function of the property for park, wildlife refuge, or recreational objectives of the community, the property in question plays an important role in achieving those objectives.

As part of your response the following information is requested to be included in your Statement of Significance, if applicable. If the information is not applicable or not available, please state that in your response letter.

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

Attached is an example letter that can be used as a template for the Statement of Significance Letter that is needed.

If you need further information or have any questions, please contact either Christie Pritchard, Environmental Consultant at (561) 818-2751 or me at (954) 777-4415. Thank you for assistance and coordination with this project.

Sincerely,

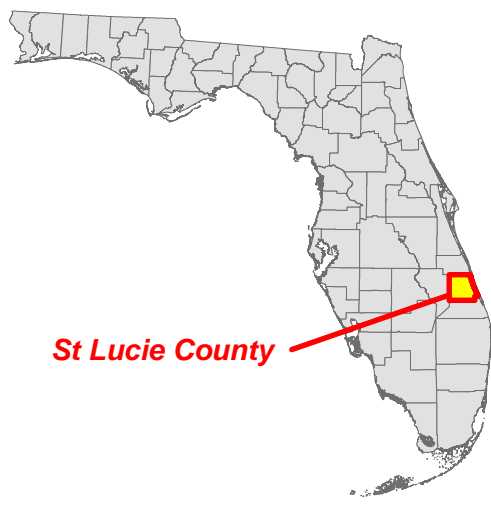
July C. Jimenez, P.E.
Project Manager
Florida Department of Transportation – District IV

Attachments: Figure 1 – Project Location Map
Figure 2 – Potential Section 4(f) Properties

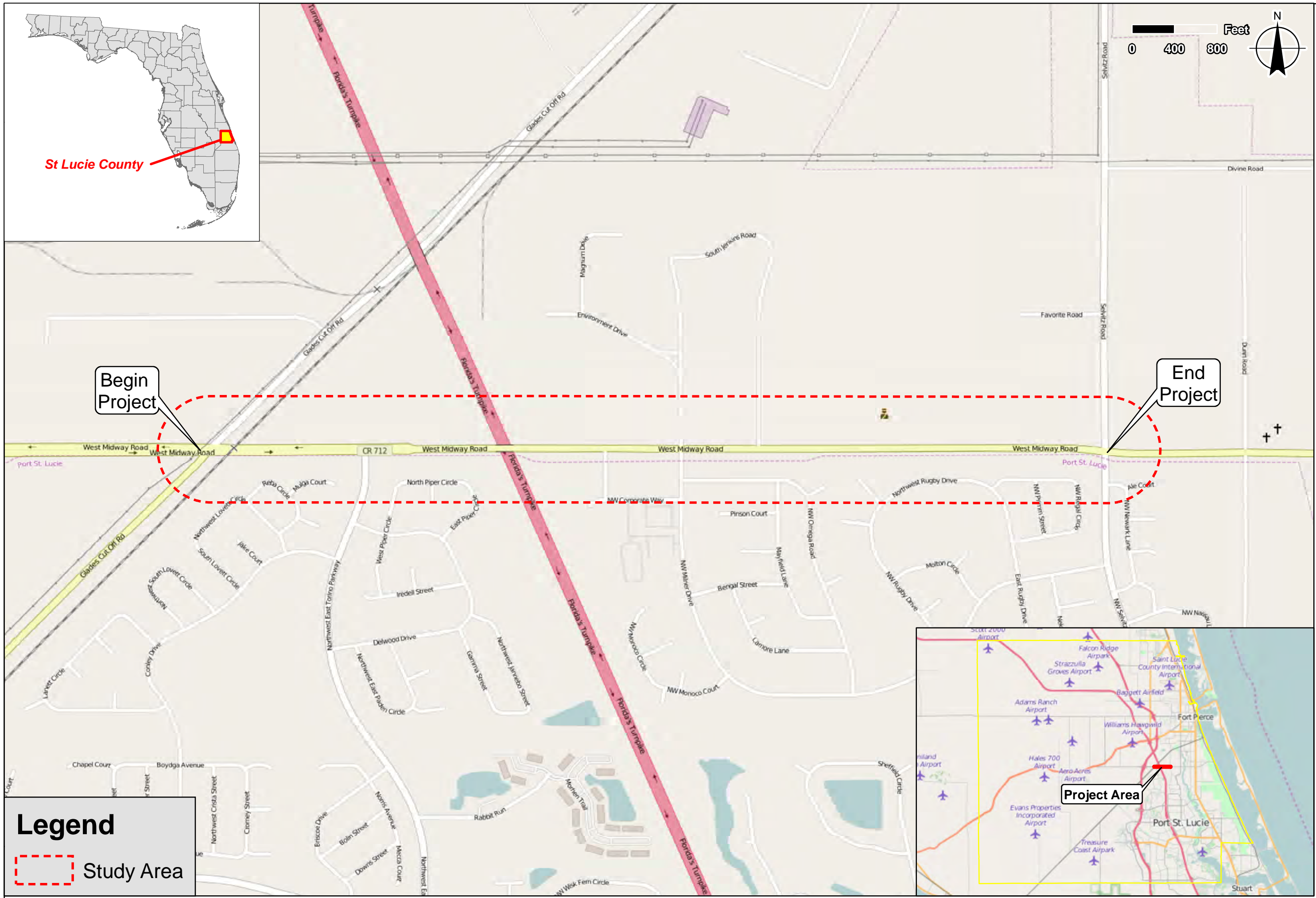
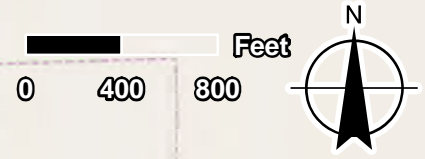
Mr. Sherman Conrad
September 16, 2016
Page 3

Sample Statement of Significance Letter

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers



St Lucie County



Begin Project

End Project

Legend

 Study Area



Project Location Map

Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

1 inch = 800 feet

FIGURE 1

MAY 2016

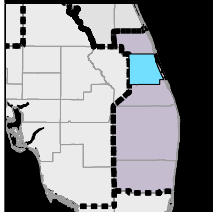
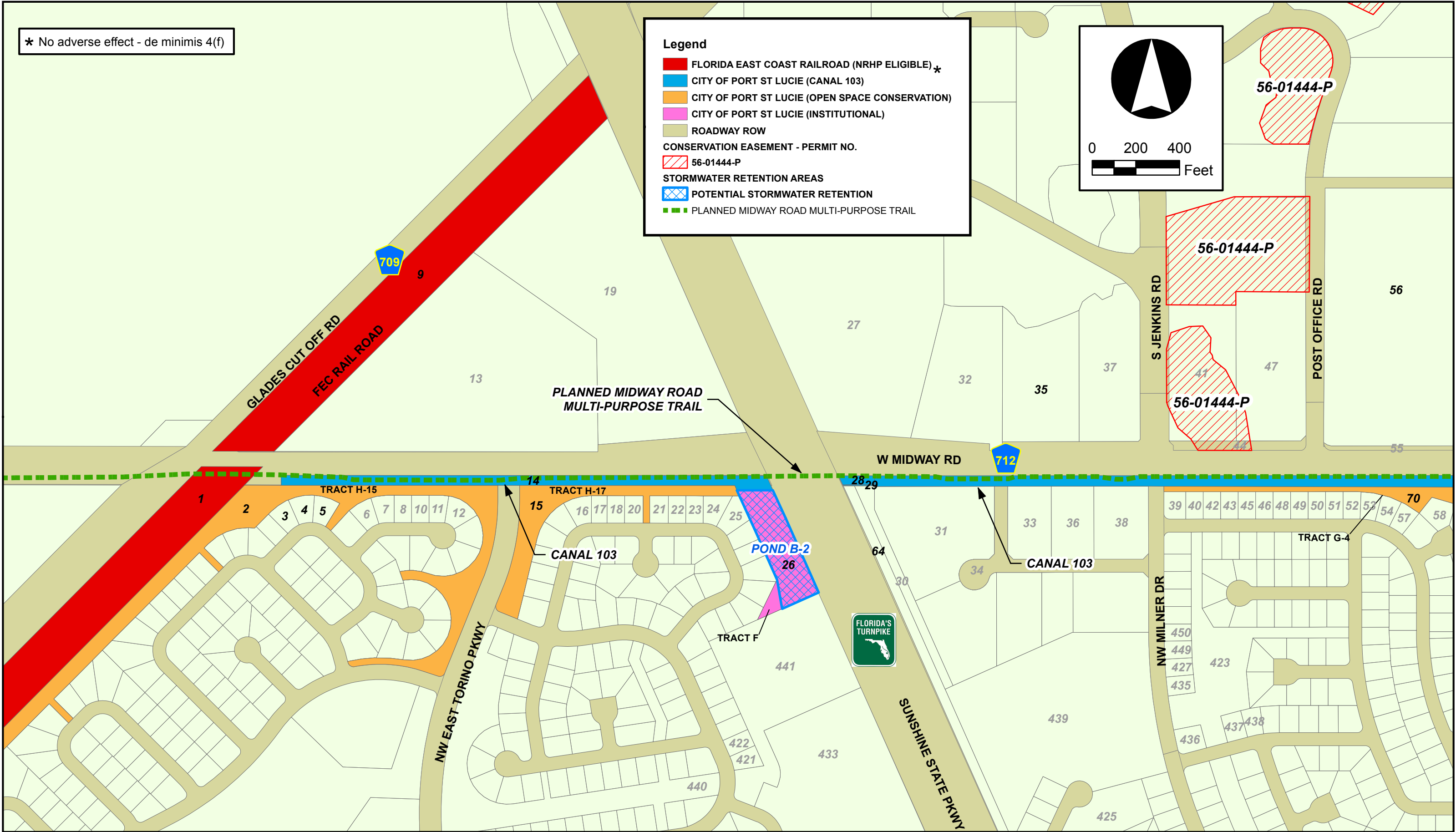
Source: Data courtesy of ESRI.

Document Path: K:\V\RB_E\Environment\14703 Midway Road PD&E\ENV\GIS\MXD\Figure 1 - Project Location Map.mxd

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
- 56-01444-P
- STORMWATER RETENTION AREAS
- POTENTIAL STORMWATER RETENTION
- PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL



Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

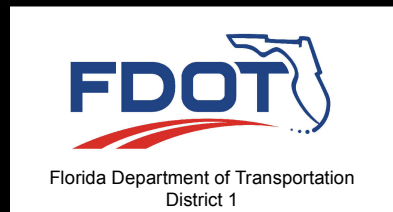
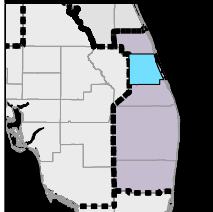
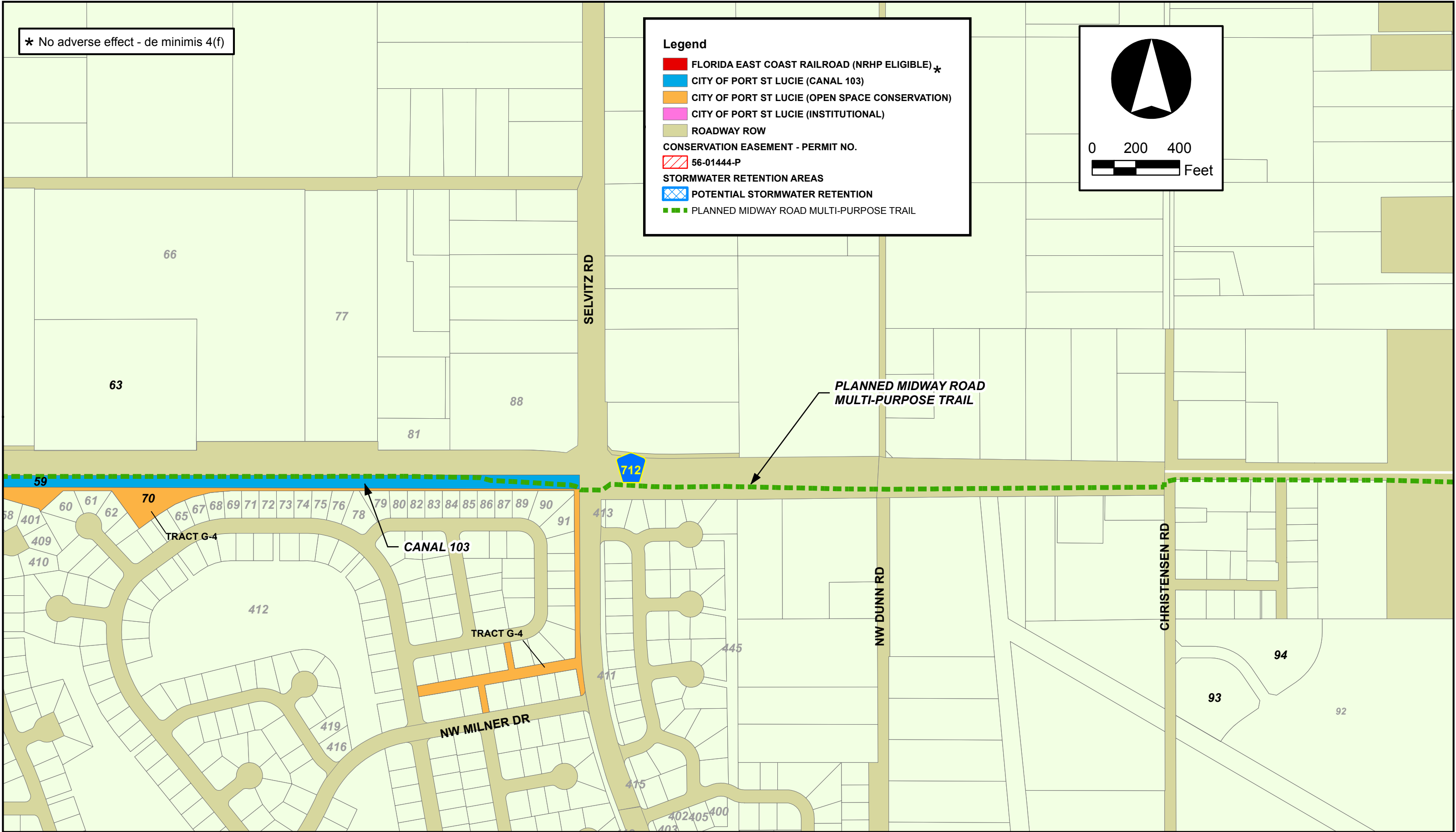
POTENTIAL SECTION 4(f) PROPERTIES

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
 - 56-01444-P
- STORMWATER RETENTION AREAS
 - POTENTIAL STORMWATER RETENTION
 - PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL

0 200 400 Feet



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01
Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

SAMPLE

August 5, 2016

Ms. July Jimenez
Project Manager
Florida Department of Transportation - District 4
3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

In your letter dated August 5, 2016 to our Agency, you requested that we provide information regarding the significance of several properties owned by the City of Port St. Lucie in relationship to the ongoing Florida Department of Transportation (FDOT) PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. These properties included several undeveloped parcels and Canal 103.

In response to this request we are providing the following requested information for each property if it is applicable and available:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

The information is found in attachments to this letter. If you need further information or have any questions, please contact me at (954) 777-4415.

Sincerely,

Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie

City of Port St. Lucie - Section 4(f) Statement of Significance

Midway Road (CR 712) Widening PD&E Study

From Glades Cut Off Road to Selvitz Road

Introduction

The City of Port St. Lucie received a letter dated September 16, 2016 from the Florida Department of Transportation (FDOT), District Four requesting information regarding properties owned by the City and located adjacent to Midway Road (CR 712) from Glades Cutoff Road to Selvitz Road in St. Lucie County. The proposed project would widen the existing 2-lane rural roadway (no pedestrian or trail features) to a 4-lane urban roadway, including the construction of a shared-use path on the south side of the roadway and a sidewalk on the north side of the roadway.

The purpose of this Section 4(f) Statement of Significance is to provide the Federal Highway Administration (FHWA) with the information on function and use needed to determine the Section 4(f) applicability or non-applicability for five potential Section 4(f) uses associate with properties owned by the City of Port St. Lucie. These properties include:

1. Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-7)
2. Tract H-15 (Parcel ID: 3420-735-0022-000-6)
3. Tract H-17 (Parcel ID: 3420-735-0024-000-0)
4. Tract G-4 (Parcel ID: 3420-741-0007-000-4)
5. Tract F (Parcel ID: 3301-800-0010-000-2)

The requested information included the following:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

Section 4(f) Statement of Significance

City of Port St. Lucie

Management Plans

No management plans exist for any of the properties included in this Section 4(f) Statement of Significance. Canal 103 functions as a drainage canal.

Tract H-15, Tract H-17 and Tract G-4 are zoned Open Space Conservation and primarily function as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Tract F is zoned as Multi-Family Residential and is located adjacent to Winterlakes Park which is owned and managed by the City of Port St. Lucie. Tract F primary functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property. Expansion of, or use by visitors from Winterlakes Park does not exist and is not planned for Tract F.

Approximate date that these properties were designated as public resources.

The properties included in this Section 4(f) Statement of Significance have been owned by the City of Port St. Lucie since the mid 1980's. Exact dates of ownership are not readily available.

Description and location of all existing and planned facilities

The locations of the properties included in this Section 4(f) Statement of Significance have no existing or planned facilities.

Access (pedestrian, vehicular, etc.) and usage (approximate number of users)

Public access is not maintained or managed by the City of Port St. Lucie for any of the properties included in this Section 4(f) Statement of Significance. Occasional and dispersed use may occur.

Relationship to other similarly used lands in the vicinity of the property

Section 4(f) Statement of Significance

City of Port St. Lucie

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road by utilizing a portion of Canal 103 from just east of Selvitz Road to Selvitz Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. Among other stipulations, the construction of a “multi-purpose path” along the south side of Midway Road was included as a condition of the use of the City owned R/W.

Under the proposed build alternatives, the widening of Midway Road from Glades Cut Off Road to Selvitz Road would also include a “multi-purpose” trail. The inclusion of the trail would provide an additional segment for the trail through the project limits. The “multi-purpose” trail is a planned facility by St. Lucie County. The City of Port St. Lucie supports the inclusion of this “multi-purpose” trail within the project limits but the location of the trail is planned for the Midway Road R/W and is not planned for any properties included in this Section 4(f) Statement of Significance. The Transportation Element, Page 9 of the City of Port St. Lucie Comprehensive Plan includes a reference to the St Lucie TPO Bicycle and Pedestrian Plan. Page 9 of this document is included in **Attachment A**

Tract H-15, Tract H-17, Tract G-4 and Tract F are similar open space properties within the project corridor.

Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure

The North St. Lucie River Water Control District currently holds a non-exclusive drainage easement for maintenance and management of Canal 103. Any modifications to Canal 103 would require accommodation of the existing drainage. Build Alternative 1 would not modify Canal 103. Build Alternative 2 proposes to enclose Canal 103.

No other clauses affecting ownership exist for the properties included in this Section 4(f) Statement of Significance.

Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

Section 4(f) Statement of Significance

City of Port St. Lucie

Summary of Significance

The City of Port St Lucie-owned Canal 103 property functions and is significant for surface water drainage. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

The City of Port St. Lucie-owned Tracts H-15, H-17, G-4, and F function and are significant for use as vegetated open space. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Sample

Attachment A

City of Port St Lucie

Comprehensive Plan

- **City of Port St. Lucie Comprehensive Plan – Transportation Element – Page 9**

Sample

pedestrian facilities and the encouragement of their use serve several important purposes which benefit all of the citizens of Port St. Lucie including:

- 1) Health and physical benefits
- 2) Environmental benefits
- 3) Transportation benefits
- 4) Recreational benefits
- 5) Quality of life benefits

Sidewalk Program

Through the sidewalk program alone, the City has installed approximately 10.5 miles of sidewalk. In addition to the City's funds, the City has applied for and received confirmation of funding for an additional sidewalk project through the American Recovery And Reinvestment Act of 2009 (ARRA) stimulus program. In coordination with St. Lucie County, the City has received grant funding for sidewalks through the Safe Route to Schools Program.

The City currently requires that pedestrian and bicycle accommodations be incorporated into all development projects and urban roadway projects. Federal, State, and County guidelines also address the provision of bicycle and pedestrian facilities in conjunction with roadway improvement projects.

The St. Lucie TPO recently completed the St. Lucie County Bicycle, Pedestrian, Greenways & Trails Master Plan in 2008. The Master Plan inventoried all the existing sidewalks, bike paths, missing sidewalks, and provided suggestions to improve the system, many of which were located within the City of Port St. Lucie. These improvements primarily consisted of proposed sidewalks and bike lanes along arterials, proposed greenways and recreational trails, multi-purpose trails and canal trails. The analysis portion of the plan identified US-1, Port St. Lucie Boulevard, and St. Lucie West Boulevard as high bicycle and pedestrian crash corridors.

The City would like to continue to work towards the implementation of the St. Lucie TPO Bicycle and Pedestrian Plan. In addition, the plan calls for the establishment of sidewalks on both sides of arterial and collector streets, where they do not currently exist.

The City has developed a process for reviewing and prioritizing sidewalk locations for construction with the assistance of the Engineering Department, Planning and Zoning Department, Parks Department, members of the School Board, and the Police Department. Many factors are considered when selecting the locations including the proximity to a school, number of bus stops, existing sidewalks in the area, number of users, the speed limit on adjacent roads, existing drainage conditions, obstacles, right-of-way width, safety hazards, and estimated costs. Ultimately, the priority locations are approved by City Council and constructed as funding permits.

The Martin MPO/St. Lucie TPO 2035 Regional Long Range Transportation Plan (RLRTP) outlines plans for the Treasure Coast Loop Trail. The project, which will be built to multi-use trail standards, is planned to be a greenway trail connecting Martin and St. Lucie Counties. The Treasure Coast Trail will also serve to improve non-motorized access to areas within the eastern core of the Counties, as well as access to and from Hutchinson Island. The Trail is projected to extend along Green River Parkway through the City.

Appendix E

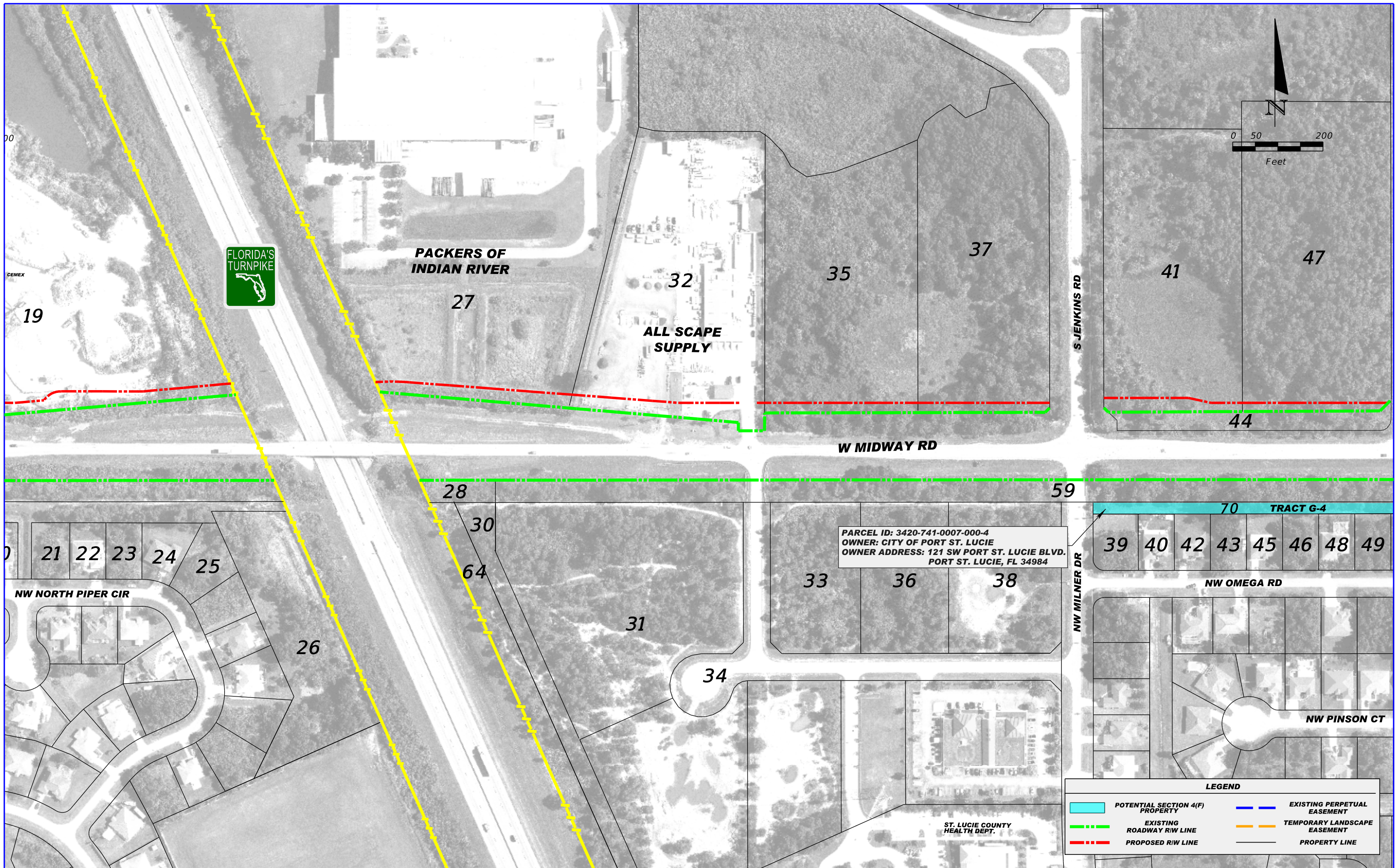
Tract G-4 Documentation

- **Exhibit E-1 – Tract G-4 Location – Build Alternative 1**
- **Exhibit E-2 – Tract G-4 Location – Build Alternative 2**
- **Exhibit E-3 – Tract G-4 Photographs**
- **Exhibit E-4 – Tract G-4 Ownership, Management and Function Documentation**
- **Exhibit E-5 – Tract G-4 Project Correspondence**

Exhibit E-1

Tract G-4

Location – Build Alternative 1



PARCEL ID: 3420-741-0007-000-4
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

LEGEND			
	POTENTIAL SECTION 4(F) PROPERTY		EXISTING PERPETUAL EASEMENT
	EXISTING ROADWAY RIW LINE		TEMPORARY LANDSCAPE EASEMENT
	PROPOSED RIW LINE		PROPERTY LINE

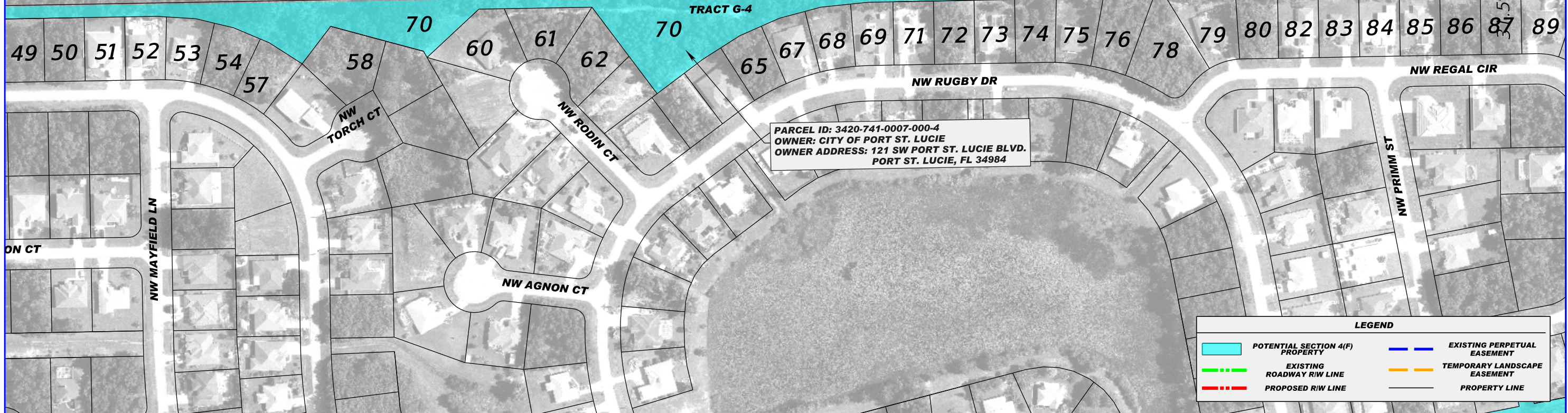
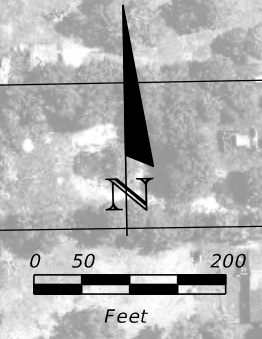
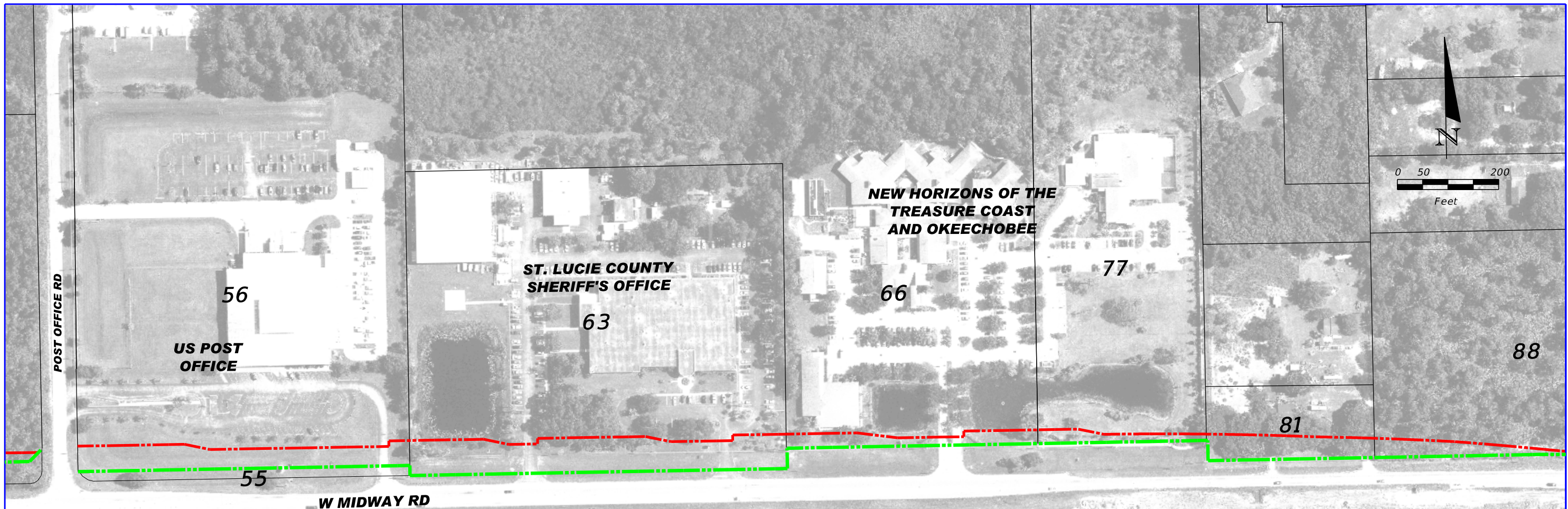
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT E-1
G-4 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
 1



LEGEND			
■	POTENTIAL SECTION 4(F) PROPERTY	—	EXISTING PERPETUAL EASEMENT
- - -	EXISTING ROADWAY RIW LINE	- - -	TEMPORARY LANDSCAPE EASEMENT
- - -	PROPOSED RIW LINE	—	PROPERTY LINE

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT E-1
G-4 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
 2



LEGEND	
	POTENTIAL SECTION 4(F) PROPERTY
	EXISTING ROADWAY RIW LINE
	PROPOSED RIW LINE
	EXISTING PERPETUAL EASEMENT
	TEMPORARY LANDSCAPE EASEMENT
	PROPERTY LINE

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

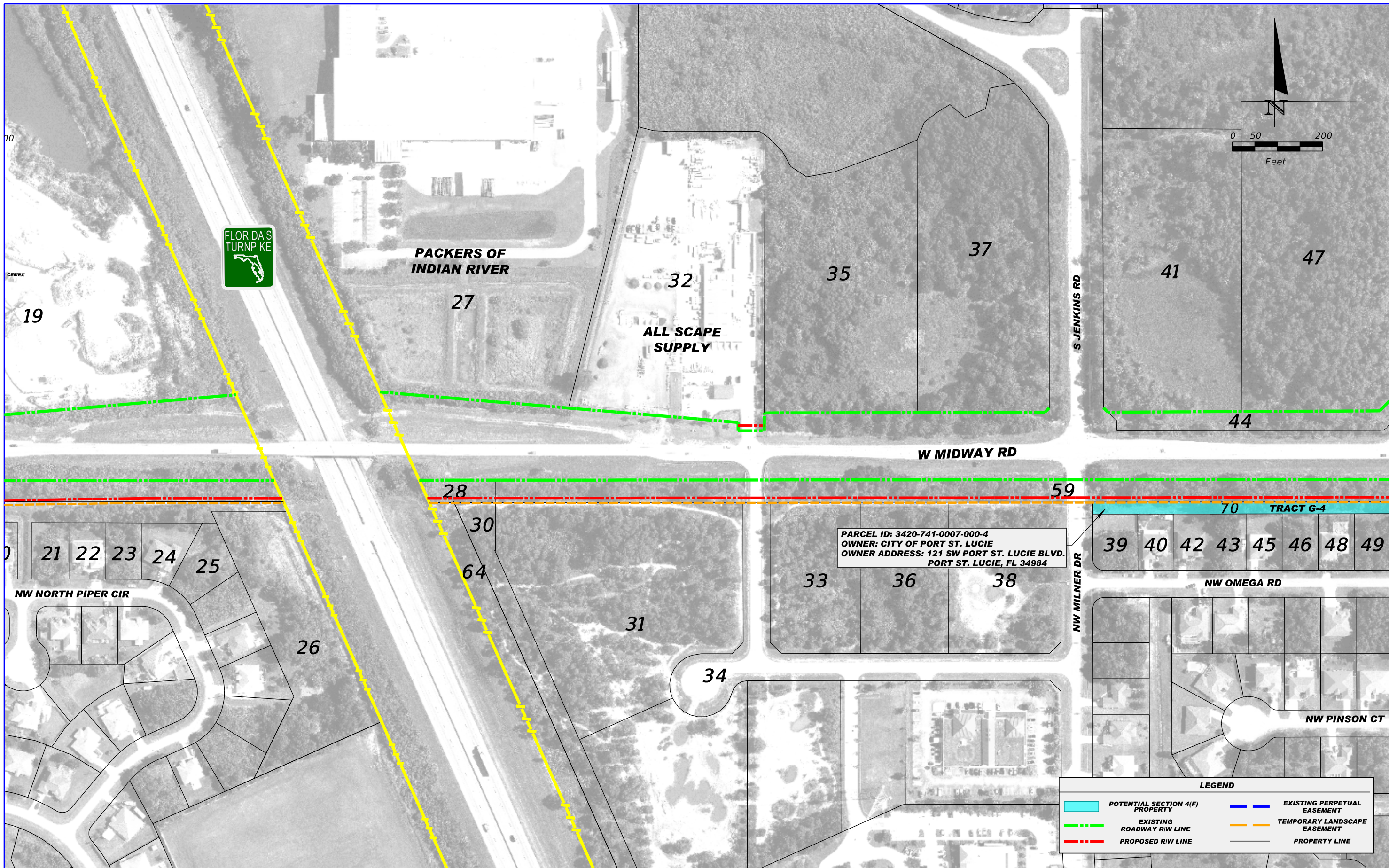
EXHIBIT E-1
G-4 LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
 3

Exhibit E-2

Tract G-4

Location – Build Alternative 2



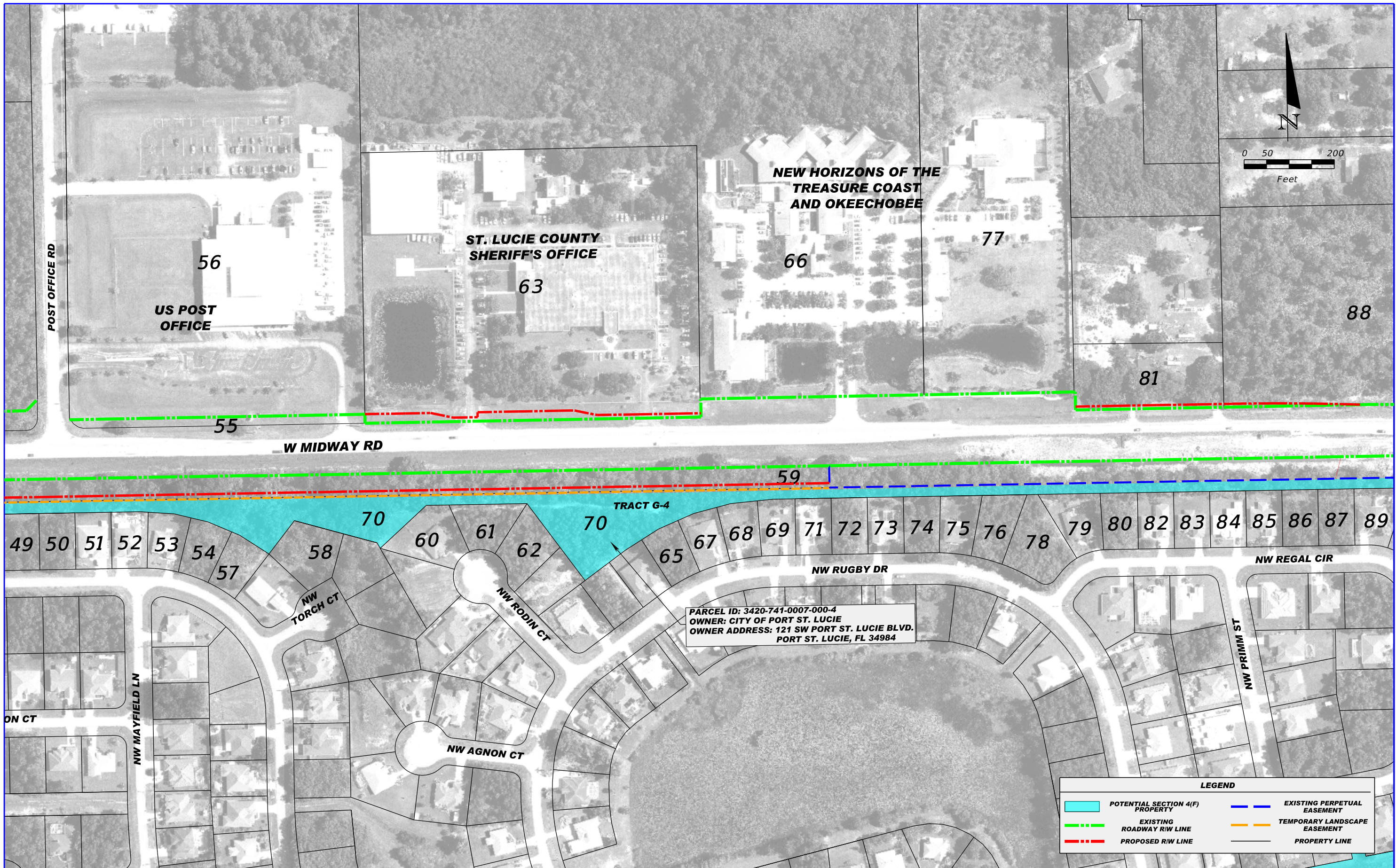
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT E-2
G-4 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
1



PARCEL ID: 3420-741-0007-000-4
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT E-2
G-4 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
 2



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT E-2
G-4 LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
 3

Exhibit E-3
Tract G-4
Photographs



NW Milner Drive Facing East



NW Selvitz Road Facing West



NW Selvitz Road Facing South



Behind Lot 62 on NW Rodin Court Looking Along Property Boundary with Canal 103

Exhibit E-4

Tract G-4

Ownership, Management and Function Documentation

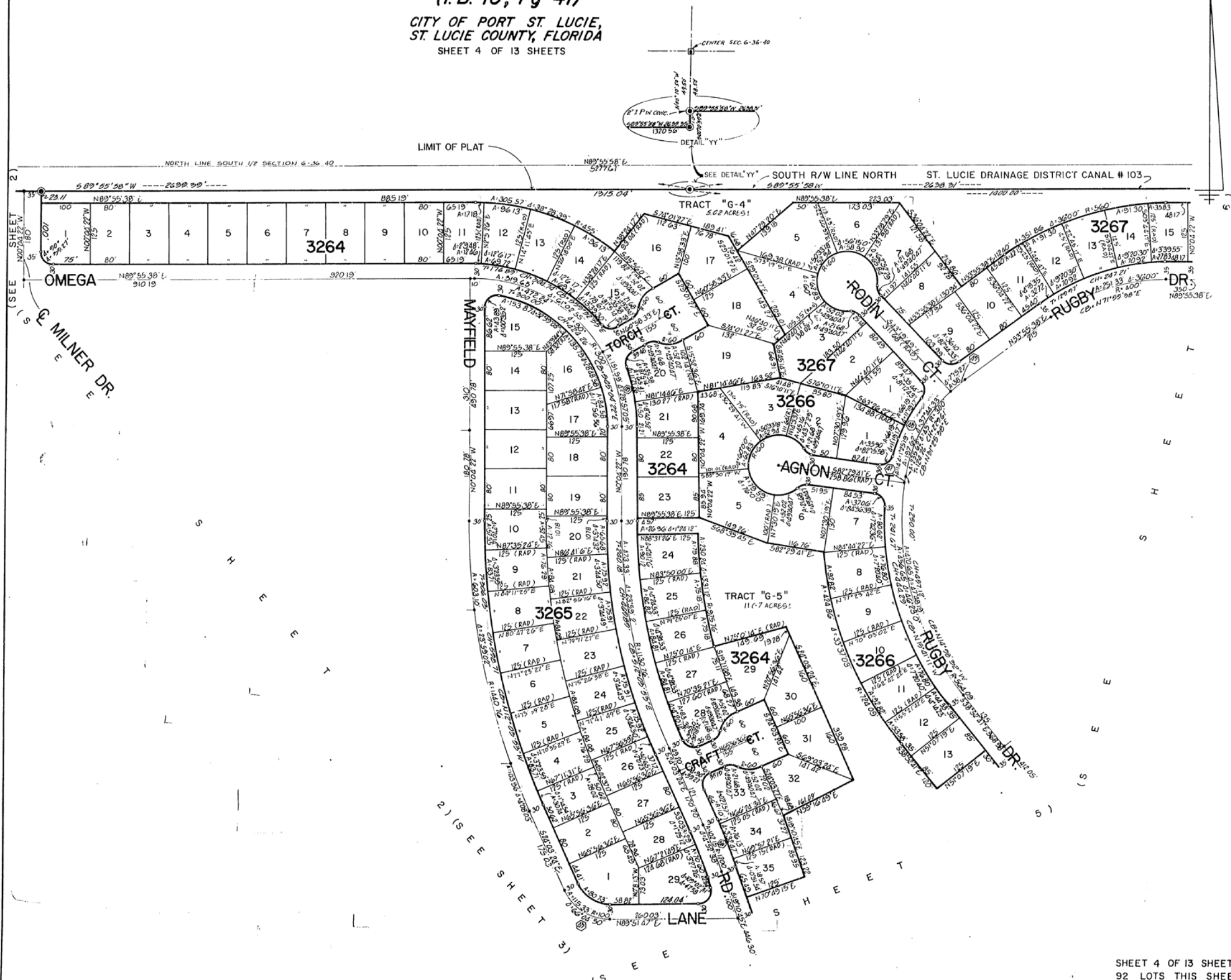
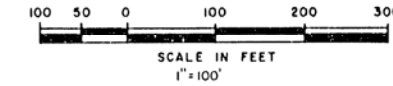
- **St. Lucie County Plat Book – 23C**
- **St. Lucie County Property Appraiser Maps**
- **City of Port St. Lucie Future Land Use Map**
- **City of Port St. Lucie Section 158 Zoning Code (Open Space)**
- **City of Port St. Lucie Parks Map**

FIRST REPLAT IN PORT ST. LUCIE SECTION FORTY-EIGHT

A REPLAT OF A PORTION OF PORT ST. LUCIE SECTION FORTY-EIGHT
(P.B. 16, Pg 41)

CITY OF PORT ST. LUCIE,
ST. LUCIE COUNTY, FLORIDA
SHEET 4 OF 13 SHEETS

PLAT BOOK 26
PAGE 23 C



CALCULATED BY JK
DRAWN BY JT
CHECKED BY _____
APPROVED BY _____

OR Book 26
Page 23 C #1918

SHEET 4 OF 13 SHEETS
92 LOTS THIS SHEET

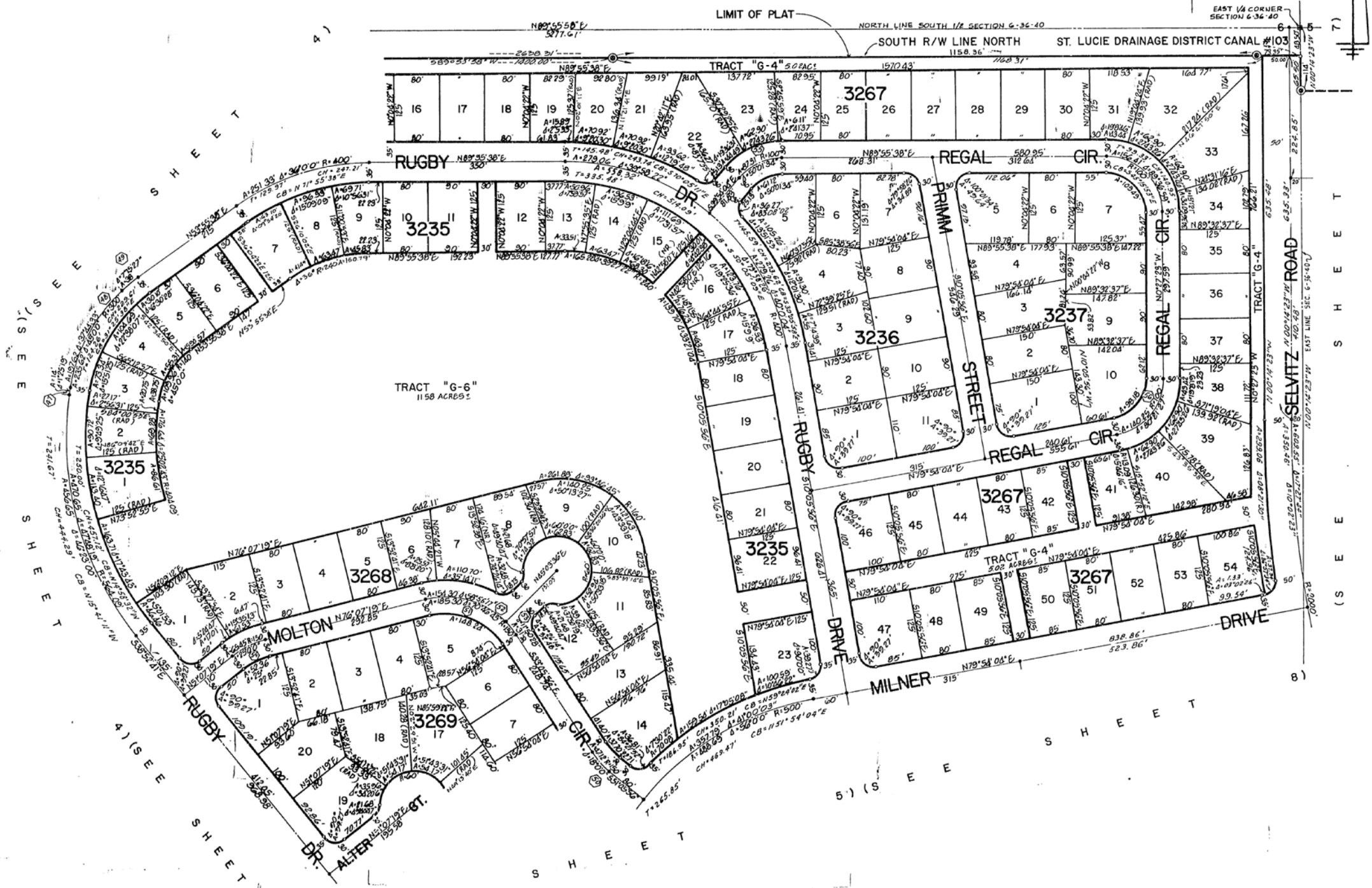
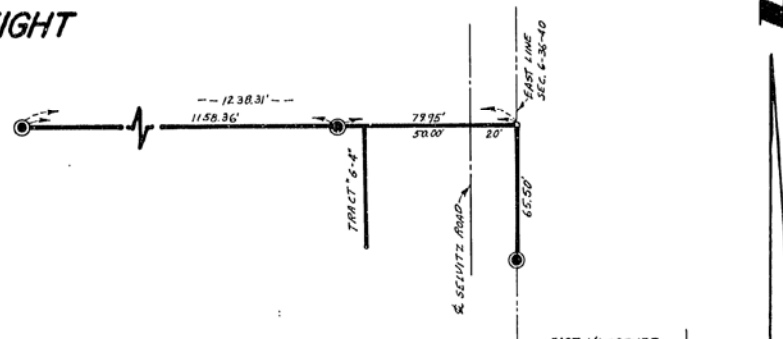
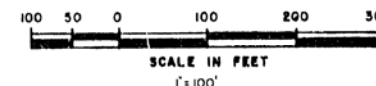
PL-48RI

FIRST REPLAT IN PORT ST. LUCIE SECTION FORTY-EIGHT

A REPLAT OF A PORTION OF PORT ST. LUCIE SECTION FORTY-EIGHT
(P.B. 16, Pg. 41)

CITY OF PORT ST. LUCIE,
ST. LUCIE COUNTY, FLORIDA
SHEET 6 OF 13 SHEETS

PLAT BOOK 26
PAGE 23 E

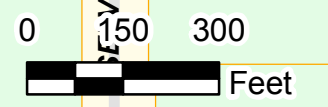
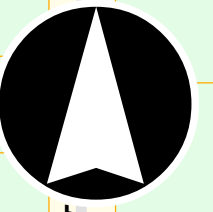


CALCULATED BY W
DRAWN BY L.T.
CHECKED BY _____
APPROVED BY _____

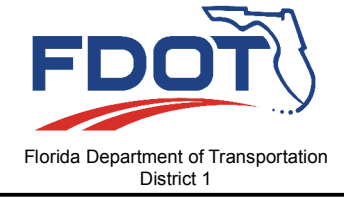
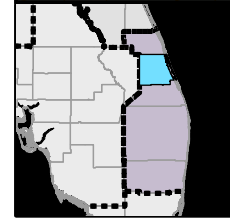
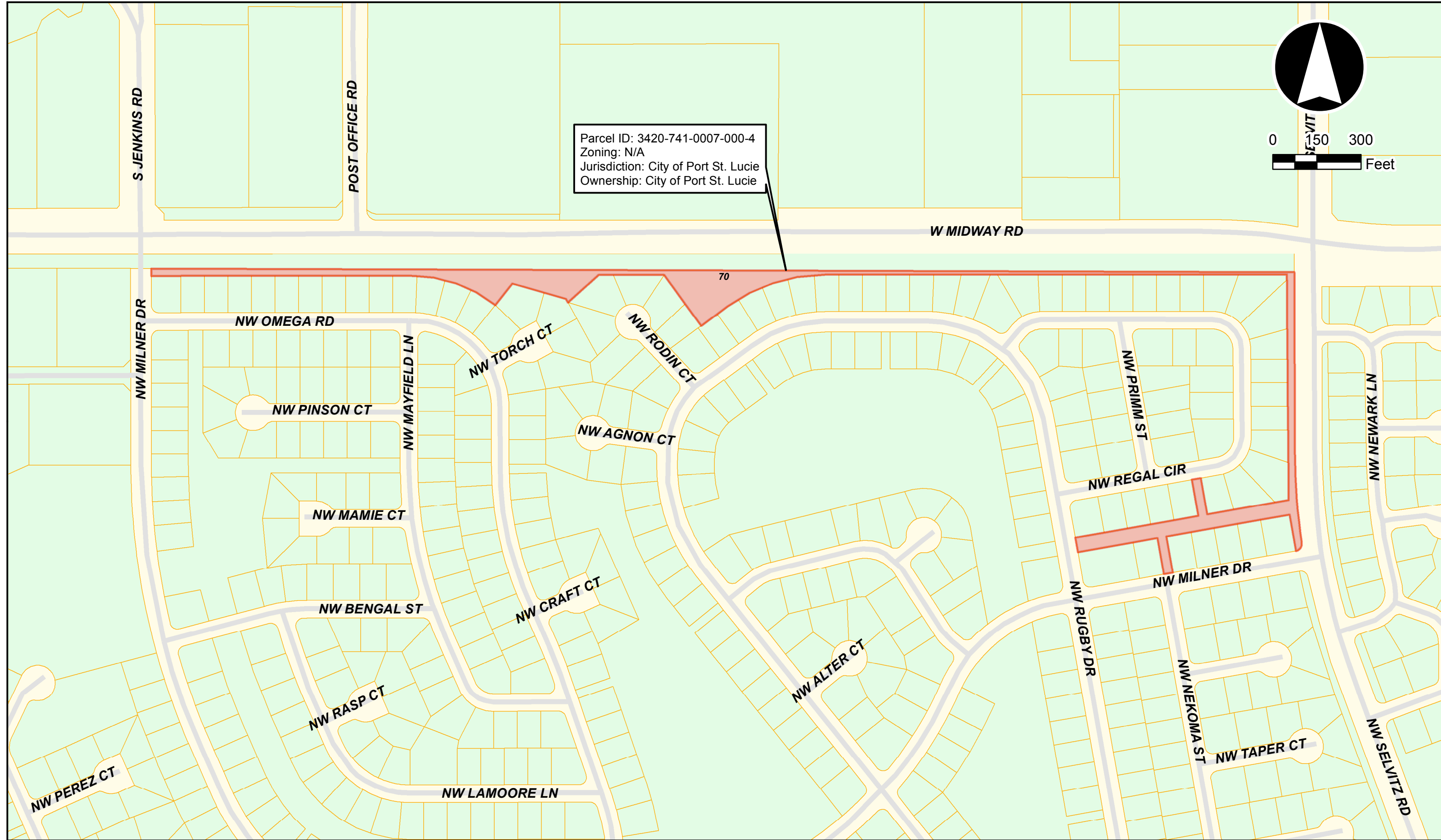
Plat Book 26
Page 23 E
#1920

SHEET 6 OF 13 SHEETS
108 LOTS THIS SHEET

PL-48RI



Parcel ID: 3420-741-0007-000-4
 Zoning: N/A
 Jurisdiction: City of Port St. Lucie
 Ownership: City of Port St. Lucie

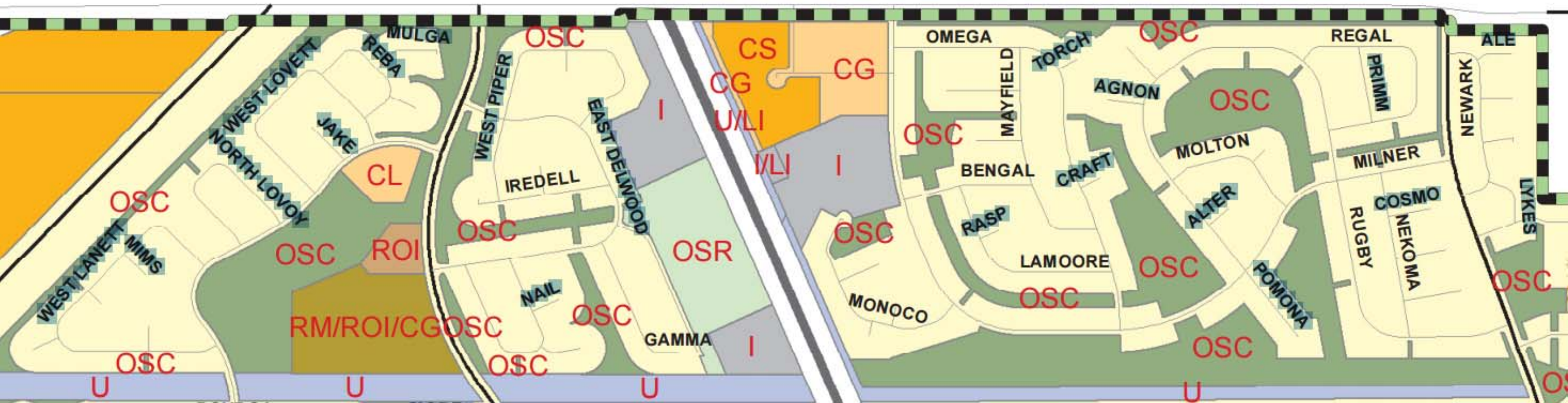



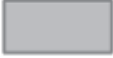

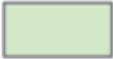













Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01

**ST. LUCIE COUNTY
 PROPERTY APPRAISER INFORMATION**

Map ID
70

City of Port St. Lucie Future Land Use



- | | | | |
|---|------------------------------------|---|-----------------------------|
|  | SLC AGRICULTURAL |  | INSTUTIONAL |
|  | RESIDENTIAL (RL)(RGC) |  | RECREATION OPEN SPACE |
|  | RESIDENTIAL (RM)(RH) |  | NEW COMMUNITY DEVELOPMENT |
|  | RESIDENTIAL - OFFICE - INSTUTIONAL |  | PRESERVATION |
|  | COMMERCIAL LIMITED (CL)(CG) |  | UTILITY |
|  | COMMERCIAL SERVICE (CS)(CH) |  | SLC RESIDENTIAL URBAN ZONED |
|  | INDUSTRIAL (HI)(LI) |  | SLC COMMERCIAL |
|  | CRA Limits |  | City Limits |
| | |  | Urban Service Boundary |

Date:
2/7/2014

Tech:
DG

MISGIS#:
misgis0095

Page:
1 of 1

Sec. 158.101. Open Space Conservation Zoning District (OSC).

(A) Purpose. The purpose of the open space conservation zoning district (OSC) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the conservation of open space and the natural environment, while allowing the limited use of said areas for recreational and open space activities.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

- (1) Open space devoted to the conservation and maintenance of natural waterways, vegetation, and wild life.
- (2) Hiking and/or bicycle trails.
- (3) Nature study areas and boardwalks.
- (4) Picnic areas.
- (5) Boat ramps or docks.
- (6) Experimental stations (public or private).
- (7) Observation towers or platforms.
- (8) Pavilions for outdoor exhibits and special nature study instruction.

(C) Special Exception Uses. The following uses may be permitted only following the review and specific approval thereof by the City Council. Building coverage and maximum building height shall be limited to that specifically approved under special exception review.

- (1) Camping area (public or non-profit).
- (2) Drainage areas serving adjacent development.
- (3) Wireless communication antennas and towers, as set forth in Section 158.213.

(D) Accessory Uses. As set forth in Section 158.217.

(E) Minimum Lot Requirements. No minimum requirements.

(F) Maximum Building Coverage. Building coverage shall be established for each specific use as part of the site plan review process.

(G) Maximum Building Height. Maximum building height shall be established for each specific use as part of the site plan review

(H) Setback Requirements and Buffering. All yard requirements shall be established for each specific use as part of the site plan review process. When applicable, buffering shall be provided in accordance with the landscaping requirements of Chapter 154.

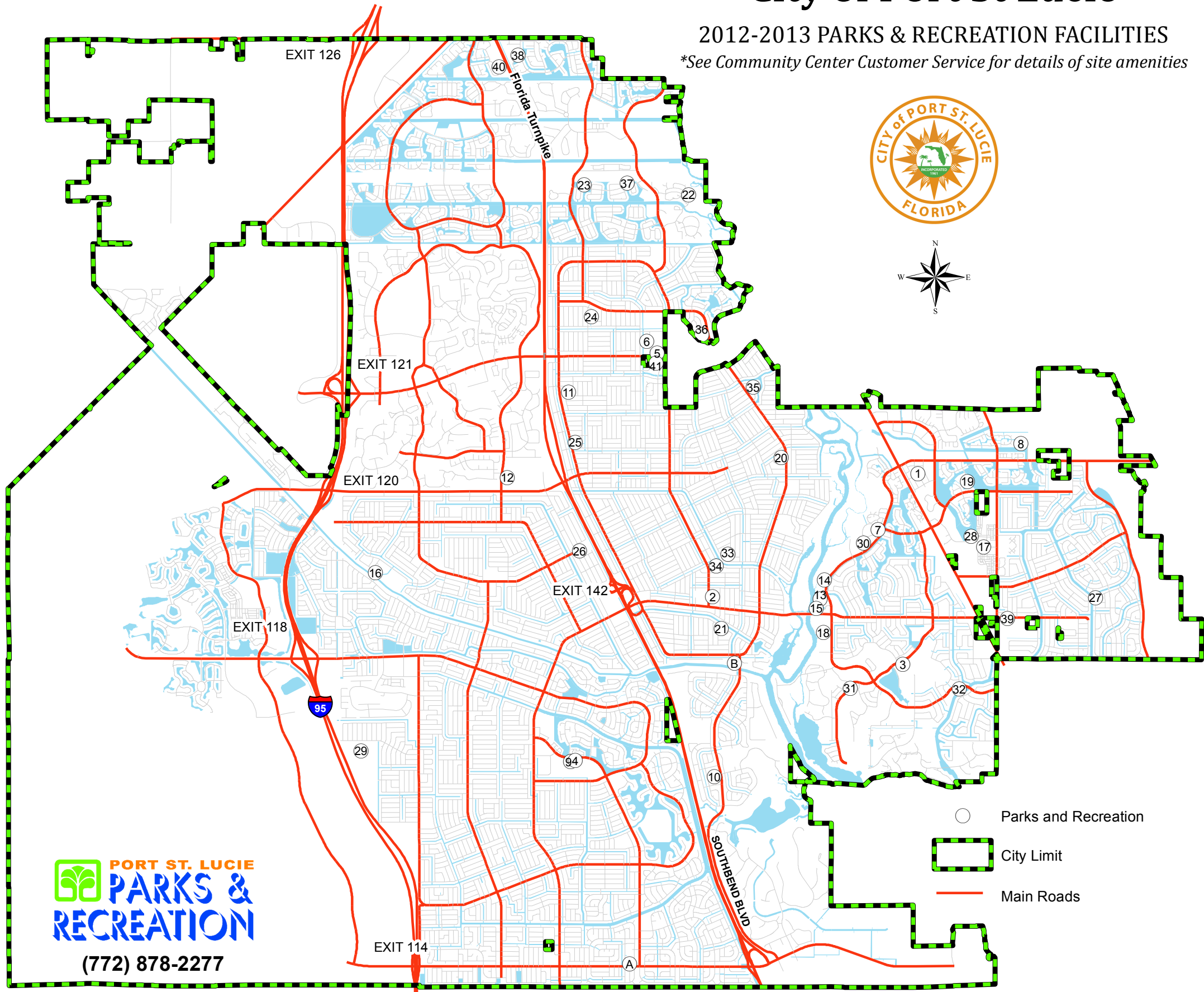
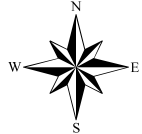
(I) Off-Street Parking and Service Requirements. As set forth in Section 158.221.

(J) Site Plan Review. All permitted and special exception uses shall be subject to the provisions of sections 158.235 through 158.245.

City of Port St Lucie

2012-2013 PARKS & RECREATION FACILITIES

*See Community Center Customer Service for details of site amenities



(772) 878-2277

ADMINISTRATION / CENTERS / GOLF COURSE

- PSL Civic Center, 9221 SE Civic Center Place, (772) 807-4488
 - Martin Health System Village Square
 - Interactive Play Fountain
 - Parking Garage (free 700+ parking spaces)
- Community Center / Parks & Recreation Main Office, 2195 SE Airoso Blvd., (772) 878-2277
- The Saints at Port St. Lucie Golf Course, 2601 SE Morningside Blvd., (772) 398-2901
- Robert E. Minsky Gymnasium, 750 SW Darwin Blvd., (772) 344-4142

COMMUNITY PARKS: Developed Active Use Facilities (night use & lights)

- Sportsman's Park, 201 NW Prima Vista Blvd. (night use & lights)
- Sportsman's Park West, 220 NW Irving St. (football fields & track with lights)
- Lyngate Park, 1301 SE Lyngate Dr. (night use & lights)
- Sandhill Crane Park, 2355 SE Scenic Park Dr. (off Walton Rd.) (night use & lights)
- Whispering Pines Park, 800 SW Darwin Blvd. (night use & lights)
 - Skate City (facility closed)
- Jessica Clinton Park, 3200 SE Southbend Blvd. (night use & lights)

COMMUNITY SOCCER PARKS: Primary Soccer Use Facilities

- Swan Park, 700 SW Carmelite St. (night use & lights)
- William McChesney Park, 1585 SW Cashmere Blvd. St Lucie West (night use & lights)

COMMUNITY SPECIAL FACILITIES

- Veterans Park @ Rivergate, 2200 SE Veterans Memorial Pkwy. (boat ramps open 24 hours with lighted boardwalk on St Lucie River)
- Veterans Memorial Park, 2100 SE Veterans Memorial Pkwy. (ceremonial grounds & monuments)
- Tom Hooper Park, 2340 SE Rivergate Pkwy (lighted & boardwalk on St Lucie River)
- Oak Hammock Park, 1982 SW Villanova Rd. (boat ramp on C-24 canal & trails)
- Mary Ann Cernuto Park, 2060 SE Grand Dr. (central plaza in East Lake Village)
- Botanical Gardens, 2410 SE Westmoreland Blvd., (772) 337-1959

NEIGHBORHOOD PARKS: Active & Passive Use Facilities (closed at dusk)

- Rotary Park, 2101 SE Tiffany Ave.
- Kiwanis Park, 1320 SE Floresta Dr.
- Fred Cook Park, 400 SE Glenwood Ave.
- River Place Park, 690 Bayou Country Rd. (off St. James Dr. / Lazy River Pkwy.)
- Charles E. Ray Park, 5626 NW Manville Dr. (covered basketball / pavillion)
- Girl Scout Friendship Park, 315 NW Heather St.
- Jaycee Park, 1301 SW Bayshore Blvd.
 - YMCA Program Center at Park, (772) 878-7337
- Turtle Run Park, 1945 SW Cameo Blvd.
- PSL Elks Lodge #2658 / Friendship Park, 2264 SE West Blackwell Dr.
- Woodstork Trail, 1957 SE Hillmoor Dr. (sidewalk trail around lake)
- O.L. Peacock Sr. Park / Lake, 1950 SW Dreyfuss Blvd.

NEIGHBORHOOD OPEN SPACES: Limited or No Facilities (closed at dusk)

- Midport Lake, 1800 SE Veterans Memorial Pkwy. (model boating and dogs permitted on leash)
- Loyalty Park, 2810 SE Morningside Blvd.
- Sandpiper Bay Park, 1870 SE Westmoreland Blvd.
- Doat Park, 425 SE Doat St.
- Whitmore Park, 474 SE Whitmore Dr.
- Harborview Park, 624 SE Harborview Dr.
- Gulf Stream Park, 210 NE Ardsley Dr.
- Ian T. Zook Park, 5600 NW Manville Dr.
- Milner Tot Lot, 5160 NW Milner Dr.
- Mariposa Cane Slough Preserve, 2280 SE Mariposa Ave.
- Winterlakes Park, 5241 NW Jannebo St.
- Ravenswood Racquetball Courts, 400 SW Ravenswood Ln. (currently closed)

OTHER FACILITIES

- (A) Treasure Coast Model Railroad Club, 273 SW Becker Rd., (772) 621-9636
- (B) Canal Park, Oakridge Dr. (Under design / construction 2012-13)

Exhibit E-5

Tract G-4

Project Correspondence



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

September 16, 2016

Mr. Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie Parks and Recreation Department
2195 S.E. Airoso Blvd.
Port St. Lucie, FL 34984

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

The Florida Department of Transportation (FDOT) is conducting a PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. **Figure 1 – Project Location Map** is attached and shows the project location. The project is located in the City of Port St. Lucie and St. Lucie County. Land uses along the corridor include several undeveloped parcels zoned Open Space Conservation and Canal 103 owned by the City of Port St. Lucie.

As part of the PD&E process, the FDOT will be seeking a Section 4(f) Determination of Applicability (DOA) from the Federal Highway Administration (FHWA). Section 4(f) of the US Department of Transportation Act of 1966 pertains to the protection of public resource lands such as parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance. In order to be considered a Section 4(f) resource a property must function or be designated as a significant public park, recreation area, wildlife/waterfowl refuge, or historic site. For additional information, please see Part II, Chapter 13 – Section 4(f), Page 13-6, of FDOT Project Development and Environment Manual that can be accessed through the following website: <http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm>

The FDOT is requesting your assistance (as jurisdictional agency) in determining the significance and function (both existing and planned facilities) of the following property in your agency's jurisdiction:

- Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-000-7)
- Tract H-15 (Parcel ID: 3420-735-0022-000-6)

- Tract H-17 (Parcel ID: 3420-735-0024-000-0)
- Tract G-4 (Parcel ID: 3420-741-0007-000-4)
- Tract F (Parcel ID: 3301-800-0010-000-2)

These properties are shown in in relationship to the project area on **Figure 2 – Potential Section 4(f) Properties**. The FHWA will make the formal determination of Section 4(f) applicability. To assist the FHWA with this determination, please provide a signed letter with an indication of significance for these properties. Within the context of Section 4(f), “significance” means that in comparing the availability and function of the property for park, wildlife refuge, or recreational objectives of the community, the property in question plays an important role in achieving those objectives.

As part of your response the following information is requested to be included in your Statement of Significance, if applicable. If the information is not applicable or not available, please state that in your response letter.

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

Attached is an example letter that can be used as a template for the Statement of Significance Letter that is needed.

If you need further information or have any questions, please contact either Christie Pritchard, Environmental Consultant at (561) 818-2751 or me at (954) 777-4415. Thank you for assistance and coordination with this project.

Sincerely,

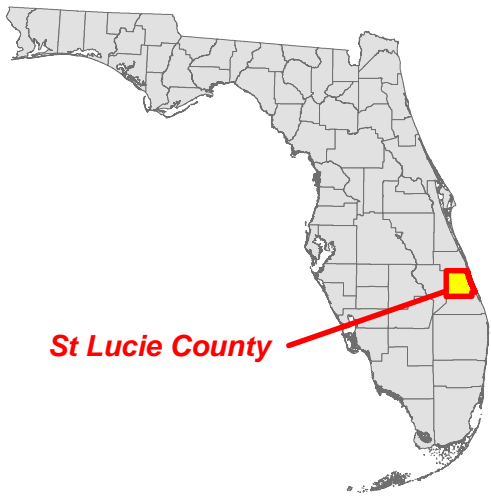
July C. Jimenez, P.E.
Project Manager
Florida Department of Transportation – District IV

Attachments: Figure 1 – Project Location Map
Figure 2 – Potential Section 4(f) Properties

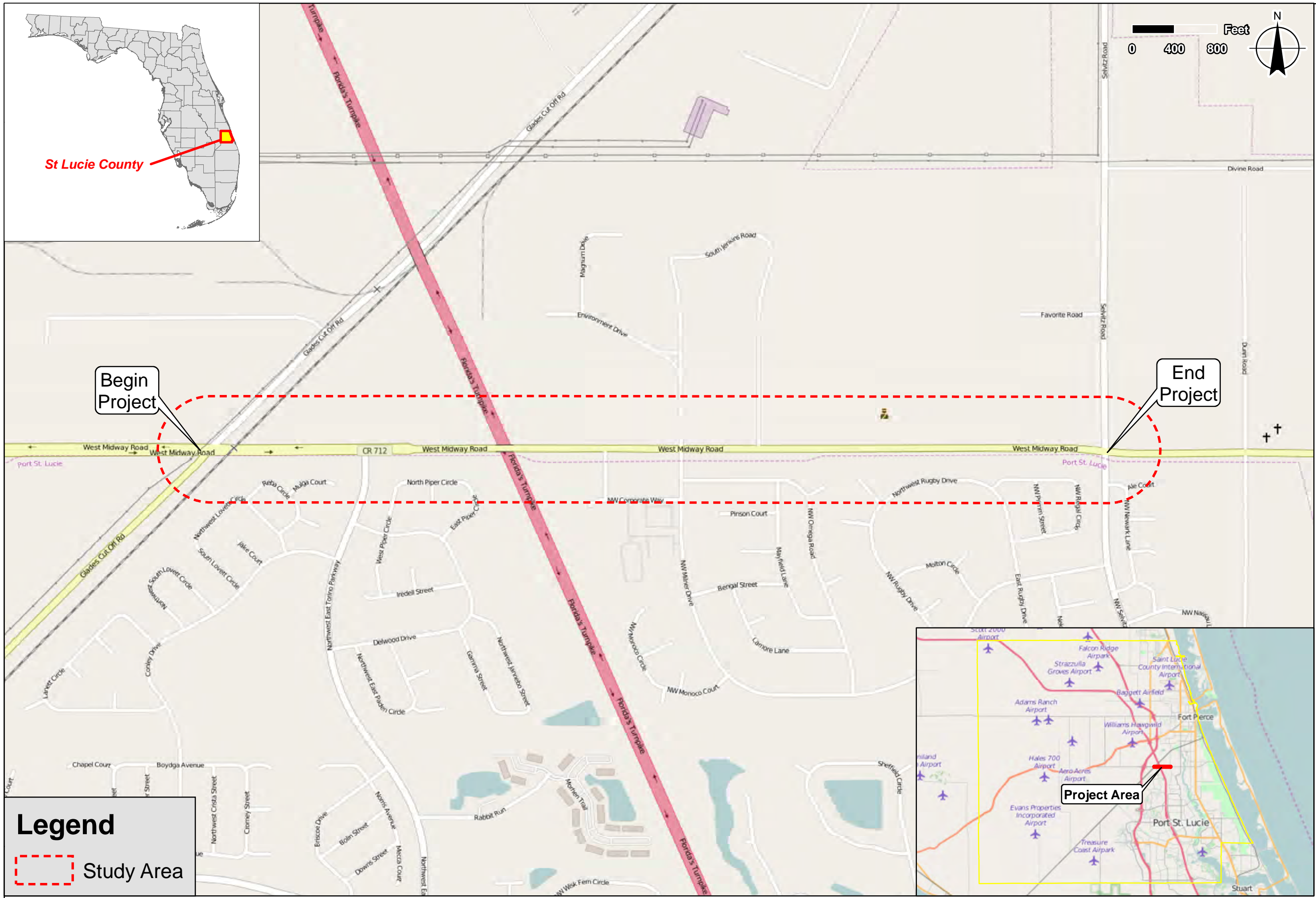
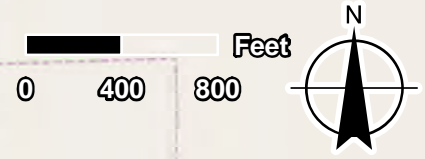
Mr. Sherman Conrad
September 16, 2016
Page 3

Sample Statement of Significance Letter

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers



St Lucie County



Begin Project

End Project

Legend

Study Area



Project Area



Project Location Map
 Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

1 inch = 800 feet

MAY 2016

FIGURE 1

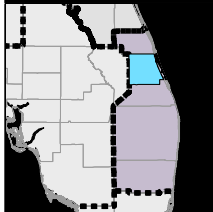
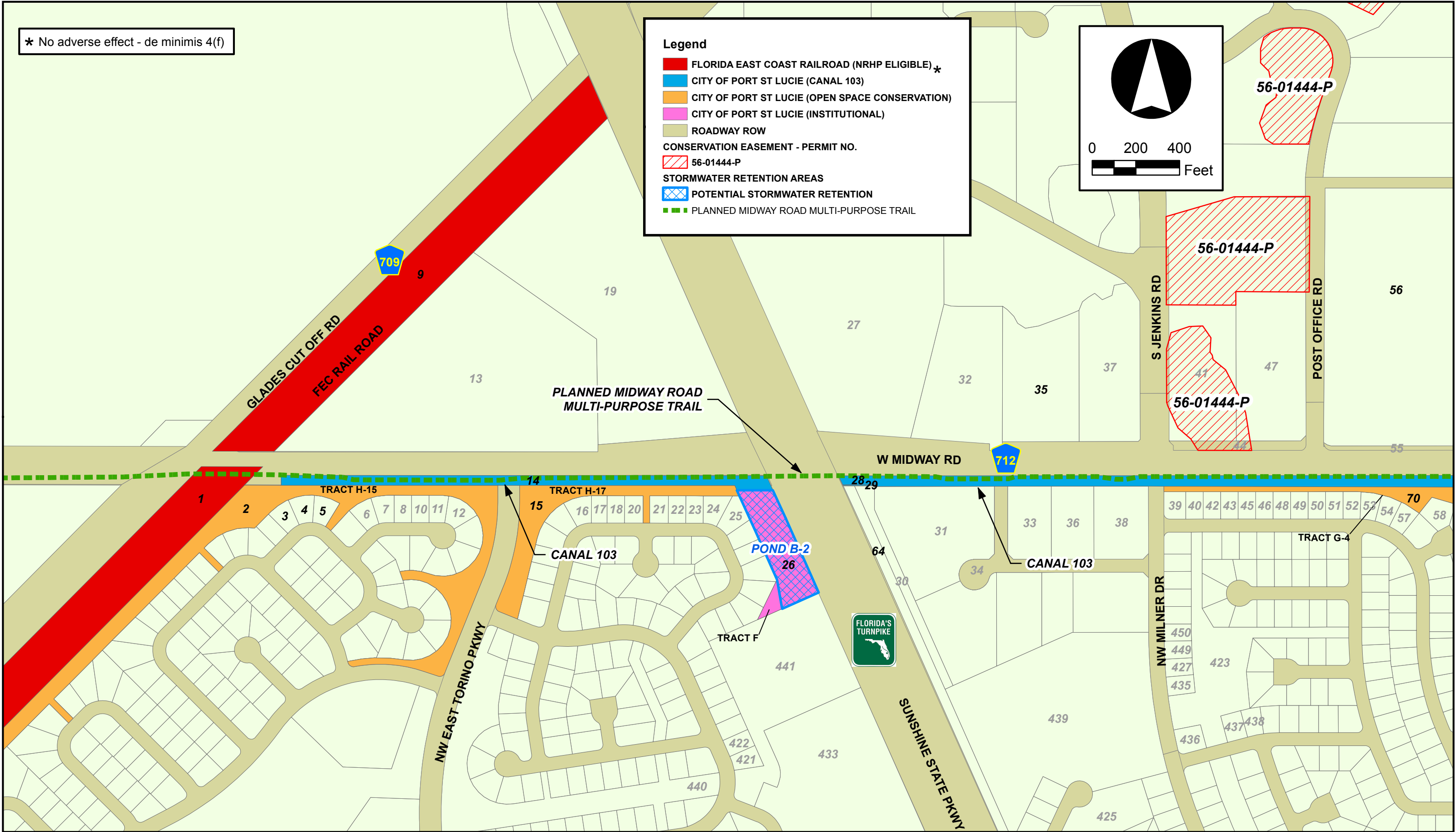
Source: Data courtesy of ESRI.

Document Path: K:\V\RB_E\Environment\14703 Midway Road PD&E\ENV\GIS\Map\Figure 1 - Project Location Map.mxd

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
- 56-01444-P
- STORMWATER RETENTION AREAS
- POTENTIAL STORMWATER RETENTION
- PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL



Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

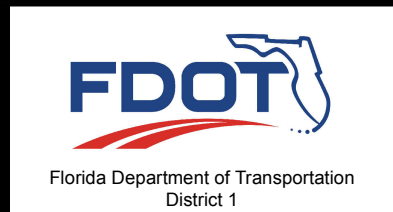
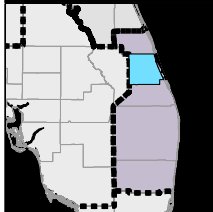
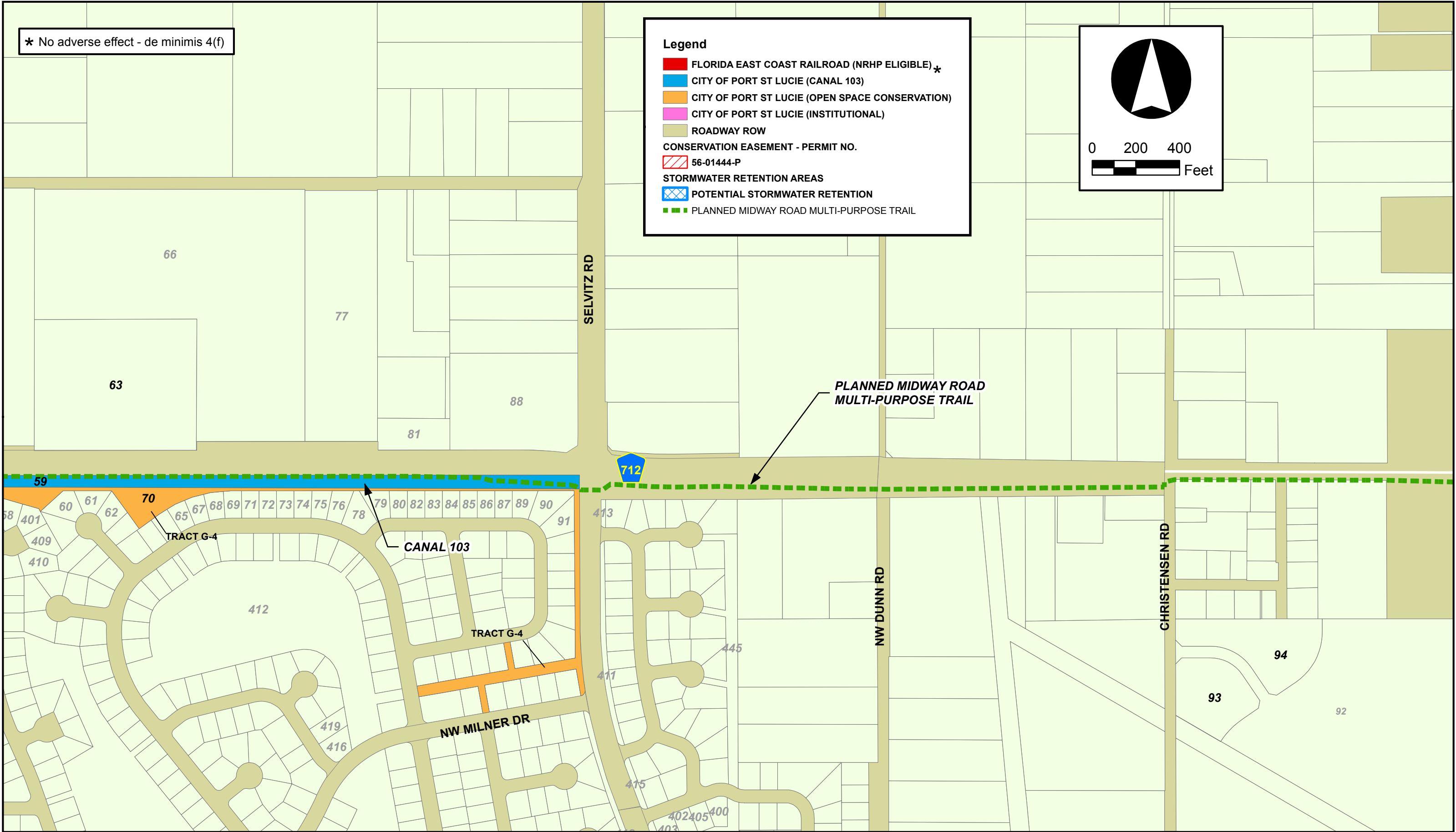
Figure 2
 SHEET
1 OF 2

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
 - 56-01444-P
- STORMWATER RETENTION AREAS
 - POTENTIAL STORMWATER RETENTION
 - PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL

0 200 400 Feet



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01
Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

SAMPLE

August 5, 2016

Ms. July Jimenez
Project Manager
Florida Department of Transportation - District 4
3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

In your letter dated August 5, 2016 to our Agency, you requested that we provide information regarding the significance of several properties owned by the City of Port St. Lucie in relationship to the ongoing Florida Department of Transportation (FDOT) PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. These properties included several undeveloped parcels and Canal 103.

In response to this request we are providing the following requested information for each property if it is applicable and available:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

The information is found in attachments to this letter. If you need further information or have any questions, please contact me at (954) 777-4415.

Sincerely,

Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie

City of Port St. Lucie - Section 4(f) Statement of Significance

Midway Road (CR 712) Widening PD&E Study

From Glades Cut Off Road to Selvitz Road

Introduction

The City of Port St. Lucie received a letter dated September 16, 2016 from the Florida Department of Transportation (FDOT), District Four requesting information regarding properties owned by the City and located adjacent to Midway Road (CR 712) from Glades Cutoff Road to Selvitz Road in St. Lucie County. The proposed project would widen the existing 2-lane rural roadway (no pedestrian or trail features) to a 4-lane urban roadway, including the construction of a shared-use path on the south side of the roadway and a sidewalk on the north side of the roadway.

The purpose of this Section 4(f) Statement of Significance is to provide the Federal Highway Administration (FHWA) with the information on function and use needed to determine the Section 4(f) applicability or non-applicability for five potential Section 4(f) uses associate with properties owned by the City of Port St. Lucie. These properties include:

1. Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-7)
2. Tract H-15 (Parcel ID: 3420-735-0022-000-6)
3. Tract H-17 (Parcel ID: 3420-735-0024-000-0)
4. Tract G-4 (Parcel ID: 3420-741-0007-000-4)
5. Tract F (Parcel ID: 3301-800-0010-000-2)

The requested information included the following:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

Section 4(f) Statement of Significance

City of Port St. Lucie

Management Plans

No management plans exist for any of the properties included in this Section 4(f) Statement of Significance. Canal 103 functions as a drainage canal.

Tract H-15, Tract H-17 and Tract G-4 are zoned Open Space Conservation and primarily function as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Tract F is zoned as Multi-Family Residential and is located adjacent to Winterlakes Park which is owned and managed by the City of Port St. Lucie. Tract F primary functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property. Expansion of, or use by visitors from Winterlakes Park does not exist and is not planned for Tract F.

Approximate date that these properties were designated as public resources.

The properties included in this Section 4(f) Statement of Significance have been owned by the City of Port St. Lucie since the mid 1980's. Exact dates of ownership are not readily available.

Description and location of all existing and planned facilities

The locations of the properties included in this Section 4(f) Statement of Significance have no existing or planned facilities.

Access (pedestrian, vehicular, etc.) and usage (approximate number of users)

Public access is not maintained or managed by the City of Port St. Lucie for any of the properties included in this Section 4(f) Statement of Significance. Occasional and dispersed use may occur.

Relationship to other similarly used lands in the vicinity of the property

Section 4(f) Statement of Significance

City of Port St. Lucie

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road by utilizing a portion of Canal 103 from just east of Selvitz Road to Selvitz Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. Among other stipulations, the construction of a “multi-purpose path” along the south side of Midway Road was included as a condition of the use of the City owned R/W.

Under the proposed build alternatives, the widening of Midway Road from Glades Cut Off Road to Selvitz Road would also include a “multi-purpose” trail. The inclusion of the trail would provide an additional segment for the trail through the project limits. The “multi-purpose” trail is a planned facility by St. Lucie County. The City of Port St. Lucie supports the inclusion of this “multi-purpose” trail within the project limits but the location of the trail is planned for the Midway Road R/W and is not planned for any properties included in this Section 4(f) Statement of Significance. The Transportation Element, Page 9 of the City of Port St. Lucie Comprehensive Plan includes a reference to the St Lucie TPO Bicycle and Pedestrian Plan. Page 9 of this document is included in **Attachment A**

Tract H-15, Tract H-17, Tract G-4 and Tract F are similar open space properties within the project corridor.

Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure

The North St. Lucie River Water Control District currently holds a non-exclusive drainage easement for maintenance and management of Canal 103. Any modifications to Canal 103 would require accommodation of the existing drainage. Build Alternative 1 would not modify Canal 103. Build Alternative 2 proposes to enclose Canal 103.

No other clauses affecting ownership exist for the properties included in this Section 4(f) Statement of Significance.

Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

Section 4(f) Statement of Significance

City of Port St. Lucie

Summary of Significance

The City of Port St Lucie-owned Canal 103 property functions and is significant for surface water drainage. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

The City of Port St. Lucie-owned Tracts H-15, H-17, G-4, and F function and are significant for use as vegetated open space. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Sample

Attachment A

City of Port St Lucie

Comprehensive Plan

- **City of Port St. Lucie Comprehensive Plan – Transportation Element – Page 9**

Sample

pedestrian facilities and the encouragement of their use serve several important purposes which benefit all of the citizens of Port St. Lucie including:

- 1) Health and physical benefits
- 2) Environmental benefits
- 3) Transportation benefits
- 4) Recreational benefits
- 5) Quality of life benefits

Sidewalk Program

Through the sidewalk program alone, the City has installed approximately 10.5 miles of sidewalk. In addition to the City's funds, the City has applied for and received confirmation of funding for an additional sidewalk project through the American Recovery And Reinvestment Act of 2009 (ARRA) stimulus program. In coordination with St. Lucie County, the City has received grant funding for sidewalks through the Safe Route to Schools Program.

The City currently requires that pedestrian and bicycle accommodations be incorporated into all development projects and urban roadway projects. Federal, State, and County guidelines also address the provision of bicycle and pedestrian facilities in conjunction with roadway improvement projects.

The St. Lucie TPO recently completed the St. Lucie County Bicycle, Pedestrian, Greenways & Trails Master Plan in 2008. The Master Plan inventoried all the existing sidewalks, bike paths, missing sidewalks, and provided suggestions to improve the system, many of which were located within the City of Port St. Lucie. These improvements primarily consisted of proposed sidewalks and bike lanes along arterials, proposed greenways and recreational trails, multi-purpose trails and canal trails. The analysis portion of the plan identified US-1, Port St. Lucie Boulevard, and St. Lucie West Boulevard as high bicycle and pedestrian crash corridors.

The City would like to continue to work towards the implementation of the St. Lucie TPO Bicycle and Pedestrian Plan. In addition, the plan calls for the establishment of sidewalks on both sides of arterial and collector streets, where they do not currently exist.

The City has developed a process for reviewing and prioritizing sidewalk locations for construction with the assistance of the Engineering Department, Planning and Zoning Department, Parks Department, members of the School Board, and the Police Department. Many factors are considered when selecting the locations including the proximity to a school, number of bus stops, existing sidewalks in the area, number of users, the speed limit on adjacent roads, existing drainage conditions, obstacles, right-of-way width, safety hazards, and estimated costs. Ultimately, the priority locations are approved by City Council and constructed as funding permits.

The Martin MPO/St. Lucie TPO 2035 Regional Long Range Transportation Plan (RLRTP) outlines plans for the Treasure Coast Loop Trail. The project, which will be built to multi-use trail standards, is planned to be a greenway trail connecting Martin and St. Lucie Counties. The Treasure Coast Trail will also serve to improve non-motorized access to areas within the eastern core of the Counties, as well as access to and from Hutchinson Island. The Trail is projected to extend along Green River Parkway through the City.

Appendix F

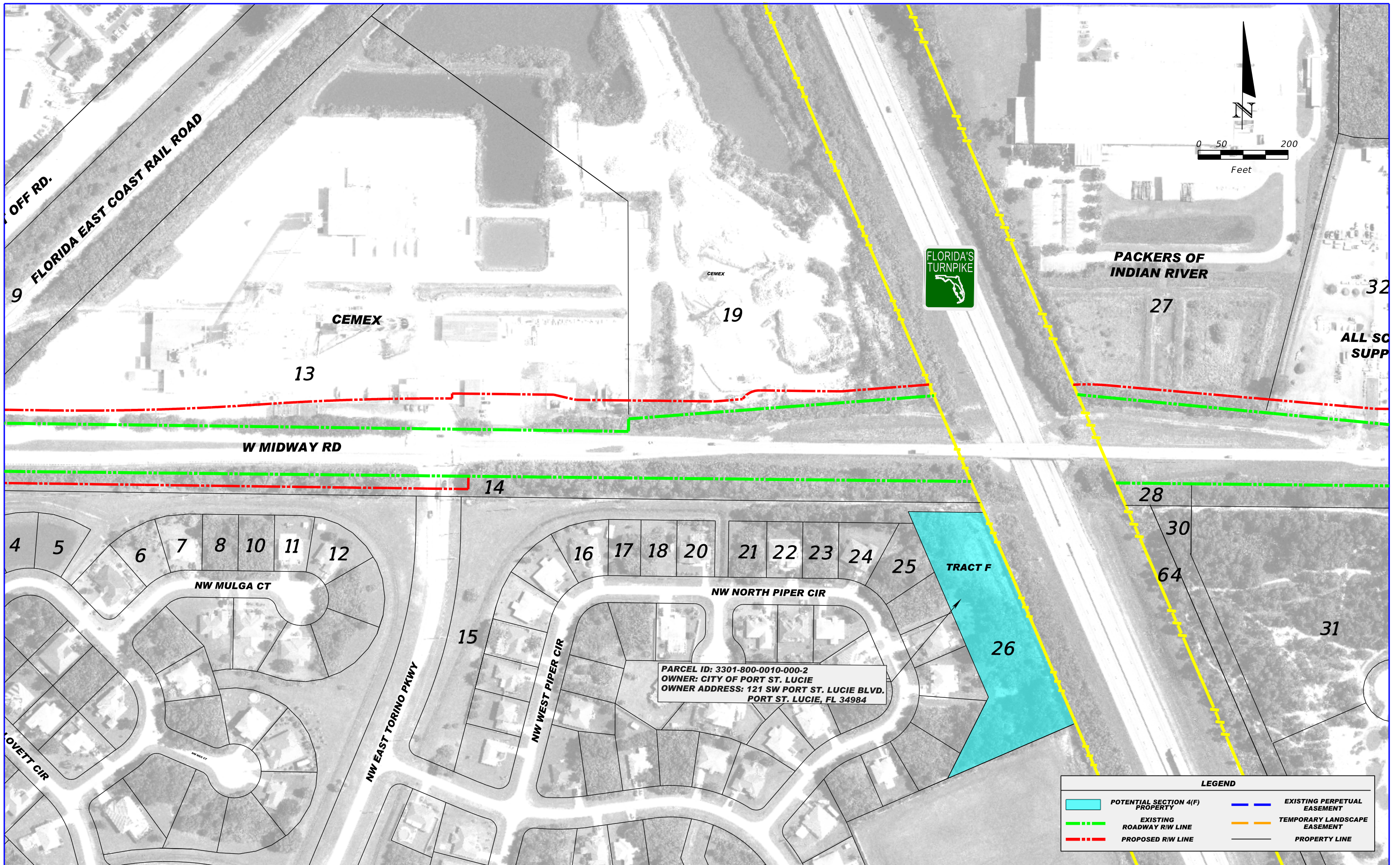
Tract F Documentation

- **Exhibit F-1 – Tract F Location – Build Alternative 1**
- **Exhibit F-2 – Tract F Location – Build Alternative 2**
- **Exhibit F-3 – Tract F Photographs**
- **Exhibit F-4 – Tract F Ownership, Management and Function Documentation**
- **Exhibit F-5 – Tract F Project Correspondence**

Exhibit F-1

Tract F

Location – Build Alternative 1



PARCEL ID: 3301-800-0010-000-2
 OWNER: CITY OF PORT ST. LUCIE
 OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
 PORT ST. LUCIE, FL 34984

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

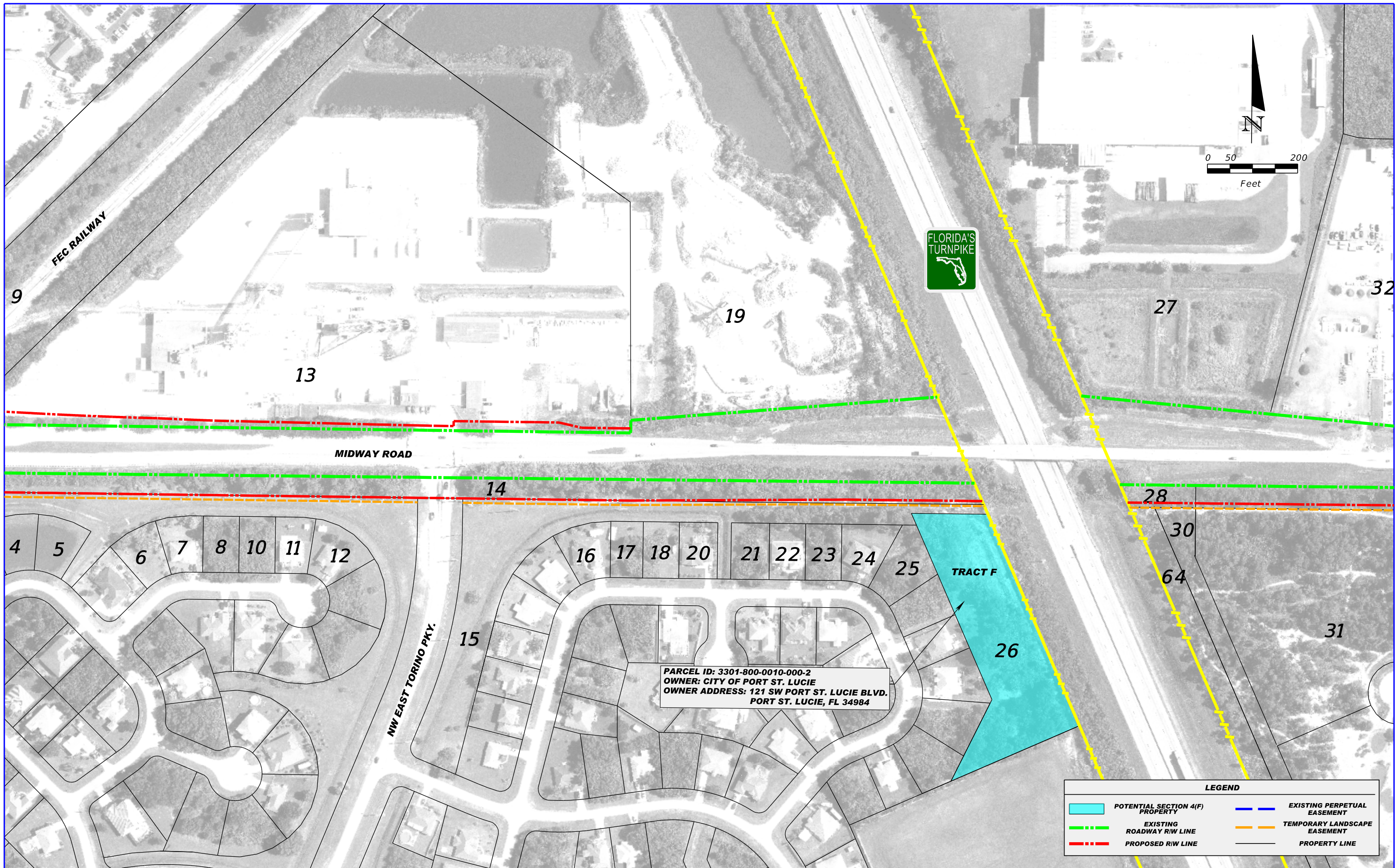
EXHIBIT F-1
TRACT F LOCATION
BUILD ALTERNATIVE 1

SHEET NO.
 1

Exhibit F-2

Tract F

Location – Build Alternative 2



PARCEL ID: 3301-800-0010-000-2
OWNER: CITY OF PORT ST. LUCIE
OWNER ADDRESS: 121 SW PORT ST. LUCIE BLVD.
PORT ST. LUCIE, FL 34984

LEGEND			
	POTENTIAL SECTION 4(F) PROPERTY		EXISTING PERPETUAL EASEMENT
	EXISTING ROADWAY R/W LINE		TEMPORARY LANDSCAPE EASEMENT
	PROPOSED R/W LINE		PROPERTY LINE

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT F-2
TRACT F LOCATION
BUILD ALTERNATIVE 2

SHEET NO.
 1

Exhibit F-3
Tract F
Photographs



Inside North Area of Winter Lakes Park Facing North Toward Tract F



On Florida's Turnpike Overpass Facing Southwest



On Florida's Turnpike Overpass Facing West

Exhibit F-4

Tract F

Ownership, Management and Function Documentation

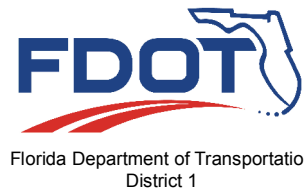
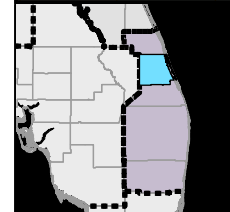
- **St. Lucie County Plat Book – 40J**
- **St. Lucie County Property Appraiser Maps**
- **City of Port St. Lucie Future Land Use Map**
- **City of Port St. Lucie Parks Map**



0 100 200
Feet



Parcel ID: 3301-800-0010-000-2
Zoning: RM-5 - PSL
Jurisdiction: Port St. Lucie
Ownership: City of Port St. Lucie

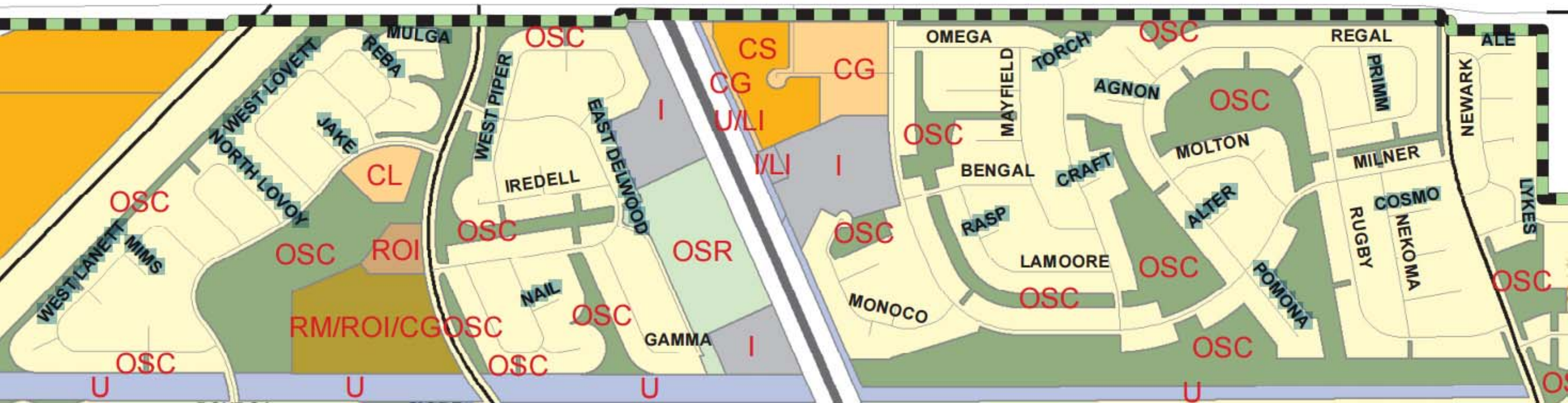



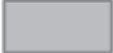



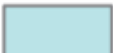











Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01

ST. LUCIE COUNTY PROPERTY APPRAISER INFORMATION

Map ID
26

City of Port St. Lucie Future Land Use



- | | |
|---|---|
|  SLC AGRICULTURAL |  INSTUTIONAL |
|  RESIDENTIAL (RL)(RGC) |  RECREATION OPEN SPACE |
|  RESIDENTIAL (RM)(RH) |  NEW COMMUNITY DEVELOPMENT |
|  RESIDENTIAL - OFFICE - INSTUTIONAL |  PRESERVATION |
|  COMMERCIAL LIMITED (CL)(CG) |  UTILITY |
|  COMMERCIAL SERVICE (CS)(CH) |  SLC RESIDENTIAL URBAN ZONED |
|  INDUSTRIAL (HI)(LI) |  SLC COMMERCIAL |
|  CRA Limits |  City Limits |
| |  Urban Service Boundary |

Date:
2/7/2014

Tech:
DG

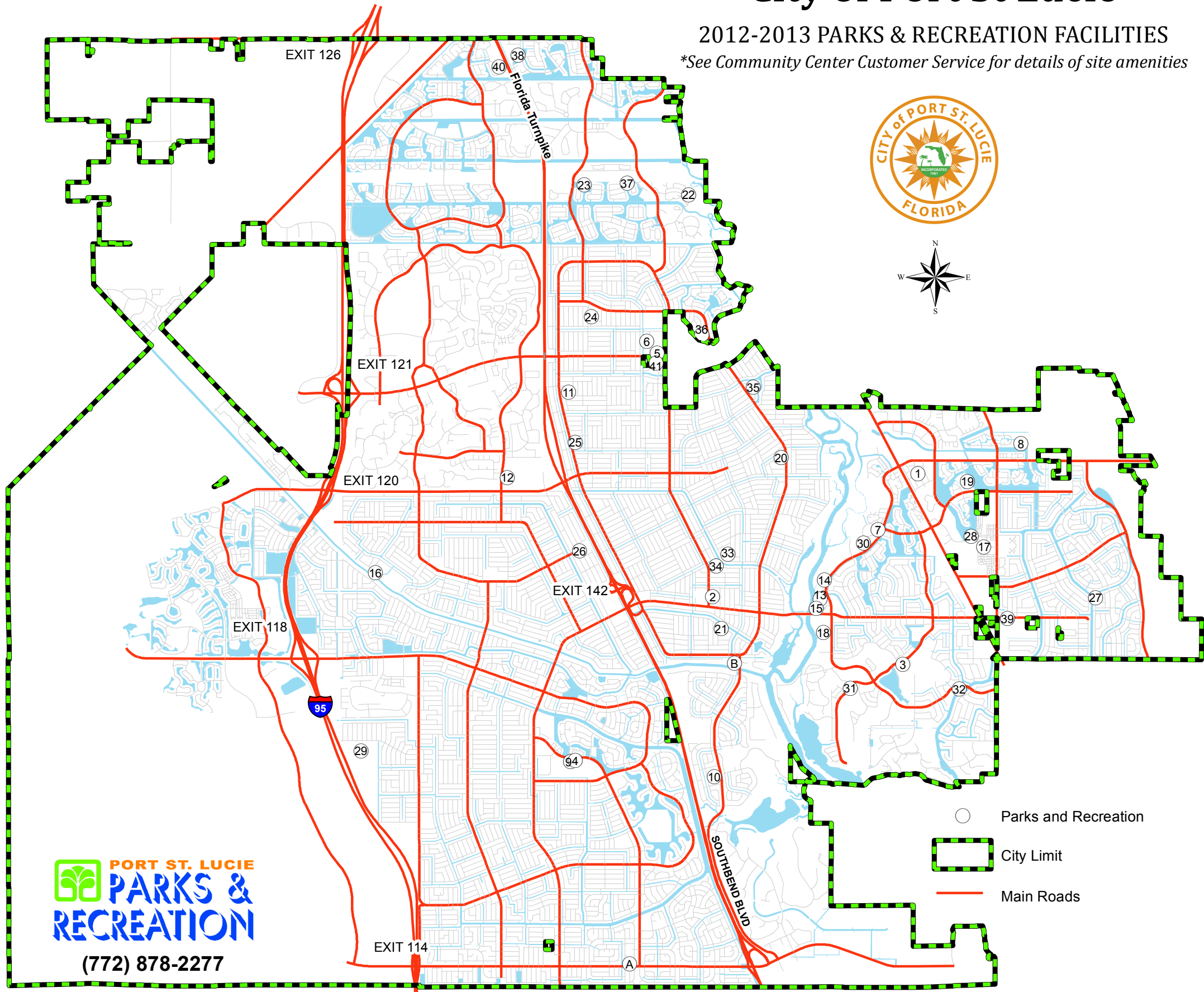
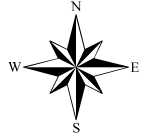
MISGIS#:
misgis0095

Page:
1 of 1

City of Port St Lucie

2012-2013 PARKS & RECREATION FACILITIES

*See Community Center Customer Service for details of site amenities



(772) 878-2277

- Parks and Recreation
- ▭ City Limit
- Main Roads

ADMINISTRATION / CENTERS / GOLF COURSE

1. PSL Civic Center, 9221 SE Civic Center Place, (772) 807-4488
 - Martin Health System Village Square
 - Interactive Play Fountain
 - Parking Garage (free 700+ parking spaces)
2. Community Center / Parks & Recreation Main Office, 2195 SE Airoso Blvd., (772) 878-2277
3. The Saints at Port St. Lucie Golf Course, 2601 SE Morningside Blvd., (772) 398-2901
4. Robert E. Minsky Gymnasium, 750 SW Darwin Blvd., (772) 344-4142

COMMUNITY PARKS: Developed Active Use Facilities (night use & lights)

5. Sportsman's Park, 201 NW Prima Vista Blvd. (night use & lights)
6. Sportsman's Park West, 220 NW Irving St. (football fields & track with lights)
7. Lyngate Park, 1301 SE Lyngate Dr. (night use & lights)
8. Sandhill Crane Park, 2355 SE Scenic Park Dr. (off Walton Rd.) (night use & lights)
9. Whispering Pines Park, 800 SW Darwin Blvd. (night use & lights)
 - Skate City (facility closed)
10. Jessica Clinton Park, 3200 SE Southbend Blvd. (night use & lights)

COMMUNITY SOCCER PARKS: Primary Soccer Use Facilities

11. Swan Park, 700 SW Carmelite St. (night use & lights)
12. William McChesney Park, 1585 SW Cashmere Blvd. St Lucie West (night use & lights)

COMMUNITY SPECIAL FACILITIES

13. Veterans Park @ Rivergate, 2200 SE Veterans Memorial Pkwy. (boat ramps open 24 hours with lighted boardwalk on St Lucie River)
14. Veterans Memorial Park, 2100 SE Veterans Memorial Pkwy. (ceremonial grounds & monuments)
15. Tom Hooper Park, 2340 SE Rivergate Pkwy (lighted & boardwalk on St Lucie River)
16. Oak Hammock Park, 1982 SW Villanova Rd. (boat ramp on C-24 canal & trails)
17. Mary Ann Cernuto Park, 2060 SE Grand Dr. (central plaza in East Lake Village)
18. Botanical Gardens, 2410 SE Westmoreland Blvd., (772) 337-1959

NEIGHBORHOOD PARKS: Active & Passive Use Facilities (closed at dusk)

19. Rotary Park, 2101 SE Tiffany Ave.
20. Kiwanis Park, 1320 SE Floresta Dr.
21. Fred Cook Park, 400 SE Glenwood Ave.
22. River Place Park, 690 Bayou Country Rd. (off St. James Dr. / Lazy River Pkwy.)
23. Charles E. Ray Park, 5626 NW Manville Dr. (covered basketball / pavillion)
24. Girl Scout Friendship Park, 315 NW Heather St.
25. Jaycee Park, 1301 SW Bayshore Blvd.
 - YMCA Program Center at Park, (772) 878-7337
26. Turtle Run Park, 1945 SW Cameo Blvd.
27. PSL Elks Lodge #2658 / Friendship Park, 2264 SE West Blackwell Dr.
28. Woodstork Trail, 1957 SE Hillmoor Dr. (sidewalk trail around lake)
29. O.L. Peacock Sr. Park / Lake, 1950 SW Dreyfuss Blvd.

NEIGHBORHOOD OPEN SPACES: Limited or No Facilities (closed at dusk)

30. Midport Lake, 1800 SE Veterans Memorial Pkwy. (model boating and dogs permitted on leash)
31. Loyalty Park, 2810 SE Morningside Blvd.
32. Sandpiper Bay Park, 1870 SE Westmoreland Blvd.
33. Doat Park, 425 SE Doat St.
34. Whitmore Park, 474 SE Whitmore Dr.
35. Harborview Park, 624 SE Harborview Dr.
36. Gulf Stream Park, 210 NE Ardsley Dr.
37. Ian T. Zook Park, 5600 NW Manville Dr.
38. Milner Tot Lot, 5160 NW Milner Dr.
39. Mariposa Cane Slough Preserve, 2280 SE Mariposa Ave.
40. Winterlakes Park, 5241 NW Jannebo St.
41. Ravenswood Racquetball Courts, 400 SW Ravenswood Ln. (currently closed)

OTHER FACILITIES

- (A) Treasure Coast Model Railroad Club, 273 SW Becker Rd., (772) 621-9636
- (B) Canal Park, Oakridge Dr. (Under design / construction 2012-13)

Exhibit F-5

Tract F

Project Correspondence



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

September 16, 2016

Mr. Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie Parks and Recreation Department
2195 S.E. Airoso Blvd.
Port St. Lucie, FL 34984

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

The Florida Department of Transportation (FDOT) is conducting a PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. **Figure 1 – Project Location Map** is attached and shows the project location. The project is located in the City of Port St. Lucie and St. Lucie County. Land uses along the corridor include several undeveloped parcels zoned Open Space Conservation and Canal 103 owned by the City of Port St. Lucie.

As part of the PD&E process, the FDOT will be seeking a Section 4(f) Determination of Applicability (DOA) from the Federal Highway Administration (FHWA). Section 4(f) of the US Department of Transportation Act of 1966 pertains to the protection of public resource lands such as parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance. In order to be considered a Section 4(f) resource a property must function or be designated as a significant public park, recreation area, wildlife/waterfowl refuge, or historic site. For additional information, please see Part II, Chapter 13 – Section 4(f), Page 13-6, of FDOT Project Development and Environment Manual that can be accessed through the following website: <http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm>

The FDOT is requesting your assistance (as jurisdictional agency) in determining the significance and function (both existing and planned facilities) of the following property in your agency's jurisdiction:

- Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-000-7)
- Tract H-15 (Parcel ID: 3420-735-0022-000-6)

- Tract H-17 (Parcel ID: 3420-735-0024-000-0)
- Tract G-4 (Parcel ID: 3420-741-0007-000-4)
- Tract F (Parcel ID: 3301-800-0010-000-2)

These properties are shown in in relationship to the project area on **Figure 2 – Potential Section 4(f) Properties**. The FHWA will make the formal determination of Section 4(f) applicability. To assist the FHWA with this determination, please provide a signed letter with an indication of significance for these properties. Within the context of Section 4(f), “significance” means that in comparing the availability and function of the property for park, wildlife refuge, or recreational objectives of the community, the property in question plays an important role in achieving those objectives.

As part of your response the following information is requested to be included in your Statement of Significance, if applicable. If the information is not applicable or not available, please state that in your response letter.

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

Attached is an example letter that can be used as a template for the Statement of Significance Letter that is needed.

If you need further information or have any questions, please contact either Christie Pritchard, Environmental Consultant at (561) 818-2751 or me at (954) 777-4415. Thank you for assistance and coordination with this project.

Sincerely,

July C. Jimenez, P.E.
Project Manager
Florida Department of Transportation – District IV

Attachments: Figure 1 – Project Location Map
Figure 2 – Potential Section 4(f) Properties

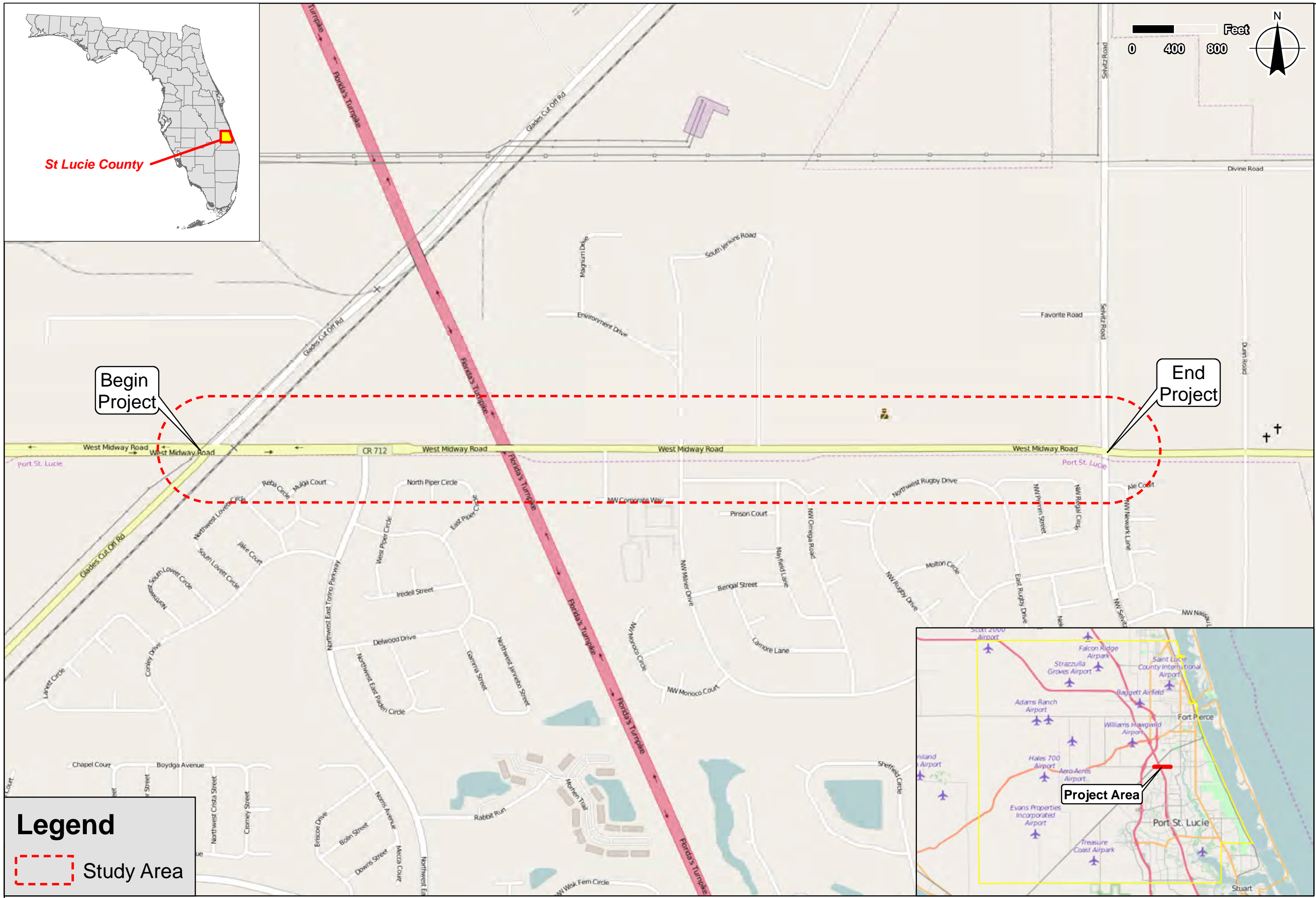
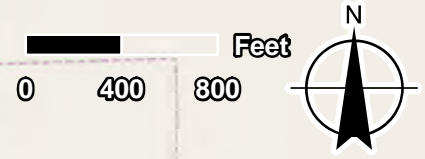
Mr. Sherman Conrad
September 16, 2016
Page 3

Sample Statement of Significance Letter

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers



St Lucie County

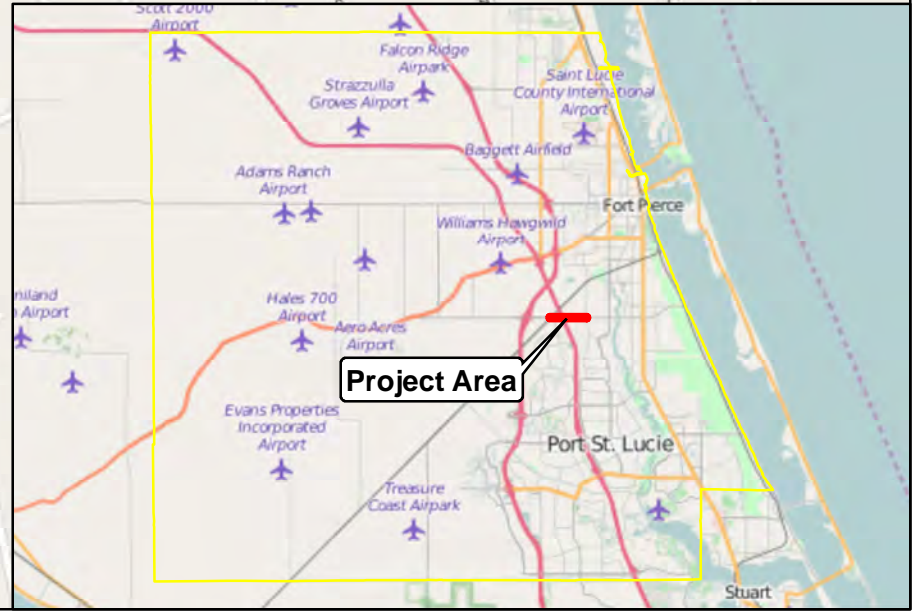


Begin Project

End Project

Legend

Study Area



Project Area



Project Location Map
 Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

1 inch = 800 feet

MAY 2016

FIGURE 1

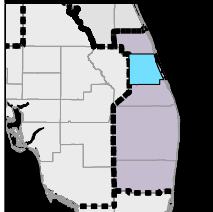
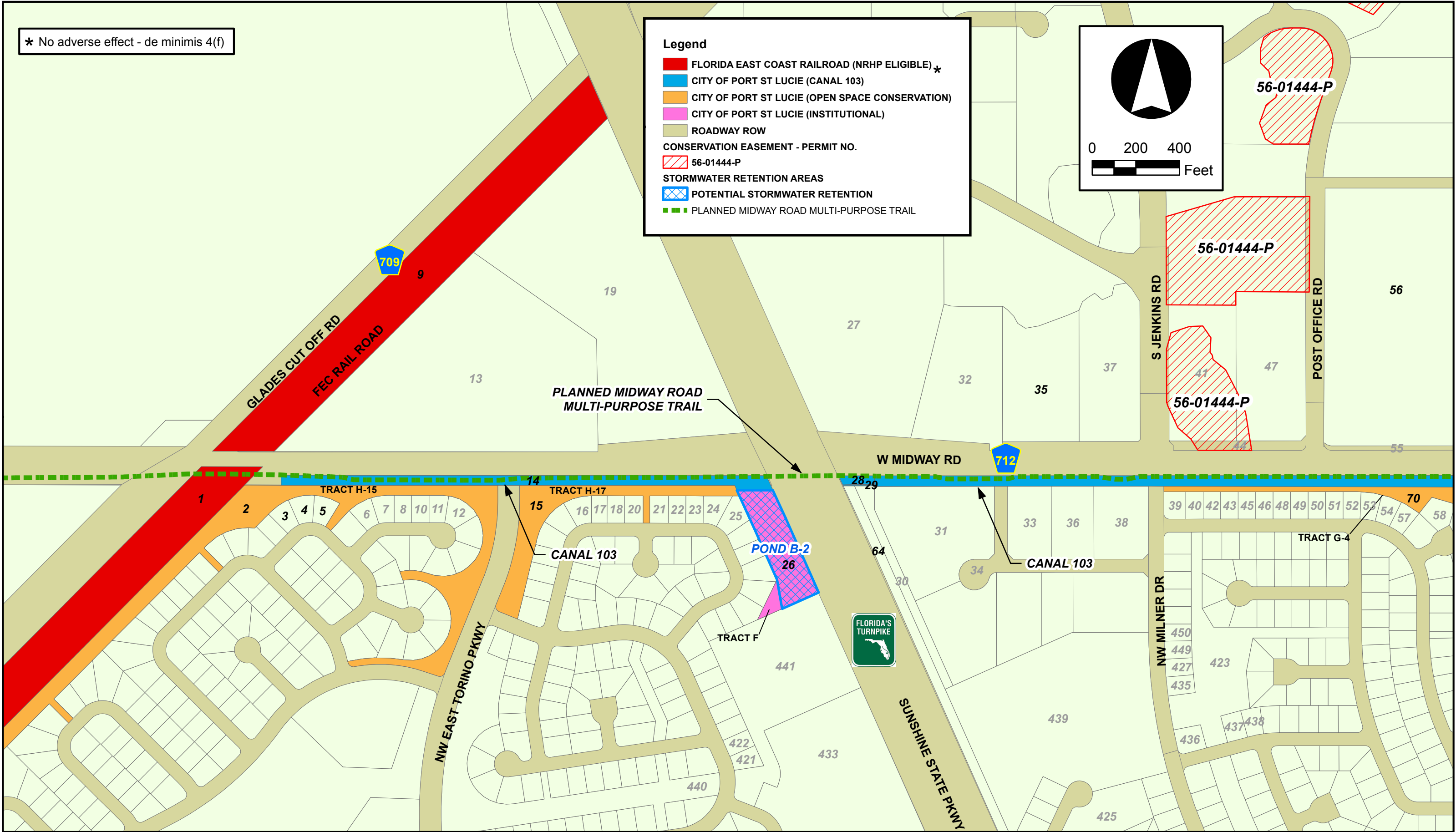
Source: Data courtesy of ESRI.

Document Path: K:\V\RB_E\Environmental\1703 Midway Road PD&E\ENV\GIS\Map\Figure 1 - Project Location Map.mxd

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
- 56-01444-P
- STORMWATER RETENTION AREAS
- POTENTIAL STORMWATER RETENTION
- PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL



Florida Department of Transportation
District 1

Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

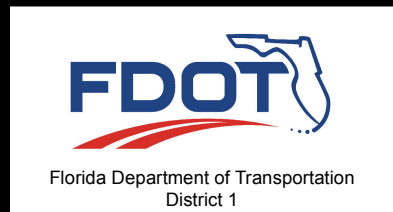
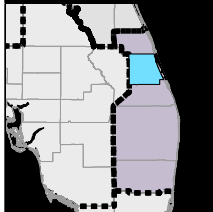
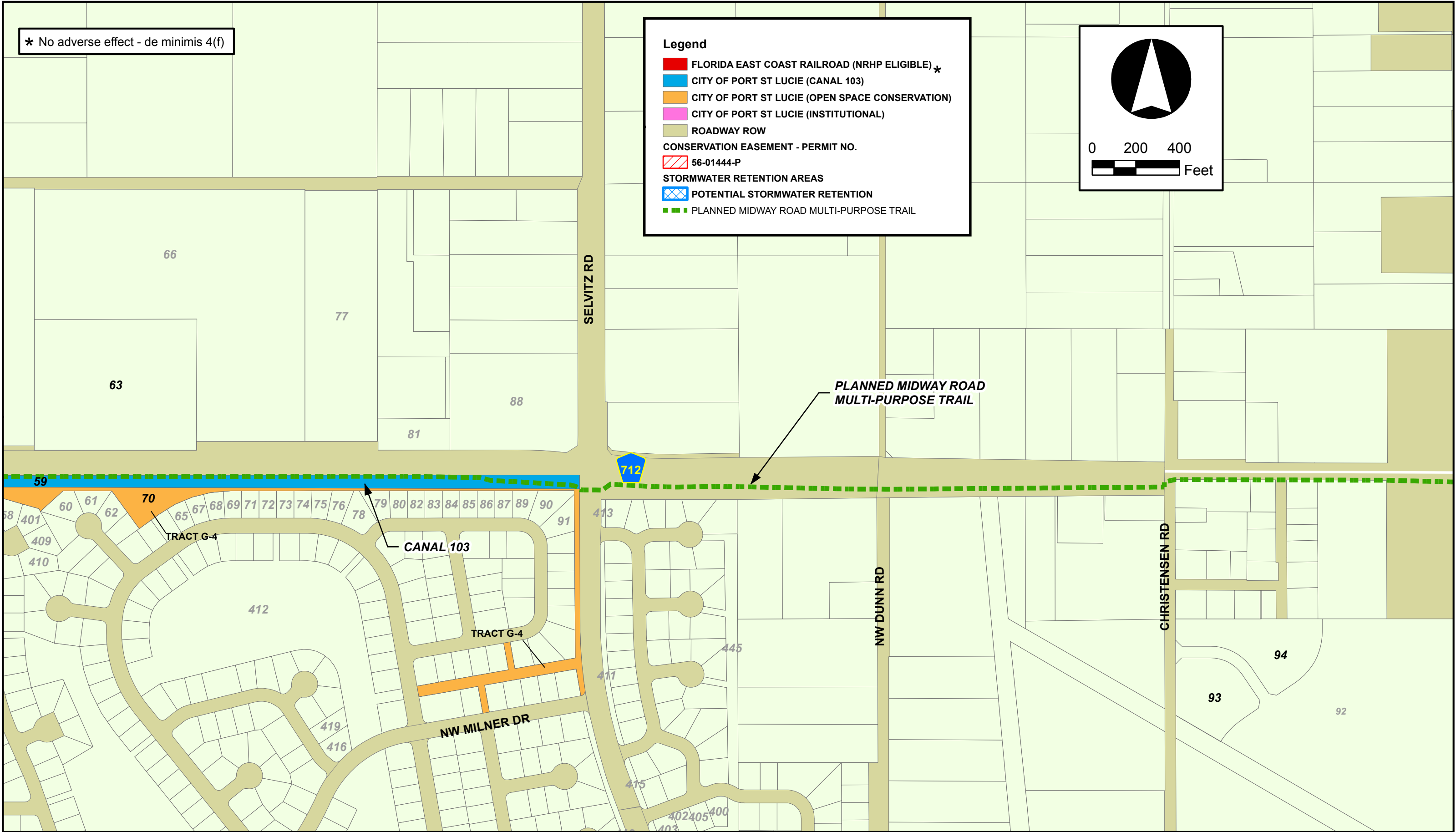
POTENTIAL SECTION 4(f) PROPERTIES

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
 - 56-01444-P
- STORMWATER RETENTION AREAS
 - POTENTIAL STORMWATER RETENTION
 - PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL

0 200 400 Feet



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01
Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

SAMPLE

August 5, 2016

Ms. July Jimenez
Project Manager
Florida Department of Transportation - District 4
3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

Re: State of Significance – Canal 103, Tract H-15, Tract H-17, Tract G-4, Tract F
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

In your letter dated August 5, 2016 to our Agency, you requested that we provide information regarding the significance of several properties owned by the City of Port St. Lucie in relationship to the ongoing Florida Department of Transportation (FDOT) PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. These properties included several undeveloped parcels and Canal 103.

In response to this request we are providing the following requested information for each property if it is applicable and available:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

The information is found in attachments to this letter. If you need further information or have any questions, please contact me at (954) 777-4415.

Sincerely,

Sherman Conrad
Parks and Recreation Director
City of Port St. Lucie

City of Port St. Lucie - Section 4(f) Statement of Significance

Midway Road (CR 712) Widening PD&E Study

From Glades Cut Off Road to Selvitz Road

Introduction

The City of Port St. Lucie received a letter dated September 16, 2016 from the Florida Department of Transportation (FDOT), District Four requesting information regarding properties owned by the City and located adjacent to Midway Road (CR 712) from Glades Cutoff Road to Selvitz Road in St. Lucie County. The proposed project would widen the existing 2-lane rural roadway (no pedestrian or trail features) to a 4-lane urban roadway, including the construction of a shared-use path on the south side of the roadway and a sidewalk on the north side of the roadway.

The purpose of this Section 4(f) Statement of Significance is to provide the Federal Highway Administration (FHWA) with the information on function and use needed to determine the Section 4(f) applicability or non-applicability for five potential Section 4(f) uses associate with properties owned by the City of Port St. Lucie. These properties include:

1. Canal 103 (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-7)
2. Tract H-15 (Parcel ID: 3420-735-0022-000-6)
3. Tract H-17 (Parcel ID: 3420-735-0024-000-0)
4. Tract G-4 (Parcel ID: 3420-741-0007-000-4)
5. Tract F (Parcel ID: 3301-800-0010-000-2)

The requested information included the following:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

Section 4(f) Statement of Significance

City of Port St. Lucie

Management Plans

No management plans exist for any of the properties included in this Section 4(f) Statement of Significance. Canal 103 functions as a drainage canal.

Tract H-15, Tract H-17 and Tract G-4 are zoned Open Space Conservation and primarily function as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Tract F is zoned as Multi-Family Residential and is located adjacent to Winterlakes Park which is owned and managed by the City of Port St. Lucie. Tract F primary functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property. Expansion of, or use by visitors from Winterlakes Park does not exist and is not planned for Tract F.

Approximate date that these properties were designated as public resources.

The properties included in this Section 4(f) Statement of Significance have been owned by the City of Port St. Lucie since the mid 1980's. Exact dates of ownership are not readily available.

Description and location of all existing and planned facilities

The locations of the properties included in this Section 4(f) Statement of Significance have no existing or planned facilities.

Access (pedestrian, vehicular, etc.) and usage (approximate number of users)

Public access is not maintained or managed by the City of Port St. Lucie for any of the properties included in this Section 4(f) Statement of Significance. Occasional and dispersed use may occur.

Relationship to other similarly used lands in the vicinity of the property

Section 4(f) Statement of Significance

City of Port St. Lucie

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road by utilizing a portion of Canal 103 from just east of Selvitz Road to Selvitz Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. Among other stipulations, the construction of a “multi-purpose path” along the south side of Midway Road was included as a condition of the use of the City owned R/W.

Under the proposed build alternatives, the widening of Midway Road from Glades Cut Off Road to Selvitz Road would also include a “multi-purpose” trail. The inclusion of the trail would provide an additional segment for the trail through the project limits. The “multi-purpose” trail is a planned facility by St. Lucie County. The City of Port St. Lucie supports the inclusion of this “multi-purpose” trail within the project limits but the location of the trail is planned for the Midway Road R/W and is not planned for any properties included in this Section 4(f) Statement of Significance. The Transportation Element, Page 9 of the City of Port St. Lucie Comprehensive Plan includes a reference to the St Lucie TPO Bicycle and Pedestrian Plan. Page 9 of this document is included in **Attachment A**

Tract H-15, Tract H-17, Tract G-4 and Tract F are similar open space properties within the project corridor.

Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure

The North St. Lucie River Water Control District currently holds a non-exclusive drainage easement for maintenance and management of Canal 103. Any modifications to Canal 103 would require accommodation of the existing drainage. Build Alternative 1 would not modify Canal 103. Build Alternative 2 proposes to enclose Canal 103.

No other clauses affecting ownership exist for the properties included in this Section 4(f) Statement of Significance.

Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

Section 4(f) Statement of Significance

City of Port St. Lucie

Summary of Significance

The City of Port St Lucie-owned Canal 103 property functions and is significant for surface water drainage. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

The City of Port St. Lucie-owned Tracts H-15, H-17, G-4, and F function and are significant for use as vegetated open space. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

Sample

Attachment A
City of Port St Lucie
Comprehensive Plan

- **City of Port St. Lucie Comprehensive Plan – Transportation Element – Page 9**

Sample

pedestrian facilities and the encouragement of their use serve several important purposes which benefit all of the citizens of Port St. Lucie including:

- 1) Health and physical benefits
- 2) Environmental benefits
- 3) Transportation benefits
- 4) Recreational benefits
- 5) Quality of life benefits

Sidewalk Program

Through the sidewalk program alone, the City has installed approximately 10.5 miles of sidewalk. In addition to the City's funds, the City has applied for and received confirmation of funding for an additional sidewalk project through the American Recovery And Reinvestment Act of 2009 (ARRA) stimulus program. In coordination with St. Lucie County, the City has received grant funding for sidewalks through the Safe Route to Schools Program.

The City currently requires that pedestrian and bicycle accommodations be incorporated into all development projects and urban roadway projects. Federal, State, and County guidelines also address the provision of bicycle and pedestrian facilities in conjunction with roadway improvement projects.

The St. Lucie TPO recently completed the St. Lucie County Bicycle, Pedestrian, Greenways & Trails Master Plan in 2008. The Master Plan inventoried all the existing sidewalks, bike paths, missing sidewalks, and provided suggestions to improve the system, many of which were located within the City of Port St. Lucie. These improvements primarily consisted of proposed sidewalks and bike lanes along arterials, proposed greenways and recreational trails, multi-purpose trails and canal trails. The analysis portion of the plan identified US-1, Port St. Lucie Boulevard, and St. Lucie West Boulevard as high bicycle and pedestrian crash corridors.

The City would like to continue to work towards the implementation of the St. Lucie TPO Bicycle and Pedestrian Plan. In addition, the plan calls for the establishment of sidewalks on both sides of arterial and collector streets, where they do not currently exist.

The City has developed a process for reviewing and prioritizing sidewalk locations for construction with the assistance of the Engineering Department, Planning and Zoning Department, Parks Department, members of the School Board, and the Police Department. Many factors are considered when selecting the locations including the proximity to a school, number of bus stops, existing sidewalks in the area, number of users, the speed limit on adjacent roads, existing drainage conditions, obstacles, right-of-way width, safety hazards, and estimated costs. Ultimately, the priority locations are approved by City Council and constructed as funding permits.

The Martin MPO/St. Lucie TPO 2035 Regional Long Range Transportation Plan (RLRTP) outlines plans for the Treasure Coast Loop Trail. The project, which will be built to multi-use trail standards, is planned to be a greenway trail connecting Martin and St. Lucie Counties. The Treasure Coast Trail will also serve to improve non-motorized access to areas within the eastern core of the Counties, as well as access to and from Hutchinson Island. The Trail is projected to extend along Green River Parkway through the City.

Appendix G

SFWMD Conservation Easement

56-01444-P

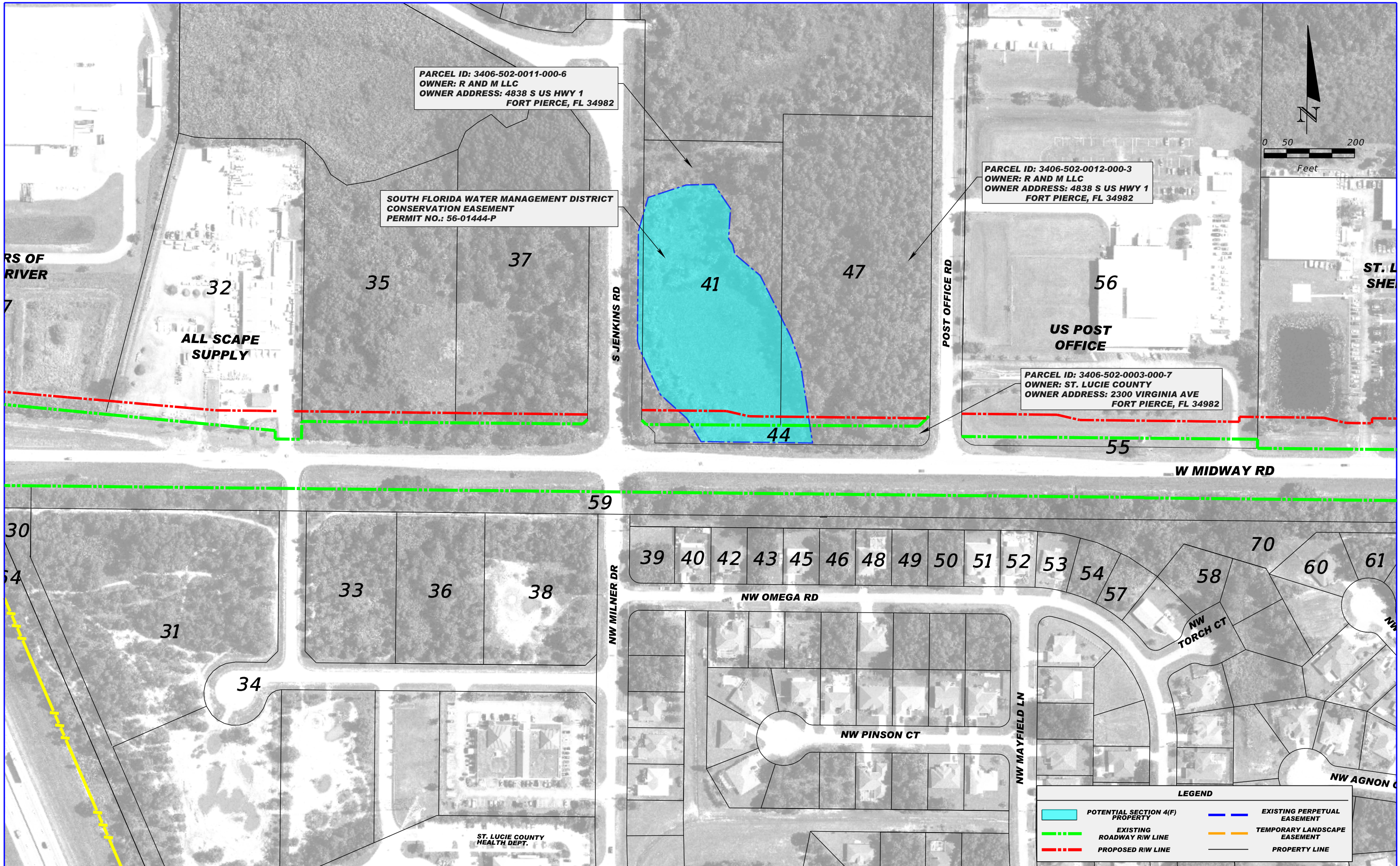
- **Exhibit F-1 – SFWMD CE Location – Build Alternative 1**
- **Exhibit F-2 – SFWMD CE Location – Build Alternative 2**
- **Exhibit F-3 – SFWMD CE Photographs**
- **Exhibit F-4 – SFWMD CE Ownership, Management and Function Documentation**
- **Exhibit F-5 – SFWMD CE Similar Properties**
- **Exhibit F-6 – SFWMD CE Project Correspondence**

Exhibit G-1

SFWMD Conservation Easement

56-01444-P

Location – Build Alternative 1



PARCEL ID: 3406-502-0011-000-6
 OWNER: R AND M LLC
 OWNER ADDRESS: 4838 S US HWY 1
 FORT PIERCE, FL 34982

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 CONSERVATION EASEMENT
 PERMIT NO.: 56-01444-P

PARCEL ID: 3406-502-0012-000-3
 OWNER: R AND M LLC
 OWNER ADDRESS: 4838 S US HWY 1
 FORT PIERCE, FL 34982

PARCEL ID: 3406-502-0003-000-7
 OWNER: ST. LUCIE COUNTY
 OWNER ADDRESS: 2300 VIRGINIA AVE
 FORT PIERCE, FL 34982

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT G-1
SFWMD CONSERVATION EASEMENT
BUILD ALTERNATIVE 1

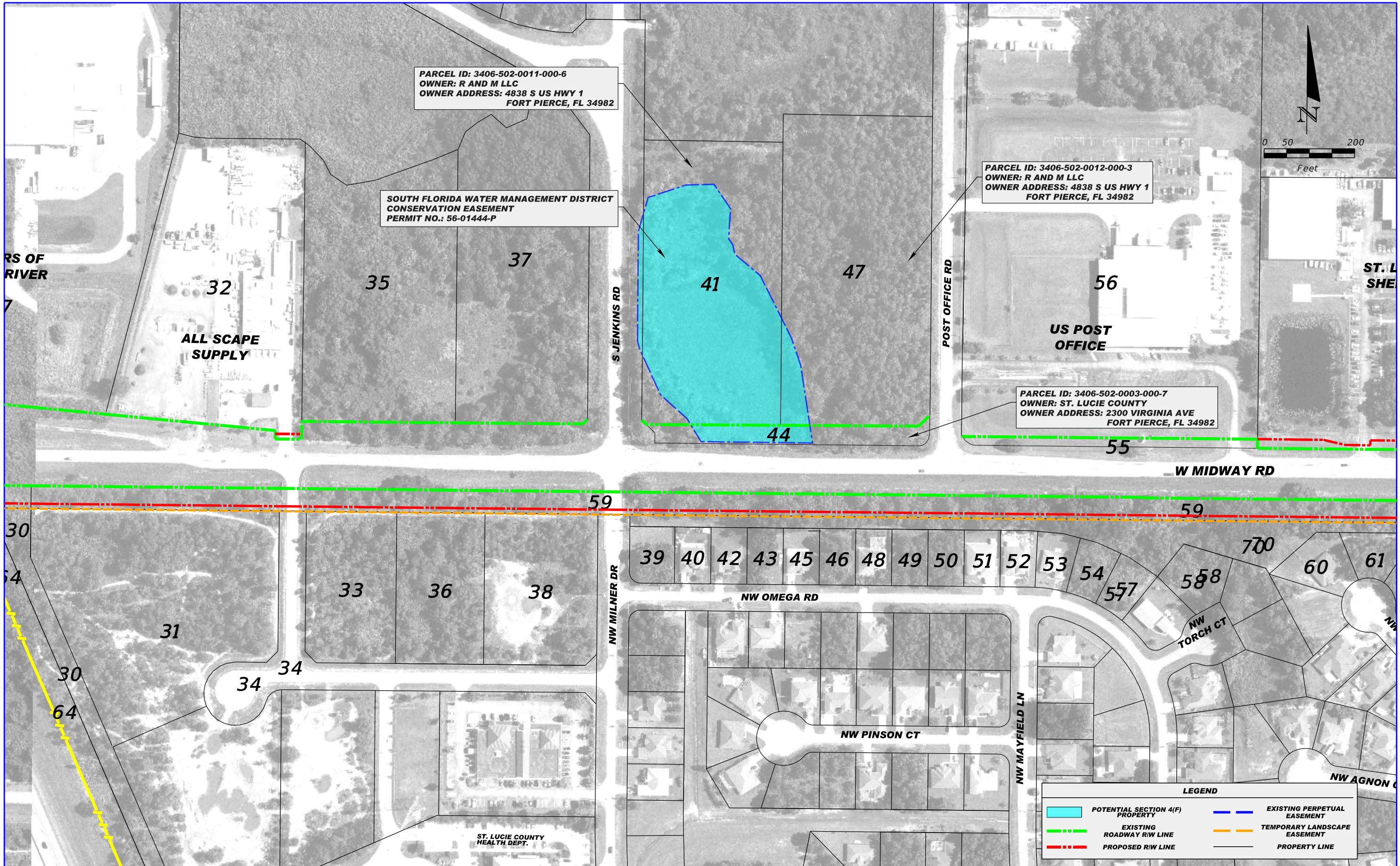
SHEET NO.
 1

Exhibit G-2

SFWMD Conservation Easement

56-01444-P

Location – Build Alternative 2



PARCEL ID: 3406-502-0011-000-6
 OWNER: R AND M LLC
 OWNER ADDRESS: 4838 S US HWY 1
 FORT PIERCE, FL 34982

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 CONSERVATION EASEMENT
 PERMIT NO.: 56-01444-P

PARCEL ID: 3406-502-0012-000-3
 OWNER: R AND M LLC
 OWNER ADDRESS: 4838 S US HWY 1
 FORT PIERCE, FL 34982

PARCEL ID: 3406-502-0003-000-7
 OWNER: ST. LUCIE COUNTY
 OWNER ADDRESS: 2300 VIRGINIA AVE
 FORT PIERCE, FL 34982

LEGEND			
	POTENTIAL SECTION 4(F) PROPERTY		EXISTING PERPETUAL EASEMENT
	EXISTING ROADWAY RIW LINE		TEMPORARY LANDSCAPE EASEMENT
	PROPOSED RIW LINE		PROPERTY LINE

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

EXHIBIT G-2
SFWMD CONSERVATION EASEMENT
BUILD ALTERNATIVE 2

SHEET NO.
 1

Exhibit G-3

SFWMD Conservation Easement

56-01444-P

Photographs



Looking North from Midway Road



Looking East from South Jenkins Road

Exhibit G-4

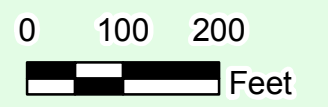
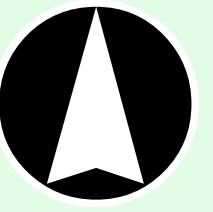
SFWMD Conservation Easement

56-01444-P

Ownership, Management and Function

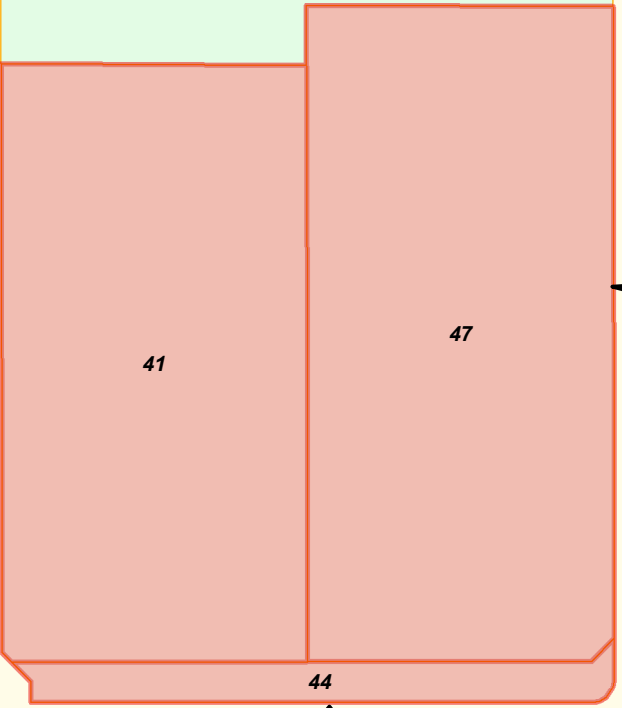
Documentation

- **St. Lucie County Property Appraiser Maps**
- **Midway Industrial Park Phase III Site Map**
- **ERP No. 56-01444-P Staff Report**
- **St. Lucie County Future Land Use Map**

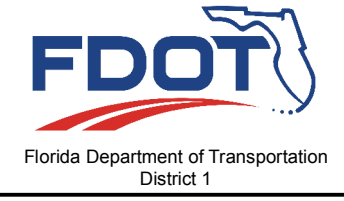
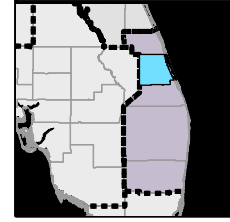
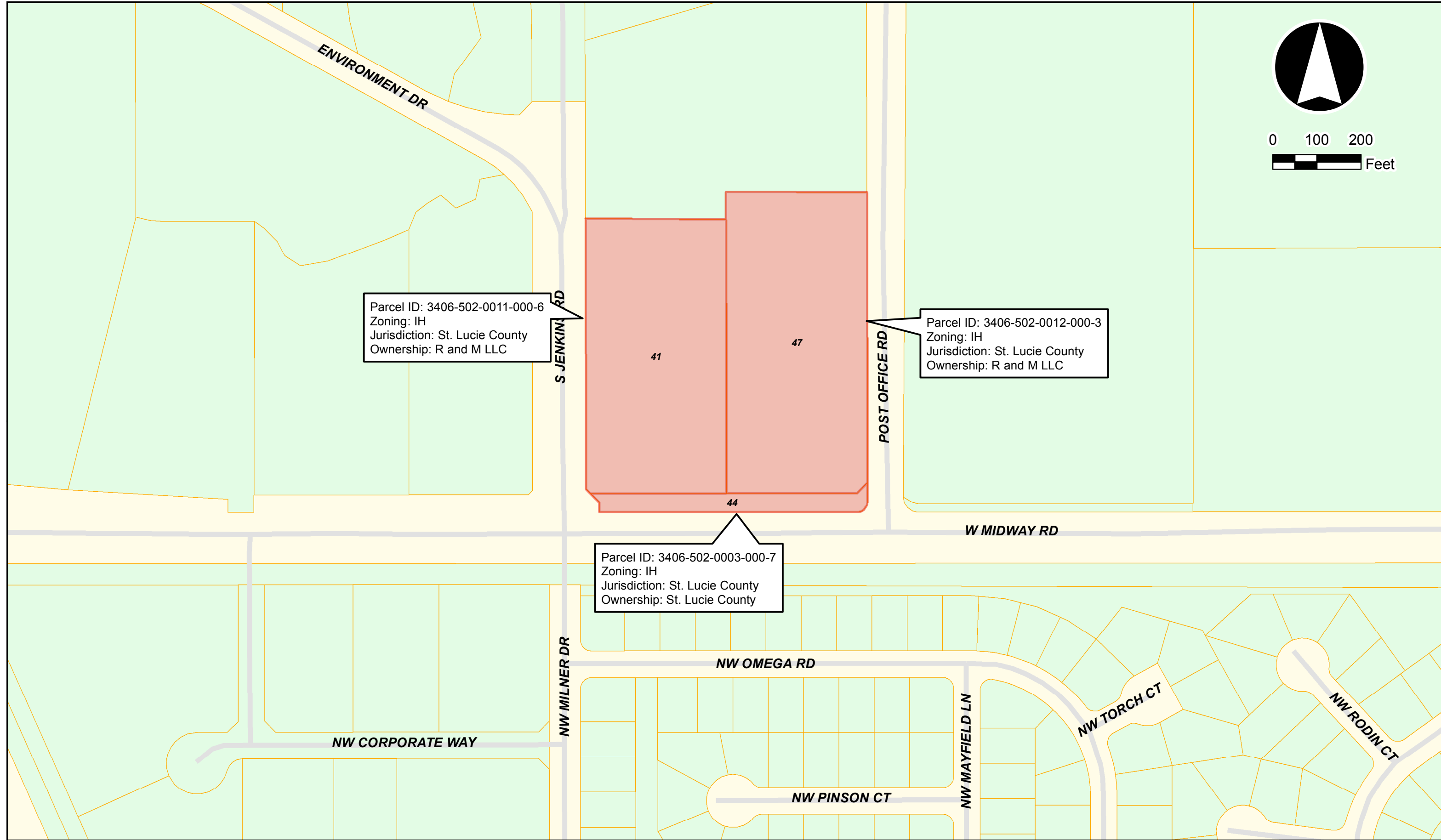


Parcel ID: 3406-502-0011-000-6
 Zoning: IH
 Jurisdiction: St. Lucie County
 Ownership: R and M LLC

Parcel ID: 3406-502-0012-000-3
 Zoning: IH
 Jurisdiction: St. Lucie County
 Ownership: R and M LLC



Parcel ID: 3406-502-0003-000-7
 Zoning: IH
 Jurisdiction: St. Lucie County
 Ownership: St. Lucie County



Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01

**ST. LUCIE COUNTY
 PROPERTY APPRAISER INFORMATION**

Map ID
41-45-47

MIDWAY INDUSTRIAL PARK - PHASE III-SOUTH

BEING A REPLAT OF A PORTION OF MODEL LAND COMPANY SUBDIVISION LYING IN SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 4, PAGE 34, ST. LUCIE COUNTY, FLORIDA

INS'T R # 2575290
P. B. 45 Pages 40 - 41
RECORDED 03/10/05 08:38:22
SAINT LUCIE COUNTY
DOC STAMP-D Fee Doc Stamps, Deed: \$0.00
DOC STAMP-M Fee Doc Stamps, Mortgage: \$0.00
INT TAX Fee Intangible Tax \$0.00

DEDICATION:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

KNOW ALL MEN BY THESE PRESENTS, that Anne Cody Jones and Ron Thomas Jones, as Co-Trustees of the Ann C. Jones Marital Trust u/w of Thomas C. Jones, deceased, and Midway Properties of St. Lucie County, L.C., a Florida limited liability company have caused the lands shown hereon as MIDWAY INDUSTRIAL PARK-PHASE III-SOUTH to be surveyed and platted as shown hereon and do hereby dedicate the lands as follows:

- Utility easements shown as dedicated hereon may be used for utility purposes by any utility, including CATV, in compliance with such ordinances and regulations as may be adopted from time to time by the board of County Commissioners of St. Lucie County.
- Drainage easements as shown hereon are hereby declared to be the perpetual maintenance obligation of the Midway Industrial Park Property Owners Association. St. Lucie County shall have the right to enter upon said easements to perform maintenance if necessary where said easements are providing drainage to any public facilities.
- The Water Management Tract (WMT-1) as shown hereon is hereby dedicated to the Midway Industrial Park Property Owners Association, for stormwater management purposes and shall be the perpetual ownership and maintenance responsibility of said Property Owners Association. St. Lucie County shall have no duty, liability or responsibility in said Water Management Tract.
- TRACT "A", as shown hereon is hereby dedicated to the public, for use as additional right-of-way for County Road 712, and shall be the perpetual maintenance responsibility of St. Lucie County, Florida.

5a) The roads shown hereon as Post Office Road, and Power Line Drive, are deemed to be public roads and are hereby dedicated to St. Lucie County, for public road right-of-way purposes and for use by such utilities, including CATV, in compliance with such ordinances and regulations as may be adopted from time to time by the board of County Commissioners of St. Lucie County, Florida, and shall be the maintenance responsibility of the Midway Industrial Park Property Owners Association.

5b) South Jenkins Road, as shown hereon, is deemed to be a public road and is hereby dedicated to St. Lucie County, for public road right-of-way purposes and for use by such utilities, including CATV, in compliance with such ordinances and regulations as may be adopted from time to time by the board of County Commissioners of St. Lucie County, Florida, and shall be the perpetual maintenance responsibility of St. Lucie County.

6. Lot 15, as shown hereon, is hereby deemed to be a Preservation Area and is hereby dedicated to the Midway Industrial Park Property Owners Association, and is the maintenance responsibility of Midway Industrial Park Property Owners Association. Activities prohibited within the preservation area include, but are not limited to, construction or placing of buildings on or above the ground, dumping or placing soil or other substances such as trash, removal or destruction of trees, shrubs or other native vegetation, excavation, dredging or removal of soil material, diking or fencing and any other activities detrimental to water conservation, erosion control, or fish and wild life habitat conservation or preservation, intended to prohibit the supplemental planting these prohibitions are not of native vegetation in accordance with the approved p.u.d. and landscaping plant list.

7. Conservation Easements, as shown hereon, are hereby dedicated to the South Florida Water Management District (S.F.W.M.D.) and the Midway Industrial Park Property Owner's Association, a not for profit corporation, their successors and/or assigns, portions of this plat pertaining to the conservation areas or restrictions set forth below pertaining to the conservation area, shall not be amended, revised, relinquished or revoked without prior written consent of the S.F.W.M.D. and the Midway Industrial Park Property Owner's Association, it is the purpose of these restrictions to retain land or water areas set forth on the conservation areas in their natural vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such conservation areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the restriction which are to be enhanced or created pursuant to the permit shall be retained and maintained in the enhanced or created conditions required by the permit. To carry out this purpose, the following rights are conveyed to the S.F.W.M.D. and the Midway Industrial Park Property Owner's Association, to enter upon the property described on this plat, to access conservation areas at reasonable times to enforce the right herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the property, by the grantor at the time of such entry, and to enforce any activity on or use of the conservation areas that is inconsistent with these restrictions and to enforce the restoration of such areas or features in the conservation areas that may be damaged by any inconsistent activity or use, except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the permit, the following activities are prohibited in or on the conservation areas: construction or placing of buildings, roads, signs, billboards or other advertising utilities or other structures on or above the ground; dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or other unsightly or offensive materials; removal or destruction of trees, shrubs or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with an approved maintenance plan; excavation, dredging or removal of loam, peat, gravel, silt, rock or other material substance in such manner as to affect the surface; surface use except for purposes that permit the land or water area to remain in its natural condition; activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing; acts or uses detrimental to such aforementioned retention of land or water uses; acts or uses which are detrimental to the preservation of any features or aspects of the conservation areas having historical or archaeological significance, the Midway Industrial Park Property Owner's Association, a Florida not for profit corporation, its successors and/or assigns, reserves all rights as owner of the property including the right to enforce in and/or the property that are not prohibited herein and which are not inconsistent with any district and county rule, criteria, permit and the intent and purposes of these restrictions. Off road vehicles, heavy equipment or other vehicles shall be prohibited from entering the conservation areas which these restrictions cover unless the permittee has received written approval from the S.F.W.M.D. the maintenance and monitoring obligation of the conservation areas shall be the perpetual obligation of the Midway Industrial Park Property Owner's Association, their successors and/or assigns, without recourse to the South Florida Water Management District and the Midway Industrial Park Property Owner's Association.

B) The Sign Easement as shown hereon in Lot 16, is hereby dedicated to the Midway Industrial Park Property Owners Association and is the maintenance responsibility of same.

IN WITNESS WHEREOF, Ron Thomas Jones and Anne Cody Jones, as Co-Trustees of the Ann C. Jones Marital Trust u/w of Thomas C. Jones, deceased, and Midway Properties of St. Lucie County, L.C., has caused these presents to be signed by the corporate officers named below and its corporate seal affixed hereto with the full knowledge and consent of its Board of Directors.

As to Ron Thomas Jones and Anne Cody Jones, as Co-Trustees of the Ann C. Jones Marital Trust u/w of Thomas C. Jones, deceased.

By: Ron Thomas Jones Attest: Jennifer Ruff
Printed Name: Ron Thomas Jones Printed Name: Jennifer Ruff

By: Anne Cody Jones Attest: Douglas K. Silvis
Printed Name: Anne Cody Jones Printed Name: Douglas K. Silvis

As to Midway Properties of St. Lucie County, L.C., a Florida limited liability company.

By: Edwin C. Lunsford Jr. Attest: Kalith A. Kinnison
Printed Name: Edwin C. Lunsford Jr., Trustee Printed Name: Kalith A. Kinnison

Title: Manager/Member Title: Nancy Puaric

Date: 1/18/05

ACKNOWLEDGEMENT:

STATE OF GEORGIA)
COUNTY OF THOMAS) SS

Before me, the undersigned authority, personally appeared Anne Cody Jones and Ron Thomas Jones, as Co-Trustees of the Ann C. Jones Marital Trust u/w of Thomas C. Jones, deceased, to me well known and known to be the individuals described in and who executed the foregoing Certificate of Dedication, and they duly acknowledged before me that they executed same as owners of the hereon described property. They are personally known to me and did not take an oath.

Witness my hand and official seal, this 24 day of January, 2005.

By: Sandra Hennessy My Commission Expires: 1-29-2006
Sandra Hennessy
Notary Public (Printed Name)

ACKNOWLEDGEMENT:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

Before me, the undersigned authority, personally appeared Edwin C. Lunsford Jr., Trustee, the Manager/Member, respectively, of Midway Properties of St. Lucie County, L.C., a Florida limited liability company, to me well known and known to be the individual described in and who executed the foregoing Certificate of Dedication, and he duly acknowledged before me that he executed same, as such officer for and in behalf of said corporation. He is personally known to me and did not take an oath.

Witness my hand and official seal, this 18th day of JANUARY, 2005.

By: NANCY J. DAILEY My Commission Expires: 4-3-05
NANCY J. DAILEY
Notary Public (Printed Name)

JOINDER IN DEDICATION:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

KNOW ALL MEN BY THESE PRESENTS, that R & M, LLC, a Florida limited liability company, the owners of the real property comprehending Lots 16 and 17 of the above plat, hereby join in the foregoing dedications as the same may relate to, impact upon, or affect such Lots 16 and 17, agreeing that the fee simple title to such lots is subordinated to such dedications to the extent applicable to such lots.

IN WITNESS WHEREOF, R & M, LLC, has caused this joinder to be executed on this 19th day of January, 2005.

R & M, LLC, a Florida Limited Liability Company
By: Richard Reitano
Richard Reitano, Manager/Member
By: Edwin S. Merritt
Edwin S. Merritt, Manager/Member

ACKNOWLEDGEMENT:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

Before me, the undersigned authority, personally appeared Richard Reitano, as Manager/Member, to me well known and known to be the individual described in and who executed the foregoing Joinder in Dedication, and he duly acknowledged before me that he executed same as owner of the hereon described property. He is personally known to me and did not take an oath.

Witness my hand and official seal, this 20th day of January, 2005.

By: NANCY J. DAILEY My Commission Expires: 4-3-05
NANCY J. DAILEY
Notary Public (Printed Name)

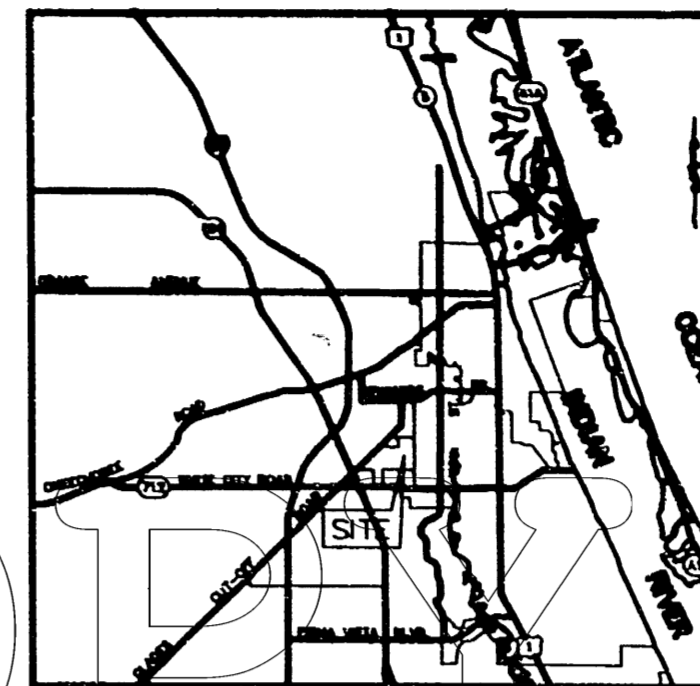
ACKNOWLEDGEMENT:

STATE OF GEORGIA)
COUNTY OF THOMAS) SS

Before me, the undersigned authority, personally appeared Edwin S. Merritt, as Manager/Member, to me well known and known to be the individual described in and who executed the foregoing Joinder in Dedication, and he duly acknowledged before me that he executed same as owner of the hereon described property. He is personally known to me and did not take an oath.

Witness my hand and official seal, this 19th day of January, 2005.

By: NANCY J. DAILEY My Commission Expires: 4-3-05
NANCY J. DAILEY
Notary Public (Printed Name)



LOCATION MAP

LEGAL DESCRIPTION

PARCEL II:
Lot 8 in the northeast one-quarter of MODEL LAND COMPANY'S SUBDIVISION of Section 6, Township 36 South, Range 40 East, as per plat thereof recorded in Plat Book 4, Page 34 of the public records of St. Lucie County, Florida;
LESS and except the right-of-way for North St. Lucie River Water Control District Canal 102; ALSO LESS the right-of-way for Favorite Road.

PARCEL III:
Being all that part of Lots 1 through 6, inclusive, and Lots 13 and 14, in the northwest one-quarter of MODEL LAND COMPANY'S SUBDIVISION of Section 6, Township 36 South, Range 40 East, as per plat thereof recorded in Plat Book 4, Page 34 of the public records of St. Lucie County, Florida, lying East of the East boundary of the Plat of MIDWAY INDUSTRIAL PARK, as recorded in Plat Book 38, Page 35, public records of St. Lucie County, Florida;
LESS and except the right-of-way for North St. Lucie River Water Control District Canal 102; ALSO LESS the right-of-way for Favorite Road, adjacent to Lots 1 and 2; ALSO LESS the right-of-way for Midway Road.

PARCEL IV:
Lot 15 in the northwest one-quarter of MODEL LAND COMPANY'S SUBDIVISION of Section 6, Township 36 South, Range 40 East, as per plat thereof recorded in Plat Book 4, Page 34 of the public records of St. Lucie County, Florida;
LESS and except herefrom the following:
(i) The right-of-way for Favorite Road and Midway Road (S.R. 712);

ALSO less:
(ii) That portion thereof conveyed to the United States Postal Service as described in Warranty Deed, dated July 22, 1987, recorded in O.R. Book 550, Page 2472 of the public records of St. Lucie County, Florida;

ALSO less:
(iii) A 70-foot wide strip of land dedicated as road right-of-way in favor of St. Lucie County, Florida, by that certain Deed of Dedication, dated August 11, 1988, recorded in O.R. Book 601, Page 370 of the public records of St. Lucie County, Florida.

PARCEL V:
All that part of Favorite Road, a former 50-foot right-of-way, lying in the northwest one-quarter of Section 6, Township 36 South, Range 40 East, as abandoned by, and described in, Resolution No. 98-119, dated June 2, 1998, recorded in O.R. Book 1156, Page 1096 of the public records of St. Lucie County, Florida.

TITLE CERTIFICATION:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

I, Frank H. Fee, III, a member of the Florida Bar, do hereby certify that I have examined the title to the hereon described property and that the title is vested in Anne Cody Jones and Ron Thomas Jones, as Co-Trustees of the Ann-C. Jones Marital Trust u/w of Thomas C. Jones, deceased, and in Midway Properties of St. Lucie County, L.C., as to all numbered lots with the exceptions of Lots 16 and 17, which are duly vested in R & M, LLC, A FLORIDA LIMITED LIABILITY COMPANY, and there are no mortgages encumbering the property.

Dated this 18 day of January, 2005.

By: Frank H. Fee, III
Frank H. Fee, III, Attorney

SURVEYOR'S CERTIFICATE:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

I hereby certify that this Plat of MIDWAY INDUSTRIAL PARK - PHASE III-SOUTH as shown hereon is a true and correct representation of a survey made under my responsible direction and supervision; that said survey is accurate to the best of my knowledge and belief; that Permanent Reference Monuments (P.R.M.'s), Permanent Control Points (P.C.P.'s) and lot corners have been placed as required by law; and further that this plat complies with all requirements of Chapter 177, Part 1, Florida Statutes, as amended and ordinances of St. Lucie County, Florida.

Dated this 27 day of JANUARY, 2005.

By: Richard W. Buswell
Richard W. Buswell
Professional Surveyor & Mapper
Florida Certificate No. 3858

CLERK OF CIRCUIT COURT:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

I, Edwin M. Fry, Jr., Clerk of the Circuit Court of St. Lucie County, Florida, do hereby certify that this plat has been examined and that it complies in form with all the requirements of the laws of Florida pertaining to maps and plats, and that this plat has been filed of record in Plat Book 45, Pages 40-41 of the Public Records of St. Lucie County, Florida, this 18th day of March, 2005.

By: Edwin M. Fry, Jr.
Edwin M. Fry, Jr.
Clerk of the Circuit Court
St. Lucie County, Florida

COUNTY COMMISSION:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

I hereby certify that this plat of MIDWAY INDUSTRIAL PARK-PHASE III-SOUTH has been officially approved for recording by the Board of County Commissioners of St. Lucie County, Florida,

This 7 day of March, 2005.

By: James H. Lunsford
Chairman, Board of County Commissioners

COMMUNITY DEVELOPMENT:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

It is hereby certified that this plat meets the minimum lot dimension requirements of the I/R zoning district as set forth in Section 7.04.00 of the St. Lucie County Land Development Code.

This 15th day of March, 2005.

By: Edward Cox
Ed Cox
Community Development Director
St. Lucie County, Florida

COUNTY SURVEYOR:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

It is hereby certified that the undersigning Surveyor and Mapper, duly licensed in the State of Florida, has reviewed this plat for conformity with the requirements of Chapter 177, Part One, of Florida State Statutes, this 2 day of March, 2005.

By: Ronald H. Harris
Ronald H. Harris
Professional Surveyor and Mapper
Florida Certificate No. 4198

COUNTY ENGINEER:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

It is hereby certified that this plat meets all minimum subdivision plotting requirements as set forth in Section 11.03.00 of the St. Lucie County Land Development Code.

This 2 day of March, 2005.

By: Michael Powley
Michael Powley, P.E.
County Engineer
St. Lucie County, Florida

COUNTY ATTORNEY:

STATE OF FLORIDA)
COUNTY OF ST. LUCIE) SS

This plat is hereby approved as to form.

This 7 day of March, 2005.

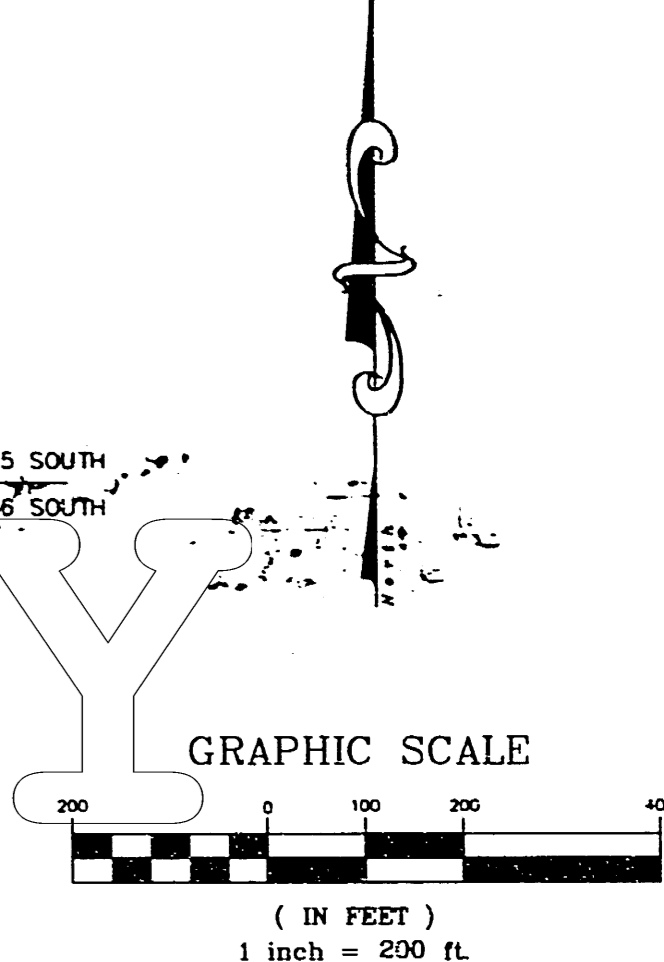
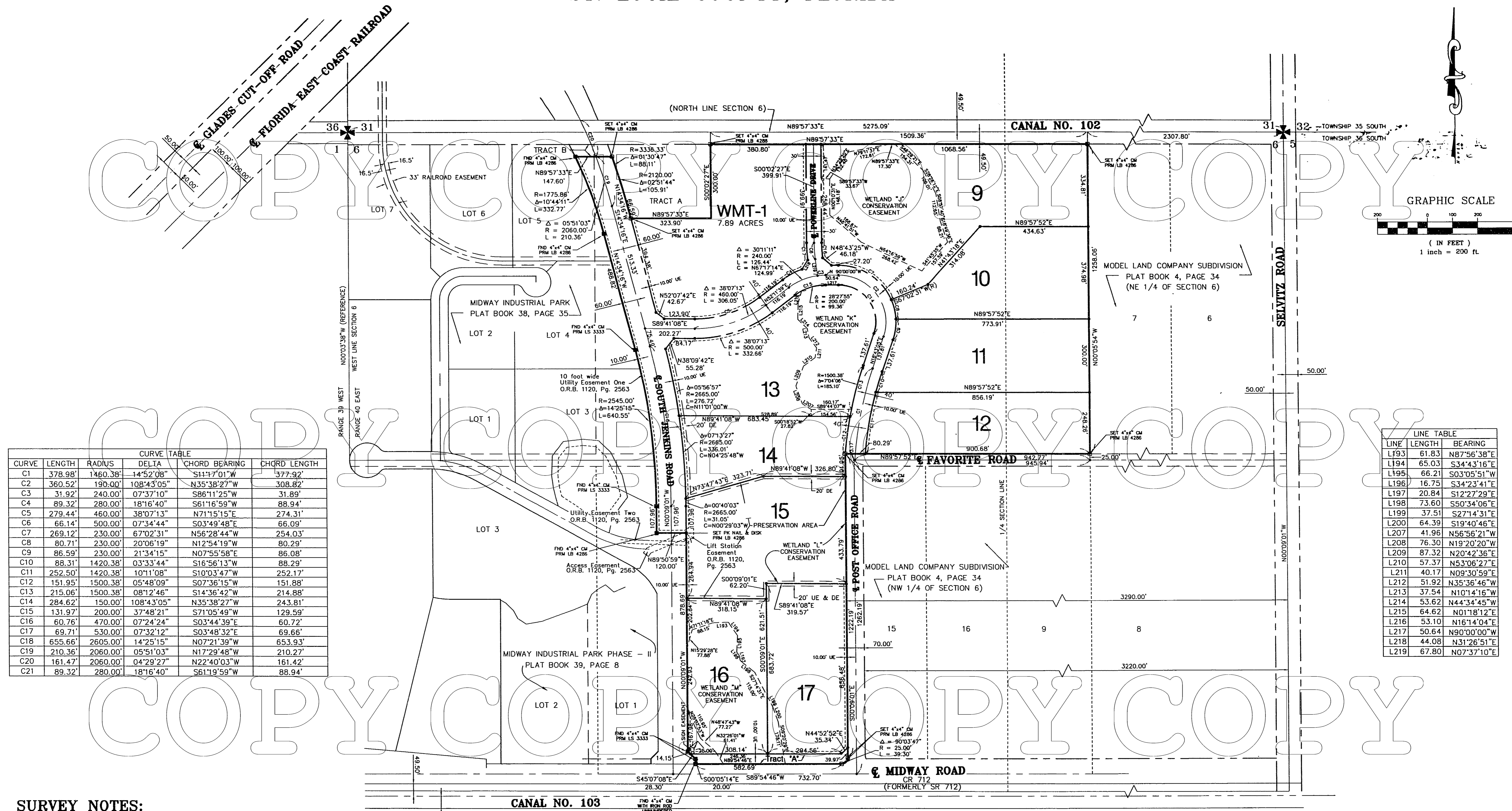
By: Daniel S. McIntyre
Daniel S. McIntyre
County Attorney
St. Lucie County, Florida

PREPARED IN THE OFFICE OF:
CULPEPPER & TERPENING, INC.
2080 SOUTH 25th STREET
FORT PIERCE, FLORIDA 34982
BY: Richard W. Buswell
RICHARD W. BUSWELL
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 3858

45
40

MIDWAY INDUSTRIAL PARK - PHASE III - SOUTH

BEING A REPLAT OF A PORTION OF MODEL LAND COMPANY SUBDIVISION LYING IN SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 4, PAGE 34, ST. LUCIE COUNTY, FLORIDA



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	378.98'	1460.38'	14°52'08"	S11°17'01"W	377.92'
C2	360.52'	190.00'	108°43'05"	N35°38'27"W	308.82'
C3	31.92'	240.00'	07°37'10"	S86°11'25"W	31.89'
C4	89.32'	280.00'	18°16'40"	S61°16'59"W	88.94'
C5	279.44'	460.00'	38°07'13"	N71°15'15"E	274.31'
C6	66.14'	500.00'	07°34'44"	S03°49'48"E	66.09'
C7	269.12'	230.00'	67°02'31"	N56°28'44"W	254.03'
C8	80.71'	230.00'	20°06'19"	N12°54'19"W	80.29'
C9	86.59'	230.00'	21°34'15"	N07°55'58"E	86.08'
C10	88.31'	1420.38'	03°33'44"	S16°56'13"W	88.29'
C11	252.50'	1420.38'	10°11'08"	S10°03'47"W	252.17'
C12	151.95'	1500.38'	05°48'09"	S07°36'15"W	151.88'
C13	215.06'	1500.38'	08°12'46"	S14°36'42"W	214.88'
C14	284.62'	150.00'	108°43'05"	N35°38'27"W	243.81'
C15	131.97'	200.00'	37°48'21"	S71°05'49"W	129.59'
C16	60.76'	470.00'	07°24'24"	S03°44'39"E	60.72'
C17	69.71'	530.00'	07°32'12"	S03°48'32"E	69.66'
C18	655.66'	2605.00'	14°25'15"	N07°21'39"W	653.93'
C19	210.36'	2060.00'	05°51'03"	N17°29'48"W	210.27'
C20	161.47'	2060.00'	04°29'27"	N22°40'03"W	161.42'
C21	89.32'	280.00'	18°16'40"	S61°19'59"W	88.94'

LINE TABLE		
LINE	LENGTH	BEARING
L193	61.83	N87°56'38"E
L194	65.03	S34°43'16"W
L195	66.21	S03°05'51"W
L196	16.75	S34°23'41"E
L197	20.84	S12°27'29"E
L198	73.60	S50°34'06"E
L199	37.51	S27°14'31"E
L200	64.39	S19°40'46"E
L207	41.96	N56°56'21"W
L208	76.30	N19°20'20"W
L209	87.32	N20°42'36"E
L210	57.37	N53°06'22"E
L211	40.17	N09°30'59"E
L212	51.92	N35°36'46"W
L213	37.54	N10°14'16"W
L214	53.62	N44°34'45"W
L215	64.62	N01°18'12"E
L216	53.10	N16°14'04"E
L217	50.64	N90°00'00"W
L218	44.08	N31°26'51"E
L219	67.80	N07°37'10"E

SURVEY NOTES:

- 1) THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, HAVING A BEARING OF N 00°03'38" W, ACCORDING TO THE PLAT OF MIDWAY INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 38, PAGE 35, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
- 2) **NOTICE:** THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- 3) PLAT CONTAINS 9 LOTS, 2 TRACTS.
- 4) PLAT CONTAINS 70.75 ACRES.
- 5) AN IRON ROD AND CAP, LB 4286 HAS BEEN SET AT ALL LOT CORNERS AND CHANGES OF DIRECTION.

LEGEND & ABBREVIATIONS

- | | | | |
|--------|--------------------------------------|-------|---|
| B | DENOTES BASELINE | P.B. | DENOTES PLAT BOOK |
| C | DENOTES CENTERLINE | SEC. | DENOTES SECTION |
| (P) | DENOTES PLAT DATA | TWP. | DENOTES TOWNSHIP |
| CONC. | DENOTES CONCRETE | RGE. | DENOTES RANGE |
| R/W | DENOTES RIGHT OF WAY | PG. | DENOTES PAGE |
| Δ | DENOTES CENTRAL ANGLE | COR. | DENOTES CORNER |
| R | DENOTES RADIUS | CH | DENOTES CHORD DATA |
| L | DENOTES ARC LENGTH | No ID | DENOTES NO IDENTIFICATION NUMBER |
| O.R.B. | DENOTES OFFICIAL RECORDS BOOK | U.E. | DENOTES UTILITY EASEMENT |
| No. | DENOTES NUMBER | P.I. | DENOTES POINT OF INTERSECTION |
| BLVD. | DENOTES BOULEVARD | P.C. | DENOTES POINT OF CURVATURE |
| D.B. | DENOTES DEED BOOK | P.T. | DENOTES POINT OF TANGENCY |
| PK & D | DENOTES P.K. NAIL AND DISK | (R) | DENOTES RADIAL LINE |
| DE | DENOTES DRAINAGE EASEMENT | ⊙ | DENOTES SET PERMANENT CONTROL POINT (PCP LB 4286) |
| WMT | DENOTES WATER MANAGEMENT TRACT | □ | DENOTES SET 4" x 4" CONCRETE MONUMENT (PRM LB 4286) |
| ○ | DENOTES IRON ROD & CAP (LB NO. 4286) | ■ | DENOTES FOUND 4" x 4" CONCRETE MONUMENT |

PREPARED IN THE OFFICE OF:
CULPEPPER & TERPENING, INC.
 2980 SOUTH 25th STREET
 FORT PIERCE, FLORIDA 34982

BY:
 RICHARD W. BUSSELL
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA CERTIFICATE NO. 3858

45
41

Last Date For Agency Action: 12-JUN-2003

INDIVIDUAL ENVIRONMENTAL RESOURCE PERMIT STAFF REPORT

Project Name: Midway Industrial Park Phase Iii

Permit No.: 56-01444-P

Application No.: 020627-12

Application Type: Environmental Resource (Conceptual Approval Modification And Construction/Operation Modification)

Location: St Lucie County, S31/T35S/R40E
S6/T36S/R40E

Permittee : Midway Properties Of St. Lucie County, L.C.
Estate Of Thomas C. Jones

Operating Entity : Midway Industrial Park Poa

Project Area: 67.58 acres

Project Land Use: Industrial



Drainage Basin: NORTH ST LUCIE

Sub Basin: NORTH FORK

Receiving Body: NSLRWMD CANAL NO 102

Class: CLASS III

Special Drainage District: North St Lucie River Water Control District

Total Acres Wetland Onsite: 11.35

Total Acres Wetland Preserved Onsite: 11.35

Total Acres Presv/Mit Compensation Onsite: 1.04

Conservation Easement To District : Yes

Sovereign Submerged Lands: No

PROJECT PURPOSE: Modification of an Environmental Resource Permit to authorize overall conceptual approval and construction and operation authorization of a surface water management system to serve a 67.58 acre commercial project known as Midway Industrial Park Phase III. Staff recommends approval with conditions.

PROJECT EVALUATION:

PROJECT SITE DESCRIPTION:

The proposed site is located north of Midway Road and east of the Turnpike. The site is bordered by NSLRWMD Canal No. 102 to the north. Currently, the northern portion of the site is used as pasture and the southern portion is dominated by slash pine trees. Isolated wetlands occur within the site. Please see Exhibit 1 for site location information.

PROJECT BACKGROUND:

On July 13, 2000 a Standard General Permit was issued for 42.49 acres of commercial development known as Midway Industrial Park which also provided attenuation for 6.86 acres of offsite lands. The permit authorized construction and operation for the backbone system only which included a dry and wet detention area, a common roadway, and backbone piping and control structures. Each of the eight lots was required to submit an Environmental Resource Permit modification for approval prior to commencement of any construction. Since the permit was issued, several lots have received construction approvals.

The master surface water management system consists of grading, inlets, and culverts will first direct stormwater into a 2.28 acre dry detention area where 1/2" of pretreatment will be provided. Runoff will then continue through an internal structure into a 1.93 acre lake. This wet detention pond will provide the remaining water quality treatment and storm attenuation. Ultimate discharge will then occur through the outfall structure to NSLRWMD Canal No. 102.

PROPOSED PROJECT:

Authorization has been requested for conceptual approval with construction and operation of the master surface water management (SWM) system to serve 67.58 acres of commercial development, known as Midway Industrial Park Phase III. The construction and operation authorization is to build the backbone master SWM system within the Phase III area. Each of the individual lots will be required to submit an Environmental Resource Permit general permit modification application to the District for approval prior to commencement of construction on the lot. Design assumptions for the lots include that each lot will be 70% or less impervious. Please see Exhibits 3A to 3C for complete land use and stage vs. storage assumptions for the future lots.

Dry pre-treatment equal to 1/2-inch over the site area will be provided on each lot. Calculations demonstrating that the pre-treatment requirement is met will be required to be submitted with each lot permit modification. Grading, inlets, and culverts will direct stormwater, after pre-treatment, into the previously permitted and constructed lake which will be increased by 6.20-acres to 8.13-acres and will provide the required remaining water quality treatment and storm attenuation. Overflow into the on-site wetlands, via bubble-up structures with grate elevations above the water quality elevation, will provide additional storage for storm attenuation and hydration of the wetlands. Those lots containing or abutting conservation areas (identified as lots 9, 13, 14, 16 and 17 on Exhibit 2A) shall discharge to wetlands following the required dry pre-treatment, prior to wetland overflow into the master system.

Discharge from the previously permitted Phase I area will continue to discharge into the wet detention area as it presently does. Runoff from the Phase I area will continue to receive dry pre-treatment equal to 1/2 inch over the project area in the existing Phase I master dry detention area prior to discharging into the wet detention area.

Off-site discharge will be into NSLRWCD Canal No. 102 through the previously permitted and constructed control structure, consisting of a 6" diameter bleeder with an invert elevation of 16.5' NGVD and a 0.5' weir at elevation 18.4' NGVD. Please refer to Exhibits 2A to 2G for site plan and details information.

Secondary impacts will occur to on-site wetlands, and will be mitigated through wetland creation and

upland preservation.

LAND USE: The following table represents the land use breakdown for the Midway Industrial Park area. The "TOTAL PROJECT" column represents the entire Phase III area at buildout. The "THIS PHASE" column represents the land use of the access road (HIGHWAY), additional wet detention area (WATER MGNT ACREAGE), and wetland (PRESERVED) areas associated with this application. The "OTHER" category pertains to off-site Post Office Road area that discharges into the project site SWM system.

The following table represents the land use breakdown for the Midway Industrial Park area. The "TOTAL PROJECT" column represents the entire Phase III area at buildout. The "THIS PHASE" column represents the land use of the access road (HIGHWAY), additional wet detention area (WATER MGNT ACREAGE), and wetland (PRESERVED) areas associated with this application. The "OTHER" category pertains to off-site Post Office Road area that discharges into the project site SWM system.

**Construction:
Project:**

	This Phase	Total Project	
Building Coverage	.00	8.58	acres
Highway	4.99	4.99	acres
Impervious	.00	21.46	acres
Other	1.12	1.12	acres
Pervious	43.41	13.37	acres
Preserved	11.86	11.86	acres
Water Mgnt Acreage	6.20	6.20	acres
Total:	67.58	67.58	

WATER QUANTITY: The following table represents the water quantity for the proposed project.

Discharge Rate :

As shown in the table below, the proposed project discharge is within the allowable limit for the area.

Discharge Storm Frequency : 25 YEAR-3 DAY

Design Rainfall : 10.2 inches

Basin	Allow Disch (cfs)	Method Of Determination	Peak Disch (cfs)	Peak Stage (ft, NGVD)
Phase III	9.25	Discharge Formula	7.28	20.66

Finished Floors :

Building Storm Frequency : 100 YEAR-3 DAY

Design Rainfall : 12.9 inches

Basin	Peak Stage (ft, NGVD)	Proposed Min. Finished Floors (ft, NGVD)	FEMA Elevation (ft, NGVD)
Phase III	20.9	21.5	N/A

Road Design :

Road Storm Frequency : 10 YEAR-1 DAY

Design Rainfall: 6.5 inches

Basin	Peak Stage (ft, NGVD)	Proposed Min. Road Crown (ft, NGVD)
Phase III	19.8	20.2

Control Elevation :

Basin	Area (Acres)	Ctrl Elev (ft, NGVD)	WSWT Ctrl Elev (ft, NGVD)	Method Of Determination
Phase III	67.58	16.5	16.50	Adjacent Canal Control Elevation

WATER QUALITY:

Silt fencing will be installed at the limits of construction to protect all of the preserve areas from sedimentation during the construction of the project in accordance with Exhibit 2A. The sediment controls will be installed prior to the commencement of any clearing or construction and maintained in good functional condition until all adjacent construction activities have been completed and all fill slopes have been stabilized (refer to Special Condition No. 22).

Water quality dry pretreatment for 1/2" over the project site will be provided on each individual lot within the Phase III area. Documentation demonstrating pre-treatment will need to be provided at the time an individual lot is permitted. Remaining water quality treatment equal to the balance of 2.5" times the percent impervious site area will be provided in the enlarged lake.

Runoff from the Phase I area will continue to receive dry pre-treatment equal to 1/2 inch over the project area in the existing Phase I master dry detention area prior to discharging into the wet detention area.

Basin	Treatment Method	Vol Req.d (ac-ft)	Vol Prov'd (ac-ft)
Phase III	Treatment	8.13 acres	11.61

WETLANDS:

The northern portion of the project site consists predominantly of improved pasture dominated by bahia grass. The southern portion of the project site is dominated by pine flatwoods with a nearly complete canopy of slash pines, due to fire suppression. Several wetlands occur on the site, all of which are of fair quality and generally comprised of marsh/wet prairie species. Wetlands J (2.91 acres) and K (1.50 acres) occur in the pasture area, and wetlands L (4.73 acres) and M (2.72 acres) occur in the pine-dominated area. See Exhibit 4 for wetland locations.

The hydrology of the wetlands has been adversely affected by past drainage improvements. North St. Lucie River Water Control District Canal No. 102 runs east-west along the northern boundary of this site. A small ditch on the property runs north-south across the northern portion of the property and cuts through the center of the two wetlands occurring in the pasture area prior to discharging into the NSLRWCD canal. The southern wetlands are also affected by past drainage improvements and adjacent development.

Wetland Impacts:

The proposed site plan will result in 0.51 acre of secondary impacts to two wetlands, due to encroachment of a roadway within 15 feet (Exhibit 4A). The construction of the road will reduce wildlife usage and will affect the drainage area of these two wetlands. Other wetlands on site will be each be avoided with a buffer averaging at least 25 feet, minimum of 15 feet in all areas.

The hydrology of the wetlands will be altered due to the proposed project. The individual wetland watersheds will be reduced, and the proposed expansion of the existing lake will result in an increased hydraulic gradient from the two wetlands closest to the lake. These hydrologic effects will be offset by directing treated stormwater from the lake into the wetlands. After dry pre-treatment in each of the lots, water will flow into the lake for additional treatment prior to overflowing into the wetlands at an elevation of 17.77' NGVD (see Exhibit 2). As a result, the wetlands will maintain shallow inundation between their existing grade elevation (averaging 17.10'NGVD) and 17.77' NGVD. Lots containing or abutting the conservation areas (lots 9, 13, 14, 16 and 17) will discharge pre-treated stormwater to the wetlands (Special Condition 23). The net effect on the wetlands will be no adverse alteration of the current hydrology.

Mitigation Proposal:

The applicant proposes to create 0.62 acre of additional wetland adjacent to wetland K, and to preserve and enhance 0.42 acre of expanded upland buffer adjacent to wetland L to offset the proposed secondary impacts (Exhibit 4, Special Condition 19). The created wetland will be overexcavated to elevation 15.0' NGVD, then backfilled with improved wetland soil to elevation 16.0' NGVD and planted with marsh and transitional wetland species. The upland buffer adjacent to wetland L, which is in addition to the 1.01-acre buffer required to prevent secondary impacts to this wetland, will be planted with species typical of pine flatwoods (see Exhibit 4). The preserved buffers adjacent to avoided wetlands will also be planted with pine flatwoods species, and all wetlands will be monitored and maintained in perpetuity to insure that the project will not result in adverse impacts to the wetlands' functions.

The proposed mitigation offsets the proposed wetland impacts.

Monitoring/Maintenance:

The applicant will monitor and maintain the avoided, enhanced, and created wetlands and upland buffers for a period of five years after initial construction (Exhibit 4). The Midway Industrial Park Property Owners Association will maintain these areas at 5% or less exotic and nuisance species in perpetuity (Special Condition 18).

Wetland Inventory :

CONCEPTUAL		NEW	-MIDWAY INDUSTRIAL PARK				ONSITE
Pre-Development			Post-Development				
	Total Existing	Impacted	Undisturbed	Enhanced	Preserved	Restored/ Created	
Fresh Water Herbaceous	11.35	.00	11.35	.00	.00		
Upland	.42	.00	.00	.42	.42	.62	
Total:	11.77	.00	11.35	.42	.42	.62	

Endangered Species:

The project site contains habitat for wetland-dependent endangered/threatened species or species of special concern. Sandhill cranes were observed foraging in the improved pasture areas. No sandhill crane nests were observed in the wetlands. White ibis were also observed foraging in the existing wetlands. The applicant proposes to mitigate the anticipated secondary impacts to these wetlands through the creation of additional wetland habitat. Therefore, the District anticipates no net adverse impacts to wetland-dependent endangered/threatened species or species of special concern as a result of

the proposed activities. This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if in the future, endangered/threatened species or species of special concern are discovered on the site.

Species	Potential Occurrence	Use Types
Sandhill Cranes	Observed	Foraging
White Ibis	Observed	Foraging

LEGAL ISSUES:

The created, enhanced and avoided wetlands and upland buffers will be placed in a conservation easement in favor of the District by way of plat (Special Condition 17), with dedication to the Midway Industrial Park Property Owners' Association as common property for the purposes of maintenance and enforcement. The draft plat for this project has been included in Exhibit 7. In addition, language pertaining to conservation and maintenance of the wetland and upland buffer has been included in the property owner association documents for Midway Industrial Park Property Owners' Association, Inc. (see Exhibit 6).

CERTIFICATION AND MAINTENANCE OF THE WATER MANAGEMENT SYSTEM:

It is suggested that the permittee retain the services of a Professional Engineer registered in the State of Florida for periodic observation of construction of the surface water management (SWM) system. This will facilitate the completion of construction completion certification Form #0881 which is required pursuant to Section 10 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, and Rule 40E-4361(2), Florida Administrative Code (F.A.C.).

Pursuant to Chapter 40E-4 F.A.C., this permit may not be converted from the construction phase to the operation phase until certification of the SWM system is submitted to and accepted by this District. Rule 40E-4.321(7) F.A.C. states that failure to complete construction of the SWM system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization unless a permit extension is granted.

For SWM systems permitted with an operating entity who is different from the permittee, it should be noted that until the permit is transferred to the operating entity pursuant to Rule 40E-1.6107, F.A.C., the permittee is liable for compliance with the terms of this permit.

The permittee is advised that the efficiency of a SWM system will normally decrease over time unless the system is periodically maintained. A significant reduction in flow capacity can usually be attributed to partial blockages of the conveyance system. Once flow capacity is compromised, flooding of the project may result. Maintenance of the SWM system is required to protect the public health, safety and the natural resources of the state. Therefore, the permittee must have periodic inspections of the SWM system performed to ensure performance for flood protection and water quality purposes. If deficiencies are found, it is the responsibility of the permittee to correct these deficiencies in a timely manner.

RELATED CONCERNS:

Water Use Permit Status:

No area that requires irrigation is being constructed with this permit modification, therefore a Water Use permit is not required for irrigation at this time. The applicant has been advised that dewatering to expand the lake and install utilities will require prior permit authorization (see Special Condition 14).

This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a general permit issued pursuant to Section 40E-20 FAC.

Well Field Zone Of Influence:

The project is not located within the zone of influence of a wellfield.

Potable Water Supplier:

Potable water for the proposed project site will be provided by Fort Pierce Utilities.

Waste Water System/Supplier:

Waste water services for the proposed project site will be provided by Fort Pierce Utilities.

Right-Of-Way Permit Status:

A Right-of-Way Permit is not required for this project.

DRI Status:

This project is not a DRI.

SWIM Basin:

The project is not within nor does it discharge directly to a designated SWIM basin.

Historical/Archeological Resources:

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

DCA/CZM Consistency Review:

The District has not received a finding of inconsistency from the Florida Department of Community Affairs or other commenting agencies regarding the provisions of the federal Coastal Zone Management Plan.

Third Party Interest:

No third party has contacted the District with concerns about this application.

Enforcement:

There has been no enforcement activity associated with this application.

STAFF RECOMMENDATION:

The Staff recommends that the following be issued :

Modification of an existing conceptual permit and construction and operation of a surface water management system to serve a 67.58 acre project known as Midway Industrial Park Phase III.

Based on the information provided, District rules have been adhered to.

Staff recommendation is for approval subject to the attached General and Special Conditions.



STAFF REVIEW:

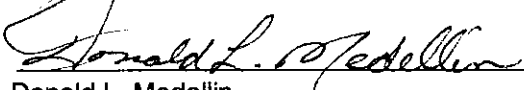
NATURAL RESOURCE MANAGEMENT DIVISION APPROVAL

ENVIRONMENTAL EVALUATION



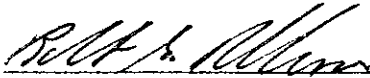
Edward Cronyn

SUPERVISOR



Donald L. Medellin

DIVISION DIRECTOR :



Robert G. Robbins

DATE: 5-27-03

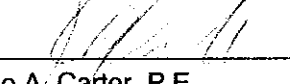
SURFACE WATER MANAGEMENT DIVISION APPROVAL

ENGINEERING EVALUATION



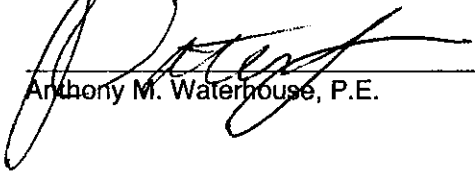
Edmond A. Palmowski

SUPERVISOR



Hugo A. Carter, P.E.

DIVISION DIRECTOR :



Anthony M. Waterhouse, P.E.

DATE: 5/27/03

GENERAL CONDITIONS

1. All activities authorized by this permit 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 and Part IV, Chapter 373, F.S.
2. 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.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. 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. Status report forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, 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 the supplied Environmental Resource Permit Construction Completion/Certification Form Number 0881. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings is discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and 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.
7. The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of condition (6) above, and submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District,

GENERAL CONDITIONS

accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such 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 initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. 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 the phase or portion of the system to a local government or other responsible entity.
9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District, prior to lot or units sales or prior to the completion of the system, whichever comes first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, 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 government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. 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 40E-4 or Chapter 40E-40, F.A.C..
12. 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.
13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(4), F.A.C., also known as the "No Notice" Rule.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.

GENERAL CONDITIONS

15. 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 binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
17. 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.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

SPECIAL CONDITIONS

1. The conceptual phase of this permit shall expire on June 12, 2004.
The construction phase of this permit shall expire on June 12, 2008.
2. Operation of the surface water management system shall be the responsibility of MIDWAY INDUSTRIAL PARK POA. Within one year of permit issuance or concurrent with the engineering certification of construction completion, whichever comes first, the permittee shall submit a copy of the recorded deed restrictions, a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association, in accordance with Exhibit 6.
3. Discharge Facilities: Through the previously permitted and constructed control structure.
4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
7. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.
8. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
9. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
10. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
11. Minimum building floor elevation: BASIN: Phase III - 21.50 feet NGVD.
12. Minimum road crown elevation: Basin: Phase III - 20.20 feet NGVD.
13. All commercial/industrial parcels shall provide a minimum dry pre-treatment volume of 1/2 inch of runoff prior to discharge into the master surface water management system. A permit modification demonstrating compliance with this and other permit requirements shall be obtained prior to construction of any lot within the project area.
14. A Water Use Permit for dewatering must be obtained prior to dewatering for the lake expansion or utilities. Prior to such time as irrigation is necessary, a water use permit must be obtained for irrigation withdrawals, unless the work qualifies for a general permit issued pursuant to Section 40E-20 F.A.C.
15. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit No. 5F. Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
16. The following exhibit for the permit is incorporated by reference herein and located in the permit file:

Exhibit No. 6 Property Owners Association Documents

SPECIAL CONDITIONS

17. Wetland preservation/mitigation areas, upland buffer zones and/or upland preservation areas shall be dedicated as conservation and common areas in the Property Owners Association documents as well as on the plat if the project will be platted. Restrictions for use of the conservation/ common areas shall stipulate:

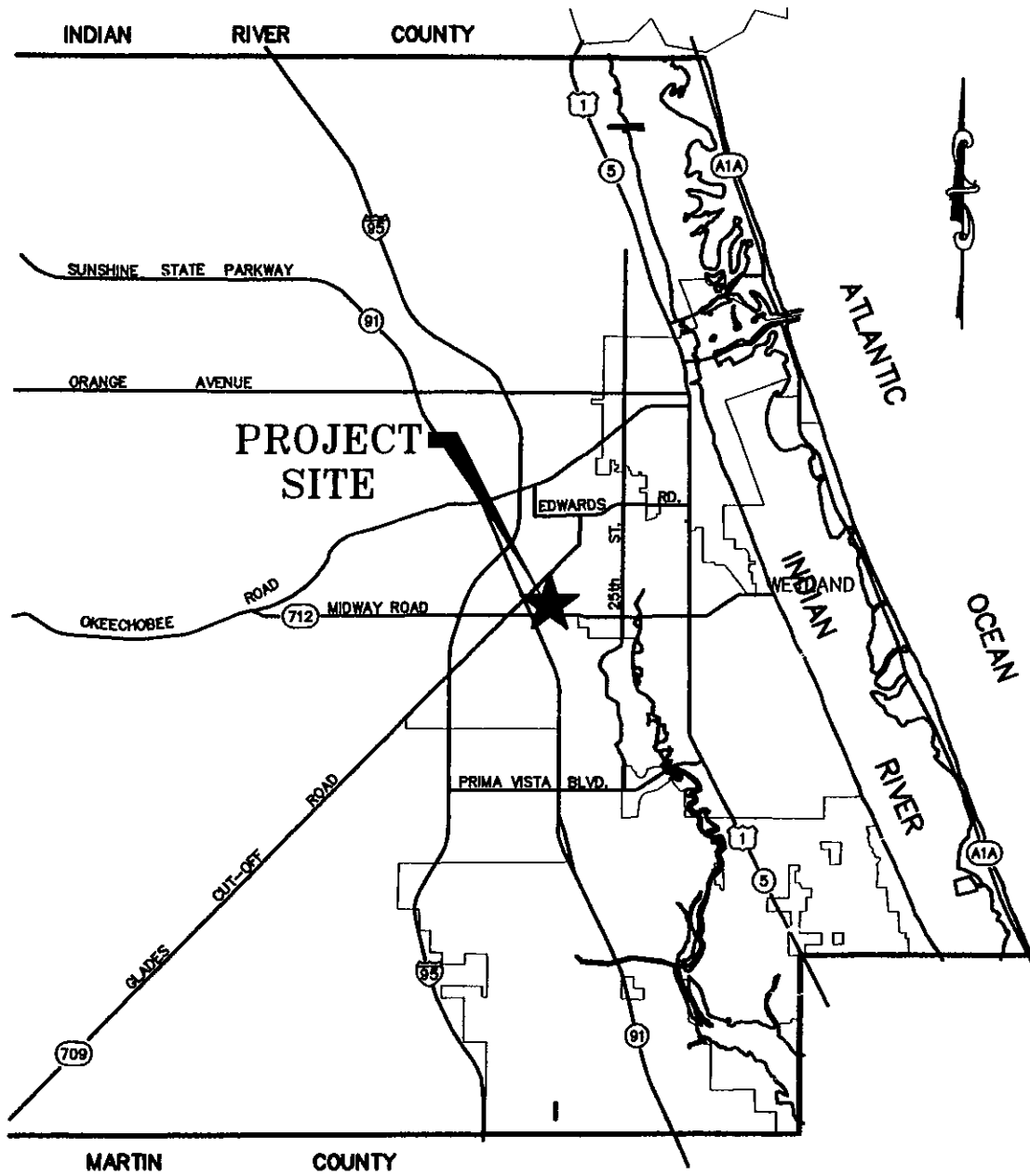
The wetland preservation/mitigation areas, upland buffer zones, and/or upland preservation areas are hereby dedicated as conservation and common areas. The conservation/common areas shall be the perpetual responsibility of the Midway Industrial Park Property Owners Association and may in no way be altered from their natural or permitted state as documented in Exhibits 4 and 5, with the exception of permitted restoration activities. Activities prohibited within the conservation areas include, but are not limited to: construction or placing soil or other substances such as trash; removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic/nuisance vegetation removal; excavation, dredging, or removal of soil material; diking or fencing; and any other activities detrimental to drainage, flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation.

Copies of recorded documents shall be submitted to the District's Environmental Resource Compliance staff concurrently with engineering certification of construction completion or within one year after permit issuance, whichever occurs earlier.

18. A maintenance program shall be implemented in accordance with Exhibit No. 5 for the preserved, enhanced and created wetland and upland conservation areas on a regular basis to ensure the integrity and viability of those areas as permitted. Maintenance shall be conducted in perpetuity to ensure that the conservation area is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. Coverage of exotic and nuisance plant species shall not exceed 5% of total cover between maintenance activities. In addition, the permittee shall manage the conservation areas such that exotic/nuisance plant species do not dominate any one section of those areas.
19. A mitigation program for Midway Industrial Park Phase III shall be implemented in accordance with Exhibit No. 4. The permittee shall create 0.62 acre of herbaceous wetland, and preserve and enhance 0.42 acre of pine flatwoods upland.
20. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.
21. A monitoring program shall be implemented in accordance with Exhibit No. 5. The monitoring program shall extend for a period of 5 years with annual reports submitted to District staff. At the end of the first monitoring period the mitigation area shall contain an 80% survival of planted vegetation. The 80% survival rate shall be maintained throughout the remainder of the monitoring program, with replanting as necessary. If native wetland, transitional, and upland species do not achieve an 80% coverage within the initial two years of the monitoring program, native species shall be planted in accordance with the maintenance program. At the end of the 5 year monitoring program the entire mitigation area shall contain an 80% survival of planted vegetation throughout, an 80% coverage of desirable obligate and facultative wetland species in the wetlands, and an 80% coverage of desirable transitional and upland species in the uplands.
22. Silt screens, hay bales, turbidity screens/barriers or other such sediment control measures shall be utilized during construction. The selected sediment control measure shall be installed landward of the upland buffer zones around all protected wetlands and shall be properly "trenched" etc, in accordance with Exhibit No. 2A. All areas shall be stabilized and vegetated immediately after construction to prevent erosion into the wetlands and upland buffer zones.
23. Those lots containing or abutting conservation areas (identified as lots 9, 13, 14, 16 and 17 on Exhibit 2A) shall discharge to wetlands following the required dry pre-treatment, prior to wetland overflow into

SPECIAL CONDITIONS

the master system. A permit modification demonstrating compliance with this requirement shall be obtained prior to construction of lots containing or abutting conservation areas.

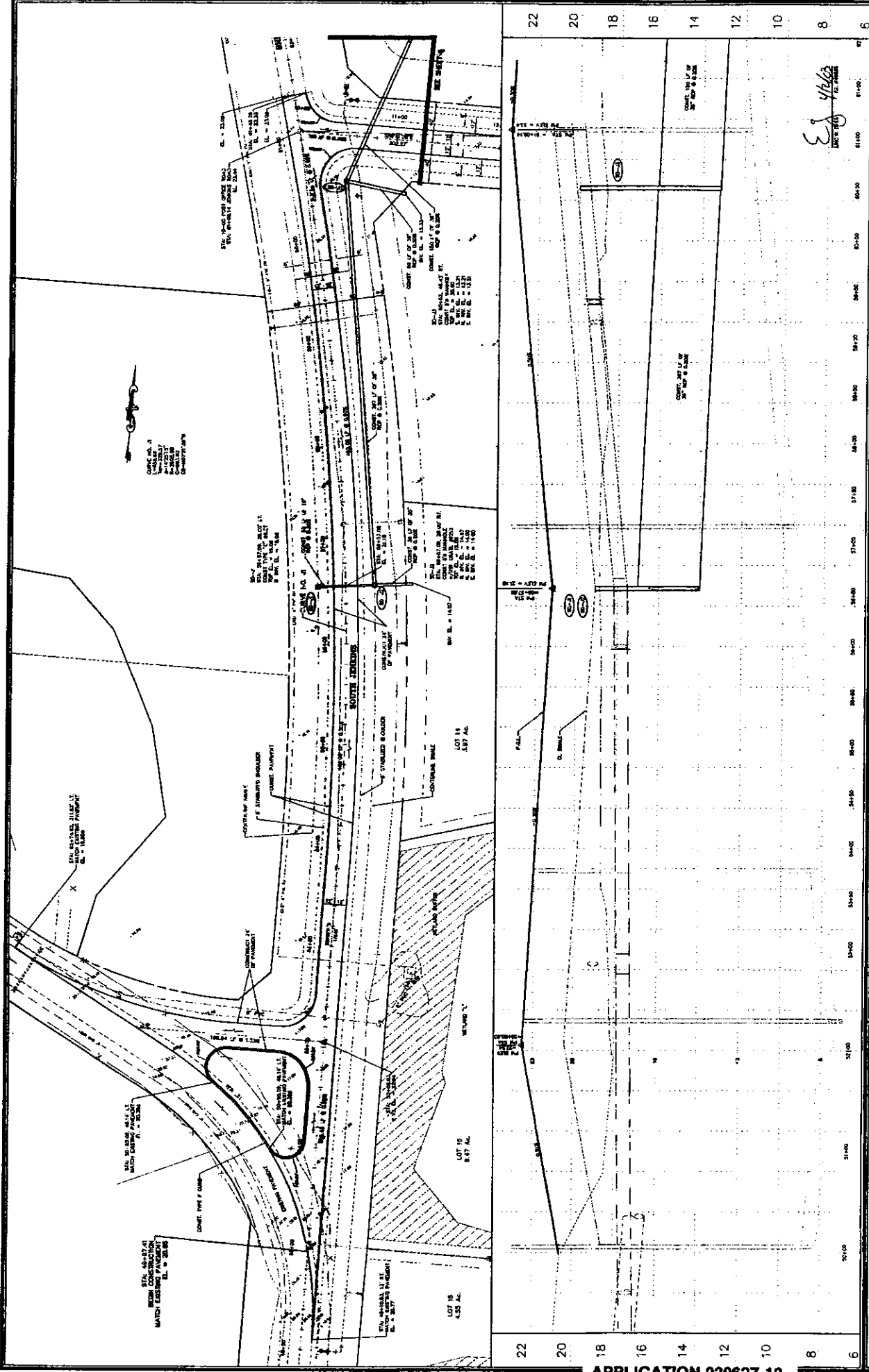


MIDWAY INDUSTRIAL PARK PHASE III LOCATION MAP

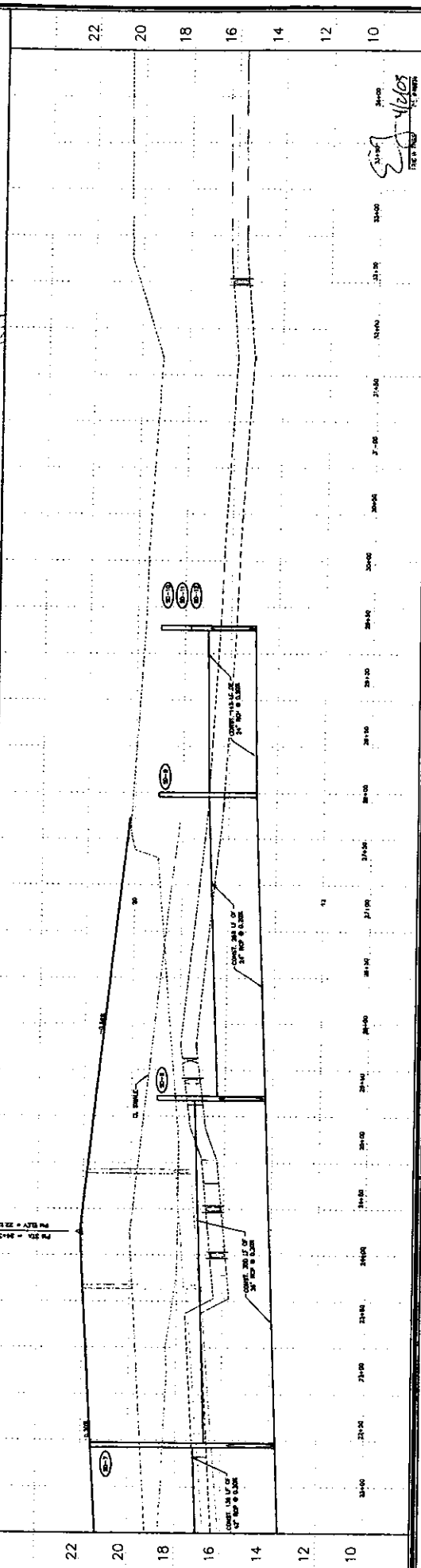
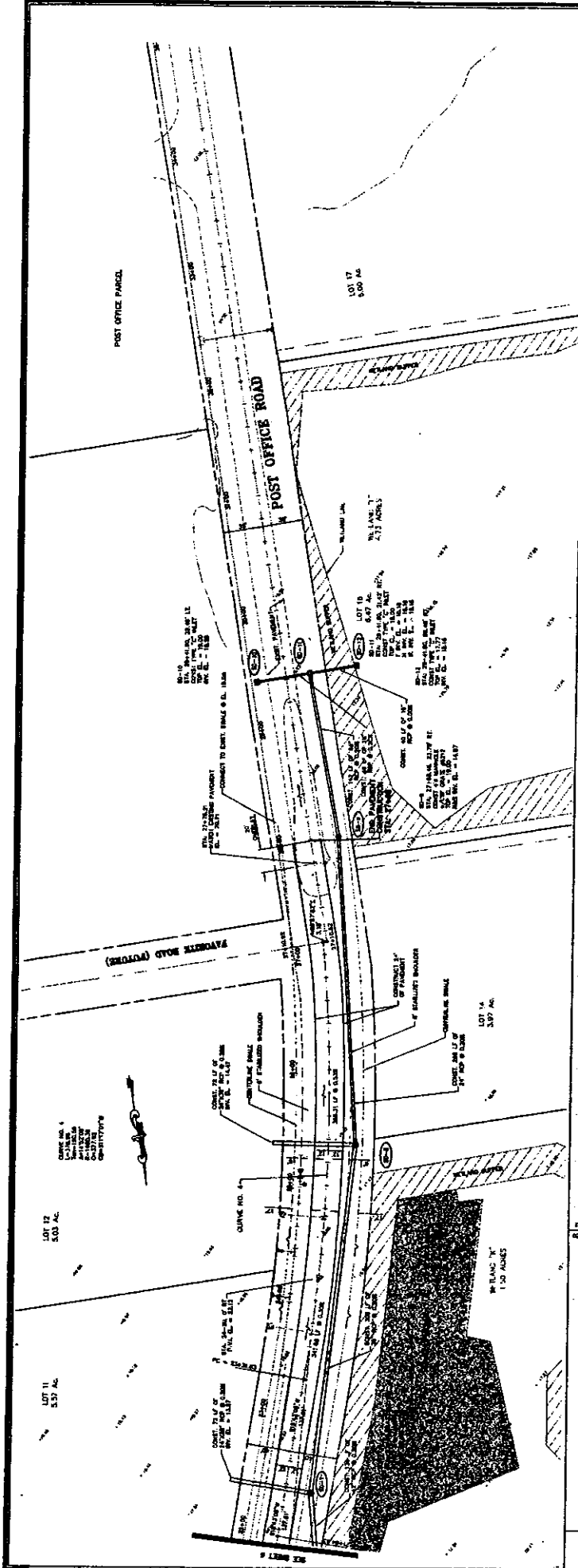
↑ NORTH
N.T.S.

Application 020627-12

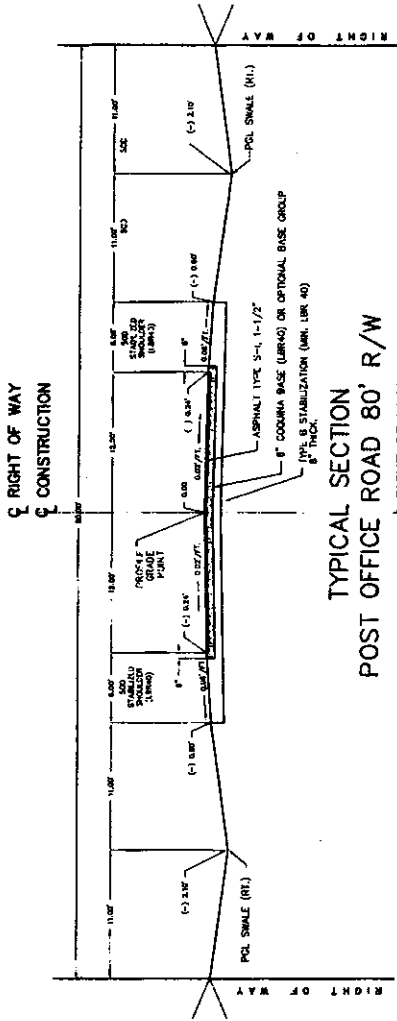
Exhibit 1



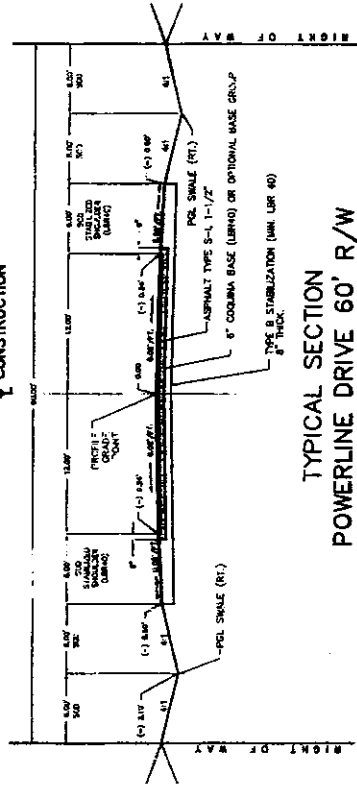
SHEET NO. 020627-12 SHEET SCALE 1"=40' SHEET NO. 00-20 SHEET 5 OF 15	
MIDWAY INDUSTRIAL PARK PHASE III (SOUTH) ROAD CONSTRUCTION PLAN VIEW	
DATE: 4/12/03 BY: [Signature]	DATE: 4/12/03 BY: [Signature]
REVISIONS:	REVISIONS:
CONSULTING ENGINEERS: G. CULPEPPER & TERPENING, INC. 1100 N. W. 11th St. Fort Lauderdale, Florida 33304 (770) 464-2017	FIELD NO. / DATE:



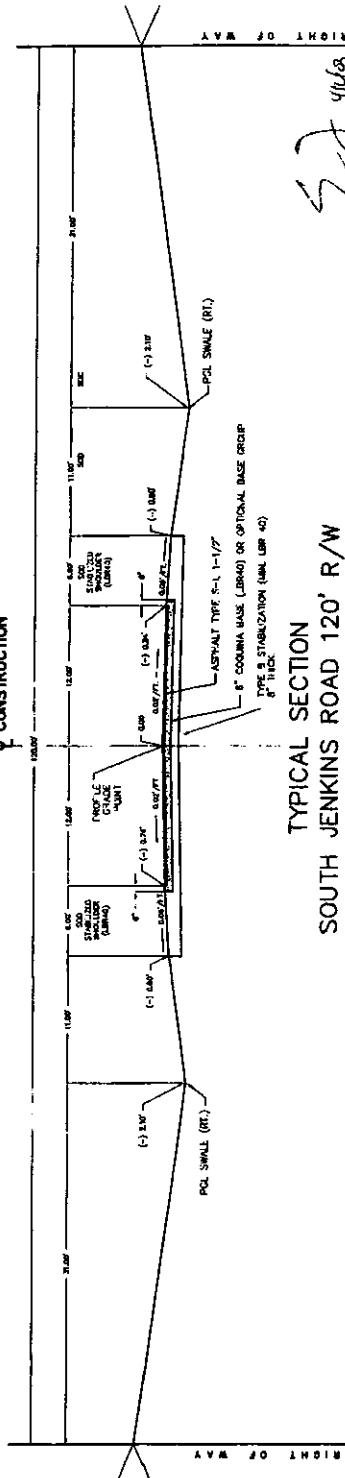
DATE: 3/20/02 SCALE: 1"=40' JOB NO. 00-20 SHEET 7 OF 15	
MIDWAY INDUSTRIAL PARK PHASE III (SOUTH) ROAD CONSTRUCTION PLAN VIEW	
BY: [Signature]	DATE: 1/17/02
CHECKED: [Signature]	DATE: 1/17/02
APPROVED: [Signature]	DATE: 1/17/02
- REVISIONS -	
NO. 1	DATE: 1/17/02
DESCRIPTION: [Blank]	BY: [Blank]
CONSULTING ENGINEERS LAND SURVEYORS CULPEPPER & TERPENING, INC. FORT PIERCE, FLORIDA 34942 (888) 441-3417	
DATE: 3/20/02	SCALE: 1"=40'
JOB NO. 00-20	SHEET 7 OF 15



TYPICAL SECTION
POST OFFICE ROAD 80' R/W



TYPICAL SECTION
POWERLINE DRIVE 60' R/W



TYPICAL SECTION
SOUTH JENKINS ROAD 120' R/W

- NOTES**
1. EXCAVATION, EMBANKMENT AND GRADING SHALL BE CONSTRUCTED IN ACCORDANCE WITH F.O.D.T. INDEX #600 AND #602.
 2. * ROADWAY: TYPE S-1, 1-1/2\"/>
- OPTIONAL BASE COURSES PERMITTED
- 6\"/>
- * REFER TO F.O.D.T. INDEX #600, #601 AND #602 FOR ADDITIONAL DETAILS

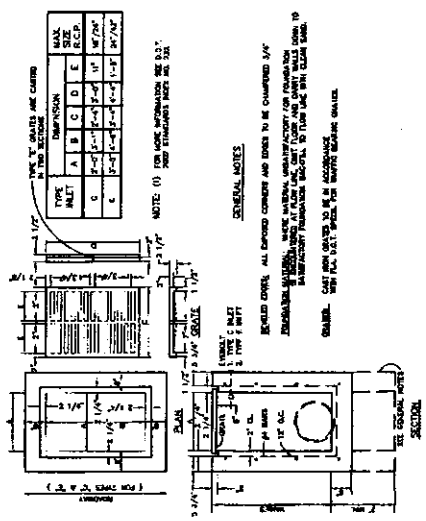
CURRENT DESIGN 1995 ADT= 4,000
DESIGN SPEED= 45 M.P.H.

Handwritten signature and date: 4/16/83

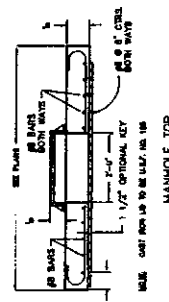
DATE: 5/23/83 SHEET NO.: 1-3 DATE: 5/23/83 SHEET NO.: 00-20 OF 14 15	
MIDWAY INDUSTRIAL PARK PHASE III B (SOUTH) TYPICAL SECTION	
CONSULTING ENGINEER GULPEPPER & TERPENING, INC.	REVISIONS - NO. DATE BY 1 5/23/83 JLB 2 6/1/83 JLB
FIELD NO. / PC 00000000	DATE 5/23/83

DRAINAGE AND DRAINAGE NOTES

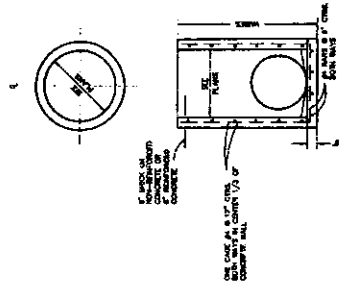
1. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
2. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
3. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
4. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
5. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
6. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
7. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
8. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
9. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
10. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
11. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
12. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
13. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
14. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
15. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
16. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
17. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.
18. The drainage of the roadway shall be in accordance with the Florida Department of Transportation Manual, Chapter 1000, Section 1000.01, and the Florida Department of Transportation Manual, Chapter 1000, Section 1000.02.



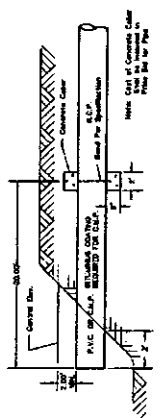
TYPE "C" & "R" INLETS



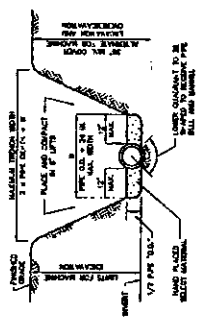
STORM MANHOLE I.D.



STORM MANHOLE

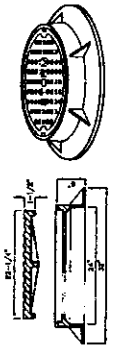


CONCRETE COLLAR - D.O.T. INDEX #280

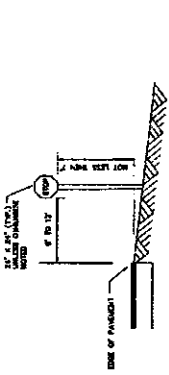


TYPICAL TRENCH SECTION

1. THE CONCRETE SHALL CHECK WITH REQUIREMENTS OF THE FLORIDA ROADWAY SAFETY ACT.
2. METAL BACKSHALLS SHALL BE PLACED TO 1/4" ABOVE THE P.C.E. BACKSHALL SHALL BE MECHANICALLY TIED TO THE CONCRETE SHALL BE PLACED TO 1/4" ABOVE THE P.C.E.



U.S.E. #125 RING & COVER



STOP SIGN & STOP BAR

DATE: 8/22/02
 DRAWN BY: J. J. TERPENING
 CHECKED BY: J. J. TERPENING
 PROJECT NO.: 00-20
 SHEET NO.: 12 OF 15

MIDWAY INDUSTRIAL PARK PHASE III (SOUTH)

PAVING AND DRAINAGE DETAILS & NOTES

NO.	DATE	BY	REVISIONS
1	8/22/02	J. J. TERPENING	ISSUED FOR BIDDING
2	8/22/02	J. J. TERPENING	REVISED
3	8/22/02	J. J. TERPENING	REVISED
4	8/22/02	J. J. TERPENING	REVISED
5	8/22/02	J. J. TERPENING	REVISED
6	8/22/02	J. J. TERPENING	REVISED
7	8/22/02	J. J. TERPENING	REVISED
8	8/22/02	J. J. TERPENING	REVISED
9	8/22/02	J. J. TERPENING	REVISED
10	8/22/02	J. J. TERPENING	REVISED
11	8/22/02	J. J. TERPENING	REVISED
12	8/22/02	J. J. TERPENING	REVISED
13	8/22/02	J. J. TERPENING	REVISED
14	8/22/02	J. J. TERPENING	REVISED
15	8/22/02	J. J. TERPENING	REVISED
16	8/22/02	J. J. TERPENING	REVISED
17	8/22/02	J. J. TERPENING	REVISED
18	8/22/02	J. J. TERPENING	REVISED
19	8/22/02	J. J. TERPENING	REVISED
20	8/22/02	J. J. TERPENING	REVISED

CONSTRUCTION ENGINEERS
LAND SURVEYORS
REGISTERED PROFESSIONAL ENGINEERS
REGISTERED PROFESSIONAL SURVEYORS
REGISTERED PROFESSIONAL ARCHITECTS
REGISTERED PROFESSIONAL PLANNERS
REGISTERED PROFESSIONAL INTERIORS DESIGNERS
REGISTERED PROFESSIONAL LANDSCAPE ARCHITECTS
REGISTERED PROFESSIONAL CIVIL ENGINEERS
REGISTERED PROFESSIONAL ELECTRICAL ENGINEERS
REGISTERED PROFESSIONAL MECHANICAL ENGINEERS
REGISTERED PROFESSIONAL CHEMICAL ENGINEERS
REGISTERED PROFESSIONAL INDUSTRIAL ENGINEERS
REGISTERED PROFESSIONAL AERONAUTICAL ENGINEERS
REGISTERED PROFESSIONAL AGRICULTURAL ENGINEERS
REGISTERED PROFESSIONAL METALLURGICAL ENGINEERS
REGISTERED PROFESSIONAL NUCLEAR ENGINEERS
**REGISTERED PROFESSIONAL OCEANOGRAPHIC ENGINEERS
 REGISTERED PROFESSIONAL PETROLEUM ENGINEERS**

CULPEPPER & TERPENING, INC.

FIELD NO. 776
 PROJECT NO. 00-20
 SHEET NO. 12 OF 15

LAND USE BREAKDOWN MIDWAY INDUSTRIAL PARK

	Midway I			Midway III		
	Area	% Imp	Imp Area	Area	% Imp	Imp Area
Lake	1.93 ac	100	1.93 ac	6.20 ac	100	6.20 ac
Lake Bank	0.59 ac	0	0.00 ac	1.70 ac	0	0.00 ac
Wetland	1.25 ac	100	1.25 ac	11.86 ac	100	11.86 ac
Road R/W	6.99 ac	50	3.50 ac	4.99 ac	35	1.75 ac
Dry Detention	2.28 ac	0	0.00 ac	0.00 ac	0	0.00 ac
Rail Spur	0.43 ac	50	0.22 ac	0.00 ac	0	0.00 ac
Industrial	24.00 ac	80	19.2 ac	42.92 ac	70	30.04 ac
Offsite	5.02 ac	80	4.02 ac	1.12 ac	35	0.39 ac
Totals	42.49 ac		30.12 ac	68.79 ac		50.24 ac

*Midway I offsite does not include wetland area.

Midway III offsite includes a portion of Post Office Road.

** Does not include South Jenkins Road

Total Midway III Area	70.76 ac	From Plat
	(+) 1.12 ac	Post Office Road
	(-) 3.09 ac	South Jenkins Road
	<u>68.79 ac</u>	

Midway III Industrial Building Area
42.92 ac x 20% = 8.58 ac

Midway III Industrial Paved Area
42.92 ac x 50% = 21.46 ac

ADD/REVISED SUBMITTAL

SEP 05 2002

	Midway I & Midway III Combined	
	Area	Impervious Area
Lake	8.13 ac	8.13 ac
Lake Bank	2.29 ac	0.00 ac
Wetland	13.11 ac	13.11 ac
Road R/W	11.98 ac	5.25 ac
Dry Detention	2.28 ac	0.00 ac
Rail Spur	0.43 ac	0.22 ac
Industrial	66.92 ac	49.24 ac
Offsite	6.14 ac	4.41 ac
Totals	111.28 ac	80.36 ac

020627-12

Handwritten signature and date: 9/30/02

Basin B Midway Industrial Park Phase III

Stage / Storage Computations

Begin Stage Calculations = 17.5 NGVD
End Stage Calculations = 22.0 NGVD
Calculation Increment = 0.5 ft

	Wetland	Industrial	Road RW	Off-site Road RW	Acres
Acres =	11.860	34.340	4.990	1.120	Total Area = 52.310
Low Rng =	17.70	19.50	18.70	18.70	
High Rng =	22.00	21.50	21.70	21.70	

Stage (NGVD)	Vertical			Linear			Linear			Total		
	Storage (ac.ft.)	Area (ac.)	(ac.ft.)	Storage (ac.ft.)	Area (ac.)	(ac.ft.)	Storage (ac.ft.)	Area (ac.)	(ac.ft.)	Storage (ac.ft.)	Area (ac.)	(ac.)
17.5	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
18.0	5.93	11.86	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.93	11.86	11.86
18.5	11.86	11.86	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11.86	11.86	11.86
19.0	17.79	11.86	0.00	0.00	0.00	0.07	0.50	0.11	0.02	17.88	12.47	12.47
19.5	23.72	11.86	0.00	0.01	0.53	1.33	1.12	0.30	0.12	24.37	13.50	13.50
20.0	29.65	11.86	2.15	8.59	1.41	2.16	0.32	0.49	0.32	33.52	23.09	23.09
20.5	35.58	11.86	8.59	17.17	2.69	2.99	0.60	0.67	0.60	47.46	32.70	32.70
21.0	41.51	11.86	19.32	25.76	4.40	3.83	0.99	0.86	0.99	66.21	42.30	42.30
21.5	47.44	11.86	34.34	34.34	6.52	4.66	1.46	1.05	1.46	89.76	51.90	51.90
22.0	53.37	11.86	51.51	34.34	9.02	4.99	2.02	1.12	2.02	115.92	52.31	52.31
22.5	59.30	11.86	68.68	34.34	11.51	4.99	2.58	1.12	2.58	142.07	52.31	52.31
23.0	65.23	11.86	85.85	34.34	14.01	4.99	3.14	1.12	3.14	168.23	52.31	52.31

Basin C Midway Industrial Park Phase III

Culpepper Technology, Inc.
Project No. 00-20

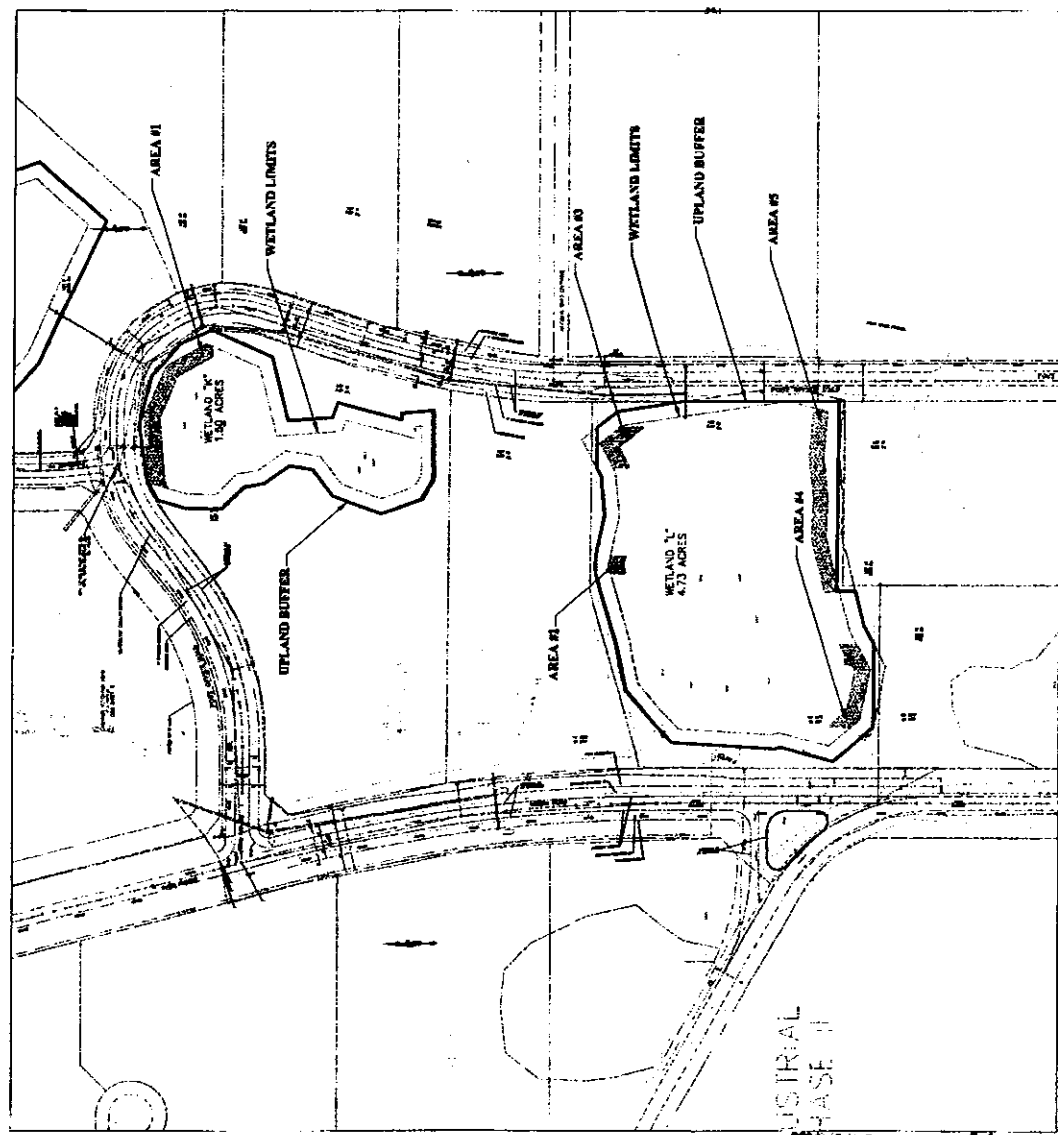
Stage / Storage Computations

16.5 NGVD
22.0 NGVD
0.5 ft

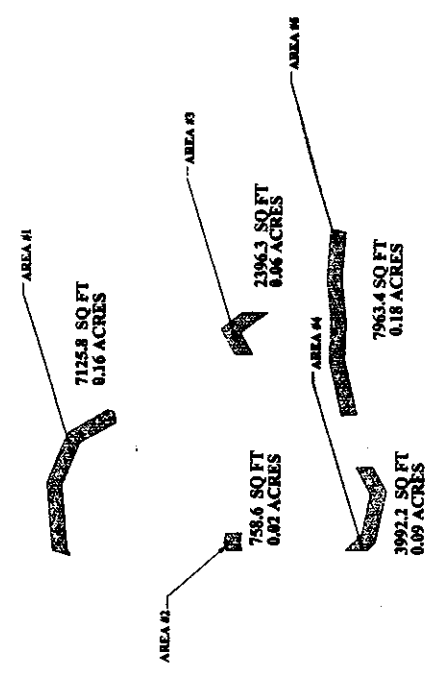
Acres =	Lake	Lake Bank	Acres
Low Rng =	8.130	2.290	Total Area = 10.420
High Rng =	16.50	16.50	
	22.00	19.50	

Stage (NGVD)	Vertical		Linear		Total	
	Storage (ac.ft.)	Area (ac.)	Storage (ac.ft.)	Area (ac.)	Cumulative Storage (ac.ft.)	Area (ac.)
16.5	0	8.13	0.00	0.01	0.00	8.14
17.0	4.07	8.13	0.10	0.38	4.16	8.51
17.5	8.13	8.13	0.38	0.76	8.51	8.89
18.0	12.20	8.13	0.86	1.15	13.05	9.28
18.5	16.26	8.13	1.53	1.53	17.79	9.66
19.0	20.33	8.13	2.39	1.91	22.71	10.04
19.5	24.39	8.13	3.44	2.29	27.83	10.42
20.0	28.46	8.13	4.58	2.29	33.04	10.42
20.5	32.52	8.13	5.73	2.29	38.25	10.42
21.0	36.59	8.13	6.87	2.29	43.46	10.42
21.5	40.65	8.13	8.02	2.29	48.67	10.42
22.0	44.72	8.13	9.16	2.29	53.88	10.42

APPLICATION 020627-12
EXHIBIT 3C



**SECONDARY IMPACTS
 FOR UPLAND BUFFERS
 LESS THAN 25' WIDE**



TOTAL AREA = 31,236 SQ FT
 TOTAL AREA = 0.51 ACRES
 TOTAL UPLAND BUFFER MITIGATION REQUIRED = 0.51 ACRES

LEGEND
 PROPOSED SECONDARY WETLAND IMPACTS (0.51 ACRES)

APPROVED FOR PERMIT
 APR 11, 2012

E020027 - 12

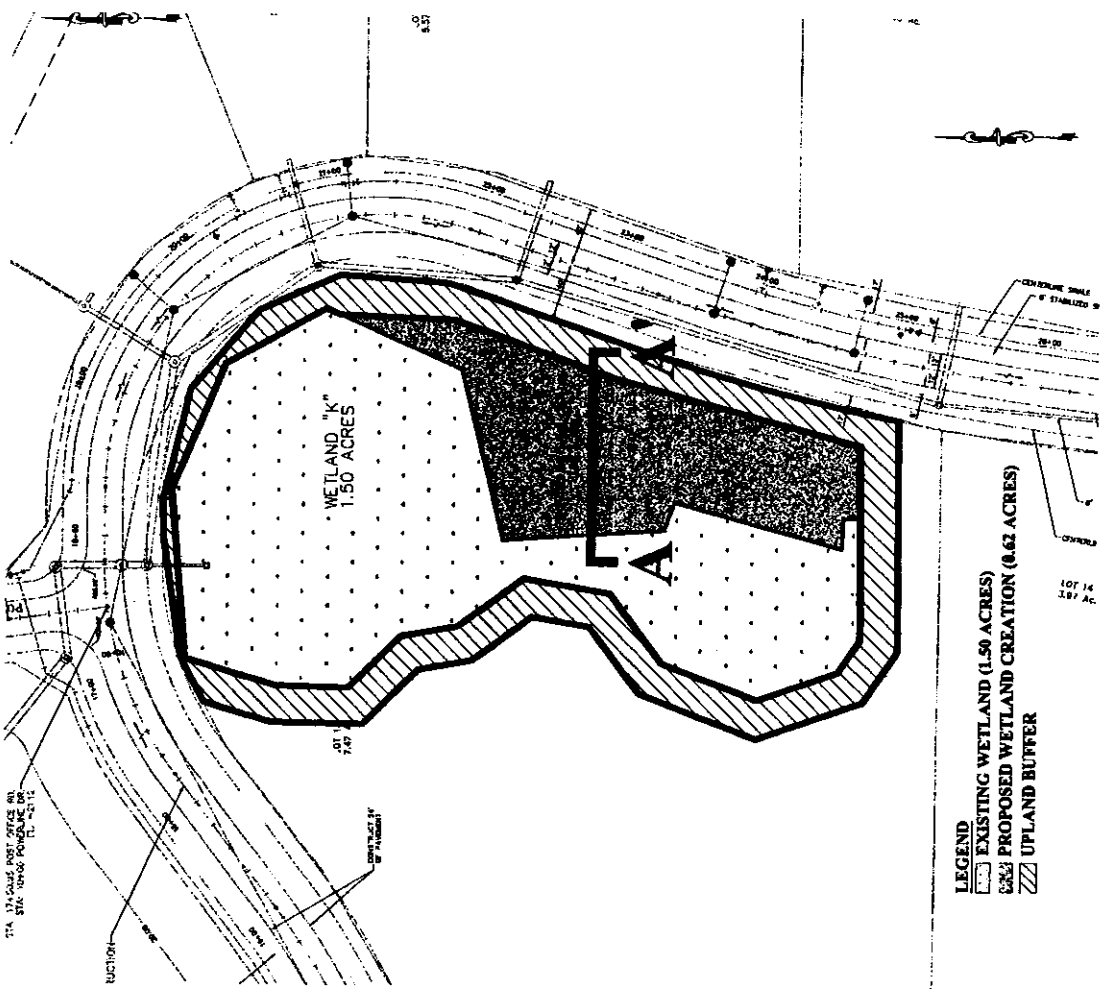
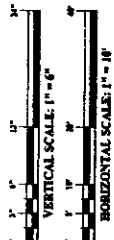
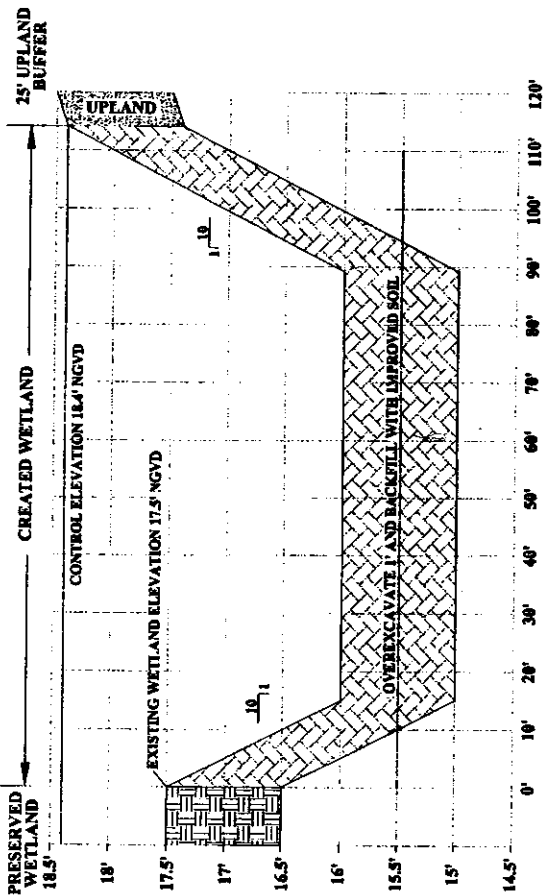
PLAN VIEW		DATE: 30 MARCH 2012 DRAWN BY: GUE	SCALE: 1" = 100' CHECKED BY: GUE	DESIGNED BY: GUE	APPROVED BY: R. WEIGT	SEC. 1797, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	CIV. ENGR. STATE OF FLORIDA EX. 12345	ENVIRONMENTAL CONSULTANTS, INC. 10000 W. BOYD BLVD., SUITE 100 BOYDTON, FLORIDA 32009 (904) 444-4444	R. L. WEIGT ENVIRONMENTAL CONSULTANTS, INC.	CONSULTING ENGINEER REGISTERED PROFESSIONAL ENGINEER LICENSE NO. 12345
MIDWAY INDUSTRIAL PARK PHASE III ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP) PROPOSED SECONDARY IMPACTS TO WETLANDS										

INDUSTRIAL PHASE II
EXHIBIT 4A

NET AREA:



CONSULTING ENGINEERS
LAND SURVEYORS
400 SOUTH MAIN STREET
PORT JEFFERSON, NEW YORK 11777
(516) 467-3031



- LEGEND**
- EXISTING WETLAND (1.50 ACRES)
 - PROPOSED WETLAND CREATION (0.62 ACRES)
 - UPLAND BUFFER

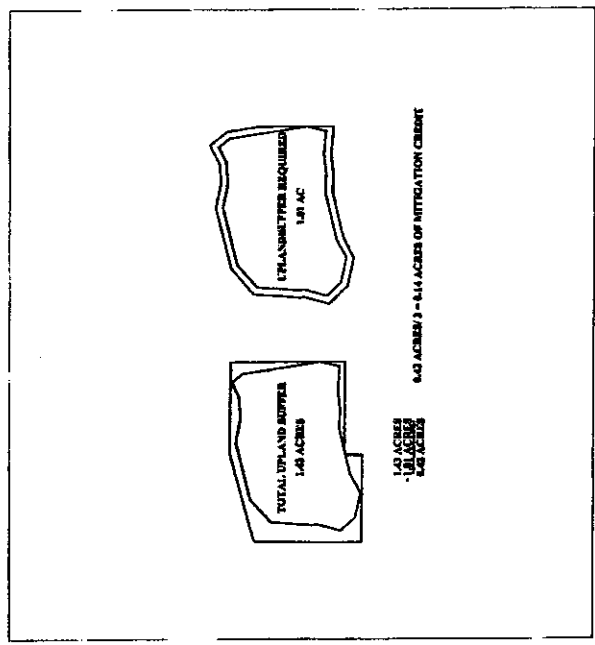
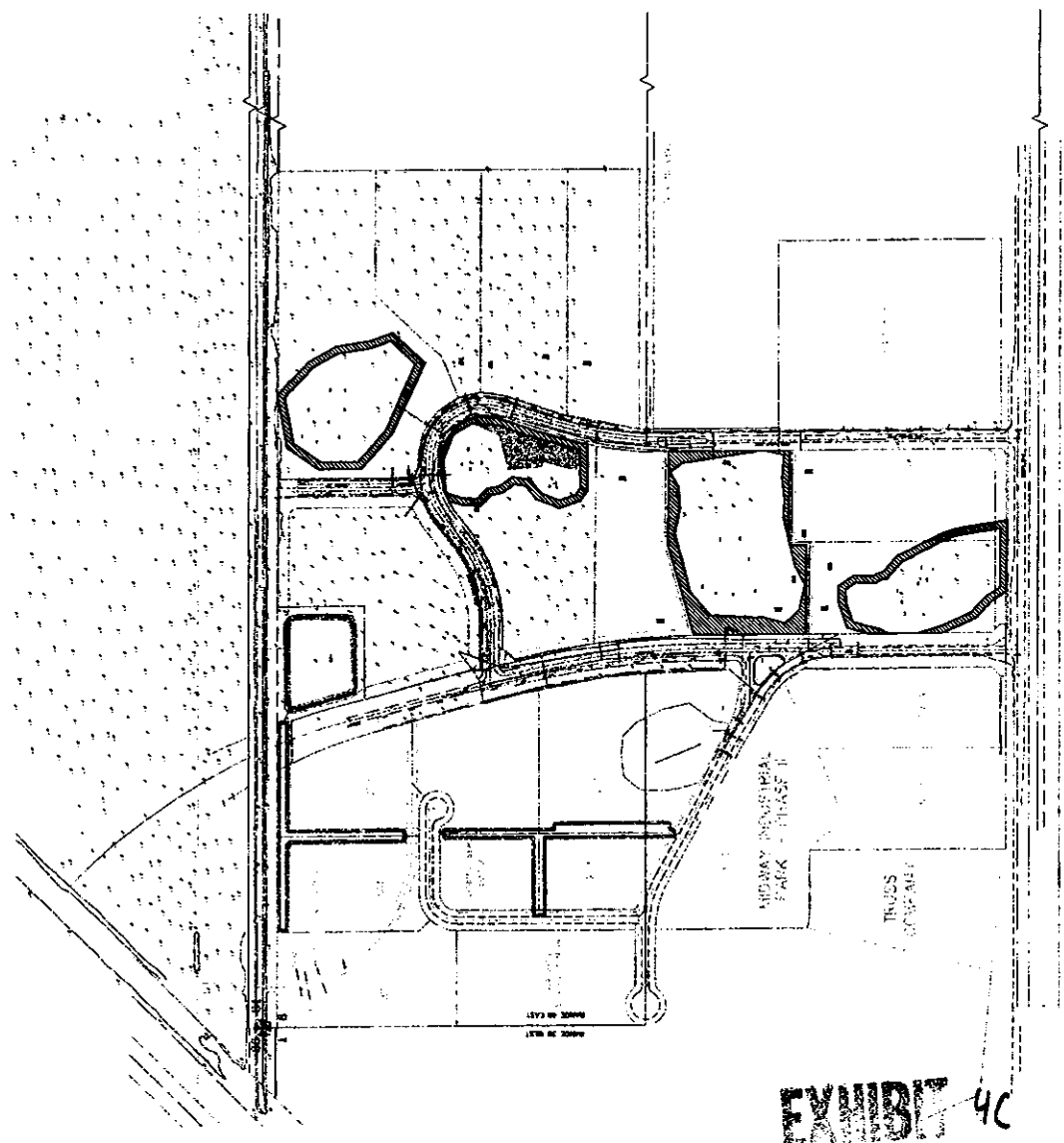
NOVEMBER 2010

PLAN VIEW & CROSS SECTION

DATE	BY	CHKD BY	APP'D BY	REV.	DESCRIPTION
11/17/10	JLW	JLW	JLW	1	ISSUE FOR PERMIT
11/17/10	JLW	JLW	JLW	2	REVISED PER COMMENTS

MIDWAY INDUSTRIAL PARK PHASE III
ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)
PROPOSED MITIGATOR (CREATION) AND CROSS SECTION

R. L. WEIGT
ENVIRONMENTAL CONSULTANTS, INC.
1000 W. 14TH STREET, SUITE 200
MILWAUKEE, WI 53233
TEL: (414) 381-1111 FAX: (414) 381-1112
WWW.RLWEIGT.COM



LEGEND
 PROPOSED WETLAND CREATION (0.62 ACRES)
 PROPOSED UPLAND BUFFER

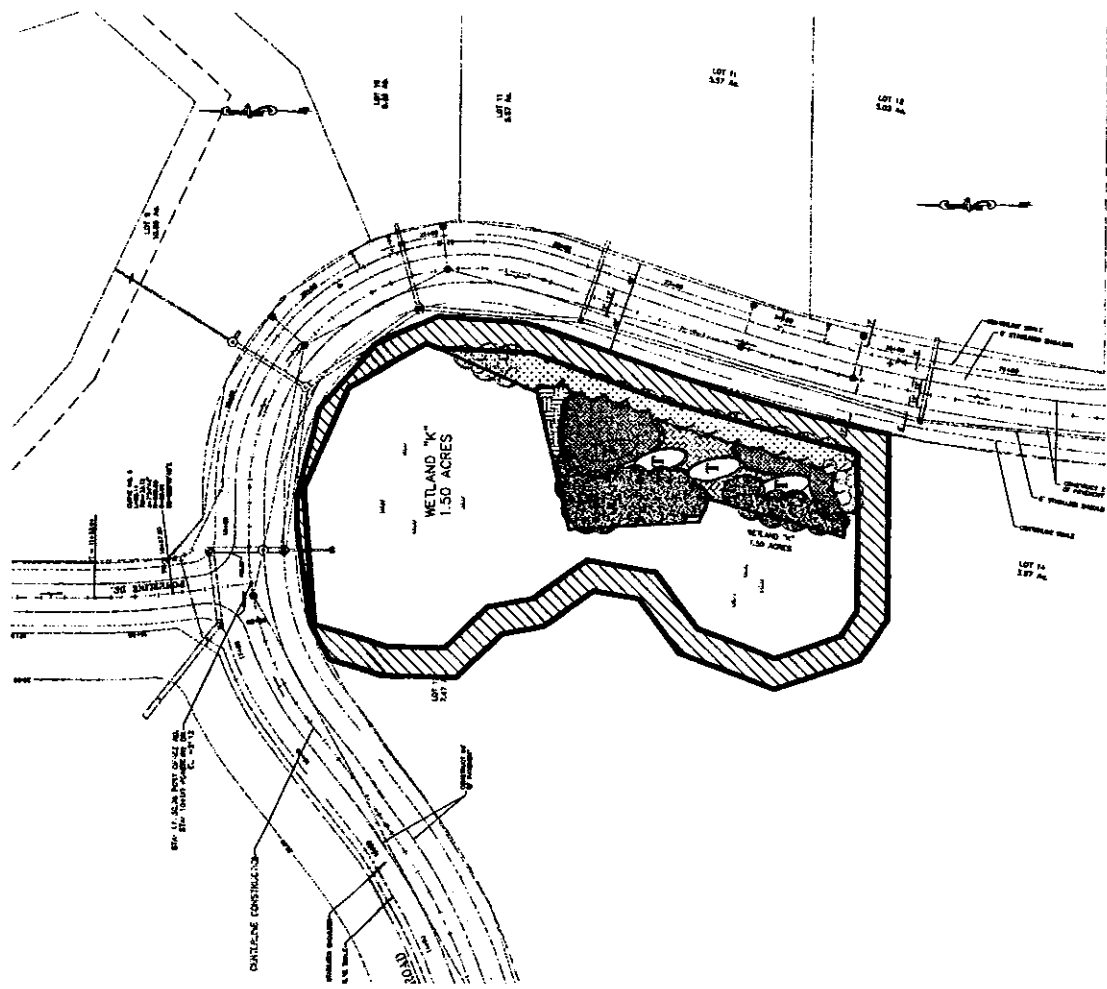
EXHIBIT 4C

NOVEMBER 2001

PLAN VIEW

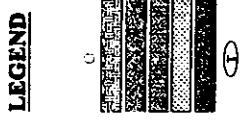
LATITUDE 27° 15' 32.70"	DATE 01 MAR 2002	SCALE 1" = 200'	STATE FLORIDA	COUNTY HILLSDALE
LONGITUDE 82° 50' 13.20"	DRAWN BY M.W.	PROJECT NO. 100000000	PROJECT MIDWAY INDUSTRIAL PARK PHASE II	CLIENT R.L. WEIGT
W. AMP. 13.20"				

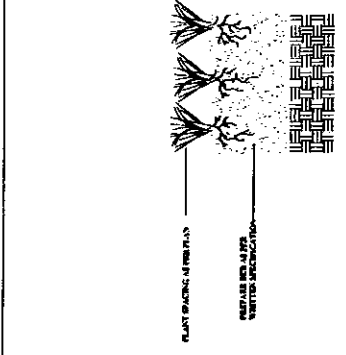
MIDWAY INDUSTRIAL PARK PHASE II
 ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)
 PROPOSED PROJECT AND UPLAND BUFFERS



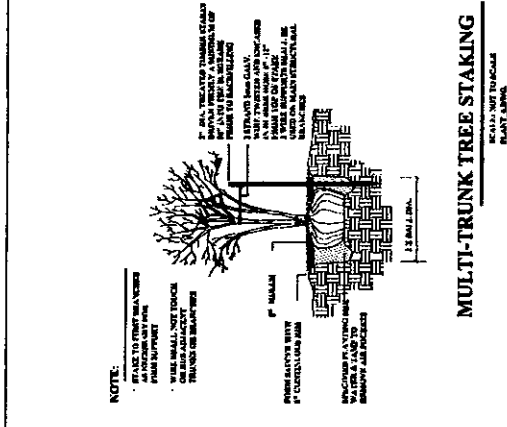
Scientific Name	SIZE	UNITS
<i>Ilex cassine</i>	30 GAL	20
<i>Sagittaria latifolia</i>	BR	120
<i>Panicum hemitomon</i>	BR	975
<i>Pontederia cordata</i>	BR	225
<i>Spartina bakeri</i>	BR	875
<i>Eleocharis interstincta</i>	BR	700
<i>Thalia geniculata</i>	BR	50

COMMON NAME
DAHOON HOLLEY
DUCK POTATO
MAIDENCANE
PICKERELWEED
CORDGRASS
SPIKE-RUSH
FIRE FLAG

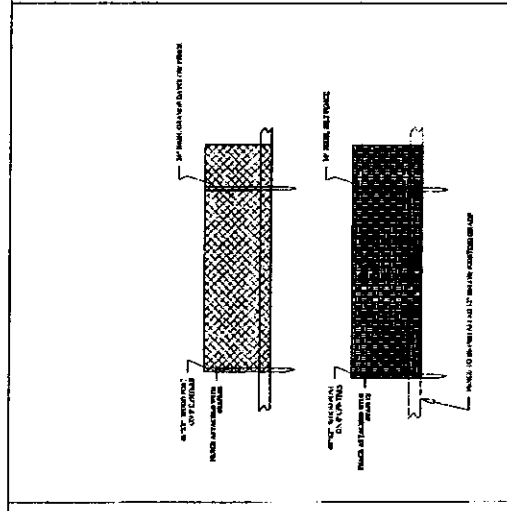




SPARTINA PLANTING DETAIL
SCALE: NOT TO SCALE
PREFABRICATED

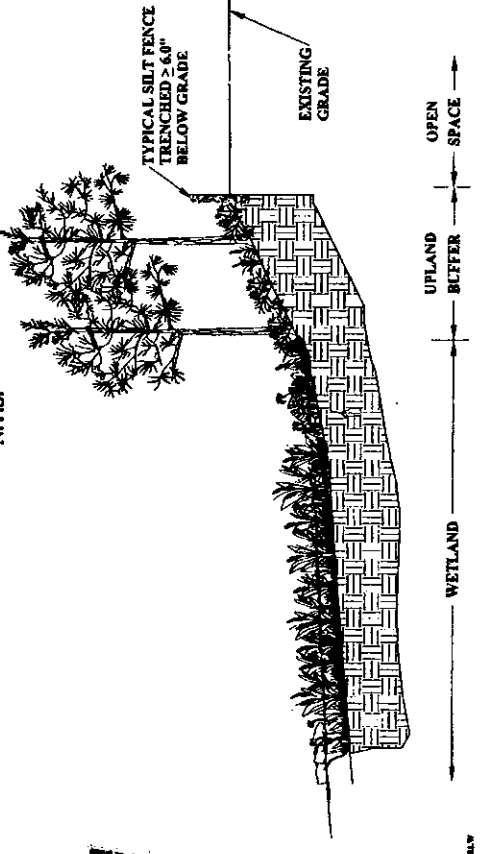


MULTI-TRUNK TREE STAKING
SCALE: NOT TO SCALE
PLANTING



EROSION AND TURBIDITY CONTROL PLAN

TYPICAL SECTION
N.T.S.



SCALE: 1/4\"/>

GENERAL NOTES

1. PLANTS NATIVE TO FLORIDA MAY BE SUBSTITUTED FOR THOSE LISTED, ACCORDING TO AVAILABILITY AND SIZE WITH THE WRITTEN AUTHORIZATION OF THE AGENCIES AND THE ENVIRONMENTAL CONSULTANT.
2. LOCATION OF PLANTS MAY BE FIELD ADJUSTED IN ORDER TO PROVIDE THE BEST GROWING CONDITIONS.
3. PLANT MATERIAL SHALL BE INSPECTED BY THE ENVIRONMENTAL CONSULTANT PRIOR TO INSTALLATION.
4. ALL PLANTS SHALL BE INSTALLED IN HEALTHY AND VIGOROUS CONDITION, AND SHALL BE FREE OF WEEDS, DISEASE, AND INSECT PESTS, EGGS OR LARVAE.
5. CONTRACTOR IS RESPONSIBLE FOR THE PROPER WATERING AND FERTILIZATION OF THE INSTALLED PLANTS FOR A PERIOD OF NOT LESS THAN ONE (1) YEAR.
6. ROOT BOUND CONTAINER PLANTS WILL NOT BE ACCEPTED.

GENERAL NOTE-LONG

GENERAL NOTES

DEFINITION OF IMPROVED SOIL
IMPROVED SOIL IS DEFINED AS A TOPSOIL MIXTURE COMPRISED OF PEAT AND SAND OR MILK WITH AN ORGANIC MATTER CONTENT OF FIFTY PERCENT BY VOLUME.
THE MIXTURE SHALL BE SUITABLE FOR AND CAPABLE OF SUPPORTING THE GROWTH OF ALL PLANTS AND VEGETATION OR IN LAYERS PLANT SEED BEDS. ALL IMPROVED SOIL MUST BE APPROVED BY THE PROJECT ENGINEER BEFORE PLACEMENT IN MITIGATION AREAS.
GRADE STANDARDS AND QUALITY
QUALITY OF ALL PLANTS SHALL BE AT LEAST EQUAL TO THAT SPECIFIED IN THE CONTRACT DRAWINGS FOR SUBSISTENT PLANTS. ALL PLANTS SHALL BE SOLELY OF FLORIDA ORIGIN AND SHALL BE FREE OF DISEASE, INSECT PESTS, EGGS OR LARVAE. PLANTS SHALL BE SOLELY OF FLORIDA ORIGIN AND SHALL BE FREE OF DISEASE, INSECT PESTS, EGGS OR LARVAE. PLANTS SHALL BE SOLELY OF FLORIDA ORIGIN AND SHALL BE FREE OF DISEASE, INSECT PESTS, EGGS OR LARVAE.
TRANSPORTATION AND INSPECTION
PLANT TRANSPORTATION SHALL COMPLY WITH ALL FEDERAL AND STATE REGULATIONS, THEREAFTER, AND UPON DELIVERY AT THE SITE, ALL PLANTS SHALL BE INSPECTED BY THE PROJECT ENVIRONMENTAL CONSULTANT FOR CONFORMANCE TO SPECIFICATIONS AND FOR CONFORMANCE WITH THE CONTRACT DRAWINGS. THE ENVIRONMENTAL CONSULTANT'S INSPECTION SHALL PROVIDE THE REQUESTED INSPECTION, REJECTED PLANTS SHALL BE REMOVED IMMEDIATELY FROM THE SITE BY THE CONTRACTOR. PLANTS THAT HAVE TO BE TRANSPORTED MORE THAN ONE (1) MILE TO THE PROJECT SITE SHALL BE TREATED WITH "WET FURF" AND COVERED WITH SHROUD-CLOTH OR EQUIVALENT TO PREVENT WIND BURN.

GENERAL NOTE-BRING

SECONDARY IMPACTS TO WETLANDS
(UPLAND BUFFERS LESS THAN 25' WIDE)

PROPOSED MITIGATION

WETLAND CREATION 0.44± ACRES

ADDITIONAL UPLAND BUFFER 0.14± ACRES

642 ACRES ± 0.14± ACRES

TOTAL MITIGATION ACRES 0.78± ACRES

DETAIL SHEET

MIDWAY INDUSTRIAL PARK PHASE III
ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)
DETAIL SHEET

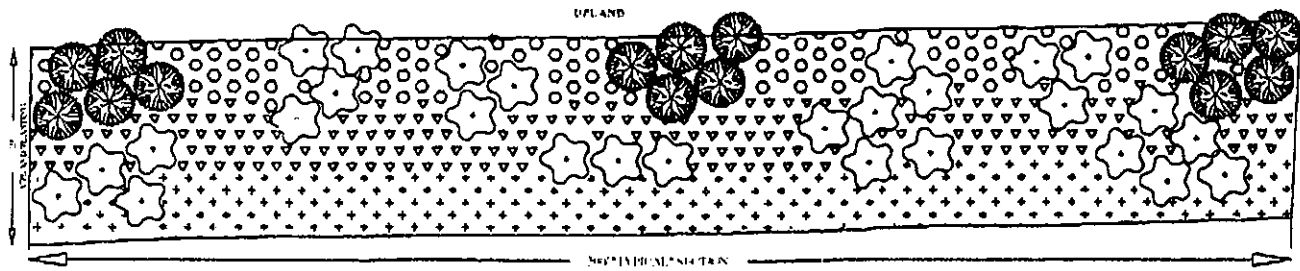
LATTER DATE	DATE	SCALE	BY	CHECKED BY	DATE	APPROVED BY	DATE
3/17/2017	03 MARCH 2017	N.T.S.	BRADY	BRADY	03 MAR 2017	BRADY	03 MAR 2017
DATE	DATE	SCALE	BY	CHECKED BY	DATE	APPROVED BY	DATE
03 MAR 2017	03 MAR 2017	N.T.S.	BRADY	BRADY	03 MAR 2017	BRADY	03 MAR 2017

R. L. WEIGT
ENVIRONMENTAL CONSULTANTS, INC.
10001 W. UNIVERSITY BLVD., SUITE 100
FORT LAUDERDALE, FL 33324
(954) 371-1111 FAX (954) 371-1112

THIS DRAWING, TOGETHER WITH THE CONCEPTS AND DESIGN PRESENTED HEREIN, IS AN INSTRUMENT OF SERVICE. IT IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF ANY PORTION OF THIS DRAWING WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC. SHALL BE WITHOUT LIABILITY TO R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC.

NOT A SURVEY

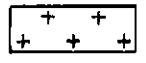
SCALE: NTS



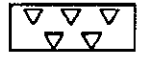
LEGEND



50/50 MIX. SAW PALMETTO (*Serenoa repens*) AND WAX MYRTLE (*Myrica cerifera*)



SAND CORDGRASS (*Spartina bakeri*)



WIRE GRASS (*Aristida stricta*)



SLASH PINE (*Pinus elliotti*)



CABBAGE PALM (*Sabal palmetto*)

SCIENTIFIC NAME	COMMON NAME	DENSITY	SIZE
<i>Aristida stricta</i>	WIRE GRASS	3' O.C.	BR
<i>Myrica cerifera</i>	WAX MYRTLE	6' O.C.	1 GAL.
<i>Pinus elliotti</i>	SLASH PINE	10' O.C.	15 GAL.
<i>Sabal palmetto</i>	CABBAGE PALM	10' O.C.	8' C.T.
<i>Serenoa repens</i>	SAW PALMETTO	6' O.C.	1 GAL.
<i>Spartina bakeri</i>	SAND CORDGRASS	3' O.C.	BR

SOURCE: RLW
 LATITUDE: N27° 22.721' LONGITUDE: W080° 12.648'

4F

ST. LUCIE COUNTY	SEC. 31	TWP. 35S	R. 40E	RLW JOB NO.: 00-029.3	DRAWING NAME: TYPICAL REPLANTING DWG	DATE: 09 SEPTEMBER 2002	FIGURE: 3 OF 5
FLORIDA	6	36S					

**MIDWAY INDUSTRIAL PARK PHASE III
 WETLAND MONITORING AND MAINTENANCE PLAN
 TYPICAL REPLANTING PLAN**

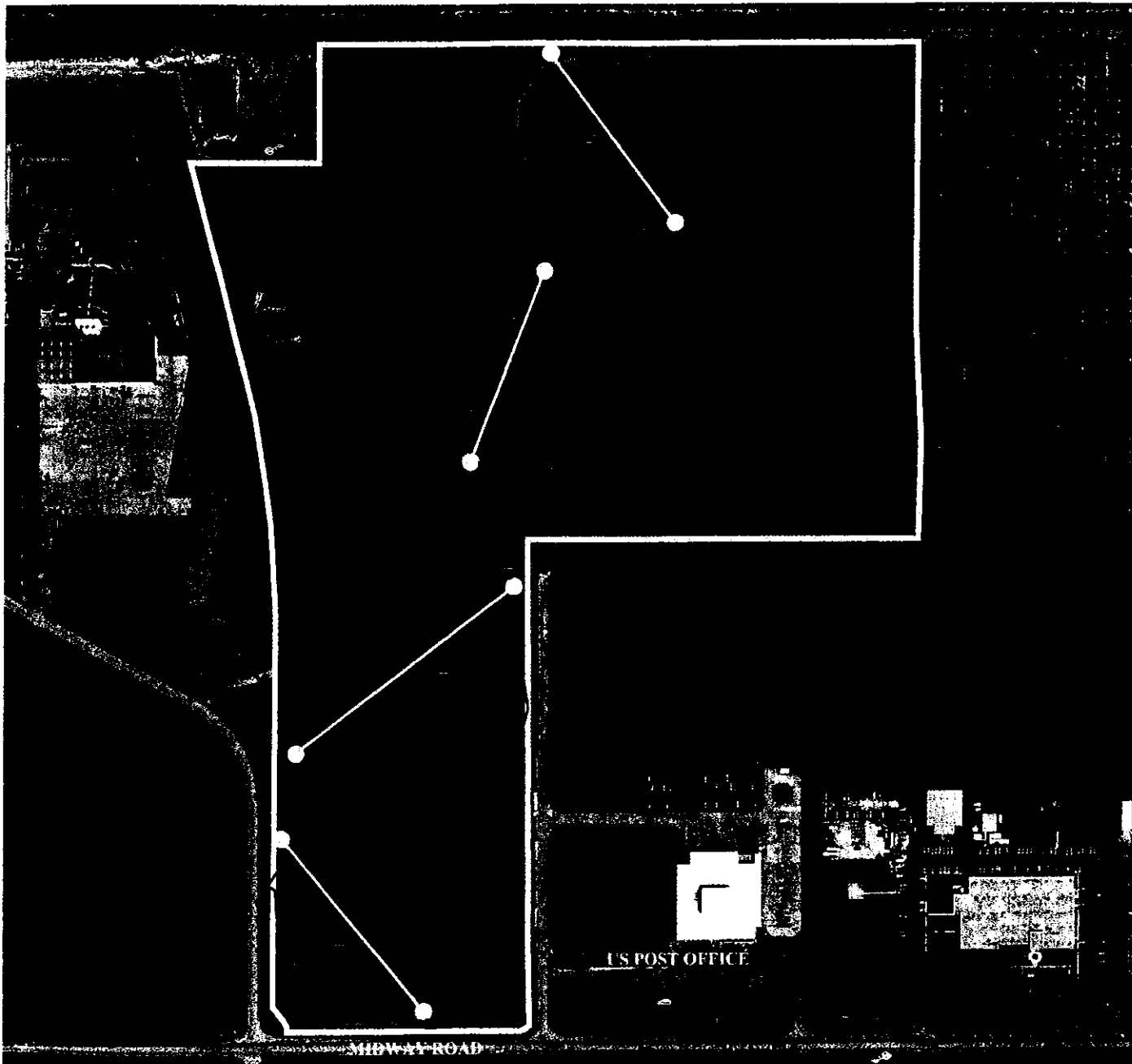
**R. L. WEIGT
 ENVIRONMENTAL CONSULTANTS, INC.**
 8985 S.E. BRIDGE ROAD, SUITE A, HOBE SOUND, FL 33455
 PHONE: (772) 546-6255 FAX: (772) 546-2316 E-MAIL: rlw1@adelphia.net

THIS DRAWING, TOGETHER WITH THE CONCEPTS AND DESIGN PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DRAWING WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC. SHALL BE WITHOUT LIABILITY TO R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC.

NOT A SURVEY



SCALE: 1" = 400'



LEGEND

- TRANSECT LOCATION
- PANORAMIC PHOTO LOCATION
- DATA LOGGERS

SOURCE: 2000 AERIAL PHOTOGRAPH, ST. LUCIE COUNTY
 LATITUDE: N27° 22.721' LONGITUDE: W080° 22.645'

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:	DRAWING NAME:	DATE:	FIGURE:
FLORIDA	31 6	35S 36S	40E	00-029.3	TRANSECTS.DWG	09 SEPTEMBER 2002	4 OF 5

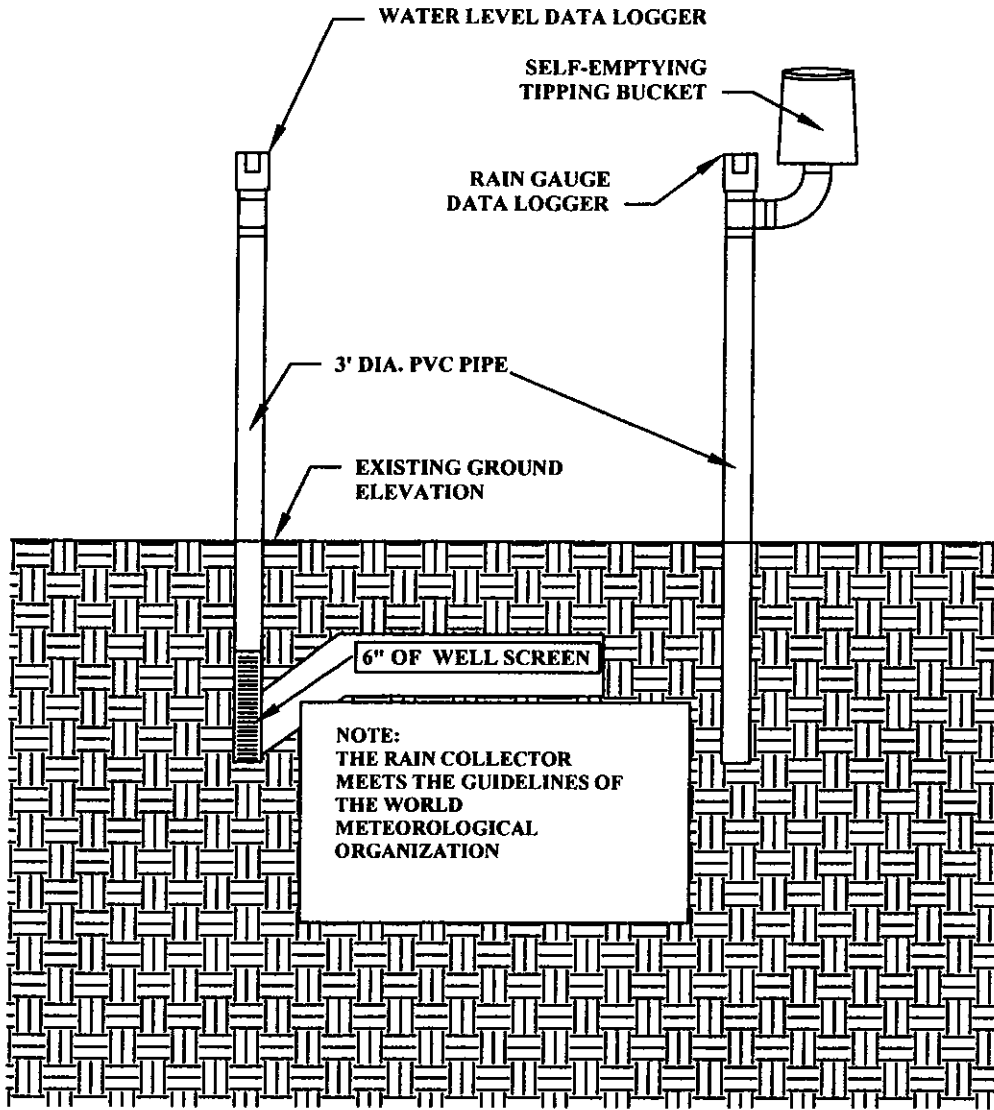
**MIDWAY INDUSTRIAL PARK PHASE III
 WETLAND MONITORING AND MAINTENANCE PLAN
 PROPOSED WETLAND TRANSECTS**

R. L. WEIGT
 ENVIRONMENTAL CONSULTANTS, INC.
 8985 S.E. BRIDGE ROAD, SUITE A, HOBE SOUND, FL 33455
 PHONE: (772) 546-6255 FAX: (772) 546-2316 E-MAIL: rlw1@adelphia.net

SA

NOT A SURVEY

SCALE: NTS



NOTE:
 THE RAIN COLLECTOR
 MEETS THE GUIDELINES OF
 THE WORLD
 METEOROLOGICAL
 ORGANIZATION

EXHIBIT 5B

SOURCE: RLW
 LATITUDE: N27° 22.721' LONGITUDE: W080° 22.645'

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:	DRAWING NAME:	DATE:	FIGURE:
FLORIDA	31 6	35S 36S	40E	00-029.3	DATA LOGGERS.DWG	09 SEPTEMBER 2002	5 OF 5

**MIDWAY INDUSTRIAL PARK PHASE III
 WETLAND MONITORING AND MAINTENANCE PLAN
 TYPICAL DATA LOGGERS**

R. L. WEIGT
 ENVIRONMENTAL CONSULTANTS, INC.
 8985 S.E. BRIDGE ROAD, SUITE A, HOBE SOUND, FL 33455
 PHONE: (772) 546-6255 FAX: (772) 546-2316 E-MAIL rlw1@adelphia.net

THIS DRAWING, TOGETHER WITH THE CONCEPTS AND DESIGN PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OR MISAPPROPRIATE USE OF THIS DRAWING WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC. SHALL BE WITHOUT LIABILITY TO R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC.

An Infinity USA #220 Water Level Data Logger (Figure 5 of 5) will be installed within each of the preserved wetlands (Figure 4 of 5). The data loggers will be programmed to record water level data once per day. One (1) Infinity USA rain gauge data logger with self emptying tipping bucket will also be installed within one of the preserved wetlands to record daily rainfall (Figures 4 and 5 of 5).

4.00 VEGETATION SURVEY

RLW biologists will conduct semiannual (March and October) vegetation surveys for each of the transects for a period of five (5) years. Sample quadrats, 10 meters x 10 meters (100 sq. meters) will be sampled every one-hundred feet (100'). Vegetation inside the quadrats will be identified to species, where possible, and recorded. Percent-coverage of each species will be recorded. Biologists will list all the species that are observed for each particular sample quadrat.

5.00 PANORAMIC TRANSECT PHOTOGRAPHS AND QUADRAT PHOTOGRAPHS

During each sample iteration, RLW will take color panoramic photographs (180°) of each transect. A range-pole will be provided in each photograph for scaling vegetation growth. A single photograph will be taken of each sample quadrat. The photographs will provide physical documentation of the conditions within the mitigation area. Photographs of the semiannual monitoring iterations will be included in the annual reports.

6.00 WILDLIFE UTILIZATION

A qualitative study of wildlife utilization (birds, mammals, amphibians, and reptiles) will be conducted during each sample iteration. A species list of observed wildlife will be compiled for each semiannual monitoring iteration and included in the annual reports.

56

7.00 FISH AND AQUATIC MACROINVERTEBRATE SAMPLING

Qualitative sampling for the presence of fish and aquatic macroinvertebrates will be conducted by biologists during each sample iteration. The fish and aquatic macroinvertebrates will be collected with cast nets, seines, and/or dipnets, whichever is more applicable at the time of sampling. A species list will be compiled for each semiannual monitoring iteration and included in the annual reports.

8.00 HYDROLOGY

RLW staff will collect water level data from each data recorder semiannually during each monitoring iteration. Water level data will be graphed with rainfall data and included in the annual reports.

9.00 MAINTENANCE

Exotic and nuisance plant species, as defined by the Florida Exotic Pest Plant Council (Table 1), will be pulled by hand or treated with an approved herbicide (i.e. Garlon or Rodeo) and left to die in place. Maintenance will be performed by the applicant on a semiannual basis for a period of five (5) years. The preserved wetland and upland areas will be maintained with zero percent (0%) coverage of exotic vegetation after each maintenance activity. Coverage of exotic and nuisance plant species will not exceed five percent (5%) coverage between maintenance activities. On-site maintenance will be conducted by the applicant in perpetuity and run with the land.

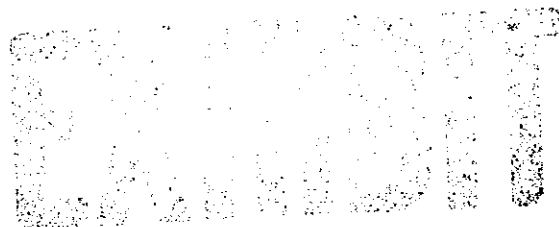
10.00 MONITORING REPORTS

Annual mitigation monitoring reports will be submitted to the South Florida Water Management District (SFWMD) according to the following schedule of events:

Upon Permit Issuance	Baseline report
March 2003	Semiannual monitoring only
November 2003	Semiannual monitoring, Report #1
March 2004	Semiannual monitoring only
November 2004	Semiannual monitoring, Report #2
March 2005	Semiannual monitoring only
November 2005	Semiannual monitoring, Report #3
March 2006	Semiannual monitoring only
November 2006	Semiannual monitoring, Report #4
March 2007	Semiannual monitoring only
November 2007	Semiannual monitoring, Final Report #5

Annual reports will be submitted within thirty (30) days of sampling the mitigation areas. The monitoring reports will contain the following data:

- results of the semiannual vegetation surveys
- results of the semiannual wildlife utilization
- water level and rainfall data
- panoramic and quadrat photographs of the semiannual monitoring iterations
- results of the semiannual fish and aquatic macroinvertebrate surveys
- discussion of project issues related to water levels, vegetation changes, fish and wildlife utilization, percent-coverage, permit compliance, exotic species, and recommendations or proposed changes, as necessary, for improving the success of the mitigation areas.



SE

**South Florida Water Management District
Work Schedule Requirements**

Application No : 020627-12

Page 1 of 1

Mitigation Plan ID: MIDWAY INDUSTRIAL

Activity	Due Date
SUBMIT RECORDED PLAT	15-AUG-2003
BASELINE MONITORING REPORT	30-AUG-2003
EXCAVATION AND GRADING CREATION AREA	30-AUG-2003
FIRST MONITORING REPORT	30-MAR-2004
SUBMIT RECORDED POA DOCUMENTS	12-JUN-2004
SECOND MONITORING REPORT	30-MAR-2005
THIRD MONITORING REPORT	30-MAR-2006
FOURTH MONITORING REPORT	30-MAR-2007
FIFTH MONITORING REPORT	30-MAR-2008

FEE, KOBLEGARD & DeROSS

ATTORNEYS AT LAW

An Affiliation of Professional Associations

401 SOUTH INDIAN RIVER DRIVE
FORT PIERCE, FLORIDA 34950

FRANK H. FEE, III
R.N. KOBLEGARD, III, -
Board Certified Civil Trial Lawyer
of FEE & KOBLEGARD, P.A.

JOSEPH J. DeROSS, JR.
of JOSEPH J. DeROSS, JR., P.A.

Date: February 19, 2003
To: Eric Zeiss, PE
Culpepper & Terpening, Inc.
Fax #: 464-9497
From: Connie
RE: Midway Industrial Park - Phase III

Message:

Transmitted herewith is the checklist that should have been included with the letter just delivered to your office.

This transmission consists of this cover page plus 5 page(s) of copy. If you experience any problem receiving, call our office at 772/461-5020. Our fax number is 772/468-8461.

CONFIDENTIALITY

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS TELECOPY IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE COLLECT AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS LISTED ABOVE VIA U.S. MAIL.

CULPEPPER & TERPENING	
JPT	
RML	
SKM	
GLE	
FRANK FEE (1913-1983)	
OTIS R. PARKER, JR. (1910-1982)	
DRH	
TELEPHONE	
DLE	772) 461-5020
PPP	
TELECOPIER	
MTE	772) 468-8461
RW	
MEB	
CAK	
STT	

6A
P. 1 of 6

FAXED
FEB 19 2003
BY: _____

Nov 30th version

CHECKLIST FOR HOMEOWNER/PROPERTY OWNER ASSOCIATION DOCUMENTS

Application or Permit No. _____
Project Name _____

This checklist is to be used in the review of Homeowner/Property Owner Association (Association) Article of Incorporation, Declaration of Protective Covenants, Deed Restrictions, Declaration of Condominium or other recorded documents (Documents) for compliance with Section 9.2 of the Basis of Review for Environmental Resource or Surface Water Management permits within the South Florida Water Management District (BOR).

I. POWERS AND ATTRIBUTES OF THE ASSOCIATION

Pursuant to Section 9.2.3, BOR, the Articles of Incorporation or other documents of record shall set forth general powers and attributes of the association.

- A. Do the documents state that the Association shall have all the powers set forth in Section 617.0302, F.S. ? Yes ; page number Articles, Page 1, Article III
- B. If not, do the documents give the Association the following powers? Items 1-6 - Articles, Page 1, Article III
 - 1. to own and convey property; _____; page number _____
 - 2. to operate and maintain common property, including the surface water management system (SWM) permitted in the SFWMD Permit _____; page number _____
 - 3. the power to establish rules and regulations _____; page number _____
 - 4. to assess members and enforce assessments _____; page number _____
 - 5. to sue and be sued _____; page number _____ and
 - 6. to contract for services _____; page number _____
- C. Pursuant to Section 9.2.3(g) and 9.2.6(d), BOR, are all homeowners; lot, property and unit owners; and the golf course (if any) members of the association? yes ; page number Articles, Page 2, Article IV

II. LEGAL DESCRIPTION AND EASEMENTS

- A. Do the documents cover the entire project according to the legal description? Yes-Declaration
If not, which phase(s) does it cover? _____ Page 1
- B. Is the legal description included as an exhibit? Yes ; Exhibit number Exhibit "A" to Declaration

*Articles of Incorporation = Articles 1
Declaration of Restrictions = Declaration

6A
2016

- C. Is the legal description by plat? No Are golf courses, if any, platted? N/A
- D. Where or how will conservation, drainage, access and maintenance easements be dedicated? by Plats to be recorded

- E.
 1. Are drainage, access and maintenance easements defined and reserved/dedicated to the operating entity? Yes; page number Declaration, Page 6 Article VIII
 2. Does the dedication/reservation state that the easement may not be removed from its intended use by subsequent owners or others? Yes; page number Declaration, Page 7, Section 8.3
 3. If a reservation or dedication to the operating entity is not included in the documents, please identify the document(s) where such a reservation or dedication is made. Plat
- F. Are conservation easement use restrictions defined and included in the documents?² Yes; page number Declaration, Page 6, Section 8.1

III. OWNERSHIP AND MAINTENANCE

- A. Pursuant to Section 9.2.4(a), BOR, the documents should state that "It is the responsibility of the Association to operate and maintain the SWM system." Do the documents provide that the association shall operate and maintain the SWM system? Yes; page number Declaration, Page 7, Section 8.4
- B. Pursuant to Section 9.2.4(b), BOR, do the documents state that the Association owns the common areas and SWM system? Yes; page number Declaration, Page 7, Section 8.4
- C. Pursuant to Section 9.2.4(c), BOR, there must "be a method of assessing and collecting the assessment for operation and maintenance of the SWM system." Do the documents provide that the association can assess and collect for the operation, maintenance and replacement of the swm system through regular and special assessments? Yes; page number Declaration, Pages 3-4, Sections 3.1-3.6 Articles, Page 1, Article III

IV. AMENDMENTS, DURATION AND DISSOLUTION

- A. Section 9.2.4(d), BOR, states: "That any proposed amendment to the Association's documents, that would affect the SWM system (including environmental conservation areas and the water management portions of the common areas) must be submitted

¹ See Section 7.5, BOR.

² Although not specifically required by Section 9.2, BOR, the inclusion of conservation easement use restrictions in the documents is considered informative.

6A² 3 of 6

to the District for a determination of whether the amendment necessitates a modification of the SWM permit. If a modification is necessary, the District will so advise the permittee."

Is an amendment section included, which requires SFWMD approval if the swm system, environmental conservation areas, and/or water management portions of common areas requested by the permit would be affected? Yes; page number Declaration, Page 5, Article VI

- B. Pursuant to Section 9.2.4(e), BOR, "The rules and regulations must be in effect for at least 25 years with automatic renewal periods thereafter." Do the documents have a minimum 25-year duration with automatic renewal periods thereafter? Yes; page number Declaration, Page 7, Section 9.1
- C. Section 9.2.3(h), BOR states: the Association shall exist in perpetuity; however, if the Association is dissolved, the Articles of Incorporation must provide that the property consisting of the surface water management system shall be conveyed to an appropriate agency of local government. If it is not accepted, then the surface water management system must be dedicated to a similar non-profit corporation.
1. Do the documents provide that the Association shall exist in perpetuity? Yes; page number Articles, Page 2, Article V
 2. If the Association is dissolved, are their provisions requiring the SWM system, property containing the SWM system and water management portions of common areas required to be conveyed to local government determined to be acceptable by the SFWMD? Yes; page number Articles, Page 2, Article V
 3. If the local government declines to accept the conveyance, do the documents require the SWM system, property containing the SWM system and water management portions of common areas be dedicated to a similar non-profit corporation? Yes; page number Articles, Page 2, Article V

V. MONITORING AND MAINTENANCE

If monitoring and/or maintenance of mitigation areas are required by the permit, please answer the following questions.

Section 9.2.4(f), BOR, states: "If wetland mitigation monitoring will be required and the operational entity will be responsible to carry out this obligation, the rules and regulations shall state that it will be the association's responsibility to complete the task successfully, including meeting all conditions associated with mitigation maintenance and monitoring."

- A. If mitigation monitoring will be the responsibility of the Association, do the Association documents indicate that the Association shall be responsible for mitigation monitoring? Yes; page number Declaration, Page 7, Section 8.5
- B. Are any requirements pertaining to perpetual mitigation maintenance included in the documents? No; page number _____

VI. ATTACHMENT OF PERMIT(S) AND CONDITIONS

- A. Section 9.2.4(g), BOR states that ERP or SWM permits and conditions shall be attached to the rules and regulations as an exhibit. Is the permit(s) referenced as an exhibit to the Association documents? Yes; Exhibit number Declaration, Page 6, Section 8.1
- B. Pursuant to Section 9.2.4(g) BOR, is the Association Registered Agent required to maintain copies of all further permitting actions for the benefit of the association? Yes; page number Articles, Page 3, Article VII

VII. PHASED PROJECTS OR INDEPENDENT ASSOCIATIONS - N/A

- A. Pursuant to Section 9.2.6, BOR, if a master association is proposed for a project which will be constructed in phases and subsequent phases will use the same SWM system, does this Association have the ability to accept future phases into the Association? _____; page number _____
- B. Pursuant to Section 9.2.6, BOR, if the development contemplates independent associations for different phases, but proposes an interdependent water management system for the different phases, one of the following alternatives should be chosen by the applicant for setting up the operating entities.

A master association may be formed which includes all of the various associations within the project, with the master association having the responsibility and legal ability to operate and maintain the SWM system for the entire project.
or

If no master association is proposed, each entity which will operate and maintain a portion of an integrated SWM system must have cross easements for drainage, ingress and egress capabilities and the ability to enter and maintain the various portions, should any sub association fail to operate and maintain the portion of the SWM system within their boundaries. A definition of operation and maintenance responsibilities between the entities shall be included in any such document.

- 1. Do the documents provide that the independent associations, if any, have the right to utilize the permitted SWM system? _____; page number _____

EXHIBIT **GA 5 of 6**

2. Do the documents delineate maintenance responsibilities between the parties and grant ingress and egress easements for maintenance? ____; page number ____

EXHIBIT

GA 6 of 6

ARTICLES OF INCORPORATION

020627-12

OF

**MIDWAY INDUSTRIAL PARK - PHASE III
PROPERTY OWNERS ASSOCIATION, INC.**

ARTICLE I

The name of this corporation is:

MIDWAY INDUSTRIAL PARK - PHASE III PROPERTY OWNERS ASSOCIATION, INC., a Corporation not for profit (the "Corporation").

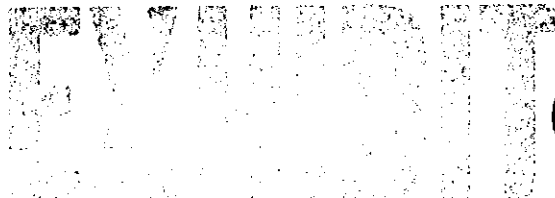
ARTICLE II

The purpose for which this Corporation is organized is to provide a legal entity to own, receive and manage and maintain by dedications certain real property and easement areas as delineated and described upon, and dedicated by, Plat(s) of MIDWAY INDUSTRIAL PARK - PHASE III to be recorded among the Public Records of St. Lucie County, Florida, and to otherwise provide common services to all owners of lots to be created by the Plat(s) of MIDWAY INDUSTRIAL PARK - PHASE III. MIDWAY INDUSTRIAL PARK - PHASE III may be created by one plat or the same may be created by two recorded plat, one delineated "Phase III (South), and the other, "Phase III (North).

ARTICLE III

The Corporation shall have the following powers:

- (a) to own and convey property;
- (b) to operate and maintain common property, including the surface water management system permitted in South Florida Water Management District Permit Number _____;
- (c) the power to establish rules and regulations;
- (d) to assess members and enforce assessments;
- (e) to sue and be sued; and
- (f) to contract for services; and
- (g) to exercise all further powers granted by F.S. §617.0302 (2001).



6B 1 of 5

ARTICLE IV

Members of the Corporation shall be the owners of lots in the subdivision created by Plat(s) of MIDWAY INDUSTRIAL PARK - PHASE III, which members shall be admitted to membership automatically and without further action upon title to a lot or lots in a Plat of MIDWAY INDUSTRIAL PARK - PHASE III vesting in them; provided, however, that any member who is delinquent in the payment of any dues or assessments levied by the Corporation shall not be entitled to vote in the affairs of the Corporation until such dues or assessments are paid in full.

ARTICLE V

The Corporation shall have perpetual existence. If the Corporation is dissolved, the surface water management system, property containing the surface water management system, and water management portions of common areas shall be conveyed to an agency of local government determined to be acceptable by the South Florida Water Management District. If the local government declines to accept the conveyance, then the surface water management system, property containing the surface water management system, and water management portions of common areas shall be dedicated to a non-profit corporation similar to this Corporation.

ARTICLE VI

The name, business address and residence address of the incorporator are as follows:

FRANK H. FEE, III

Business Address:

401 South Indian River Drive
Fort Pierce, Florida 34950

Residence Address:

2821 South Indian River Drive
Fort Pierce, Florida



ARTICLE VII

The initial registered agent of the Corporation is **FRANK H. FEE, III**. The registered office and principal office of the Corporation shall be:

401 South Indian River Drive
Fort Pierce, Florida 34950

The Resident Agent shall maintain copies of all permitting actions of the SOUTH FLORIDA WATER MANAGEMENT DISTRICT for the benefit of the Corporation.

ARTICLE VIII

The affairs of the Corporation shall be managed by a Board of Directors consisting of not less than three (3) members and not more than nine (9) members, the exact number of which shall be determined by the Board of Directors of the Corporation. Members of the Board of Directors shall be elected at the annual meeting of the membership and shall serve a term of one (1) year. The Board shall appoint a President, Vice President, Secretary, Treasurer and such other officers as may be provided in the By-Laws, who shall be charged with such day-to-day responsibilities as may be determined by the Board. Officers shall serve at the pleasure of the Board.

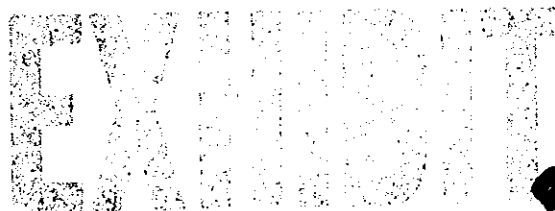
ARTICLE IX

The first Board of Directors shall consist of three (3) persons, and until the first election of Directors the following persons shall serve as Directors:

EDWIN C. LUNSFORD, JR.
161 N. Causeway, Suite 8
New Smyrna, Florida 32169

RON THOMAS JONES
350 Limousin Lane
Thomasville, GA 31792

FRANK H. FEE, III, ESQUIRE
401 South Indian River Drive
Fort Pierce, Florida 34950



6P
9 of 5

**DECLARATION OF RESTRICTIONS
FOR
MIDWAY INDUSTRIAL PARK - PHASE III**

WHEREAS, MIDWAY PROPERTIES OF ST. LUCIE COUNTY, LC, a Florida limited liability company, and **RON THOMAS JONES** and **ANNE CODY JONES**, as ancillary Co-Personal Representatives of the Estate of **THOMAS C. JONES**, deceased (the "Owners"), are the owners of a gross tract of land located in St. Lucie County, Florida, which is described on the attached Exhibit "A" (the "Property"); and

WHEREAS, the Exhibit "A" real property comprehends the property described and delineated upon a proposed Plat of **MIDWAY INDUSTRIAL PARK - PHASE III**, which has received preliminary approval by St. Lucie County, Florida. However, the subdivision known as **MIDWAY INDUSTRIAL PARK - PHASE III** may be recorded by two separate plats, one delineated "Phase III (South), and the other, "Phase III (North)(the Plat or Plats, singularly or collectively, the "Plat"); and

WHEREAS, the Owners desire to subject portions of the Property included within the Plat, effective upon the recordation(s) thereof, to certain mutual and beneficial restrictions, covenants, terms, conditions and limitations for the benefit of portions of the Property and all Owners thereof and for the benefit of the **SOUTH FLORIDA WATER MANAGEMENT DISTRICT ("SFWMD")**, or any successor agency of the State of Florida having similar jurisdiction.

NOW, THEREFORE, the Owners do hereby proclaim, publish and declare that the Property, or portions of the Property, effective upon their being included within the Plat and effective upon the recordation of the Plat, shall be held, conveyed, encumbered, used and occupied, subject to this Declaration, which shall run with the land and be binding upon the Owners and upon all parties having or acquiring any right, title or interest in and to the Property or portions of the Property.

**ARTICLE I
DEFINITIONS**

- 1.1 Corporation. MIDWAY INDUSTRIAL PARK - PHASE III PROPERTY OWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation, its successors and assigns.
- 1.2 Board. The Board of Directors of the Corporation.
- 1.3 Common Spaces. Those portions of the Property that will be conveyed or dedicated to the Corporation or to governmental agencies by the Owners, including, but not necessarily limited to drainage easements, conservation easements, sign easement, water management tracts, preservation area, interior streets, and the surface water management system, generally, as is more particularly shown on the Plat and as required for operational permit issued by SFWMD, and any other areas that the Board hereinafter determines to maintain under the terms of this Declaration.



66 p. 1 of 10

- 1.4 Conservation Easement(s) and Preservation Area. Shall mean and refer to all such areas so designated by the Declarant or its successors and assigns upon any recorded subdivision plat or plats of the Property, or in any plan, or in any easements, dedications or restrictions made or imposed pursuant to conservation ordinances, laws, rules or regulations of governmental authorities including, without limitation, the SFWMD.
- 1.5 Declaration. Shall mean and refer to this Declaration of Restrictions.
- 1.6 Lot. Any numbered lot on the Plat, specifically excluding Lot 5 only to be conveyed to St. Lucie County.
- 1.7 Owner. Shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot on the Plat.
- 1.8 Institutional First Mortgage. Shall mean and refer to any bank, bank holding company, trust company, insurance company, or savings and loan association, which holds a first mortgage of public record on any Lot.
- 1.9 Member. The record owner of a Lot is automatically a member of the Corporation.

ARTICLE II
MUTUALITY OF BENEFIT AND OBLIGATION

- 2.1 Intent and Purpose. This Declaration is made (i) to mutually and reciprocally benefit each and every Lot; (ii) to create equitable servitudes upon each of the Lots in favor of all other such Lots; (iii) to create reciprocal rights between respective owners of Lots; and (iv) to create privity of contract and estate between the grantees of the Lots, their heirs, successors and assigns.
- 2.2 Owner Acceptance. Each owner, by the acceptance of a deed of conveyance, lease, sublease, license or other right to enter on or occupy any of the Property, and every other person at any time having or acquiring any right, title, interest, lien or estate in, on or to any of the Property, accepts the same subject to all the provisions of this Declaration, and all easements, rights, benefits and privileges of every character hereby granted or created and thereby covenants and agrees for themselves, their successors, heirs, personal representatives and assigns to be bound hereby. All obligations hereby imposed are covenants running with the land and shall bind every owner for every part and parcel of the Property and any interest therein, and every such other person and inure to the benefit of every owner as though the provisions of this Declaration were recited and stipulated at length in each and every deed conveyance, lease, sublease, license or other agreement granting any right of entry or occupancy, or in any other instrument or document by which any such right, title, interest, lien, or estate is created or acquired.

Common Spaces and relating to the preservation of the Property of the Corporation and the safety and convenience to the users thereof, which shall promote the best interests of the Corporation and the Members; and

- (b) The right of the Corporation to grant easements and rights of way as it shall deem necessary, convenient or appropriate for the proper servicing and maintenance of the Common Spaces in keeping with all permits issued by governmental bodies having jurisdiction, and the limiting conditions of such permits.

ARTICLE V
MEMBERSHIP AND VOTING RIGHTS

Membership in the Corporation and voting rights appurtenant to membership are as defined by the By-Laws of the Corporation.

ARTICLE VI
AMENDMENT OF DECLARATION

This Declaration may be amended upon the recordation of an appropriate instrument among the Public Records of St. Lucie County executed by those Members having votes equaling or exceeding two-thirds (2/3) of all of the votes available to Members, **PROVIDED, HOWEVER**, that any proposed amendment to this Declaration that would affect the Surface Water Management ("SWM") system (including environmental conservation areas and the water management portions of common areas) must be submitted to **SFWMD** for a determination of whether the amendment necessitates modification of the SWM permit. Any proposed amendment requiring permit modification shall require **SFWMD** approval if the SWM system, environmental conservation areas, and/or water management portions of common areas of the Property are affected by the proposed amendment.

ARTICLE VII
USE RESTRICTIONS

- 7.1 **Restrictions of use of Lots.** All Lots within the Property shall be used in accordance with those industrial/commercial uses now or hereafter permitted under the St. Lucie County Code of Ordinances and St. Lucie County Land Development Plan, as the same are amended from time to time.
- 7.2 **Additional Protective Covenants.** The Owners may include in any contract or deed for any Lot additional protective covenants and restrictions not inconsistent with this Declaration.

ARTICLE VIII
SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT:
ENVIRONMENTAL CONSIDERATIONS

605 of 10

8.1 Conservation Easement(s) and Preservation Area. Pursuant to Permit Number _____ issued by **SFWMD** with respect to the Property, a true copy of which containing permit conditions being attached to this Declaration and, by this reference, incorporated herein, Declarant has executed, or will execute and/or record by Plat conservation or preservation easement(s) with respect to those portions of the Property including both wetlands and upland buffer zones referred to as Conservation Easement(s) or Preservation Area which shall be subject to the restrictions set forth in the Plat or in any other recorded instrument made in respect thereof, and it shall be the responsibility of each Lot Owner to comply with each and every such restriction. Activities prohibited within the Conservation Easement(s) or Preservation Area shall include, but not be limited to, the following:

- (a) Construction or placing of buildings, roads, sign, billboards or other advertising, utilities, or other structures on or above the ground;
- (b) Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
- (c) Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic vegetation in accordance with **SFWMD** approved maintenance plan;
- (d) Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;
- (e) Surface use except for purposes that permit the land or water area to remain in its natural condition;
- (f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;
- (g) Acts or uses detrimental to such aforementioned retention of land or water areas;
- (h) Acts or uses within the regulatory jurisdiction of the **SFWMD** which are detrimental to the preservation of any features or aspects of the Property having historical or archaeological significance.

8.2 Maintenance Within Conservation Easement(s) and Preservation Area. The Corporation shall have the right and responsibility to maintain, restore and replant the Conservation Easement(s) or Preservation Area in accordance with and subject to the terms of Plat dedications and permits issued by governmental bodies having jurisdiction and of the limiting conditions of such permits.

8.3 Conservation Easement(s) and Preservation Area as dedicated may not be removed from their intended uses by subsequent owners as Members of the Corporation, nor shall such



6c 6 of 10

Conservation Easement(s) and Preservation Area be modified or altered, as to area without the consent of **SFWMD**.

- 8.4 Operation and Maintenance of SWM System. Pursuant to the **SFWMD** Permit, it shall be the responsibility of the Corporation to operate and maintain the Surface Water Management System which shall be deemed owned by it as common property, as designed and permitted for the Property. The cost of such operation and maintenance shall be defrayed by assessments to Owners as required under Article III of this Declaration.
- 8.5 Wetland Mitigation Monitoring. If wetland mitigation monitoring is required pursuant to **SFWMD** Permit, the Corporation will be responsible to carry out this obligation and it will be the Corporation's responsibility to complete the task successfully meeting all Permit Conditions associated with mitigation maintenance and monitoring.

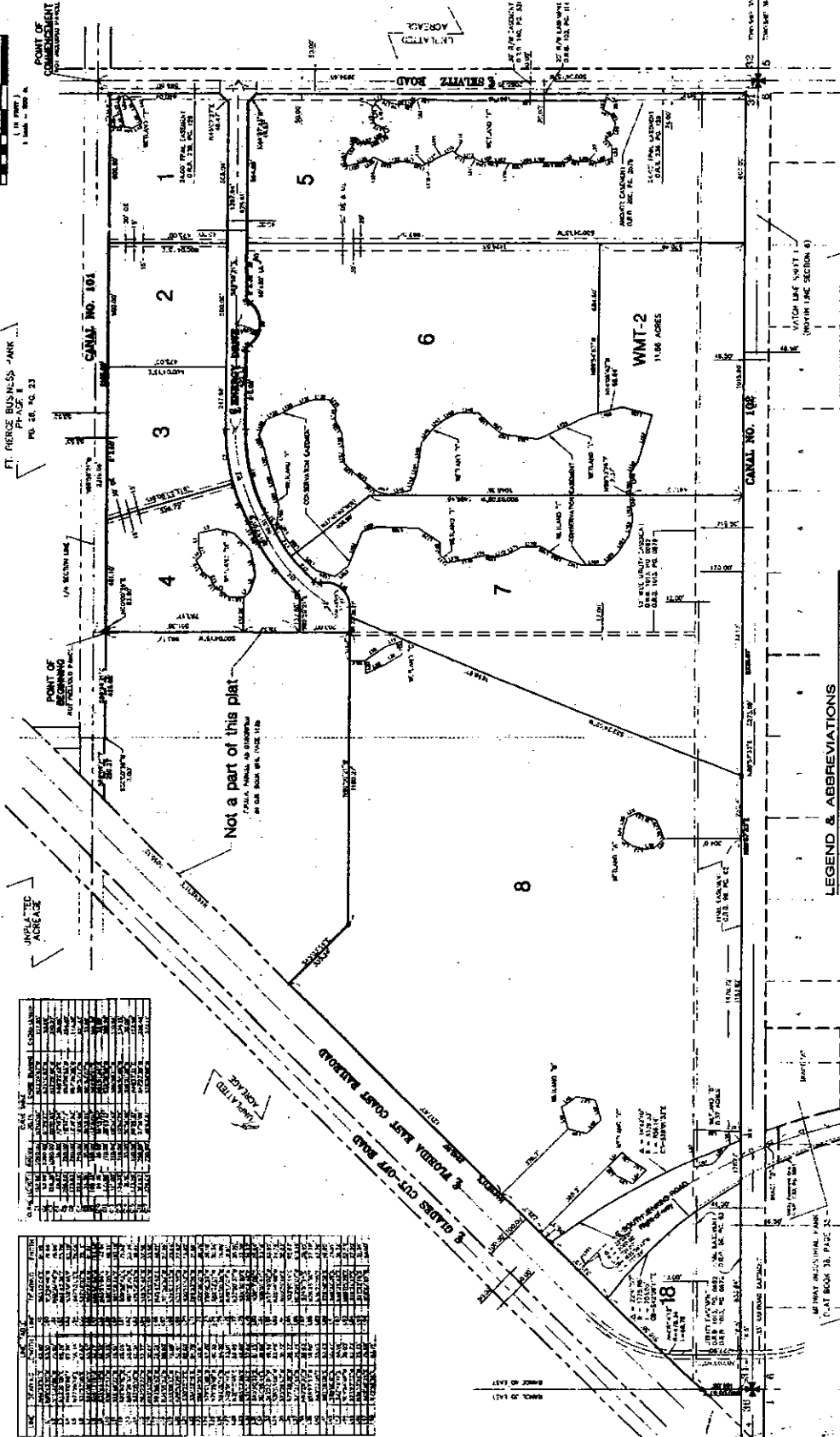
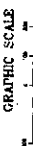
ARTICLE IX GENERAL PROVISIONS

- 9.1 Duration. These Restrictions shall run with and bind the land subject thereto for a term of twenty-five (25) years or until such time as a duly recorded written instrument has been filed in the Public Records of St. Lucie County, Florida, changing or amending the provisions hereof in the fashion permitted hereunder. This Declaration shall be automatically renewed without action by any party for consecutive twenty-five (25) year terms until such time as a duly recorded written instrument has been executed and filed in the fashion herein stated among the Public Records of St. Lucie County, Florida.
- 9.2 Notices. Any notice required to be sent to any person pursuant to any provision of the restrictions will be effective if such notice has been deposited in the United States Mail, postage prepaid, addressed to the persons for whom it is intended at his last known place of business or to such other address as may be furnished to the Secretary of the Corporation. The effective date of the notice shall be the date of mailing.
- 9.3 Severability. Whenever possible each provision of this Declaration shall be interpreted in such a manner as to be effective and valid, but in any provision of this Declaration or the application thereof to any person or of any property shall be prohibited or held invalid, such prohibition or invalidity shall not affect any other provisions that can be given effect without the invalid provision or application, and to this end, the provisions of this Declaration are declared to be severable.
- 9.4 Enforcement. In the event of a violation of breach of any of the restrictions or limitations contained herein by any Member or Occupant or their guest, lessee, agent or employee, the Corporation, and the Members, or any of them, shall have the right to proceed at law or in equity to compel compliance with the terms of this Declaration or to prevent the violation or breach. The Corporation shall be permitted to levy fines and assess costs, including the cost of counsel and suit, and assess appropriately the cost of cure incurred

MIDWAY INDUSTRIAL PARK - PHASE III

BEING A PORTION OF THE SOUTH ONE-HALF OF SECTION 31, TOWNSHIP 35 SOUTH, RANGE 40 EAST; AND A REPLAT OF A PORTION OF MODEL LAND COMPANY SUBDIVISION LYING IN SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 4, PAGE 34, ST. LUCIE COUNTY, FLORIDA

TRACED	AREA	ACRES	REMARKS
1	3000	0.07	3000 FT. WIDE
2	3000	0.07	3000 FT. WIDE
3	3000	0.07	3000 FT. WIDE
4	3000	0.07	3000 FT. WIDE
5	3000	0.07	3000 FT. WIDE
6	3000	0.07	3000 FT. WIDE
7	3000	0.07	3000 FT. WIDE
8	3000	0.07	3000 FT. WIDE



TRACED	AREA	ACRES	REMARKS
1	3000	0.07	3000 FT. WIDE
2	3000	0.07	3000 FT. WIDE
3	3000	0.07	3000 FT. WIDE
4	3000	0.07	3000 FT. WIDE
5	3000	0.07	3000 FT. WIDE
6	3000	0.07	3000 FT. WIDE
7	3000	0.07	3000 FT. WIDE
8	3000	0.07	3000 FT. WIDE

TRACED	AREA	ACRES	REMARKS
1	3000	0.07	3000 FT. WIDE
2	3000	0.07	3000 FT. WIDE
3	3000	0.07	3000 FT. WIDE
4	3000	0.07	3000 FT. WIDE
5	3000	0.07	3000 FT. WIDE
6	3000	0.07	3000 FT. WIDE
7	3000	0.07	3000 FT. WIDE
8	3000	0.07	3000 FT. WIDE

LEGEND & ABBREVIATIONS

ALL RIGHTS RESERVED
 THIS PLAN IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

PREPARED IN THE OFFICE OF
CULPEPPER & TERPENING, INC.
 2880 SOUTH 25th STREET
 FORT PIERCE, FLORIDA 34982
 RICHARD W. BUSSELL
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA CERTIFICATE NO. 3858

EXHIBIT 7C

STAFF REPORT DISTRIBUTION LIST

MIDWAY INDUSTRIAL PARK PHASE III

Application No: 020627-12

Permit No: 56-01444-P

INTERNAL DISTRIBUTION

- X Edmond A. Palmowski - 4220
- X Edward Cronyn - 4250
- X Donald L. Medellin - 4250
- X Hugo A. Carter, P.E. - 4220
- X A. Waterhouse - 4220
- X D. Loving - 6880
- X J. Golden - 4210
- X Permit File
- X R. Robbins - 4250
- X S. McNabb - 6880

GOVERNING BOARD MEMBERS

- Mr. Harkley R. Thornton
- Mr. Hugh English
- Mr. Irela Bague
- Mr. Kevin McCarty
- Mr. Lennart Lindahl
- Mr. Michael Collins
- Mr. Nicolas Gutierrez, Jr.
- Ms. Pamela Brooks-Thomas
- Ms. Trudi Williams

EXTERNAL DISTRIBUTION

- X Permittee - Midway Properties Of St. Lucie County, L.C.
- X Permittee - Estate Of Thomas C. Jones
- X Engr Consultant - Culpepper & Terpening, Inc

GOVERNMENT AGENCIES

- X City of Port St Lucie - Planning Div
- X Florida Fish & Wildlife Conservation Commission - Bureau of Protected Species Mgmt
- X North St Lucie River Water Control District
- X St. Lucie County Community Development Director
- X St. Lucie County Engineer
- X St. Lucie County Environmental Resource Manager
- X US Army Corps of Engineers - Tori White

OTHER INTERESTED PARTIES

- X Sierra Club - Central Florida Group
- X Water Management Institute - Michael N. Vanatta

A stylized map of Midway, featuring a grid of roads and various colored regions. The map is divided into several sections: a grey area in the top-left, a yellow area in the top-right, a blue area in the middle-right, and a red area in the bottom-right. A thick black line runs horizontally across the middle of the map. A red line runs diagonally from the top-left towards the bottom-right. The word "Midway" is written in large, black, sans-serif font in the upper right quadrant. The background of the map is a light grey grid of small dots.

Midway

ST. LUCIE COUNTY FUTURE LAND USE

Future Land Use Category

-  AG-2.5, Agricultural, 1 du/2.5 ac
-  AG-5, Agricultural, 1 du/5 ac
-  COM, Commercial
-  CPUB, Conservation Public
-  H, Historic
-  IND, Industrial
-  MXD, Mixed Use
-  P/F, Public Facilities
-  R/C, Residential/Conservation, 1 du/5 ac
-  RE, Residential Estate, 1 du/ac
-  RS, Residential Suburban, 2 du/ac
-  RU, Residential Urban, 5 du/ac
-  RM, Residential Medium, 9 du/ac
-  RH, Residential High, 15 du/ac
-  SD, Special District
-  T/U, Transportation/Utilities
-  TVC, Towns, Villages & Countryside




-  Urban Service Boundary
-  Municipalities
-  Road and canal rights-of-way




Exhibit G-5

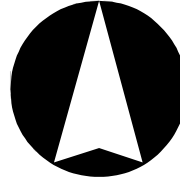
SFWMD Conservation Easement

56-01444-P

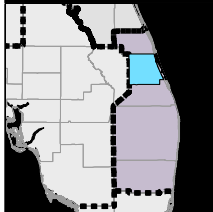
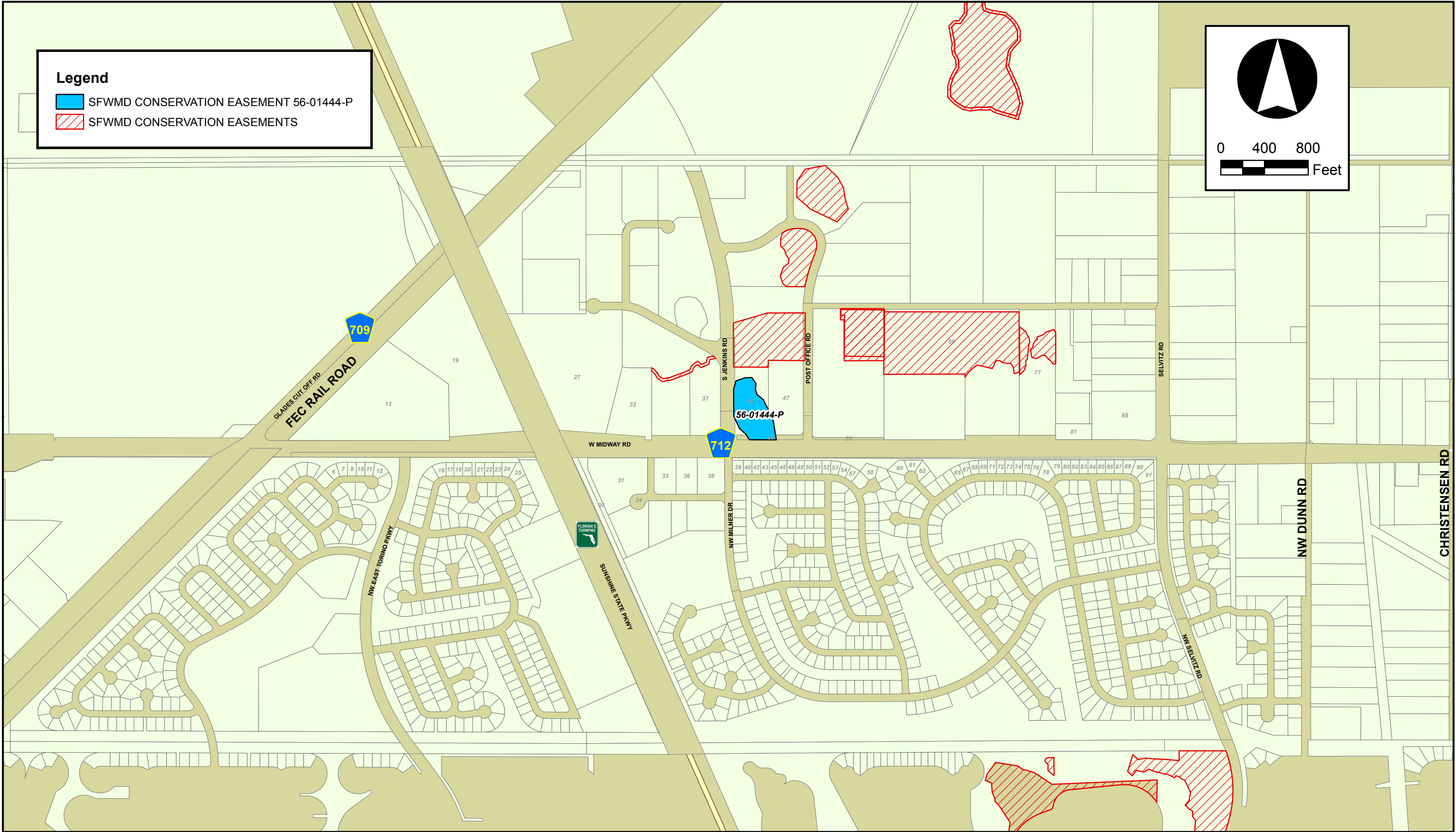

Similar Properties Map

Legend

-  SFWMD CONSERVATION EASEMENT 56-01444-P
-  SFWMD CONSERVATION EASEMENTS



0 400 800
Feet

Florida Department of Transportation
District 1

Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

SFWMD CONSERVATION EASEMENTS

Exhibit
G-5

Exhibit G-6

SFWMD Conservation Easement

56-01444-P

Project Correspondence



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

September 16, 2016

Ms. Mindy Parrott
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Re: State of Significance – Conservation Easement 56-01444-P
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

The Florida Department of Transportation (FDOT) is conducting a PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. **Figure 1 – Project Location Map** is attached and shows the project location. The project is located in the City of Port St. Lucie and St. Lucie County. Land uses along the corridor include three parcels with a SFWMD Conservation Easement.

As part of the PD&E process, the FDOT will be seeking a Section 4(f) Determination of Applicability (DOA) from the Federal Highway Administration (FHWA). Section 4(f) of the US Department of Transportation Act of 1966 pertains to the protection of public resource lands such as parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance. In order to be considered a Section 4(f) resource a property must function or be designated as a significant public park, recreation area, wildlife/waterfowl refuge, or historic site. For additional information, please see Part II, Chapter 13 – Section 4(f), Page 13-6, of FDOT Project Development and Environment Manual that can be accessed through the following website: <http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm>

The FDOT is requesting your assistance (as jurisdictional agency) in determining the significance and function (both existing and planned facilities) of the following property in your agency's jurisdiction:

- SFMWS Conservation Easement 56-01444-P (Parcel IDs: 3406-502-0011-000-6 and 3406-502-0012-000-3, owned by R and M, LLC and Parcel ID 3406-502-0003-000-7 owned by St. Lucie County as roadway R/W)

The location of CE 56-01444-P is shown in relationship to the project in **Figure 2 – SFWMD Conservation Easement**. The FHWA will make the formal determination of Section 4(f) applicability. To assist the FHWA with this determination, please provide a signed letter with an indication of significance for this Conservation Easement. Within the context of Section 4(f), "significance" means that in comparing the availability and function of the property for park, wildlife refuge, or recreational objectives of the community, the property in question plays an important role in achieving those objectives.

As part of your response the following information is requested to be included in your Statement of Significance, if applicable. If the information is not applicable or not available, please state that in your response letter.

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

Attached is an example letter that can be used as a template for the Statement of Significance Letter that is needed.

If you need further information or have any questions, please contact either Christie Pritchard, Environmental Consultant at (561) 818-2751 or me at (954) 777-4415. Thank you for assistance and coordination with this project.

Sincerely,

July C. Jimenez, P.E.
Project Manager
Florida Department of Transportation – District IV

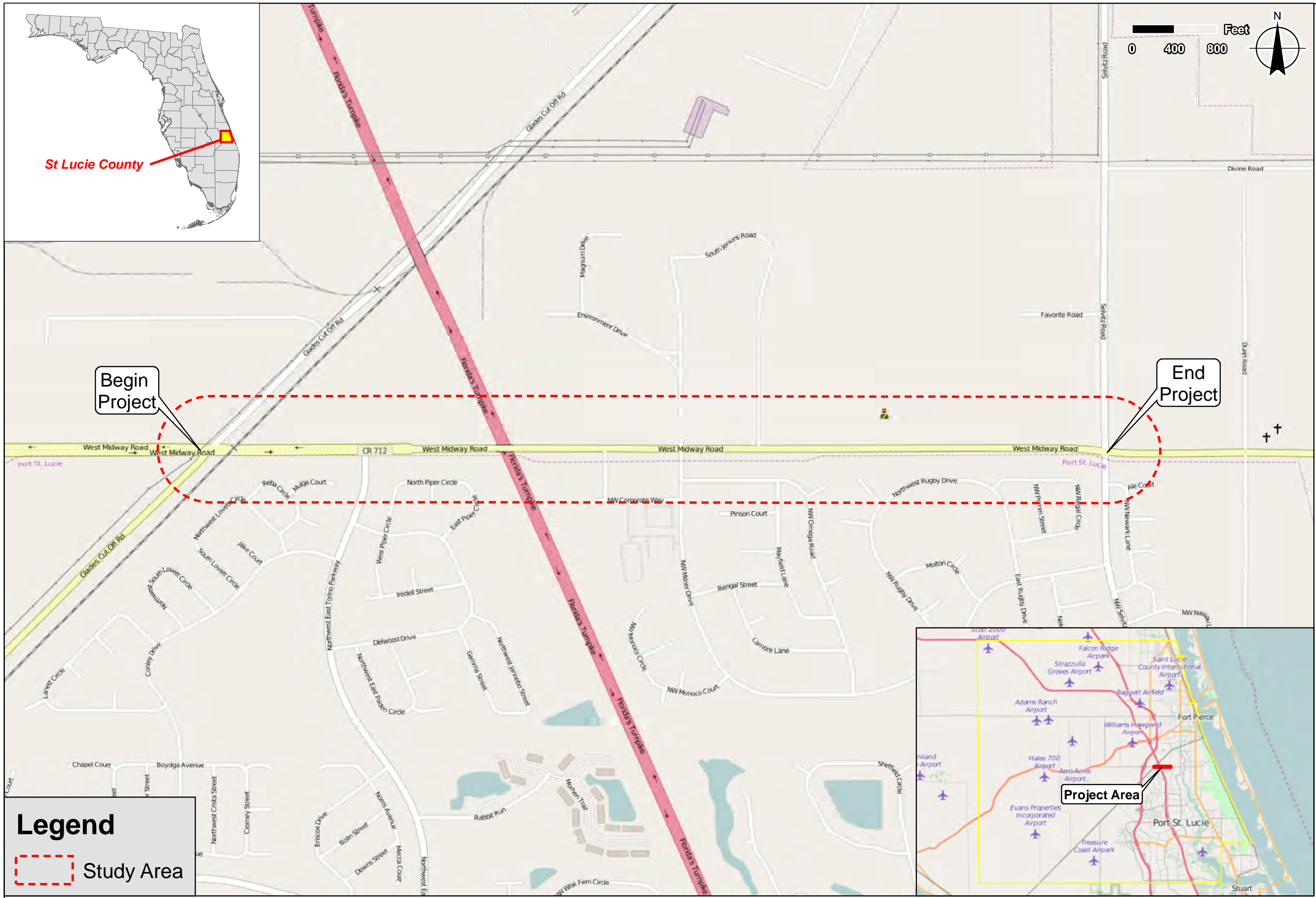
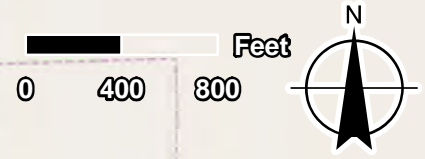
Ms. Mindy Parrott
September 16, 2016
Page 3

Attachments: Figure 1 – Project Location Map
Figure 2 – SFWMD Conservation Easement
Sample Statement of Significance Letter

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers



St Lucie County



Begin Project

End Project

Legend

Study Area



Project Location Map

Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

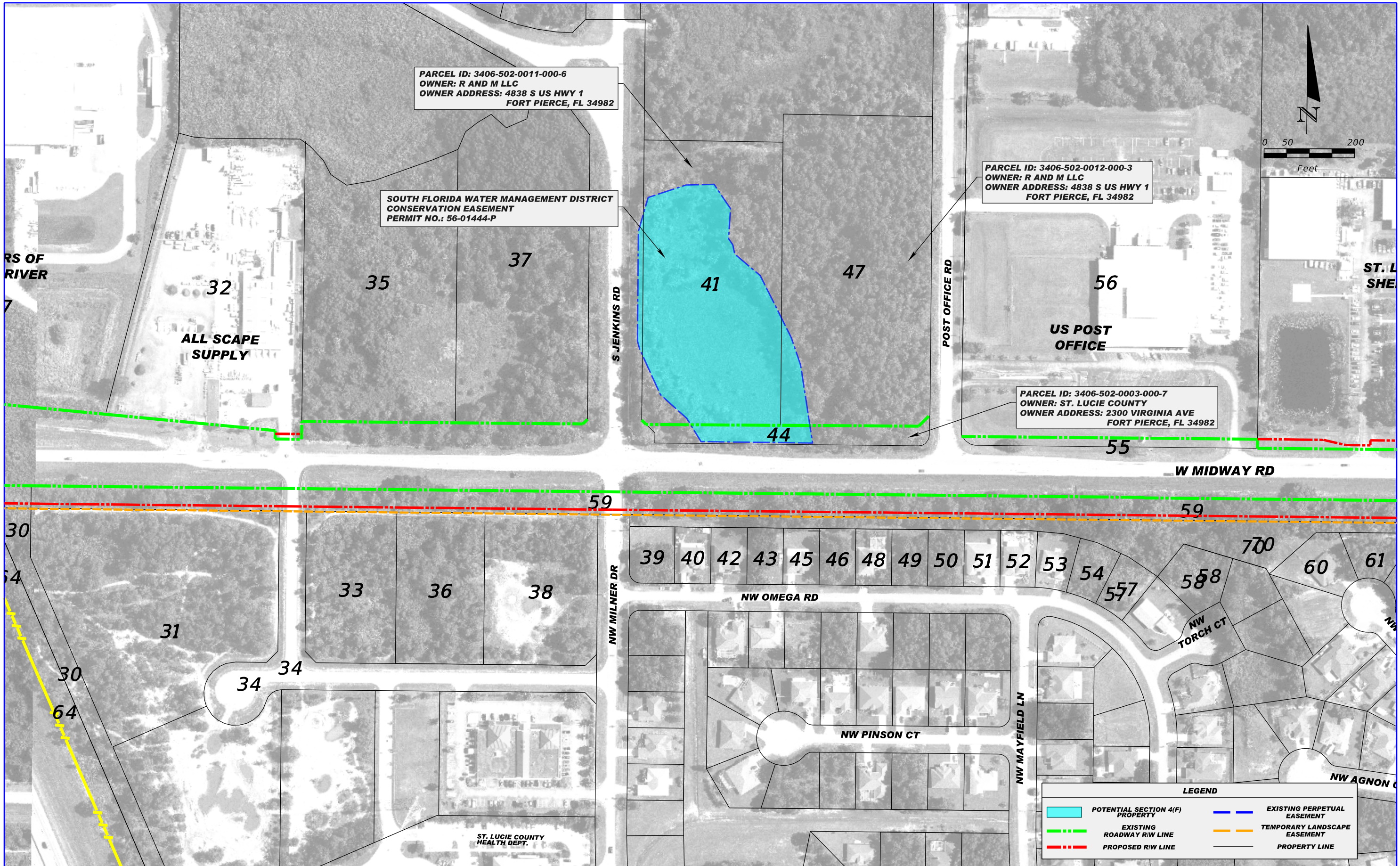
1 inch = 800 feet

MAY 2016

FIGURE 1

Source: Data courtesy of ESRI.

Document Path: K:\V\RB_E\Environment\14703 Midway Road PD&E\ENV\GIS\Map\Figure 1 - Project Location Map.mxd



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD
 Kevin Joseph Iannarone, PE
 PE No. 71527
 Inwood Consulting Engineers, Inc.
 Certificate of Authorization No. 7074
 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765
 P 407.971.8850

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
CR 712	ST. LUCIE	231440-3-22-01

Figure 2
SFWMD CONSERVATION EASEMENT
BUILD ALTERNATIVE 2

SHEET NO.
 1

SAMPLE



**Florida Fish
and Wildlife
Conservation
Commission**

**Commissioner
Rodney Barreto
Chair
Miami**

**Brian S. Yastkowski
Vice-Chair
Tallahassee**

**Kathy Baron
Jacksonville**

**Ronald M. Bergaren
Fort Lauderdale**

**Richard A. Corbett
Tampa**

**Deight Stephenson
DeRoy Beach**

**Kenneth W. Wright
Winter Park**

**Executive Staff
Kenneth D. Haddad
Executive Director
Nick Wiley
Assistant Executive
Director
Karen Ventimiglia
Deputy Chief of Staff**

**Office of the
Executive Director
Kenneth D. Haddad
Executive Director
(850) 487-3796
(850) 921-5786 FAX**

*Managing fish and wildlife
resources for their long
term well-being and the
benefit of people.*

**South Region
8535 Northlake Boulevard
West Palm Beach, Florida
33412-1207
Voice: (561) 625-5122
Hearing/speech impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)
MyFWC.com**

October 17, 2008

Beatriz Caicedo-Maddison, P.E.
Project Manager
District Planning and Environmental Management Office
Florida Department of Transportation-District 4
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309-3421

PLANNING & ENVIRONMENTAL
MANAGEMENT

OCT 21 2008

DISTRICT FOUR
RECEIVED

SUBJECT: Statement of significance for J.W. Corbett Wildlife Management Area and John C. and Mariana Jones/Hungryland Wildlife and Environmental Area for SR 710/BeeLine Highway Widening Project

Dear Ms Caicedo-Maddison:

In your letter dated September 10, 2008 to our Agency, you requested that we provide the significance and function of the following properties for the Project Development and Environmental (PD&E) Study of the two segments of the SR 710 (Bee Line Highway) Corridor.

- J.W. Corbett Wildlife Management Area (Corbett)
- John C. and Mariana Jones/Hungryland Wildlife and Environmental Area (Hungryland)

We are providing the following information in response to that request.

The SR 710 corridor separates the two conservation lands referenced in this document. Corbett is connected to three additional conservation lands: John C. and Susan H. Dupuis, Jr. Wildlife and Environmental Area (21,925 acres), Palm Beach County's Hungryland Slough Natural Area (2,896 acres) and a natural area set aside by Pratt-Whitney. Refer to Table 1 for a list of other public conservation lands in close proximity.

Local populations of mammals, amphibians, and reptiles (including forage organisms from wetland and aquatic areas) transverse the Bee Line Highway in order to access habitat provided by these two natural areas. Historically, Corbett and Hungryland shared hydrology. Water once flowed west into the Everglades from Corbett and east to Loxahatchee Slough.

Both Corbett and Hungryland are managed by the Florida Fish and Wildlife Conservation Commission (FWC) under the multiple-use concept, with the primary goals of management being: to conserve and protect environmentally unique and irreplaceable lands that contain native, relatively unaltered flora and fauna representing a natural area unique to, or scarce within, a region of this state or larger geographic area; to conserve and protect significant habitat for native species or endangered and threatened species; to conserve, protect, manage, or restore important ecosystems, landscapes, and forests, in order to enhance or protect significant surface water, coastal, recreational, timber, fish or wildlife resources that local or state regulatory programs cannot adequately protect; and to provide areas, including recreational trails, for natural-resource-based recreation.

J. W. Corbett Wildlife Management Area

Corbett consists of 60,348 acres and is located in north central Palm Beach County, south of SR 710/Bee Line Highway, approximately 25 miles northwest of West Palm Beach. The FWC is the sole title holder for the lands purchased beginning in 1947 (56,440 acres) under the auspices of the Pittman-Robertson, Federal Aid and Restoration Act. The remaining area is held in trust for the Department of Education or purchased under the Conservation and Recreation Lands Program and owned in a fee-simple title by the Trustees for the Internal Improvement Trust Fund. The area was purchased as a multiple use property to conserve and protect environmentally unique and irreplaceable lands that contain native, relatively unaltered flora and fauna, conserve and protect significant habitat for native, endangered and threatened species, conserve, protect, manage, or restore important ecosystems, landscapes, and forests, and provide areas for natural resource based recreation.

This site is a regionally significant wetland ecosystem, containing the historic natural drainage to the Everglades. Some of the most significant historic Indian Mounds in the Southeast are also located on site. Two significant archeological sites are known: Big Mound City and Big Gopher. Big Mound City covers 143 acres and consists of at least 23 mounds, some with radiating causeways and crescent-shaped man-made ponds. At least two of the 23 mounds are burial mounds. Big Gopher is one of the best-preserved earthwork sites in the Lake Okeechobee basin and consists of linear ridges, crescents, mounds and middens.

Corbett is home to the most southeastern population of the federally endangered red-cockaded woodpeckers (*Picoides borealis*). The population is highly managed in an effort to increase population status. Many additional endangered and threatened species are present and breeding on the property (Table 2).

The general public is permitted visitation at any time to the area except two weeks in August. The area is used for a variety of high-quality nature-based recreational and educational purposes. These include, but are not limited to, hunting, fishing, bird watching, horseback riding, bicycle riding, hiking, nature study, primitive camping, boating/canoeing/kayaking and wildlife viewing. There are sixteen established campsites located along the Main Grade which can serve for over 350 individual camps.

Corbett is one of the only public areas for people along the highly populated Gold Coast to hunt. As a result, hunting pressure is very high: over 10,000 man-days of hunting yearly between September and December. Approximately 10,000 man-days of other recreational activities are also documented annually. A portion of the Florida Trail (14 miles) traverses the area west from the South Entrance to the John C. and Susan H. Dupuis, Jr. Wildlife and Environmental Area.

Corbett has two entrances: the North Entrance is located north of Indiantown Road off the Bee Line Highway and the South Entrance is located off Seminole Pratt Whitney Road. A cabin is located at each entrance to check the public in and out of the area.

The Everglades Youth Conservation Camp is also located on property and hosts a wide array of youth programs and educational events. Also located on Corbett is the land management center, which houses all equipment used for managing the Area and provides office space for the employees assigned to the Area.

John C. and Mariana Jones/Hungryland Wildlife and Environmental Area

Hungryland is located along the boundary of Palm Beach and Martin counties, 5 miles south of Indiantown, approximately 25 miles northwest of West Palm Beach. The tract is owned by the State of Florida and contains 12,415 acres.

The lands composing the Hungryland were purchased in 1994 and 1997 under the Save Our Rivers program, and in 1999 under the CARL Program. The area was purchased as a multiple use property to conserve and protect environmentally unique and irreplaceable lands that contain native, relatively unaltered flora and fauna, conserve and protect significant habitat for native, endangered and threatened species, conserve, protect, manage, or restore important ecosystems, landscapes, and forests, and provide areas for natural resource based recreation. The FWC is the lead managing agency for the area. The area is leased to the FWC from the Division of State Lands and the South Florida Water Management District.

The area is of hydrological significance in that it contains the largest concentration of contiguous wetlands in Martin County. Known as the Central-Dixie Highway and designated SR 29 by the State Road Department, the Jupiter-Indiantown Road was heavily used by area residents until paved roads were constructed from Indiantown to Jupiter in the late 1950s. On January 26, 1993, the Martin County Board of County Commissioners designated the portion of Old Jupiter-Indiantown Road in Martin County a Scenic By-way. A portion of that By-way runs through the Hungryland.

Many endangered and threatened species utilize the area, including the endangered snail kite (*Rostrhamus sociabilis plumbeus*) (Table 3). Hungryland is open to the public for deer, hog and small game hunts and with 9 miles of canals and several old borrow pits/ponds, good fishing opportunities abound. Since 2002, there have been 6,058 mandays of hunting pressure recorded. The area is open to the general public year round. The area is used for a variety of high-quality nature-based recreational and educational purposes. These include, but are not limited to, hunting, fishing, bird watching, horseback riding, bicycle riding, hiking, nature study, primitive camping, boating/canoeing/kayaking and wildlife viewing. Recreational uses are limited to those activities that are consistent with the primary goal of ecological restoration.

There is one cabin located at the main entrance off Pratt-Whitney Road to check the public in and out of the area. Also located on the Area are 2 picnic pavilions.

Name
Page 4
October 17, 2008

Additional information on Corbett or Hungryland is available on the FWC website at www.myfwc.com/recreation. Please contact me at 561-624-6989 or linda.king@myfwc.com or Pam Boody at 561-625-5122 or pam.boody@myfwc.com if you have any questions regarding this information.

Sincerely,

Linda King
Biological Scientist III
Florida Fish and Wildlife Conservation Commission
8535 Northlake Blvd.
West Palm Beach, FL 33412

Enclosure

Cc: David Johnson, FWC
Michael Anderson, FWC
James Schuette, FWC

Table 1: Conservation Lands in Close Proximity to J. W. Corbett Wildlife Management Area and John C. and Mariana Jones/Hungryland Wildlife and Environmental Area.

Federal

Arthur R. Marshall Loxahatchee National Wildlife Refuge
Hobe Sound National Wildlife Refuge

State

Atlantic Ridge
John C. and Susan H. Dupuis, Jr. Wildlife and Environmental Area
Jonathan Dickinson State Park
Loxahatchee Slough
Stormwater Treatment Areas

County or City

Acreage Pines Natural Area
C-18 Triangle Natural Area
Cholee Park
City of West Palm Beach Water Catchment Area
Hungryland Slough Natural Area
Lake Okeechobee Ridge
Loxahatchee River Natural Area
Loxahatchee River Park
Loxahatchee Slough Natural Area
North Jupiter Flatwoods Natural Area
Okecheelee Park
Pal-Mar Natural Area
Pond Cypress Natural Area
Reese Groves
Riverbend Park
Royal Palm Beach Pines Natural Area
Timer Powers Park Conservation Area

Table 2. J.W. Corbett Wildlife Management Area State Listed Endangered (E), Threatened (T) and Species of Special Concern (SSC) with Confirmed Breeding.

Scientific Name	Common Name
PLANTS	
<i>Tillandsia fasciculata</i> (E)	Stiff-leaved Wild Pine, Cardinal Airplant
<i>Nemastylis floridana</i> (E)	Celestial Lily, Fallflowering Ixia
<i>Lilium catesbaei</i> Walt (T)	Pine Lily
<i>Swietenia mahagoni</i> (T)	West Indian Mahogany
<i>Spiranthes laciniata</i> (T)	Lacelip Lady's-tresses
<i>Calopogon multiflorus</i> (E)	Manyflower Grasspink
<i>Tillandsia balbisiana</i> (T)	Reflexed Wild-pine
<i>Thelypteris palustris</i> (T)	Marsh Fern
<i>Thelypteris interrupta</i> (T)	Interrupted Maiden Fern, Hottentot Fern
<i>Vittaria lineate</i> (T)	Shoestring Fern
AVIAN	
<i>Egretta tricolor</i> (SSC) Breeding	Tricolored Heron
<i>Egretta caerulea</i> (SSC) Breeding	Little Blue Heron
Scientific Name	Common Name
<i>Mycteria Americana</i> (E)	Wood Stork
<i>Eudocimus albus</i> (SSC) Breeding	White Ibis
<i>Ajaja ajaja</i> (SSC)	Roseate Spoonbill
<i>Rostrhamus sociabilis plumbeus</i> (E)	Snail Kite
<i>Haliaeetus leucocephalus</i> (T) Breeding	Bald Eagle
<i>Caracara cheriway</i> (T) Breeding	Crested Caracara
<i>Falco peregrinus</i> (E)	Peregrine Falcon

<i>Aramus guarauna</i> (SSC) Breeding	Limpkin
<i>Falco sparverius paulus</i> (T)	Southeastern American Kestrel
<i>Grus Canadensis</i> (T) Breeding	Florida Sandhill Crane
<i>Picoides borealis</i> (SSC) Breeding	Red-cockaded Woodpecker
<i>Ammodramus savannarum</i> (SSC)	Bachman's sparrow
REPTILES	
<i>Alligator mississippiensis</i> (SSC) Breeding	American Alligator
<i>Kinosternon bauri</i> (E)	Striped Mud Turtle
<i>Gopherus polyphemus</i> (T)	Gopher Tortoise
<i>Storeria dekayi victa</i> (T)	Florida Brown Snake
<i>Thamnophis sauritus sackenii</i> (T)	Florida Ribbon Snake
<i>Drymarchon corais couperi</i> (T)	Eastern Indigo Snake
<i>Pituophis melanoleucus mugitus</i> (T)	Florida Pine Snake

Appendix H

Midway Road “Multi-Purpose” Trail Documentation

- **Exhibit H-1 – St. Lucie County Bicycle, Pedestrian, Greenways and Trails Master Plan**
- **Exhibit H-2 – Martin MPO / St. Lucie County TPO Regional Long Range Transportation Plan**
- **Exhibit H-3 – City of Port St Lucie Comprehensive Plan**
- **Exhibit H-4 – Midway Road Interlocal Agreement**
- **Exhibit H-5 – Midway Road “Multi-Purpose” Trail Project Correspondence**

Exhibit H-1

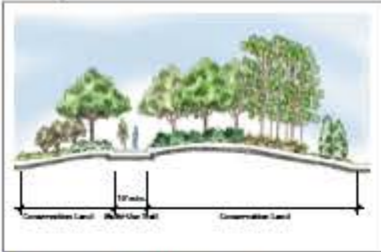
St. Lucie County

**Bicycle, Pedestrian, Greenways and
Trails Master Plan**

- **St. Lucie County Countywide Bicycle, Pedestrian, Greenways and Trails Master Plan (2008) Map**

Typical Sections

Trails adjacent to Conservation Lands

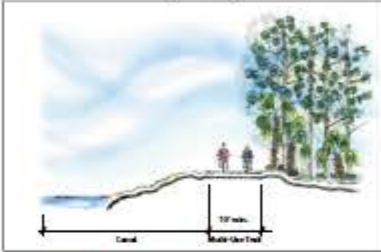


As one of the principal objectives of this Master Plan is to connect the conservation lands of St. Lucie County's Environmentally Significant Lands program, recreationally-oriented trails through these lands are recommended throughout the western portion of the County. These trails are envisioned as unpaved trails suitable for hiking, walking and equestrian uses.

The priority of the Master Plan is to expand transportation options for non-motorized modes in addition to providing recreational opportunities, so in places these trails may complete a network of transportation-oriented pathways intended to serve bicyclists and pedestrians. In these cases, the overall recommendation for these trail types is paved surfaces that are amendable to cycling, walking and running. The use of paved surfaces should be reserved for when the trail system in urbanized areas of the County (east of Shinn Road) relies on one of these conservation lands trails to complete a larger network.

This trail type recommends similar dimensions regardless of its primary use, whether that be for long-distance walking or bicycling or for equestrian purposes.

Trails in SFWMD Canal Right-of-Way

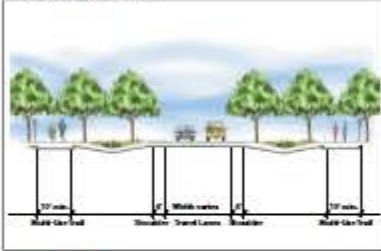


The South Florida Water Management Districts (SFWMD) canal network through St. Lucie County provides an opportunity for trails connecting over longer distances, especially in the western portion of the county.

Typical canal rights-of-way are sufficiently wide to accommodate a multi-use trail on one side of the canal. Most of the County's canal length is currently paralleled by service roads, many of which allow the trail to be constructed within the existing stabilized area of the roadway.

It is generally intended that trails within canal rights-of-way will not be paved. West of Shinn Road, the primary focus of the County's trail system is to serve equestrian and nature-oriented activities; these trails complement the proposed network of greenways through the County's Environmentally Significant Lands. In the urbanized areas of the County where these trails pass, construction with a paved surface may serve a greater community-wide need. In these areas the appropriate surface treatment (paved or unpaved) should be chosen based on how essential a paved trail is to completing the overall network.

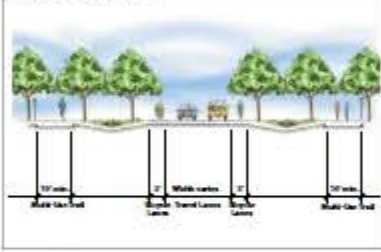
Trails along Roadways



The Master Plan envisions trails continuing along roadways and not just in environmental lands. This not only allows users to identify their direction with understood travel patterns, it also takes advantage of existing right-of-way where it is available.

When possible in the long term, these multi-use trails should be constructed on both sides of the roadway with which they are aligned, as shown in the illustration to the left. Commitment to one trail per side increases the safety of the trail system in allowing safer passage of bicycles and pedestrians and minimizing dangerous road crossings.

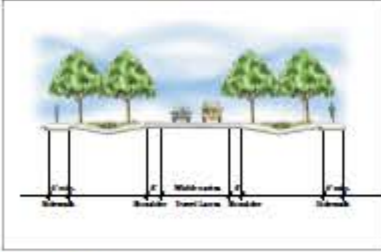
On-Street Bicycle Lanes



This section presents similar dimensions but uses designated bicycle lanes on the roadway. Note that the roadway width may vary, but proper placement of bicycle lanes is always on the outside of the outermost travel lane in each direction.

When on-street bicycle facilities are to be added, the need for off-street multi-use trails on both sides of the street becomes less important; a single two-way path of a width allowing bicycles to safely pass pedestrians should meet the needs of slower-speed cyclists who are more comfortable using an off-street facility.

Sidewalks



Sidewalks are the most basic element of bicycle and pedestrian connectivity. Though most of the urbanized areas of St. Lucie County are located in incorporated municipalities, the County can help to further pedestrian connectivity by committing to routes along arterials and collector roadways. At a minimum, 6-foot sidewalks should be constructed along these major roadways throughout the County.

While off-street trails allow travel for both cyclists and pedestrians, sidewalks are not facilities that should be shared. Context can help to determine where sidewalks are appropriate as opposed to trails: on streets with frequent driveway access, the placement of cyclists and pedestrians on the same off-street path presents a danger from vehicles entering and exiting driveways.

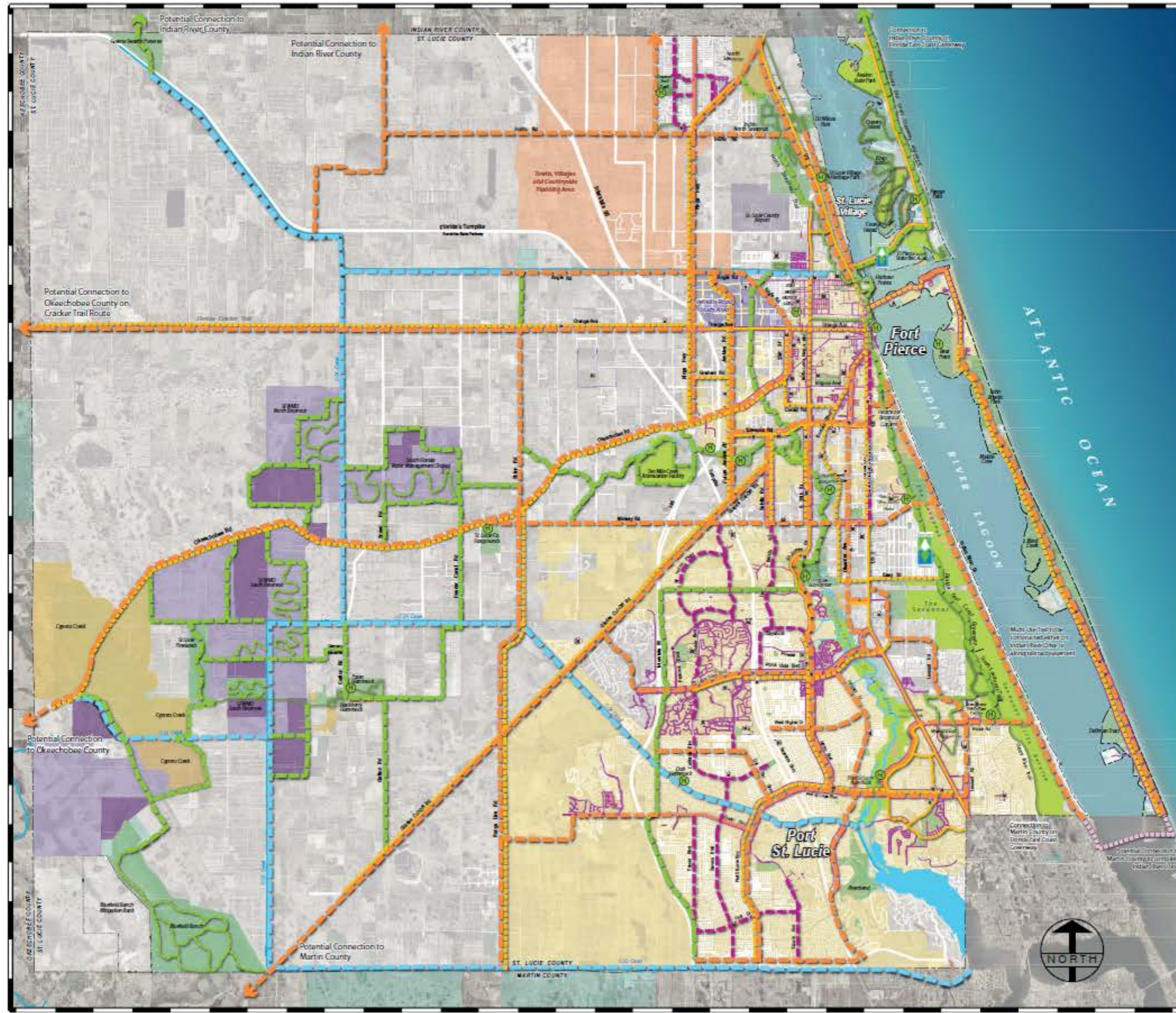
Trailheads/Hubs



Trailheads provide convenient and functional end-of-trip facilities for users. They are the points at which paths intended for walking, cycling or equestrian uses start. Modern trailheads often contain restrooms, sign posts and distribution centers for informational brochures about the trail and its features, and parking areas for vehicles and trailers.

The design and scale of these facilities should follow the user demand and the order of magnitude of the parts of the trail and greenway system they are serving. In this system, larger trailheads connecting different facilities and located at key points in the system are intended to serve as hubs capable of serving a broader range of user needs.

Master Plan



Countywide Bicycle, Pedestrian, Greenways and Trails Master Plan

LEGEND

- SIDEWALKS/ROADWAY ELEMENTS**
 - Existing Sidewalks
 - Proposed Sidewalks for Collectors & Arterials
 - Existing On-Street Bicycle Lanes
 - Proposed On-Street Bicycle Lanes
- GREENWAYS AND TRAILS**
 - Existing Nature Trails
 - Proposed Greenways and Recreational Trails
 - Existing Multi-Purpose Trails
 - Proposed Multi-Purpose Trails
 - Proposed Trails within Canal Right-of-Way
- HUB FACILITIES**
 - Proposed Locations for Hubs/ End-of-Trip Facilities
- OTHER FEATURES**
 - SFWMD Canals
 - County Boundary
 - Lands in SFWMD Ownership
 - Lands Proposed for SFWMD Ownership
 - City and County Parks and Acquired St. Lucie County Environmentally Significant Lands
 - Proposed St. Lucie County Environmentally Significant Lands
 - State Parks
 - Municipal Boundaries
 - Major Water Bodies
 - Sites of Schools and Educational Facilities

Map Prepared March 2008
 Data Sources: St. Lucie County GIS, Florida Geographic Data Library, South Florida Water Management District, Aerial Source: Aerial Express (March 2004)



Ten Mile Creek
Attenuation Facility

Tumpike

Future Jenkins

Glades Cut-Off Rd

Selvitz Rd

Platt's Creek
Mitigation Site

S 25th St

Midway Rd

I-95

W Torino Pkwy

Selvitz Rd

St. James Dr

Oleander Ave

US 1

Easy St

Oxbow
Eco-Center

Sidewalks to be
completed along US 1 where gaps

Savings
Recreation
Area

LEGEND

SIDEWALKS/ROADWAY ELEMENTS

-  Existing Sidewalks
-  Proposed Sidewalks for Collectors & Arterials
-  Existing On-Street Bicycle Lanes
-  Proposed On-Street Bicycle Lanes

GREENWAYS AND TRAILS

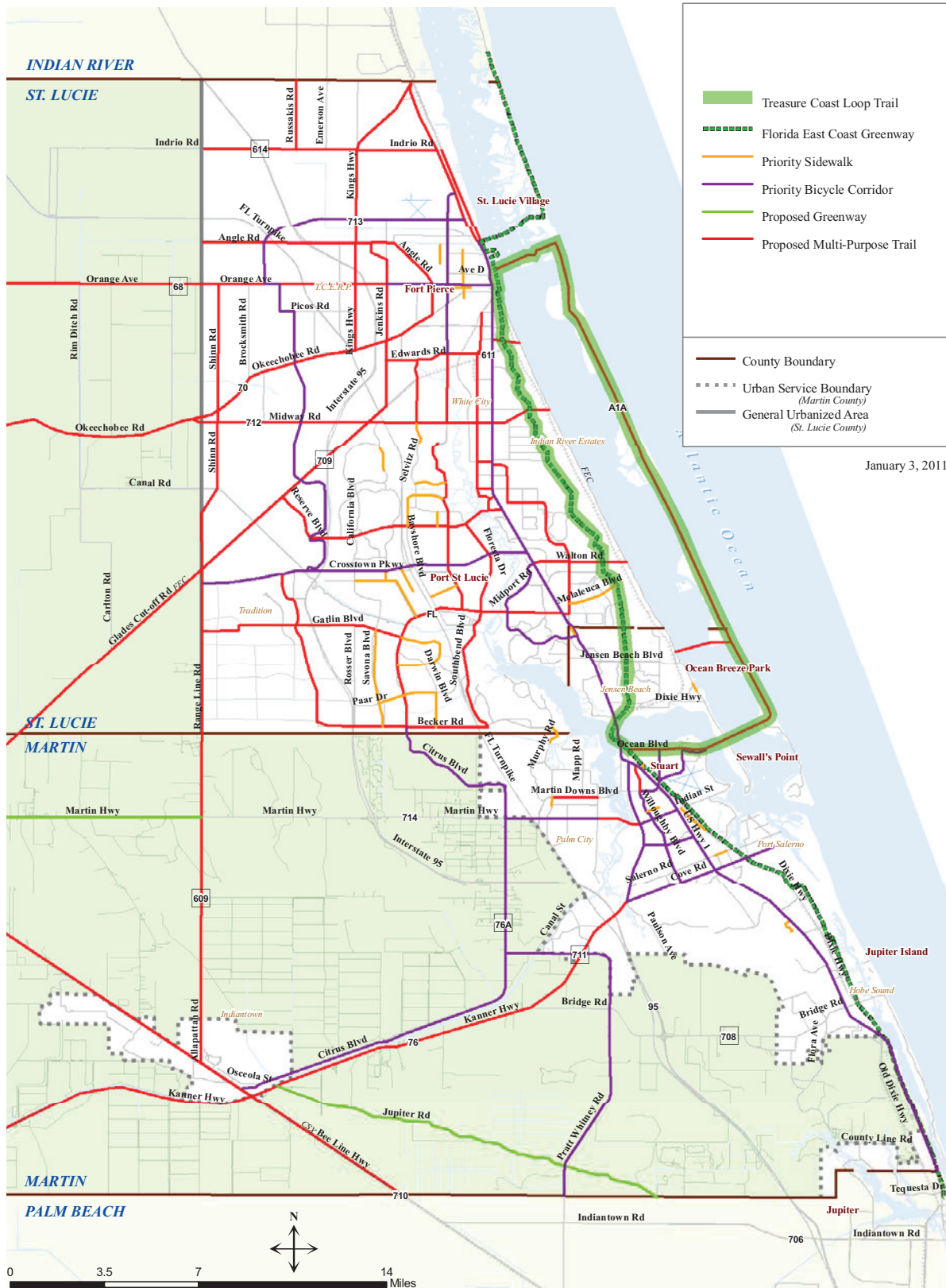
-  Existing Nature Trails
-  Proposed Greenways and Recreational Trails
-  Existing Multi-Purpose Trails
-  Proposed Multi-Purpose Trails
-  Proposed Trails within Canal Right-of-Way

Exhibit H-2

Martin MPO / St. Lucie County TPO Regional Long Range Transportation Plan

- **Martin MPO / St. Lucie TPO 2035 Regional Long Range Transportation Plan - Map 4-8 of the Needs Plan**
- **Martin MPO / St. Lucie TPO 2035 Regional Long Range Transportation Plan Table 4-9 of the Needs Plan**

Map 4-8
2035 Bicycle, Pedestrian, Greenways, and Trails Vision



January 3, 2011

Exhibit H-3

City of Port St Lucie

Comprehensive Plan

- **City of Port St. Lucie Comprehensive Plan – Transportation Element – Page 9**

pedestrian facilities and the encouragement of their use serve several important purposes which benefit all of the citizens of Port St. Lucie including:

- 1) Health and physical benefits
- 2) Environmental benefits
- 3) Transportation benefits
- 4) Recreational benefits
- 5) Quality of life benefits

Sidewalk Program

Through the sidewalk program alone, the City has installed approximately 10.5 miles of sidewalk. In addition to the City's funds, the City has applied for and received confirmation of funding for an additional sidewalk project through the American Recovery And Reinvestment Act of 2009 (ARRA) stimulus program. In coordination with St. Lucie County, the City has received grant funding for sidewalks through the Safe Route to Schools Program.

The City currently requires that pedestrian and bicycle accommodations be incorporated into all development projects and urban roadway projects. Federal, State, and County guidelines also address the provision of bicycle and pedestrian facilities in conjunction with roadway improvement projects.

The St. Lucie TPO recently completed the St. Lucie County Bicycle, Pedestrian, Greenways & Trails Master Plan in 2008. The Master Plan inventoried all the existing sidewalks, bike paths, missing sidewalks, and provided suggestions to improve the system, many of which were located within the City of Port St. Lucie. These improvements primarily consisted of proposed sidewalks and bike lanes along arterials, proposed greenways and recreational trails, multi-purpose trails and canal trails. The analysis portion of the plan identified US-1, Port St. Lucie Boulevard, and St. Lucie West Boulevard as high bicycle and pedestrian crash corridors.

The City would like to continue to work towards the implementation of the St. Lucie TPO Bicycle and Pedestrian Plan. In addition, the plan calls for the establishment of sidewalks on both sides of arterial and collector streets, where they do not currently exist.

The City has developed a process for reviewing and prioritizing sidewalk locations for construction with the assistance of the Engineering Department, Planning and Zoning Department, Parks Department, members of the School Board, and the Police Department. Many factors are considered when selecting the locations including the proximity to a school, number of bus stops, existing sidewalks in the area, number of users, the speed limit on adjacent roads, existing drainage conditions, obstacles, right-of-way width, safety hazards, and estimated costs. Ultimately, the priority locations are approved by City Council and constructed as funding permits.

The Martin MPO/St. Lucie TPO 2035 Regional Long Range Transportation Plan (RLRTP) outlines plans for the Treasure Coast Loop Trail. The project, which will be built to multi-use trail standards, is planned to be a greenway trail connecting Martin and St. Lucie Counties. The Treasure Coast Trail will also serve to improve non-motorized access to areas within the eastern core of the Counties, as well as access to and from Hutchinson Island. The Trail is projected to extend along Green River Parkway through the City.

Exhibit H-4

Midway Road Interlocal Agreement

**BOARD OF
COUNTY
COMMISSIONERS**



**COUNTY
ATTORNEY**

Daniel S. McIntyre

Heather Young
Katherine Davis Barbieri

ASSISTANT COUNTY ATTORNEY
ASSISTANT COUNTY ATTORNEY

April 9, 2014

Azlina Goldstein Siegel, Esq.
Assistant City Attorney
City of Port St. Lucie
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984

RE: Midway Road/Canal 103 – Interlocal Agreement

Dear Azlina:

Enclosed are five (5) original Interlocal Agreements signed by the appropriate County Officials. If the Agreement is in appropriate form, please have the appropriate City Officials sign the Agreements and return three (3) of the originals to this office. Upon receipt, I will record one signed original in the Public Records of St. Lucie County and forward a copy of the signed original to you.

Thank you again for your efforts in resolving this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel S. McIntyre", is written over the typed name and title.

Daniel S. McIntyre
County Attorney

DSM/sb

Copies: Public Works Director
County Engineer
County Surveyor
Property Acquisitions Manager

**INTERLOCAL AGREEMENT
FOR RIGHT-OF-WAY IMPROVEMENTS RELATING TO WIDENING OF MIDWAY ROAD
FROM SELVITZ ROAD EAST TO SOUTH 25TH STREET**

THIS INTERLOCAL AGREEMENT (“Agreement”) made and entered into this _____ day of _____, 2014, by and between the **CITY OF PORT ST LUCIE, a Florida municipal corporation**, (hereinafter “CITY”) and **ST LUCIE COUNTY, a political subdivision of the State of Florida** (hereinafter “COUNTY”).

RECITALS

WHEREAS, the COUNTY and CITY desire to enter into this Agreement pursuant to Section 163.01 of the Florida Statutes, known as the “Florida Interlocal Cooperation Act of 1969,” which authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage; and

WHEREAS, the COUNTY is in the process of pursuing the construction of roadway improvements concerning the widening of Midway Road from Selvitz Road east to South 25th Street (the “Project”); and

WHEREAS, the COUNTY’S proposed design for the widening of Midway Road is a four (4) lane divided urban section with a sidewalk on the north side of the Project that will be approximately six (6) feet wide and a twelve-foot (12 ft.) multi-purpose path located on the south side of the Project will need to accommodate in the future two (2) additional lanes and pedestrian walkways in accordance with the COUNTY’S Long Range Transportation Plan; and

WHEREAS, the COUNTY needs to acquire a right-of-way easement from the CITY over a portion of Canal 103 in order to construct the necessary proposed roadway improvements and to accommodate the two (2) future additional travel lanes; and

WHEREAS, the CITY has agreed to sell and convey to the COUNTY the necessary right-of-way easement over a portion of the CITY’S Canal 103; and

WHEREAS, the COUNTY and CITY have mutually agreed that it is in the best interest of the parties and the public to include, as part of the COUNTY’S design and construction plans for the Project, certain landscaping improvements on CITY-owned property along Canal 103 within the Project area, (hereinafter referred to as the “Canal 103 Landscape Work”); and

WHEREAS, the COUNTY and CITY are desirous of including in the COUNTY’S Project plans certain landscaping improvements, in addition to the roadway improvements to the CITY-owned portion of Selvitz Road, and the continued ownership and maintenance of Selvitz Road and any future improvements thereto or thereon (hereinafter referred to as the “Selvitz Road Landscape Work”) shall be the responsibility of the CITY after the completion of the COUNTY’S proposed Project; and

WHEREAS, except as provided in Paragraph 9, the COUNTY and CITY agree that the CITY will not be responsible for any of the Project costs incurred for the Canal 103 Landscape Work and the Selvitz Road Landscape Work; and

WHEREAS, this Agreement serves a public purpose, and COUNTY and CITY represent to the other that each has the power, privilege, and authority to undertake and enter into this Agreement; and

WHEREAS, COUNTY and CITY agree to cooperate and coordinate in the design and construction of the proposed Project improvements in an economic, timely and efficient manner.

WITNESSETH

NOW, THEREFORE, in consideration of the foregoing premises, mutual benefits to be derived from the cooperation of the parties on the Project, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, COUNTY and CITY intending to legally bind the respective entities and successors and assigns, hereby agree as follows:

1. **Recitations**. The foregoing recitations are true and correct and are incorporated herein by reference.

2. **Right-of Way Necessary for the Project**. The COUNTY shall acquire, at its sole cost and expense, any and all additional right-of-way required for the construction of the proposed improvements for the COUNTY'S Project. COUNTY hereby accepts and CITY hereby agrees to convey to the COUNTY a perpetual, 48.5-foot wide right-of-way easement over a portion of the CITY'S Canal 103 ("Canal 103 Easement"), which is more specifically described in the attached Exhibit "A." The purchase price to be paid by the COUNTY to the CITY for the Canal 103 Easement shall be FIFTEEN THOUSAND DOLLARS AND NO CENTS (\$15,000.00). The conveyance document for the Canal 103 Easement shall be in the form as attached hereto as Exhibit "B." The conveyance and simultaneous payment of the purchase price for the Canal 103 Easement shall be completed by the parties within forty-five (45) days of the Effective Date of this Agreement. The parties agree that any and all costs and expenses associated with the CITY'S conveyance of the Canal 103 Easement to the COUNTY, including but not limited to recording fees, title insurance (if applicable), and any other costs, shall be borne solely by the COUNTY and at no cost or expense whatsoever to the CITY.

3. **Landscape Cost Estimate for the Project**. The COUNTY has budgeted an approximate total of THREE HUNDRED NINE THOUSAND ONE HUNDRED DOLLARS AND NO CENTS (\$309,100.00), which includes a ten percent (10%) contingency (the "Budgeted Amount"), for the Canal 103 Landscape Work and Selvitz Road Landscape Work (collectively, the "Landscape Work"). The proposed Landscape Work is graphically depicted within those certain "Contract Documents" that have been reviewed and approved by both the CITY and the COUNTY. Said Contract Documents are defined herein as those set of plans that will be used in the field for the construction of the Project, including the Landscape Work. The Landscape Work is more specifically described as follows:

a. **Canal 103 Landscape Work.** The cost estimate for the Canal 103 Landscape Work is ONE HUNDRED FORTY-ONE THOUSAND DOLLARS AND NO CENTS (\$141,000.00). The CITY-owned property to be improved as part of the Project is located within, along and adjacent to the proposed Canal 103 Easement Area, as described and depicted in the attached Exhibit "B." Said area is currently vegetated with mature trees and provides a buffer between the residential neighborhood and Midway Road. The area commences approximately 1500-feet west of Selvitz Road, which marks the beginning of the Project, and extends approximately 700-feet east of Selvitz Road. The COUNTY'S landscaping activities will involve the clearing of certain areas while preserving the native vegetation in accordance with the Contract Documents. In addition, prior to the commencement of any clearing activities related to the Canal 103 Landscape Work, the COUNTY and its contractor(s) shall meet on-site with the CITY to discuss and review the proposed activities so that the CITY is able to ensure that the existing native plant communities are preserved to the greatest extent possible. Further, such clearing activities will be strictly limited to the removal of vegetation on an as needed basis to facilitate construction activities. Any and all exotic trees, shrubs, vines and other non-native invasive plants shall be removed by the COUNTY.

In the Canal Easement Area that does not contain roadway improvements, such as pavement or sidewalks, but rather continues to serve as a buffer between the residential neighborhood and Midway Road, the COUNTY shall plant native vegetation in a manner that will serve to fill in gaps in the vegetated/landscaped buffer that were created by the COUNTY'S clearing activities. The staff of both the CITY and COUNTY shall work together in determining the placement of the new vegetation. The COUNTY'S contractor will provide temporary irrigation for this area utilizing potable water obtained from the CITY. Further, it is understood that the CITY shall not be responsible for any costs or charges associated with the use of CITY water for the irrigation of the landscaping until the date the CITY assumes responsibility for the maintenance of the landscape improvements. The CITY assures that a water main will be accessible to the subject location and the CITY will cooperate with the COUNTY'S contractor at the time of connection. The CITY'S assumption of maintenance responsibility for the landscape improvements shall include but not be limited to the ownership and maintenance of any and all temporary irrigation systems and/or facilities installed by COUNTY and its contractor(s) for the Canal 103 Landscape Work.

The COUNTY'S contractor will maintain the improvements for a period of one (1) year following the COUNTY'S acceptance of the work for the Project (the "Initial Warranty Period"). After the Initial Warranty Period terminates and notice is provided by the COUNTY to the CITY of such termination, the CITY will assume the maintenance responsibility for the landscaping improvements that will be completed in accordance with the Contract Documents and located within the CITY'S rights-of-way and other CITY-owned property. The CITY'S assumption of the maintenance responsibility shall not include any maintenance whatsoever of any of the roadway improvements, including but not limited to sidewalks, traffic signs and signals, curbs and gutters, and any other

attendant facilities constructed and/or installed by the COUNTY as part of the Project. Further, the CITY will determine whether it desires to continue to use the temporary irrigation system that was installed by the COUNTY'S contractor. In the event the CITY determines that the temporary irrigation system installed by the COUNTY'S contractor shall be removed, then the CITY shall remove said irrigation system at its sole cost and expense following the CITY'S assumption of the landscape maintenance responsibility.

b. **Selvitz Road Landscape Work.** The cost for the Selvitz Road Landscape Work is estimated to be ONE HUNDRED FORTY THOUSAND DOLLARS AND NO CENTS (\$140,000.00). The Selvitz Road Landscape Work will involve the creation and construction of (1) a landscape barrier on Newark Lane and (2) a landscaped median on Selvitz Road, in accordance with the Contract Documents.

i. **Newark Lane Landscape Barrier.** The landscape barrier is being constructed as the COUNTY'S Project plans call for the elimination of access from the north to Newark Lane in order to reduce the potential for vehicular traffic conflicts with the proposed improvements to Selvitz Road. The plant and other landscape materials to be used by the COUNTY shall be native species. In addition, the COUNTY'S installation of an irrigation system shall be in accordance with the Contract Documents and must utilize the CITY'S potable water. The CITY assures that a water main will be accessible to the subject location and the CITY will cooperate with the COUNTY'S contractor at the time of connection. Further, the CITY shall not be responsible for any costs or charges associated with the use of CITY water for the irrigation of the landscaping unless and until the CITY assumes responsibility for the maintenance of the landscape barrier.

ii. **Selvitz Road Landscaped Median.** The COUNTY'S proposed improvements to Selvitz Road include the construction and installation of a 515-foot landscaped median. The plants and other landscape materials to be used by the COUNTY shall be native species. The installation of an irrigation system in the median by the COUNTY shall be in accordance with the Contract Documents and must utilize the CITY'S potable water. The CITY assures that a water main will be accessible to the subject location and the CITY will cooperate with the COUNTY'S contractor at the time of connection. In addition, a "Welcome to Port St. Lucie" monument sign shall be constructed by the COUNTY, at no cost or expense to the CITY, and located in the median approximately 560-feet south of the intersection of Selvitz Road and Midway Road in accordance with the Contract Documents and any applicable rules and regulations.

4. **Permission to Construct Improvements on CITY Right-of-Way.** The CITY hereby agrees to allow the COUNTY to perform the Landscape Work on and within CITY rights-of-way and land, as contemplated in the Contract Documents for the Project. This temporary license granted to the

COUNTY and its contractors and consultants to access, enter, and perform construction activities on CITY-owned property and rights-of-way shall terminate immediately following the completion of the Project and upon the COUNTY'S acceptance of the roadway and landscape improvements, unless otherwise provided for herein. In addition to the Landscape Work, the COUNTY'S Contract Documents have incorporated the construction of certain improvements on the CITY-owned portion of Selvitz Road which include but are not limited to a 4-lane divided roadway, curb and gutter, drainage, sidewalks, and improvements to Pond 6 (hereinafter, together with the Landscape Work, collectively referred to as the "CITY Improvements"). The construction of CITY Improvements by the COUNTY will also include the permanent closure of Newark Lane at its northern intersection with Selvitz Road. Said closure of Newark Lane is necessary for the safety and welfare of the neighborhood, and it is depicted in the attached Exhibit "C." Area residents will continue to have access to the neighborhood at the southern intersection of Newark Lane and Selvitz Road.

5. **Design; Permitting; Bidding; Award; and Contract Administration.** The COUNTY has issued to the CITY 100% bid set drawings, bid documents, and specifications (the "Project Bid Documents") for the CITY Improvements. The COUNTY shall bid the Project Bid Documents as approved by the COUNTY and the CITY. The COUNTY shall be responsible for obtaining all necessary permits. The CITY'S approval and execution of this Agreement shall constitute the CITY'S permission to construct the CITY Improvements as contemplated in the approved Project Bid Documents and Contract Documents. The COUNTY shall notify and allow the CITY to attend and actively participate in any Project design meetings held by the COUNTY. The parties agree that the COUNTY shall be the contracting agency responsible for the administration of the construction contract(s) for the Project. Except as otherwise provided herein, the COUNTY shall provide the engineering, administrative, inspection and clerical services necessary for the execution of the Project to the completion of construction. However, the CITY shall at all times have the right to inspect, comment or object to the proposed CITY Improvements, and shall do so in a timely manner so as not to delay the Project. The CITY agrees to coordinate its inspections of the CITY Improvements with the firm that has been independently hired by the COUNTY to provide construction engineering inspection services (the "COUNTY CEI"). The CITY shall provide any comments or objections concerning the CITY Improvements directly to the COUNTY CEI. The CITY shall be provided by the COUNTY with notice, at least a two (2) days in advance, of the date and time of any pre-construction meetings, and shall be kept informed by the COUNTY of any other meetings, and the CITY, in its sole discretion, may attend those meetings that CITY deems its attendance to be appropriate.

6. **CITY'S Acceptance of Improvements.** No later than thirty (30) days prior to the expiration of the Initial Warranty Period, the COUNTY and the CITY shall coordinate and conduct a final inspection of the CITY Improvements ("CITY'S Final Inspection"). The CITY shall have the right to object to items concerning the CITY Improvements that are not installed, constructed or completed in accordance with the approved Contract Documents. In the event the CITY determines that any deficiencies exist, then the CITY shall, within ten (10) days of the date of the CITY'S Final Inspection, provide notice to the COUNTY of the deficiencies prior to the CITY'S assumption of the maintenance obligations for and acceptance of the CITY Improvements on CITY-owned property and rights-of-way. The COUNTY shall ensure that any and all warranties extending beyond the Initial Warranty Period and

all bonds that concern the CITY Improvements are effectively assigned to the CITY at the time the CITY accepts said improvements.

7. **Insurance Requirements for COUNTY’S Contractor(s)**. The COUNTY will require any and all of the contractors who enter upon and perform work on the CITY’S rights-of-way and lands to obtain and maintain in full force and effect the below-identified types and amounts of insurance policies/coverages, which shall serve to insure and the protect the CITY against loss or liability in connection with any bodily injury, death, property damage or destruction, occurring on or about the CITY’S property and rights-of-way, and the performance of the Landscape Work. The City of Port St. Lucie shall be named as an additional insured under the below-required policies.

Prior to commencement of the work and entry on the CITY’S property and rights-of-way by any contractor, the COUNTY shall deliver to CITY certificates of insurance of its contractor(s) evidencing the coverages required under this paragraph and its subparts. Said certificates of insurance shall be specifically endorsed to provide a minimum thirty (30) day written notice to the CITY and COUNTY prior to cancellation, non-renewal, or adverse change of coverage. The name for the Additional Insured endorsement required to be provided to the CITY and issued by the insurer shall read “City of Port St. Lucie, a municipality for the State of Florida, its officers, employees, agents and the public – COUNTY Contract # XXXXXX.” Copies of the Additional Insured endorsements including Completed Operations coverage should be attached to the Certificate of Insurance.

a. **Commercial General Liability**. Commercial General Liability insurance shall be issued under an occurrence form basis, including contractual liability to cover the liability assumed under any indemnification provisions of the contract or agreement with the COUNTY, with limits of not less than the following:

Each Occurrence	\$1,000,000.00
Personal/Advertising injury	\$1,000,000.00
Products/Completed operations aggregate	\$2,000,000.00
General aggregate	\$2,000,000.00
Fire Damage	\$100,000.00 any 1 fire
Medical Expense	\$10,000.00 any 1 person

An Addition Insured endorsement must be attached to the Certificate of Insurance and must include coverage for Completed Operations (which should be ISO CG20101185 or CG20370704 & CG20100704) under the General Liability Policy. Products & Completed Operations coverage is to be provided for a minimum of five (5) years from the date of possession by the Owner or Completion of the Contract. Coverage shall be written on an occurrence form basis and shall apply as primary. A per project aggregate limit endorsement shall be attached. Further, defense costs shall be in addition to the limit of liability. A Waiver of Subrogation in favor of the CITY must be provided. Coverage for the hazards of explosion, collapse and underground property damage (XCU) must also be included when applicable to the work to be performed. Coverage shall extend to independent contractors and fellow employees. Contractual Liability shall be included.

Coverage shall include a cross liability or severability of interests provision as provided under the standard ISO form separation of insureds clause/provision.

b. Workers' Compensation. Workers' Compensation Insurance & Employers' Liability shall be maintained in accordance with Section 440, Florida Statutes. Employers' Liability must include limits of at least \$100,000.00 each accident, \$100,000.00 each disease/employee, and \$500,000.00 each disease/maximum. A Waiver of Subrogation endorsement must be provided. Coverage should apply on a primary basis. Should the scope of work performed by a contractor qualify its employee for benefits under the Federal Workers' Compensation Statute (example, U.S. Longshore and Harbor Workers Act or Merchant Marine Act), proof of appropriate Federal Act coverage must be provided.

c. Business Auto Policy. Business Automobile Liability at a limit of liability not less than \$1,000,000.00 each occurrence for any auto, owned, non-owned, and hired automobiles shall be maintained. In the event that no automobiles are owned by the COUNTY'S contractor(s), the Business Auto Liability requirement may be waived provided that Hired & Non-Owned Liability of the same amount is maintained. This requirement may be satisfied by way an endorsement to the Commercial General Liability, or a separate Business Auto Coverage form. A Waiver of Subrogation must also be provided, and the coverage required, pursuant to this sub-paragraph, should apply on a primary basis.

d. Umbrella or Excess Liability. The COUNTY'S Contractor(s) may satisfy the minimum limits required above under this Paragraph "7" and its subparts, for Commercial General Liability, Business Auto Liability, or Workers' Compensation Insurance & Employers' Liability coverage under the Umbrella or Excess Liability. The Umbrella or Excess Liability shall have an aggregate limit not less than the highest "Each occurrence" limit for the Commercial General Liability, Business Auto Liability, or Workers' Compensation Insurance & Employers' Liability. When required by the insurer, or when Umbrella or Excess Liability is written on "Non-Follow" form, the CITY shall be endorsed as an "Additional Insured."

e. Waiver of Subrogation. A Waiver of Subrogation shall be provided to the CITY for each required policy. When required by the insurer, or should a policy condition not permit an insured to enter into a pre-loss agreement to waive subrogation without an endorsement then a notification to the insurer and a request that the policy be endorsed with a Waiver of Transfer of Rights of Recovery Against Others, or its equivalent, shall be required. This Waiver of Subrogation requirement shall not apply to any policy where a condition to the policy specifically prohibits such an endorsement, or voids coverage if the COUNTY'S contractor enters into such an agreement on a pre-loss basis.

8. Hazardous Materials. The COUNTY, or its contractors, subcontractors, successors or assigns shall not, in the performance of any activities concerning the Project, store, locate or dispose of

any contaminants, pollutants, or toxic or hazardous materials or substances, including solid waste and debris, on, in or upon the CITY'S rights-of-way, Canal 103, and lands.

9. **Financial Obligations.** The COUNTY shall be responsible for all design and construction costs and expenses associated with the roadway and other landscape improvements for the Project identified in the Contract Documents. Unless otherwise agreed to by the CITY as further discussed hereinbelow, the CITY shall not be responsible for any costs or expenses whatsoever associated with or incurred as a result of the COUNTY'S proposed roadway and landscape improvements for the Project that are specifically addressed in this Agreement.

The COUNTY intends to bid the Project so that the bid costs for the Canal 103 Landscape Work and the Selvitz Road Landscape Work are separately identified on the COUNTY'S bid form. The Parties understand and agree that the COUNTY shall be responsible for allocating at least the Budgeted Amount for the Landscape Work. In the event the bid(s) for the Landscape Work is/are lower than the Budgeted Amount, the excess amount shall be allocated by the COUNTY to the Project contingency. However, in the event the bid(s) for the Landscape Work exceed(s) the Budgeted Amount, the COUNTY and the CITY hereby agree that the COUNTY shall have the following options:

- a. The COUNTY, in its sole discretion, shall elect to be responsible for the payment of any and all amounts that exceed the Budgeted Amount for the Landscape Work; or
- b. The COUNTY shall provide written notice to the CITY of its election to not provide any additional monies beyond the Budgeted Amount. Within fifteen (15) days of the CITY'S receipt of said written notice from the COUNTY, the CITY shall notify the COUNTY of its decision on whether the CITY will agree to be responsible for the payment of those costs and expenses that are in excess of the Budgeted Amount, and which are solely attributable to the construction and/or installation of those certain improvements for the Landscape Work which are identified in the Contract Documents; or
- c. The CITY and the COUNTY shall modify the Contract Documents so that the costs identified in the bid(s) for the Canal 103 Landscape Work and the Selvitz Road Landscape Work are collectively reduced to a total amount that will not exceed the COUNTY'S Budgeted Amount. This joint modification shall be completed within five (5) business days.

10. **Notices.** All written notices required under this Agreement, but excluding communications concerning the approval of design and construction plans for the Project and other matters requiring the approval of the City Engineer or his/her designee out in the field, shall be in writing and shall be (as elected by the party giving such notice) hand delivered by messenger or courier service, by regular United States Mail with postage prepaid, or by certified mail, return receipt requested (Airmail if international), and shall be directed to the following persons and places designated by the parties:

FOR THE CITY:	FOR THE COUNTY:
PUBLIC WORKS DEPARTMENT CITY OF PORT ST. LUCIE 121 S.W. Port St. Lucie Boulevard Port St. Lucie, FL 34984 Attn: Patricia Roebing, P.E., Public Works Director/City Engineer <u>With a copy to:</u> OFFICE OF THE CITY ATTORNEY CITY OF PORT ST. LUCIE 121 S.W. Port St. Lucie Boulevard Port St. Lucie, FL 34984 Attn: Public Works Attorney	ST. LUCIE COUNTY ADMINISTRATOR County Administration Annex 2300 Virginia Avenue Ft. Pierce, FL 34982 <u>With a copy to:</u> ST. LUCIE COUNTY ATTORNEY County Administration Annex 2300 Virginia Avenue Ft. Pierce, FL 34982

Each such notice shall be deemed delivered (i) on the date delivered if by personal delivery or (ii) on the date mailed, postage prepaid.

11. **Invalid Provisions.** In the event any term or provision of this Agreement is held illegal, unenforceable or inoperative as a matter of law, the remaining terms and provisions will not be affected thereby, but will be valid and remain in full force and effect so far as possible. If any provision of this Agreement may be construed in two or more ways, one of which would render the provision invalid or otherwise voidable or unenforceable and another of which would render the provision valid and enforceable, such provision shall have the meaning which renders it valid and enforceable.

12. **COUNTY Release, Hold Harmless and Indemnification of CITY.** To the extent permitted by law, the COUNTY hereby agrees to release, waive, relinquishes, discharges, holds harmless, and indemnify the CITY, its officers, elected officials, employees, agents, successors and assigns, from any and all claims, actions, causes of action, liens (including mechanic's liens and materialman's liens), demands, and liabilities of any nature and character whatsoever, that may arise in any manner from or relate to the COUNTY'S construction activities on the CITY-owned rights-of-way and lands, such as Selvitz Road and Canal 103. The COUNTY shall defend and be responsible for any and all costs, fees and expenses for any action or proceeding brought against the CITY, its officers, elected officials, employees, agents, successors and assigns, for any and all matters arising from or relating to this Agreement. The types of claims, actions, causes of action, demands and liabilities that are released, waived, discharged, relinquished, and will be indemnified herein include, but are not limited to, claims for acts of the COUNTY'S contractors, agents, employees, members, invitees, and consultants. Further, the COUNTY understands that this release, hold harmless and indemnification agreement detailed in this paragraph shall inure to the benefit of the CITY, its officers, elected officials, employees, agents, successors, and assigns, and that it shall bind the COUNTY and the COUNTY'S heirs, legal representatives, members, assigns and successors in interest. The foregoing indemnities with respect to any waiver of sovereign immunity shall be limited to the extent specified in Section 768.28 of the Florida Statutes. This paragraph shall not be construed to constitute an agreement by the COUNTY to indemnify the CITY for the willful or malicious misconduct or negligent actions performed by and solely caused by the CITY or its consultants, experts, contractors, employees, or agents acting for or on behalf of the CITY.

13. **Public Construction Bond; No Liens.** The COUNTY shall require that its contractor(s) provide a public construction bond pursuant to Section 255.05 of the Florida Statutes. Said public construction bond(s) shall serve to provide security for the performance by the contractor(s) of the construction work and the payment obligations of the contractor(s) for the labor, materials, subcontractors and any other items or services used and/or obtained to construct the Project. The Parties acknowledge that under the Chapter 713 "Construction Lien Law" of the Florida Statutes, the term "owner" specifically excludes governmental entities. However, the Parties hereby agree that the COUNTY'S contract with the contractor(s) shall include a provision that no liens or claims of liens (including mechanic's liens and materialman's liens) shall be recorded against the CITY'S rights-of-way and lands by any person or party in the performance of any and all activities concerning the COUNTY'S Project.

14. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

15. **Entire Agreement.** This Agreement contains the entire agreement between the parties hereto as it pertains to the subject matter contained herein and shall supersede and take precedence over any and all prior and contemporaneous verbal or written agreements and understandings between the parties hereto.

16. **Amendments.** This Agreement may not be amended, modified, altered, or changed in any respect whatsoever, except by a further agreement in writing duly executed by each and all of the parties hereto.

17. **Effective Date; Recording .** The Effective Date of this Agreement shall be the date on which the last of the parties cause this Agreement to be executed. This Agreement shall be recorded by the COUNTY in the Official Public Records of the Clerk of the Court of St. Lucie County, Florida. A copy of the recorded Agreement shall be forwarded to the CITY.

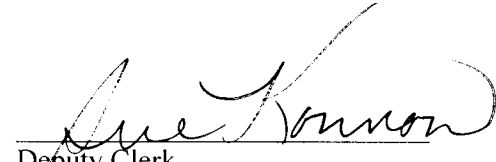
[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]


IN WITNESS WHEREOF, the CITY and the COUNTY have caused this Agreement to be executed on behalf of their respective entities, their successors and assigns, on the day first above written.

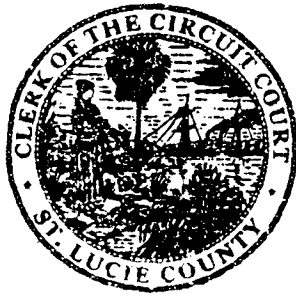
COUNTY:

ST. LUCIE COUNTY,
a political subdivision of the State of Florida

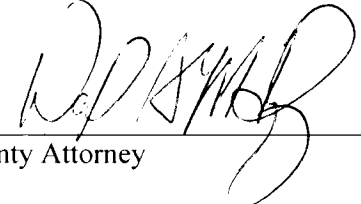
ATTEST:


Deputy Clerk

BY: 
Chair



APPROVED AS TO FORM AND CORRECTNESS:


County Attorney

CITY:

CITY OF PORT ST. LUCIE,
a Florida municipal corporation

ATTEST:

City Clerk

BY: _____
JoAnn M. Faiella, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Roger G. Orr, City Attorney

LEGAL DESCRIPTION:

Midway Road
Canal 103 In City of Port St. Lucie

That part of:

Canal 103 adjacent to First Replat in Port St. Lucie Section Forty-Eight as recorded in Plat book 26, page 23 of the Public Records of St. Lucie County, Florida, being the North 48.50 feet as measured at right angles and parallel with the North line of the Southeast 1/4 of Section 6, Township 36 South, Range 40 East, St. Lucie County, Florida.

(Said property being a portion of the same lands described in Official Records Book 439, page 1530 of the Public Records of St. Lucie County, Florida.)

described as follows:

Commence at a found railroad spike marking the Northeast corner of the Northeast 1/4 of Section 6, Township 36 South, Range 40 East, St. Lucie County, Florida; thence run South 00°09'27" West along the East line of said Northeast 1/4 a distance of 2665.81 feet to the Northeast Corner of the Southeast 1/4 of said Section 6 for a Point of Beginning; thence run South 89°58'22" West along the North line of the Southeast 1/4 of said Section 6 a distance of 1468.73 feet; thence departing said North line run South 00°01'38" East a distance of 48.50 feet to a point on the South line of the North 48.50 feet of the Southeast 1/4 of said Section 6, also being a point on the North boundary of First Replat in Port St. Lucie Section Forty-Eight as recorded in Plat Book 26, page 23 of the Public Records of St. Lucie County, Florida and the existing Southerly right of way line of Canal 103 as described in Official Records Book 439, page 1530 of the Public Records of St. Lucie County, Florida; thence run North 89°58'22" East along said boundary and said existing right of way line a distance of 1468.88 feet to a point on the East line of the Southeast 1/4 of said Section 6; thence departing said boundary and said existing right of way line run North 00°12'06" West along said East line a distance of 48.50 feet to the Point of Beginning.

Containing 1.635 acres, more or less.



SURVEYOR'S NOTES:

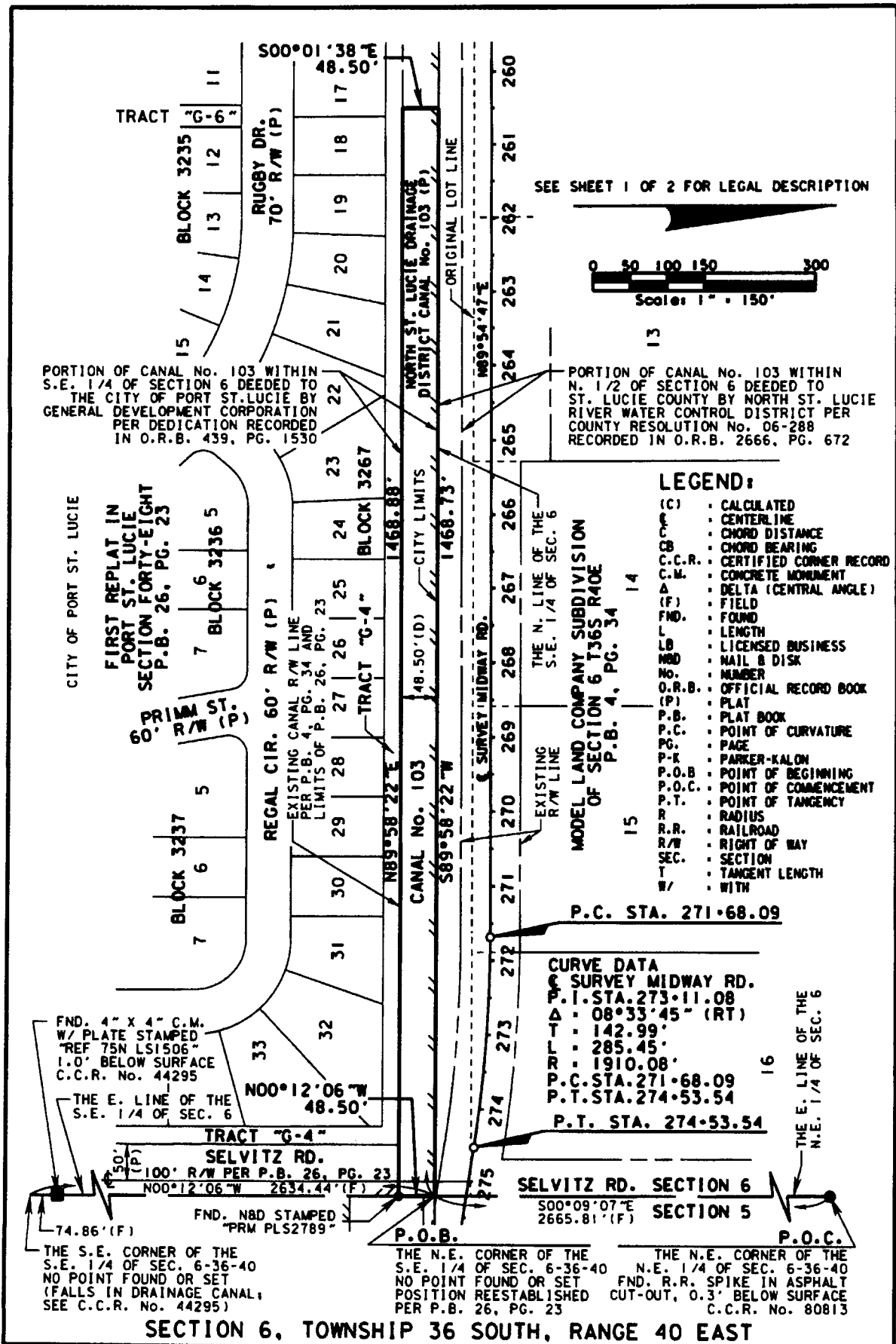
1. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 1990 ADJUSTMENT, AS NOTED ON ST. LUCIE COUNTY RIGHT OF WAY MAP FOR MIDWAY ROAD, COUNTY JOB NO. 0618, DERIVING A BEARING OF NORTH 89°58'22" EAST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST.
2. THIS SKETCH OF DESCRIPTION IS BASED ON INFORMATION SHOWN ON THE RIGHT OF WAY MAP FOR MIDWAY ROAD AS PREPARED FOR ST. LUCIE COUNTY BY LOCHRANE ENGINEERING, INC., COUNTY PROJECT No. 0618, UNDER THE RESPONSIBLE CHARGE OF JOHN J. CAMPBELL, JR., FLORIDA REGISTERED SURVEYOR AND MAPPER NO. 5522.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
4. SEE SHEET 2 OF 2 FOR PARCEL SKETCH.
5. THIS IS NOT A BOUNDARY SURVEY.

LOCHRANE ENGINEERING, INC.
L.B. No. 2856

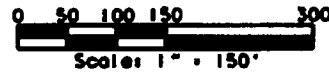
John J. Campbell, Jr. 4/17/12

JOHN J. CAMPBELL, JR.
P.S.M. No. 5522
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

			ST. LUCIE COUNTY - RIGHT OF WAY ENGINEERING SECTION	
			SKETCH OF DESCRIPTION - NOT A FIELD SURVEY	
			MIDWAY ROAD - CANAL No. 103	
			BY	DATE
			DRAIN	J.J.C. 4/10/12
			CHECKED	C.J.L. 4/16/12
REVISION	BY	DATE	PREPARED BY: LOCHRANE ENGINEERING, INC. LB NO. 2856 201 SOUTH BUMBY AVENUE ORLANDO, FL 32803	
			COUNTY JOB NO. 0618	
			SHEET 1 OF 2	



SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION



PORTION OF CANAL No. 103 WITHIN S.E. 1/4 OF SECTION 6 DEEDED TO THE CITY OF PORT ST. LUCIE BY GENERAL DEVELOPMENT CORPORATION PER DEDICATION RECORDED IN O.R.B. 439, PG. 1530

PORTION OF CANAL No. 103 WITHIN N. 1/2 OF SECTION 6 DEEDED TO ST. LUCIE COUNTY BY NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT PER COUNTY RESOLUTION No. 06-288 RECORDED IN O.R.B. 2666, PG. 672

LEGEND:

- (C) • CALCULATED
- CL • CENTERLINE
- CD • CHORD DISTANCE
- CB • CHORD BEARING
- C.C.R. • CERTIFIED CORNER RECORD
- C.C.F. • CONCRETE CORNER
- Δ • DELTA (CENTRAL ANGLE)
- (F) • FIELD
- FN • FOUND
- LN • LENGTH
- LB • LICENSED BUSINESS
- NBD • NAIL B DISK
- NO. • NUMBER
- O.R.B. • OFFICIAL RECORD BOOK
- (P) • PLAT
- P.B. • PLAT BOOK
- P.C. • POINT OF CURVATURE
- PG. • PAGE
- P.K. • PARKER-KALON
- P.O.B. • POINT OF BEGINNING
- P.O.C. • POINT OF COMMENCEMENT
- P.T. • POINT OF TANGENCY
- R • RADIUS
- R.R. • RAILROAD
- R/W • RIGHT OF WAY
- SEC. • SECTION
- T • TANGENT LENGTH
- W/ • WITH

CURVE DATA

SURVEY MIDWAY RD.
 P.I. STA. 273+11.08
 Δ = 08°33'45" (RT)
 T = 142.99'
 R = 285.45'
 P.T. = 1910.08'
 P.C. STA. 271+68.09
 P.T. STA. 274+53.54
 P.T. STA. 274+53.54

SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST

**ST. LUCIE COUNTY - RIGHT OF WAY ENGINEERING SECTION
 SKETCH OF DESCRIPTION - NOT A FIELD SURVEY**

MIDWAY ROAD - CANAL No. 103

DRAWN		BY	DATE	PREPARED BY:		COUNTY JOB NO. 0618
CHECKED		J.J.C.	4/11/12	LOCHRANE ENGINEERING, INC. LB NO. 2856 201 SOUTH BUMBY AVENUE ORLANDO, FL 32803		
REVISION	BY	DATE	CHECKED	C.J.L.	4/16/12	SHEET 2 OF 2

EXHIBIT "B"

Prepared by and when recorded return to:
Azlina Goldstein Siegel, Assistant City Attorney
CITY OF PORT ST. LUCIE
City Attorney's Office
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984

(Space above this line reserved for recording office use only)

RIGHT-OF-WAY EASEMENT

THIS RIGHT-OF-WAY EASEMENT ("Easement"), executed this _____ day of _____, 2014 by the **CITY OF PORT ST. LUCIE**, a Florida municipal corporation, whose mailing address is 121 S.W. Port St. Lucie Boulevard, Port St. Lucie, Florida, 34984 of the County of St. Lucie, State of Florida ("Grantor") to **ST. LUCIE COUNTY**, a political subdivision of the State of Florida, whose mailing address is 2300 Virginia Avenue, 3rd Floor Admin. Annex, Fort Pierce, Florida, 34982 ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" shall include all the parties to this instrument and their respective heirs, legal representatives, successors and assigns.)

WITNESSETH:

WHEREAS, the Grantor is the owner of certain real property located in St. Lucie County, Florida, which property is commonly referred to as "Canal 103"; and

WHEREAS, the Grantee needs to acquire a right-of-way easement from the Grantor over a portion of Canal 103 (the "Easement Area") that is more specifically described in Exhibit "A", which is attached hereto and incorporated herein, in order to construct certain roadway and drainage improvements for Grantee's proposed widening of Midway Road; and

WHEREAS, the Grantor desires to grant Grantee a perpetual, non-exclusive right-of-way easement over the Easement Area for the purposes set forth herein; and

NOW THEREFORE, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration in hand paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey to said Grantee, its successors or assigns forever, a non-exclusive perpetual right-of-way easement for the purpose of locating, establishing, constructing, installing, maintaining, repairing and operating certain roadway and attendant improvements, including but not limited to pavement, sidewalks, stormwater and drainage facilities and systems upon, over, under and across the Easement Area described in Exhibit "A."

TO HAVE AND TO HOLD the Easement hereby granted unto the Grantee, its licensees, agents, legal representatives, successors and assigns, together with all conditions and covenants set forth herein

shall be covenants running with the land that benefit the public at large, and shall inure to and be binding upon the heirs, representatives, successors and assigns of Grantee.

IT IS UNDERSTOOD that the Grantee, at its sole cost and expense, shall be responsible for the maintenance of the Easement Area, in addition to the maintenance, repair, construction, operation and replacement of any and all improvements installed, erected, constructed or in anywise made over, under, across, through or upon the Easement Area by, for, on the behalf of the Grantee. However, the Grantee will not be required to maintain any landscaping improvements located within the Easement Area once the Grantor assumes the maintenance responsibility of the same pursuant to that certain Interlocal Agreement for Right-of-Way Improvements Relating to Widening of Midway Road from Selvitz Road East to South 25th Street between the Grantor and Grantee. If any of the real estate, vegetation, landscaping, sod, or any other improvement situated on Grantor's property, and located outside the Easement area, is disturbed or damaged by any of the activities of Grantee, its agents, employees, servants, contractors, consultants, or persons acting pursuant to contracts or agreement with Grantee then Grantee shall restore all such property to a condition, substantially similar to the condition, existing prior to the disturbance or damage.

IT IS ALSO UNDERSTOOD that the Grantor, for itself and its successors and assigns, reserves the right to install, construct, repair and maintain any improvements, including but not limited to utility facilities, within the Easement Area at any location, in Grantor's sole discretion, provided Grantor's use of the Easement Area does not unreasonably interfere with the Easement rights granted to Grantee herein.

IT IS FURTHER UNDERSTOOD that to the extent permitted by law, Grantee shall indemnify, defend, save, and hold harmless the Grantor and Grantor's successors and assigns from any and all liability, losses, damages, suits, actions, judgments, claims and demands of any kind or nature whatsoever, including but not limited to attorney's fees, expenses and costs of defense, which Grantor may incur as a result of any and all losses, claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to, or resulting from Grantee's use of the Easement Area, including any activities performed by Grantee, its agents, employees, licensees, invitees, contractors, and consultants. The Grantee shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits, or actions of any kind or nature in the name of the Grantor, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon. Nothing in this paragraph is intended to waive the provisions of Section 768.28, Florida Statutes, as it applies to Grantee or Grantor.

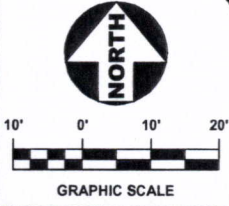
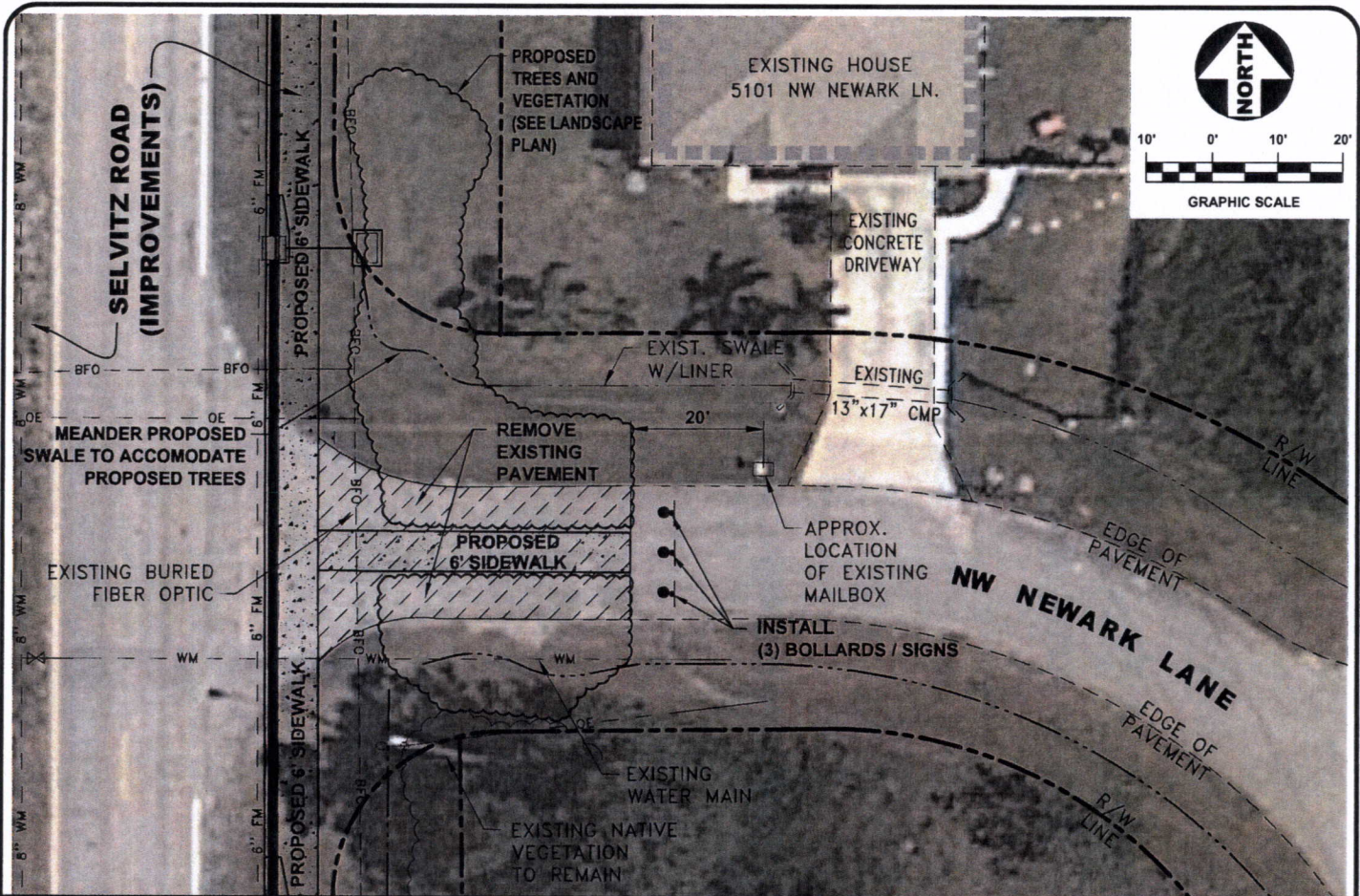
IT IS ALSO FURTHER UNDERSTOOD that the Grantor, and its licensees, agents, successors, or assigns, assume no liability or responsibility to the Grantee, its licensees, agents, successors, assigns, or to any person performing any activity within the Easement Area or using the Easement for any reason whatsoever with or without invitation, whether express or implied, or by reason of any business conducted with the Grantee, its licensees, agents, successors or assigns, or otherwise.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, and set its hand and seal by its proper, duly authorized officer or representative the day and year first above written.

[SIGNATURE PAGE TO FOLLOW]

EXHIBIT

"C"



Joseph W. Capra
301 N.W. Flagler Ave
Stuart, Florida 34994
P.E. No. 37638
Phone: (772) 692-4344
Fax: (772) 692-4341

Engineering Business
No. EB-0007657

DATE: 01/17/14
DRAWN BY: HLT
DESIGNED BY: HLT
CHECKED BY: JWC
PROJECT No.: 1136.2
HORIZ. SCALE: N/A
VERT. SCALE: 1"=20'
CADD FILE: Newark Exhibits

**MIDWAY ROAD / SELVITZ ROAD
IMPROVEMENTS**
CITY OF PORT SAINT LUCIE, ST. LUCIE COUNTY, FLORIDA

**NEWARK LANE
ROAD CLOSURE EXHIBIT**

**SCALE
VERIFICATION**

0.5
1.0
2.0
SOLID BAR IS EQUAL TO
HALF AN INCH ON ORIGINAL
DRAWING. ADJUST ALL
SCALED DIMENSIONS
ACCORDINGLY

Sheet No. 1 of 2

Exhibit H-5

Midway Road “Multi-Purpose” Trail Project Correspondence



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

September 16, 2016

Ms. Leslie Olson, AICP
Planning Director
St. Lucie County, Planning Division
2300 Virginia Avenue
Fort Pierce, FL 34982

Re: State of Significance – Midway Road Multi-Purpose Trail
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

The Florida Department of Transportation (FDOT) is conducting a PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road. **Figure 1 – Project Location Map** is attached and shows the project location. The project is located in the City of Port St. Lucie and St. Lucie County. As part of the project a multi-purpose trail will be constructed on the south side of the road within the limits of the project. The proposed multi-purpose trail is shown in **Figure 2 – Potential Section 4(f) Properties**.

As part of the PD&E process, the FDOT will be seeking a Section 4(f) Determination of Applicability (DOA) from the Federal Highway Administration (FHWA). Section 4(f) of the US Department of Transportation Act of 1966 pertains to the protection of public resource lands such as parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance. In order to be considered a Section 4(f) resource a property must function or be designated as a significant public park, recreation area, wildlife/waterfowl refuge, or historic site. For additional information, please see Part II, Chapter 13 – Section 4(f), Page 13-6, of FDOT Project Development and Environment Manual that can be accessed through the following website: <http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm>

The FDOT is requesting your assistance (as jurisdictional agency) in determining the significance and function (both existing and planned facilities) of the following planned trail in your agency's jurisdiction:

- Midway Road Multi-Purpose Trail

The FHWA will make the formal determination of Section 4(f) applicability. To assist the FHWA with this determination, please provide a signed letter with an indication of significance for these

Ms. Leslie Olson, AICP

September 16, 2016

Page 2

properties. Within the context of Section 4(f), "significance" means that in comparing the availability and function of the property for park, wildlife refuge, or recreational objectives of the community, the property in question plays an important role in achieving those objectives.

As part of your response the following information is requested to be included in your Statement of Significance, if applicable. If the information is not applicable or not available, please state that in your response letter.

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

Attached is an example letter that can be used as a template for the Statement of Significance Letter that is needed.

If you need further information or have any questions, please contact either Christie Pritchard, Environmental Consultant at (561) 818-2751 or me at (954) 777-4415. Thank you for assistance and coordination with this project.

Sincerely,

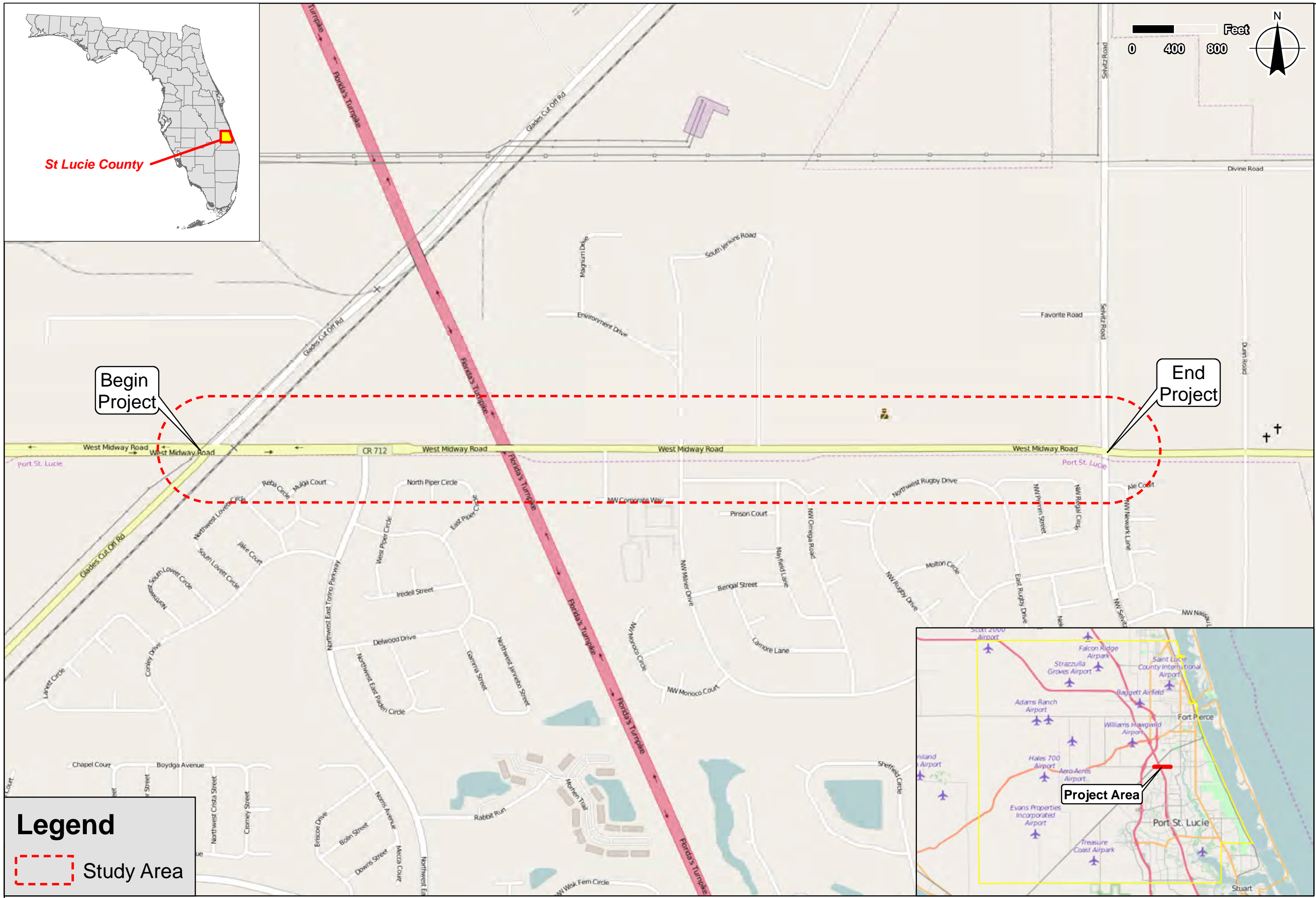
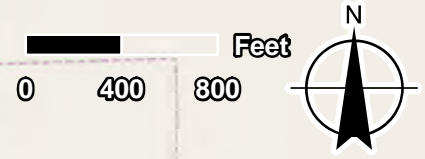
July C. Jimenez, P.E.
Project Manager
Florida Department of Transportation – District IV

Attachments: Figure 1 – Project Location Map
Figure 2 – Potential Section 4(f) Properties
Sample Statement of Significance Letter

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers



St Lucie County

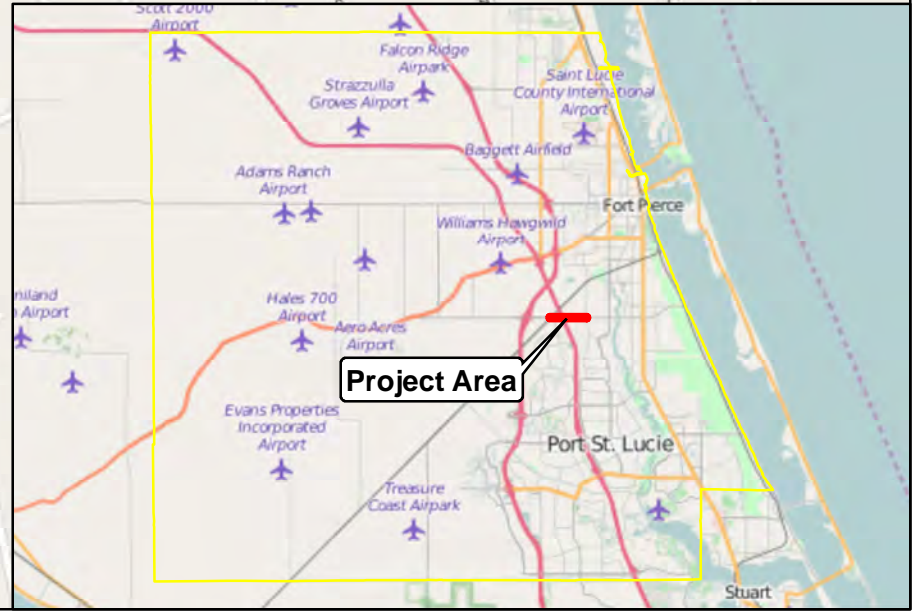


Begin Project

End Project

Legend

Study Area



Project Area



Project Location Map
 Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

1 inch = 800 feet

MAY 2016

FIGURE 1

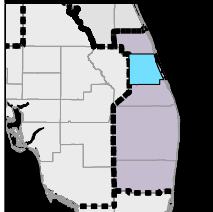
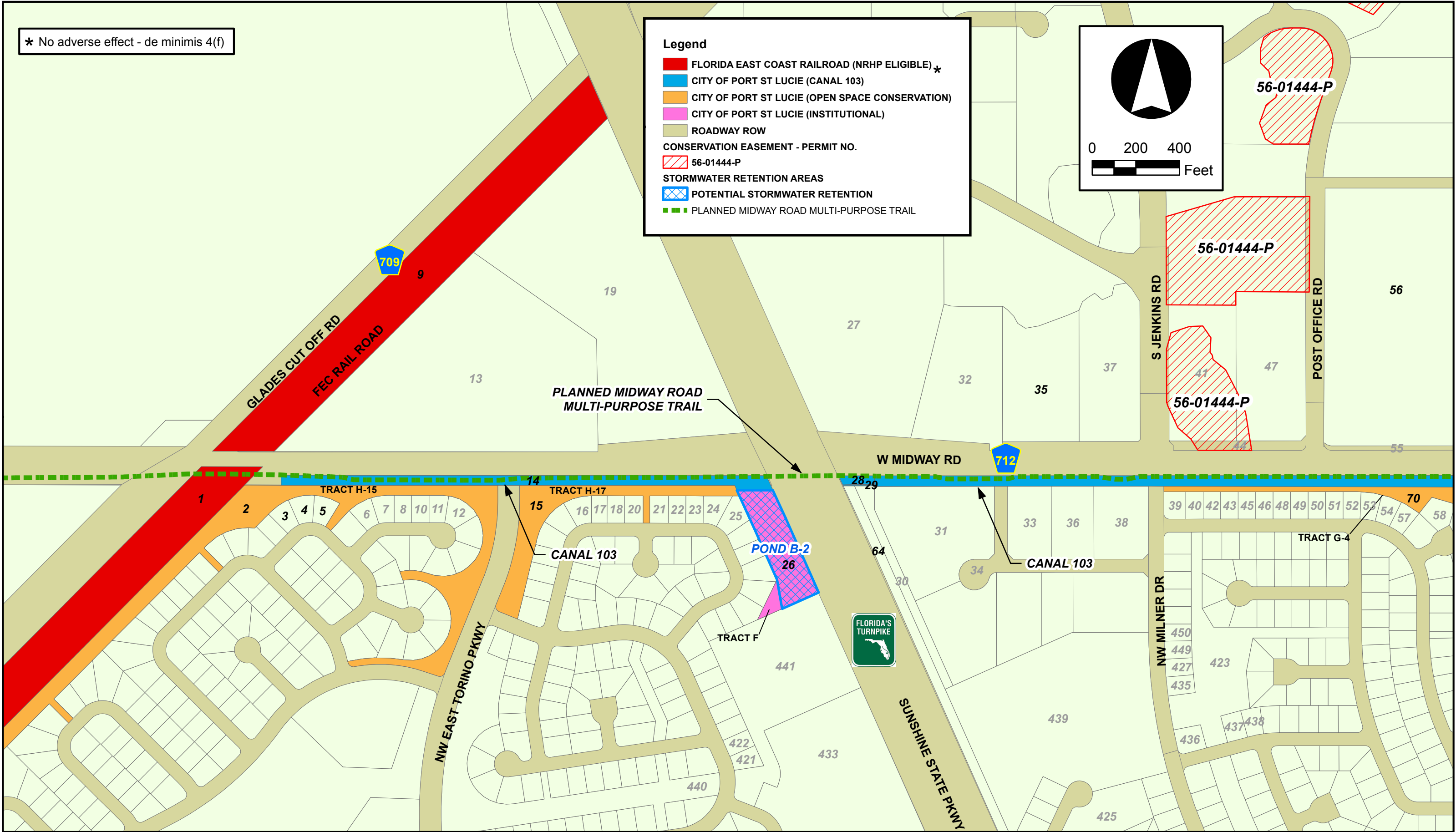
Source: Data courtesy of ESRI.

Document Path: K:\V\RB_E\Environment\14703 Midway Road PD&E\ENV\GIS\Map\Figure 1 - Project Location Map.mxd

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
- 56-01444-P
- STORMWATER RETENTION AREAS
- POTENTIAL STORMWATER RETENTION
- PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL



Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

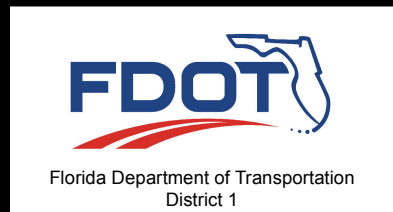
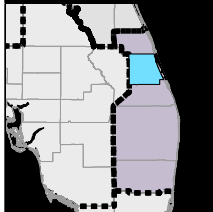
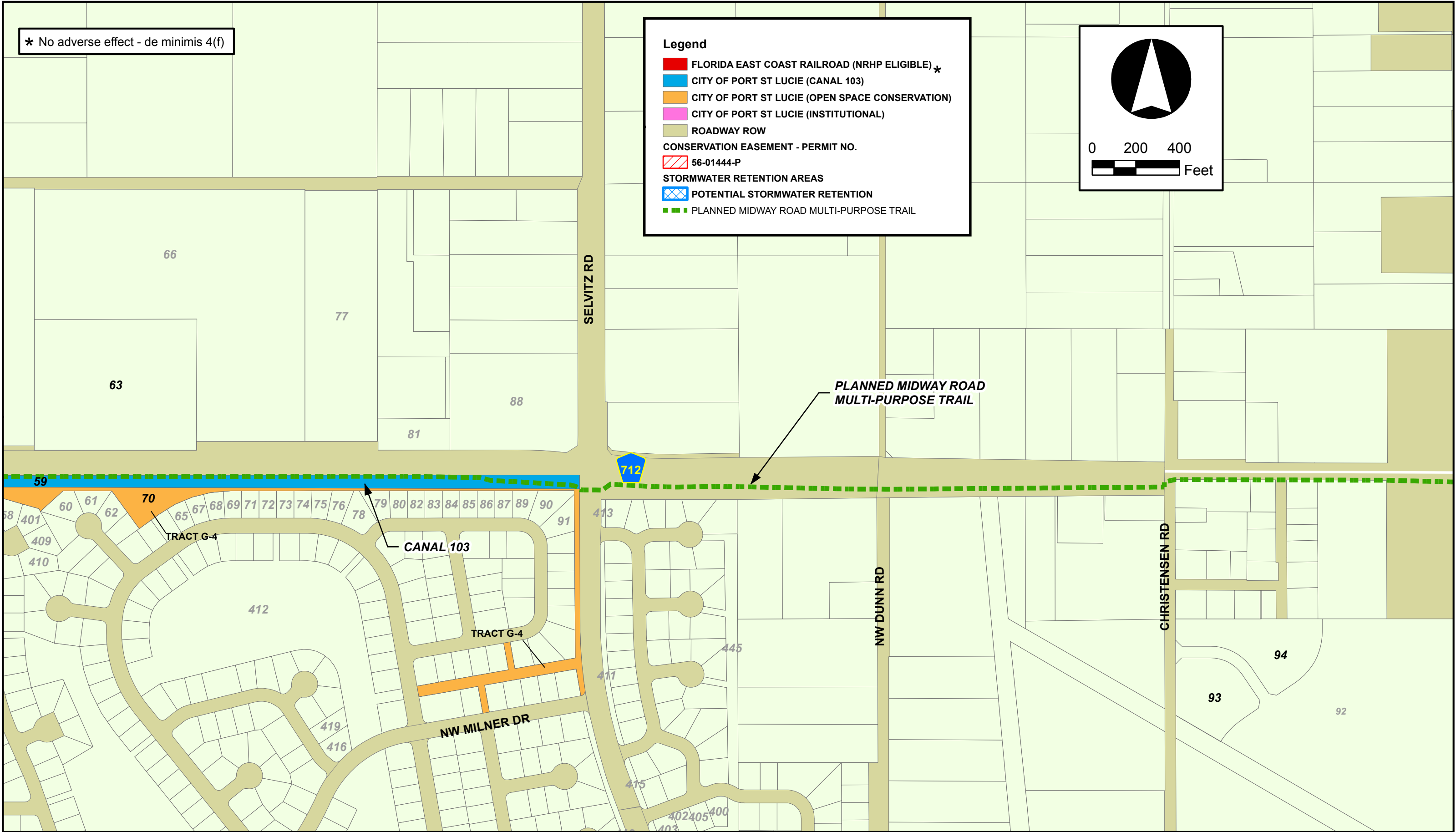
POTENTIAL SECTION 4(f) PROPERTIES

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
 - 56-01444-P
- STORMWATER RETENTION AREAS
 - POTENTIAL STORMWATER RETENTION
 - PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL

0 200 400 Feet



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01
Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

August xx, 2016

Sample

Ms. July Jimenez
Project Manager
Florida Department of Transportation - District 4
3400 W. Commercial Blvd.
Fort Lauderdale, FL 33309

Re: State of Significance – Midway Road Multi-Purpose Trail
Project Development and Environment (PD&E) Study
Midway Road (CR 712) Widening Project
From Glades Cut Off Road to Selvitz Road
Financial Project ID No.: 231440-3-22-01
County: St. Lucie County

In your letter dated August xx, 2016 to our agency, you requested that we provide information regarding the significance of the Midway Road Multi-Purpose Trail in relationship to the ongoing Florida Department of Transportation PD&E Study to evaluate proposed improvements to Midway Road (CR 712) from Glades Cut Off Road to Selvitz Road.

In response to this request we are providing the following information if it is applicable and available:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of significance

The requested information is found in the attached Statement of Significance. If you need further information or have any questions, please contact me at (xxx) xxx-xxxx.

Sincerely,

Leslie Olson, AICP
Planning Director
St. Lucie County

Attachments: Statement of Significance for Midway Road Multi-Purpose Trail

Cc: Christie Pritchard, Pritchard Environmental, LLC
Alex Hull, Inwood Consulting Engineers

Sample

Section 4(f) Statement of Significance

St. Lucie County – Midway Road Multi-Purpose Trail

Midway Road (CR 712) Widening PD&E Study

From Glades Cut Off Road to Selvitz Road

Introduction

St Lucie County received a letter dated August xx, 2016 from the Florida Department of Transportation (FDOT), District Four requesting information regarding the Midway Road Multi-Purpose Trail which is proposed to be located along Midway Road within the limits of the ongoing PD&E Study from Glades Cutoff Road to Selvitz Road in St. Lucie County. The proposed project would widen the existing 2-lane rural roadway (no pedestrian or trail features) to a 4-lane urban roadway, including the construction of a shared-use path on the south side of the roadway and a sidewalk on the north side of the roadway.

The purpose of this Section 4(f) Statement of Significance is to provide the Federal Highway Administration (FHWA) with the information on function and use needed to determine the significance of this potential Section 4(f) resource.

The requested information included the following:

- Management Plan
- Approximate date these properties were designated as public properties
- Description and location of all existing and planned facilities
- Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
- Relationship to other similarly used lands in the vicinity of the property
- Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
- Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
- Summary of Significance

Management Plans

The Midway Road “Multi-Purpose” Trail is a planned facility. No existing trail or pedestrian facilities are located within the project limits. The following planning documents and work programs include the planning information for the trail:

Sample

- The St. Lucie County Countywide Bicycle, Pedestrian, Greenways and Trails Master Plan Map (2008) includes a “multi-purpose trail” along Midway Road within the project limits. Copies of this document are included in **Attachment A**.
- The Martin MPO / St. Lucie TPO 2035 Regional Long Range Transportation Plan (Map 4-8 and Table 4-9 of the Needs Plan) includes a “multi-purpose trail” along Midway Road as a funded project within the 2035 Bicycle, Pedestrian, Greenways, and Trails Vision. The funding source for the “multi-purpose trail” is listed as “Roadway Plans”. Copies of these references are included in **Attachment B**

The location of the planned trail in relationship to Midway Road is not specific in any of the planning documents and both build alternatives under consideration for the Midway Road PD&E Study include a 12-foot-wide paved trail located on the south side of Midway Road.

Approximate date that these properties were designated as public resources.

This information does not apply as the trail is a planned facility without existing R/W.

Description and location of all existing and planned facilities

The location of the planned trail in relationship to Midway Road is not specific in any of the planning documents and both build alternatives under consideration for the Midway Road PD&E Study include a 12-foot-wide paved trail located on the south side of Midway Road. Inclusion of the trail in the roadway project is the planned implementation approach and without the proposed roadway improvements the trail will not be constructed.

Access (pedestrian, vehicular, etc.) and usage (approximate number of users)

This information does not apply as the trail is a planned facility without existing R/W.

Relationship to other similarly used lands in the vicinity of the property

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road by utilizing a portion of Canal 103 from just east of Selvitz Road to Selvitz Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. Among other stipulations, the

FPID No. 231440-3-22-01

Midway Road (CR 712) Widening PD&E Study

Sample

construction of a “multi-purpose path” along the south side of Midway Road was included as a condition of the use of the City owned R/W.

Under the proposed build alternatives, the widening of Midway Road within the current project would include a “multi-purpose” trail. The inclusion of the trail, would provide an additional segment for the trail through the project limits. The “multi-purpose” trail is a planned facility by St. Lucie County. The City of Port St. Lucie supports the inclusion of this “multi-purpose” trail within the project limits but the location of the trail is planned for the Midway Road R/W and is not planned for any properties included in this Section 4(f) Statement of Significance.

Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure

This information does not apply as the trail is a planned facility without existing R/W.

Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.

This information does not apply as the trail is a planned facility without existing R/W.

Summary of Significance

The Midway Road Multi-Purpose Trail is a planned facility and within the context of Section 4(f) is considered a significant resource for the County. The location of the “Midway Road Multi-Purpose Trail” in relationship to the Midway Road R/W is not specifically established and the inclusion of this trail facility with the proposed widening of Midway Road is necessary to provide the County with trail connectivity for implementation of the St. Lucie County Countywide Bicycle, Pedestrian, Greenways and Trails Master Plan.

Sample

Attachment A

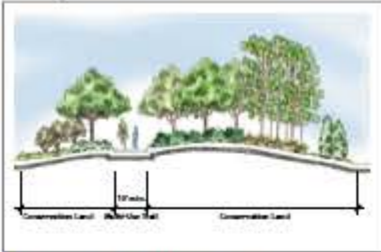
St. Lucie County

**Bicycle, Pedestrian, Greenways and
Trails Master Plan**

- **St. Lucie County Countywide Bicycle, Pedestrian,
Greenways and Trails Master Plan (2008) Map**

Typical Sections

Trails adjacent to Conservation Lands

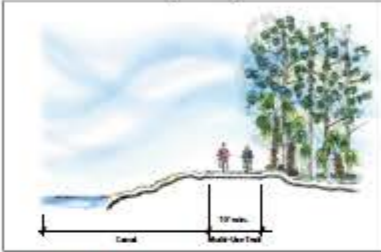


As one of the principal objectives of this Master Plan is to connect the conservation lands of St. Lucie County's Environmentally Significant Lands program, recreationally-oriented trails through these lands are recommended throughout the western portion of the County. These trails are envisioned as unpaved trails suitable for hiking, walking and equestrian uses.

The priority of the Master Plan is to expand transportation options for non-motorized modes in addition to providing recreational opportunities, so in places these trails may complete a network of transportation-oriented pathways intended to serve bicyclists and pedestrians. In these cases, the overall recommendation for these trail types is paved surfaces that are amendable to cycling, walking and running. The use of paved surfaces should be reserved for when the trail system in urbanized areas of the County (east of Shinn Road) relies on one of these conservation lands trails to complete a larger network.

This trail type recommends similar dimensions regardless of its primary use, whether that be for long-distance walking or bicycling or for equestrian purposes.

Trails in SFWMD Canal Right-of-Way

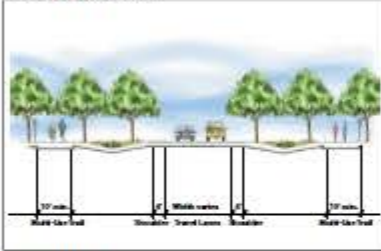


The South Florida Water Management Districts (SFWMD) canal network through St. Lucie County provides an opportunity for trails connecting over longer distances, especially in the western portion of the county.

Typical canal rights-of-way are sufficiently wide to accommodate a multi-use trail on one side of the canal. Most of the County's canal length is currently paralleled by service roads, many of which allow the trail to be constructed within the existing stabilized area of the roadway.

It is generally intended that trails within canal rights-of-way will not be paved. West of Shinn Road, the primary focus of the County's trail system is to serve equestrian and nature-oriented activities; these trails complement the proposed network of greenways through the County's Environmentally Significant Lands. In the urbanized areas of the County where these trails pass, construction with a paved surface may serve a greater community-wide need. In these areas the appropriate surface treatment (paved or unpaved) should be chosen based on how essential a paved trail is to completing the overall network.

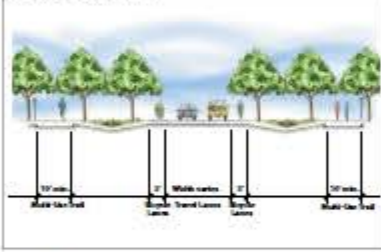
Trails along Roadways



The Master Plan envisions trails continuing along roadways and not just in environmental lands. This not only allows users to identify their direction with understood travel patterns, it also takes advantage of existing right-of-way where it is available.

When possible in the long term, these multi-use trails should be constructed on both sides of the roadway with which they are aligned, as shown in the illustration to the left. Commitment to one trail per side increases the safety of the trail system in allowing safer passage of bicycles and pedestrians and minimizing dangerous road crossings.

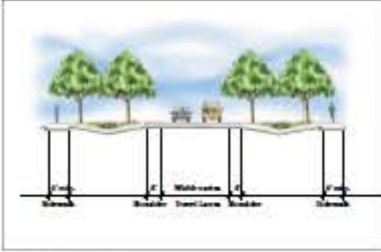
On-Street Bicycle Lanes



This section presents similar dimensions but uses designated bicycle lanes on the roadway. Note that the roadway width may vary, but proper placement of bicycle lanes is always on the outside of the outermost travel lane in each direction.

When on-street bicycle facilities are to be added, the need for off-street multi-use trails on both sides of the street becomes less important; a single two-way path of a width allowing bicycles to safely pass pedestrians should meet the needs of slower-speed cyclists who are more comfortable using an off-street facility.

Sidewalks



Sidewalks are the most basic element of bicycle and pedestrian connectivity. Though most of the urbanized areas of St. Lucie County are located in incorporated municipalities, the County can help to further pedestrian connectivity by committing to routes along arterials and collector roadways. At a minimum, 6-foot sidewalks should be constructed along these major roadways throughout the County.

While off-street trails allow travel for both cyclists and pedestrians, sidewalks are not facilities that should be shared. Context can help to determine where sidewalks are appropriate as opposed to trails: on streets with frequent driveway access, the placement of cyclists and pedestrians on the same off-street path presents a danger from vehicles entering and exiting driveways.

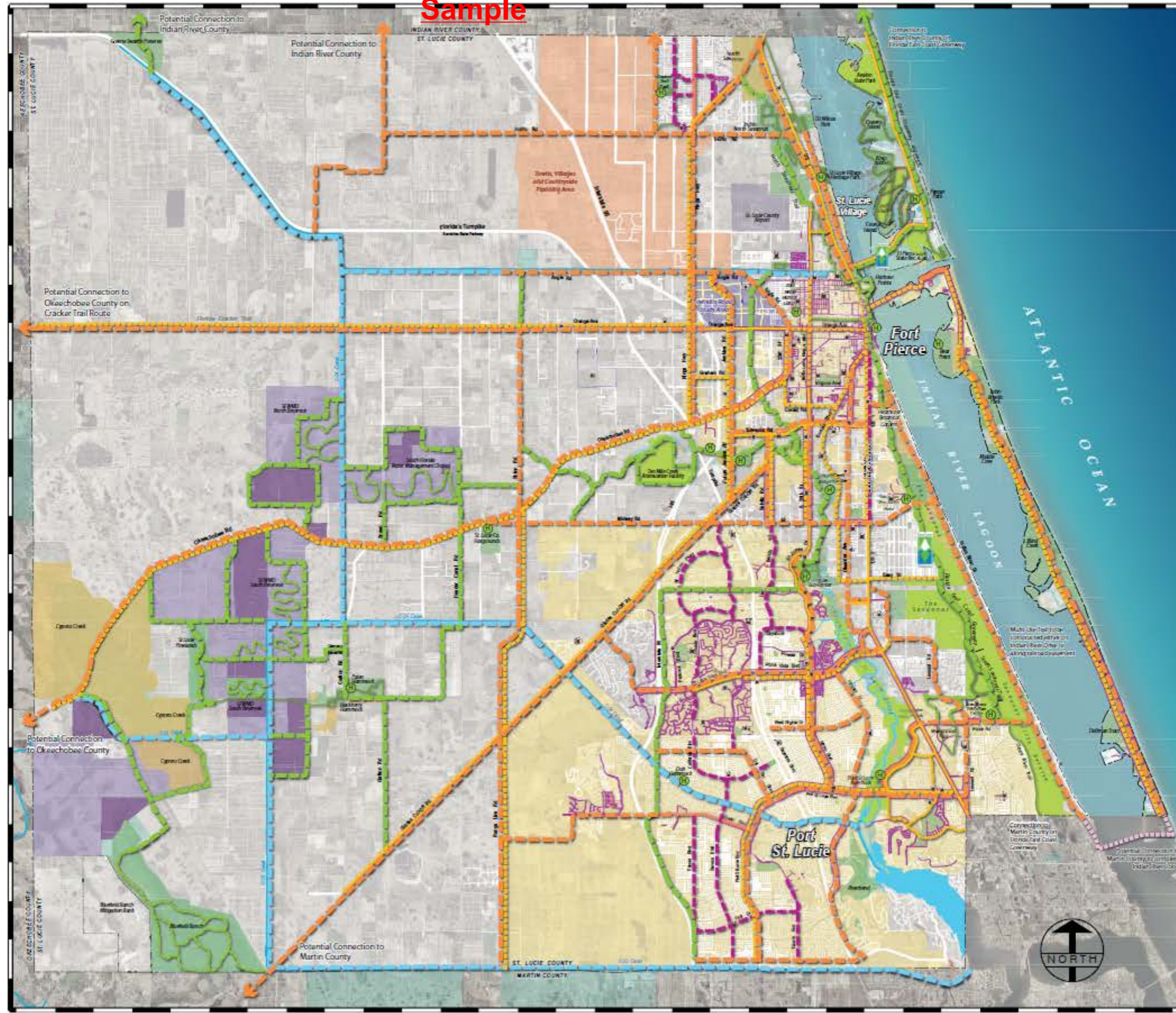
Trailheads/Hubs



Trailheads provide convenient and functional end-of-trip facilities for users. They are the points at which paths intended for walking, cycling or equestrian uses start. Modern trailheads often contain rest rooms, sign posts and distribution centers for informational brochures about the trail and its features, and parking areas for vehicles and trailers.

The design and scale of these facilities should follow the user demand and the order of magnitude of the parts of the trail and greenway system they are serving. In this system, larger trailheads connecting different facilities and located at key points in the system are intended to serve as hubs capable of serving a broader range of user needs.

Master Plan



Sample



Countywide Bicycle, Pedestrian, Greenways and Trails Master Plan

LEGEND

- SIDEWALKS/ROADWAY ELEMENTS**
 - Existing Sidewalks
 - Proposed Sidewalks for Collectors & Arterials
 - Existing On-Street Bicycle Lanes
 - Proposed On-Street Bicycle Lanes
- GREENWAYS AND TRAILS**
 - Existing Nature Trails
 - Proposed Greenways and Recreational Trails
 - Existing Multi-Purpose Trails
 - Proposed Multi-Purpose Trails
 - Proposed Trails within Canal Right-of-Way
- HUB FACILITIES**
 - Proposed Locations for Hubs/ End-of-Trip Facilities
- OTHER FEATURES**
 - SFWMD Canals
 - County Boundary
 - Lands in SFWMD Ownership
 - Lands Proposed for SFWMD Ownership
 - City and County Parks and Acquired St. Lucie County Environmentally Significant Lands
 - Proposed St. Lucie County Environmentally Significant Lands
 - State Parks
 - Municipal Boundaries
 - Major Water Bodies
 - Sites of Schools and Educational Facilities

Map Prepared March 2008
 Data Sources: St. Lucie County GIS, Florida Geographic Data Library, South Florida Water Management District, Aerial Source: Aerial Express (March 2004)



Sample

Ten Mile Creek Attenuation Facility

I-95

Midway Rd

Future Jenkins Turnpike

Glades Cut-Off Rd

Selvitz Rd

Platt's Creek Mitigation Site

S 25th St

Oleander Ave

US 1

St. James Dr

Oxbow Eco-Center

Savings Recreation Area

Sidewalks to be completed along US1 where gaps

H

H

H

H



LEGEND

Sample

SIDEWALKS/ROADWAY ELEMENTS

-  Existing Sidewalks
-  Proposed Sidewalks for Collectors & Arterials
-  Existing On-Street Bicycle Lanes
-  Proposed On-Street Bicycle Lanes

GREENWAYS AND TRAILS

-  Existing Nature Trails
-  Proposed Greenways and Recreational Trails
-  Existing Multi-Purpose Trails
-  Proposed Multi-Purpose Trails
-  Proposed Trails within Canal Right-of-Way

Sample

Attachment B

Martin MPO / St. Lucie County TPO Regional Long Range Transportation Plan

- **Martin MPO / St. Lucie TPO 2035 Regional Long Range Transportation Plan - Map 4-8 of the Needs Plan**
- **Martin MPO / St. Lucie TPO 2035 Regional Long Range Transportation Plan Table 4-9 of the Needs Plan**

Map 4-8
2035 Bicycle, Pedestrian, Greenways, and Trails Vision

