

KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2022092034 03/23/2022 12:09 PM  
OFF REC BK: 21988 PG: 822-842  
DocType:RST RECORDING: \$180.00

When recorded return to:

Pinellas County, Florida  
Attn: Michael A. Zas, B.C.S.  
315 Court Street  
Clearwater, FL 33756

**DECLARATIONS OF RESTRICTIONS AS TO USE**

THIS DECLARATION OF RESTRICTIONS AS TO USE ("Declaration") is made as of this 13<sup>th</sup> day of May, 2021 ("Effective Date"), the CITY OF DUNEDIN, FLORIDA, a Florida municipal corporation, whose principal address is 542 Main Street, Dunedin, Florida 34698 ("Declarant") in favor of PINELLAS COUNTY, FLORIDA, a political subdivision of the State of Florida (the "County"), with third-party notice rights to the Pinellas Community Foundation, a charitable trust established under Trust Agreement dated January 1, 1969, and duly recorded in O.R. Book 3588, beginning on page 20, public records of Pinellas County, Florida ("Foundation"), on the following terms and conditions:

**WITNESSETH:**

**WHEREAS**, Declarant is the owner of certain real property situated in Pinellas County, Florida, more particularly described in Exhibit "A" attached hereto and incorporated herein (the "Property"); and

**WHEREAS**, Declarant has granted the County a conservation easement over approximately 18 acres of the Property as recorded in the Pinellas County Official Records Book 21988, Page 822-842, as legally described therein (the "Conservation Easement"); and

**WHEREAS**, Declarant desires to place certain additional covenants, conditions and restrictions relative to the use and development of the Property on the remainder of the Property not covered by the Conservation Easement ("Remaining Property") consistent with that certain Interlocal Funding Agreement between Declarant and the County and that certain Gift Agreement with the Foundation, and any future Florida Communities Trust (FCT) use restrictions and/or management plan entered into with the FCT; and

**WHEREAS**, Declarant believes the placement of such certain covenants, conditions and restrictions relative to the use and development of the Remaining Property are necessary to ensure its preservation and conservation in perpetuity; and

**WHEREAS**, Declarant makes this Declaration in its proprietary capacity as a property owner, and not in its regulatory governmental capacity.

1. **RECITALS.** The foregoing recitals are true and correct and shall be incorporated herein by this reference.

2. **DECLARATION.** Declarant hereby conditions that the Remaining Property and every part thereof is and shall be owned, leased, or otherwise occupied, conveyed, hypothecated, encumbered or otherwise transferred, developed, improved, built upon or otherwise used, subject to the provisions of this Declaration. All of the covenants and restrictions contained herein shall run with the land and every part thereof for all purposes, and shall be binding upon Declarant, and Declarant's assignees and/or successors in interest. This Declaration shall be recorded in the Public Records of Pinellas County, Florida to evidence and give notice to all third parties of its terms. In the event of sale, assignment or rental of the Property, the terms of this Declaration shall be binding on such purchasers, tenants or assignees.

3. **PERMITTED USES.** The Remaining Property shall be used solely as a preservation greenspace and passive public park and which may include walking and biking trails through the Remaining Property and appurtenances and improvements associated therewith, including open-air pavilions and similar structures for purposes of providing shelter to visitors to the Property, benches, water fountains, garbage receptacles, exercise areas, nature-themed play areas, directional and informational signage, sidewalks, fountains, docks, education-based activities, resource-based recreation as appropriate and allowable by the Florida Department of Environmental Protection (FDEP) exclusively limited to environmental programming, interpretive and educational signage, nature study, picnicking, and visiting archeological/historical resources, observation towers, kayak/canoe launch, and piers all for public use, and including all landscaping, lighting, maintenance, security and other caretaker services and facilities as necessary and appropriate for such improvements and consistent with FDEP regulations. Dogs may be allowed on the Remaining Property on leash and only on designated trails and designated dog-friendly areas. Notwithstanding the foregoing, no motorized watercrafts may be launched from the Property except as necessary for maintenance or in emergencies to protect health, safety, or welfare.

4. **PUBLIC ACCESS TO JERRY LAKE.** No structures or improvements shall be placed on the Remaining Property in a manner which would permanently preclude or substantially inhibit public access to those portions of the Remaining Property immediately bordering Jerry Lake as shown on Exhibit "B."

5. **EXISTING FACILITIES.** The existing facilities may be utilized for caretaker residences and/or future nature center or resource-based educational facilities serving the Remaining Property.

6. **MISCELLANEOUS PROVISIONS.**

A. **Applicable Law.** This Declaration shall be governed by, and construed in accordance with, the laws of the State of Florida. Jurisdiction for any state action shall lie solely in the Sixth

Judicial Circuit in and for Pinellas County, Florida, and for any federal action shall lie solely in the U.S. District Court, Middle District of Florida, Tampa Division.

B. Headings. Descriptive headings are for convenience only and shall not control or affect the meaning or construction of any provision of this Declaration.

C. Binding Effect. This Declaration shall be perpetual and shall run with the lands described herein, and the rights and obligations set forth herein shall be binding upon Declarant, and all successor owner(s) and/or assignee(s) of any fee simple ownership interest in the Property. The County and Declarant shall have full rights to enforce the terms of this Declaration, including the right to enforce the obligations herein. This Declaration may only be modified in writing by the Parties or their successors and/or assigns.

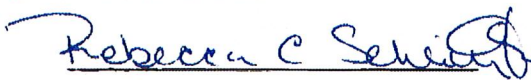
E. Interpretation. Whenever the context hereof shall so require, the singular shall include the plural, the male gender shall include the female gender and the neuter, and vice versa, and the use of the terms "include," "includes" and "including" shall be without limitation to the items which follow.

F. Severability. In case any one or more of the provisions hereof shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Declaration shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.


G. Notice. Declarant, including their successors or assigns, shall provide the Foundation at least sixty (60) days' advance notice in writing to 17755 US Highway 19 N, Ste 150, Clearwater, FL 33764 before any action is taken to amend, alter, release, or revoke this Declaration.

IN WITNESS WHEREOF, Declarant has caused this Declaration to be executed as of the date first written above.

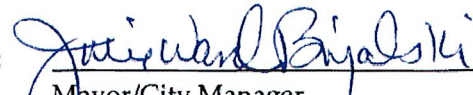
Witness #1/Attest:

  
City Clerk


Witness #2:

  
Printed Name: Jennifer K. Bramley

CITY OF DUNEDIN, FL:

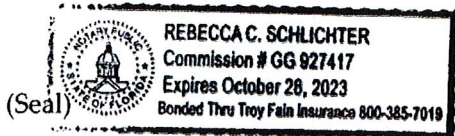
By:   
Mayor/City Manager

APPROVED AS TO FORM:

  
City Attorney

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 11 day of May 2021, by Julie Ward Buyalski



By: Rebecca C Schlichter  
Signature of Notary Public

Print Name: Rebecca C Schlichter

Personally Known X  
OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**ATTEST:**

~~XXXXXXXXXXXXXXXXXXXX~~

By: Della Klug  
~~XXXXXXXXXX~~  
~~Deputy Clerk~~

Name: Della Klug

**PINELLAS COUNTY, FLORIDA**

by and through its County Administrator under delegated authority from its Board of County Commissioners.

By:   
(Signature)

Name: \_\_\_\_\_  
Barry Burton, County Administrator

Date: May 11, 2021

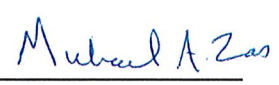
APPROVED AS TO FORM  
By:   
Office of the County Attorney

EXHIBIT A

PARCEL 1: (36-28-15-00000-230-0100)

The Southwest 1/4 of the Northwest 1/4 of Section 36, Township 28 South, Range 15 East, lying in Pinellas County, Florida.

ALSO LESS AND EXCEPT that part in the Northeast corner included in DUNEDIN CEMETERY, a subdivision as recorded in Plat Book 20, Page 47 and DUNEDIN CEMETERY PARTIAL REPLAT, a subdivision as recorded in Plat Book 110, Page 55, both of the Public Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT those portions taken by Pinellas County for road Right of Way as described in Amended Order of Taking recorded in Official Records Book 3512, Page 143, of the Public Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT the portion taken for county road Right of Way by Commissioner's Book 3, Pages 452-453 and amended by Commissioner's Book 7, Pages 578-579, both of the Public Records of Pinellas County, Florida.

Being more particularly described as follows:

COMMENCE at the Southeast corner of the Northwest 1/4 of said Section 36; THENCE run Westerly along the South line of said Northwest 1/4, N89°49'51"W for 1359.48 feet to a line parallel with and 25.00 feet West of the East line of the Southwest 1/4 of said Northwest 1/4; THENCE departing the South line of said Northwest 1/4, run Northerly along said 25.00 foot Westerly parallel line, N00°05'40"W for 40.00 feet to the North Right of Way of Virginia Avenue, a varying width public Right of Way as defined by Official Records Book 3512, Page 143 of said Public Records, and the POINT OF BEGINNING; THENCE departing said 25.00 foot Westerly parallel line, run Westerly along said North Right of Way, N89°49'51"W for 1010.49 feet to the beginning of a tangential curve to the right having a radius of 250.00 feet; THENCE run Northwesterly along said curve for 391.77 feet, through a delta angle of 89°47'11", having a chord bearing N44°56'16"W a distance of 352.89 feet to a tangential line, said tangential line being the East Right of Way of County Road No. 1, also known as Keene Road, a 100 foot public Right of Way as defined by said Official Records Book 3512, Page 143; THENCE run Northerly along said East Right of Way, N00°02'41"W for 1017.23 feet to the South Right of Way of Achieva Way, as identified in the field, a varying width public Right of Way, as dedicated by said Commissioner's Book 3, Pages 452-453, as defined by said DUNEDIN CEMETERY PARTIAL REPLAT; THENCE departing said East Right of Way, run Easterly along said South Right of Way, S89°39'43"E for 387.69 feet to the Westerly boundary of said DUNEDIN CEMETERY; THENCE departing said South Right of Way, run Southerly along the Westerly boundary of said DUNEDIN CEMETERY, S00°22'29"W for 170.03 feet to the Southerly boundary of said DUNEDIN CEMETERY; THENCE departing the Westerly boundary of said DUNEDIN CEMETERY, run Easterly along the Southerly boundary of said DUNEDIN CEMETERY and the Southerly boundary of said DUNEDIN CEMETERY PARTIAL REPLAT, S89°39'45"E for 897.19 feet to the East line of the Southwest 1/4 of said Northwest 1/4; THENCE departing said Southerly boundary, run Southerly along the East line of said Southwest 1/4, S00°05'40"E for 25.00 feet to a line parallel with and 25.00 feet Southerly of said Southerly boundary; THENCE departing the East line of said Southwest 1/4, run Westerly along said 25.00 foot Southerly parallel line, N89°39'45"W for 25.00 feet to said 25.00 foot Westerly parallel line; THENCE departing said 25.00 foot Southerly parallel line, run Southerly along said 25.00 foot Westerly parallel line, S00°05'40"E for 1067.57 feet to the POINT OF BEGINNING.

Containing 32.85 acres, more or less.

PARCEL 2: (36-28-15-00000-240-0100)

The West 396 feet of the Southeast 1/4 of the Northwest 1/4 of Section 36, Township 28 South, Range 15 East, lying in Pinellas County, Florida.

AND the portion of the East 25.00 feet of the Southwest 1/4 of the Northwest 1/4 of Section 36, Township 28 South, Range 15 East, described in Official Records Book 6119, Page 2049 of the Official Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT those portions taken by Pinellas County for road Right of Way as described in Amended Order of Taking recorded in Official Records Book 3512, Page 143 of the Public Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT any portion thereof lying within those lands conveyed to The Southwest Florida Water Management District by warranty deed recorded in Official Records Book 6194, Page 2151, of the Public Records of Pinellas County, Florida.

Being more particularly described as follows:

COMMENCE at the Southeast corner of the Northwest 1/4 of said Section 36; THENCE run Westerly along the South line of said Northwest 1/4, N89°49'51"W for 1309.47 feet to a line parallel with and 25.00 feet East of the West line of the Southeast 1/4 of said Northwest 1/4; THENCE departing the South line of said Northwest 1/4, run Northerly along said 25.00 foot Easterly parallel line, N00°05'40"W for 40.00 feet to the North Right of Way of Virginia Avenue, a varying width public Right of Way as defined by Official Records Book 3512, Page 143 of said Public Records, and the POINT OF BEGINNING; THENCE continue Northerly along said 25.00 foot Easterly parallel line and said North Right of Way, as defined by Commissioner's Book 3, Page 452 to 453 of said Public Records and by Official Records Book 6119, Page 2049 of said Public Records, N00°05'40"W for 10.00 feet; THENCE departing said 25.00 foot Easterly parallel line, continue Westerly along said North Right of Way, N89°49'51"W for 50.00 feet to a line parallel with and 25.00 feet Westerly of the West line of said Southeast 1/4; THENCE departing said North Right of Way, run Northerly along said 25.00 foot Westerly parallel line, N00°05'40"W for 1057.57 feet to a line parallel with and 25.00 feet Southerly of the South boundary of DUNEDIN CEMETERY PARTIAL REPLAT, a subdivision as recorded in Plat Book 110, Page 55 of said Public Records; THENCE departing said 25.00 foot Westerly parallel line, run Easterly along said 25.00 foot Southerly parallel line, S89°39'45"E for 25.00 feet to the West line of said Southeast 1/4; THENCE departing said 25.00 foot Southerly parallel line, run Northerly along the West line of said Southeast 1/4, N00°05'40"W for 229.57 feet to the North line of said Southeast 1/4; THENCE departing the West line of said Southeast 1/4, run Easterly along the North line of said Southeast 1/4, N89°56'01"E for 97.33 feet to the water's edge of Jerry Lake; THENCE departing the North line of said Southeast 1/4, run Southeasterly along the water's edge of Jerry Lake the following seven (7) courses and distances; 1) S56°45'41"E for 68.68 feet; 2) S68°41'58"E for 83.38 feet; 3) S50°39'42"E for 61.88 feet; 4) S29°24'07"E for 94.36 feet; 5) S15°44'07"E for 49.84 feet; 6) S34°06'18"E for 52.78 feet; 7) S19°13'12"E for 81.51 feet to the East line of the West 396 feet of said Southeast 1/4; THENCE departing the water's edge of Jerry Lake, run Southerly along the East line of said West 396 feet, S00°05'40"E for 940.33 feet to said North Right of Way; THENCE departing the East line of said West 396 feet, run Westerly along said North Right of Way, N89°49'51"W for 371.00 feet to the POINT OF BEGINNING.

Containing 11.59 acres, more or less.

When recorded return to:  
Pinellas County, Florida  
Attn: Michael A. Zas, B.C.S.  
315 Court Street  
Clearwater, FL 33756

## CONSERVATION EASEMENT

**THIS DECLARATION AND DEDICATION OF CONSERVATION EASEMENT**, (hereinafter the "Declaration" or "Conservation Easement") is made this 13th day of May, 2021, by the **City of Dunedin**, a municipal corporation of the State of Florida, as the property owner and grantor (hereinafter the "City") and **Pinellas County, Florida**, as grantee and holder of the conservation easement (hereinafter the "County"). As used herein, the term "City" or "County" shall include all their respective heirs, successors, and assigns.

### WITNESSETH:

**WHEREAS**, the City recently acquired certain real property in fee simple located at 1900 Virginia Avenue, Dunedin, Florida which is more fully described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Property"); and

**WHEREAS**, the City acquired the Property for preservation of open space and public water access, species and habitat protection, and to provide resource-based recreation opportunities; and

**WHEREAS**, pursuant to that Interlocal Funding Agreement executed by the parties contemporaneously herewith, the County is contributing three million five hundred thousand dollars (\$3,500,000.00) toward the ten-million-dollar (\$10,000,000.00) purchase price of the Property for the primary purpose of conserving approximately eighteen (18) acres of the Property containing rare Sand Pine Scrub and Rosemary Bald plant species (hereinafter the "County Contribution"); and

**WHEREAS**, the City and County have and will likely continue to apply if not initially successful to Florida Communities Trust for a Florida Forever Grant in the amount of up to two million four hundred thousand dollars (\$2,400,000.00) to reimburse the City and County for a portion of their respective acquisition costs (hereinafter the "FCT Grant"); and

**WHEREAS**, the FCT Grant requires the property to be utilized for certain environmental, educational, and recreational purposes and requires the construction of certain improvements in furtherance thereof; and

**WHEREAS**, the City, in furtherance of the FCT Grant and in consideration of the County Contribution, and other good and valuable consideration, agrees to place restrictions, covenants, conditions, and easements over approximately eighteen (18) acres of the Property



being more particularly described on Exhibit "B" as the "Sand Pine Scrub Area" and "Rosemary Bald Area", (the Sand Pine Scrub Area and Rosemary Bald Area hereinafter collectively referred to as the "Conservation Easement Area") pursuant to and in accordance with the provisions of Section 704.06, Florida Statutes, the FCT Grant, and the terms outlined herein.

**NOW THEREFORE**, the City hereby unconditionally and irrevocably declares and covenants with the County that the Property and Conservation Easement Area shall be held and subject to the restrictions and conditions set forth herein, which shall constitute a perpetual servitude on the Property and be binding on all parties that have or shall have any right, title or interest in the Property, pursuant to the following terms:

#### **ARTICLE I. INTENT; AUTHORITY**

It is the purpose of this Declaration, and it is the City's intent, to place restrictions, covenants, and conditions on the Conservation Easement Area to conserve the Conservation Easement Area in its predominantly natural condition.

The City states that it is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Declaration; and that the City has good right and lawful authority to make this Declaration.

#### **ARTICLE II. PROHIBITED AND RESTRICTED ACTIVITIES**

The Conservation Easement Area shall be maintained in its scenic and open condition and restricted from any development or use that would impair or interfere with the purposes of this Declaration. The portions of the Property and facilities thereon that are to be enhanced, created, or restored pursuant to the FCT Grant shall be constructed, retained, and maintained in the enhanced, created, or restored conditions required by the FCT Grant. Except for activities that are permitted or required by the FCT Grant (or any modification thereto), any activity on or use of the Conservation Easement Area inconsistent with the purpose of this Declaration is prohibited. Without limiting the generality of the foregoing, the following activities are expressly prohibited within or on the Conservation Easement Area consistent with Section 704.06, Florida Statutes:

- i. Construction of any structures or placement of improvements of any kind that will have a negative impact on the Conservation Easement Area as determined by the County;
- ii. Public entry or use for any purpose other than for passive recreation associated with the approved installation of boardwalks or other such structures;
- iii. Dumping or placing of soil or other substance or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials;
- iv. Removing, destroying or trimming trees, shrubs, or other vegetation, except:

- a) The removal of dead trees and shrubs or leaning trees that could cause damage property is authorized;
  - b) The destruction and removal of noxious, nuisance or exotic invasive plant species as listed on the most recent Florida Exotic Pest Plant Council's List of Invasive Species is authorized.
- v. 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;
  - vi. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, archaeological, or cultural significance;
  - vii. Surface use except for purposes that permit the land or water area to remain predominantly in its natural or enhanced condition and
  - viii. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface.

In addition to the above, public entry or use within the Rosemary Bald Area of the Conservation Easement Area is prohibited. The County shall have the right but not the obligation to fence the Rosemary Bald Area at its discretion, with the type and location of the fencing to be determined by the County. If the County elects to fence said area, it will be done in a manner that does not negatively impact the Conservation Easement Area and still allows public viewing of the Rosemary Bald Area.

Construction or installation of structures that will not have a negative impact, which may include boardwalks, natural walking paths, educational kiosks, and like improvements may be allowed within the Sand Pine Area of the Conservation Easement Area with the written consent of the County.

No later than thirty (30) days before commencing any activities within the Conservation Easement Area, the City shall notify the County in writing of its intent to commence such activities. All such activities may only be completed upon consent of the County, which may be granted by the County's Administrator.

### ARTICLE III. ACCESS, ENFORCEMENT AND REMEDIES

A. Access. The City hereby grants site access to the County or its successors and assigns, with any necessary equipment or vehicles, for the purpose of determining compliance with this Declaration upon reasonable notice to the City except for emergencies. In addition to the County's right to monitor activities on the Property and enforce the terms herein, the City hereby grants the County the right to access the Conservation Easement Area to conduct limited non-invasive biological research thereon upon reasonable notice to the City except for emergencies.

B. Enforcement. The terms and conditions of this Declaration may be enforced by the County and its assigns at law or equity, at the County's reasonable discretion, to prevent the occurrence of any of the prohibited activities set forth herein.

C. Remedies. In the event of noncompliance with the terms of this Declaration, the County may require the restoration of such areas or features of the Property that may be damaged by any activity or use that is inconsistent with this Declaration. Any forbearance on behalf of the County to exercise its rights in the event of the failure of the City to comply with the provisions of this Declaration shall not be deemed or construed to be a waiver of the County's rights hereunder in the event of any subsequent failure of the City to comply. The County shall not be obligated to the City, or to any other person or entity, to enforce the provisions of this Declaration.

### ARTICLE IV. DURATION, TERMINATION, MODIFICATION

A. Duration. It is the intention of the City that the restrictions contained in this Declaration shall run with the land and with the title to the Property in perpetuity, and shall apply to and be binding upon and inure to the benefit of the successors and assigns of the City and to any and all parties hereafter having any right, title or interest in the Property or any part thereof.

B. Termination or Modification. This Declaration shall not be terminated or modified without the express written consent of the County. Any agreed upon termination or modification shall be recorded in the public records of Pinellas County, Florida.

### ARTICLE V. MISCELLANEOUS

A. Owner's Rights. The City, its successors and assigns, reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with the FCT Grant (or any modification thereto) or other restrictions on use of the Property as recreation/open space, or the intent and purposes of this Declaration.

B. Taxes. The City shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed by competent authority on the Property and shall furnish the County with satisfactory evidence of payment upon request.

C. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to this Declaration.

D. Severability. If any provision of this Declaration or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Declaration shall not be affected thereby, as long as the purpose of the Declaration is preserved.

E. Terms and Restrictions. The City shall insert the terms and restrictions of this Declaration in any subsequent deed or other legal instrument by which the City divests itself of any interest in the Property.

F. Written Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successors-in-interest.

G. Recording. The City shall record this instrument in the official records of Pinellas County, Florida within thirty (30) days of full and proper execution and shall re-record it at any time as may be required to preserve the Declaration. The City shall pay all recording costs and taxes necessary to record this Declaration in the public records, as applicable.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Declaration the day and year last written below.

Witnesses:

THE CITY OF DUNEDIN

By: Jennifer K Bramley

By: Julie Ward Bujalski  
(Signature)

Name: Jennifer K Bramley  
(Print)

Name: Julie Ward Bujalski  
(Print)

By: Rebecca C Schlichter

Title: Mayor

Name: Rebecca C Schlichter  
City Clerk

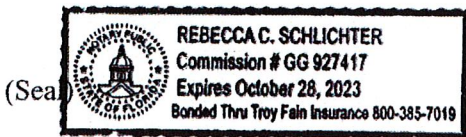
Date: 5/11/21 JWB

APPROVED AS TO FORM:

STATE OF FLORIDA  
COUNTY OF PINELLAS

M. Day  
City Attorney

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 11<sup>th</sup> day of 2021, by Julie Ward Bujalski



By: Rebecca C Schlichter  
Signature of Notary Public

Print Name: Rebecca C Schlichter

Personally Known X  
OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**ATTEST:**


~~XXXXXXXXXXXXXXXXXXXX~~  
~~Ken Burke, Clerk of Court~~

By: Della Klug  
~~XXXXXXXXXX~~  
~~Deputy Clerk~~

Name: Della Klug

**PINELLAS COUNTY, FLORIDA**

by and through its County Administrator under delegated authority from its Board of County Commissioners.

By:   
(Signature)

Name: Barry Burton, County Administrator

Date: May 11, 2021

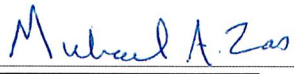
APPROVED AS TO FORM  
By:   
Office of the County Attorney

EXHIBIT A

PARCEL 1: (36-28-15-00000-230-0100)

The Southwest 1/4 of the Northwest 1/4 of Section 36, Township 28 South, Range 15 East, lying in Pinellas County, Florida.

ALSO LESS AND EXCEPT that part in the Northeast corner included in DUNEDIN CEMETERY, a subdivision as recorded in Plat Book 20, Page 47 and DUNEDIN CEMETERY PARTIAL REPLAT, a subdivision as recorded in Plat Book 110, Page 55, both of the Public Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT those portions taken by Pinellas County for road Right of Way as described in Amended Order of Taking recorded in Official Records Book 3512, Page 143, of the Public Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT the portion taken for county road Right of Way by Commissioner's Book 3, Pages 452-453 and amended by Commissioner's Book 7, Pages 578-579, both of the Public Records of Pinellas County, Florida.

Being more particularly described as follows:

COMMENCE at the Southeast corner of the Northwest 1/4 of said Section 36; THENCE run Westerly along the South line of said Northwest 1/4, N89°49'51"W for 1359.48 feet to a line parallel with and 25.00 feet West of the East line of the Southwest 1/4 of said Northwest 1/4; THENCE departing the South line of said Northwest 1/4, run Northerly along said 25.00 foot Westerly parallel line, N00°05'40"W for 40.00 feet to the North Right of Way of Virginia Avenue, a varying width public Right of Way as defined by Official Records Book 3512, Page 143 of said Public Records, and the POINT OF BEGINNING; THENCE departing said 25.00 foot Westerly parallel line, run Westerly along said North Right of Way, N89°49'51"W for 1010.49 feet to the beginning of a tangential curve to the right having a radius of 250.00 feet; THENCE run Northwesterly along said curve for 391.77 feet, through a delta angle of 89°47'11", having a chord bearing N44°56'16"W a distance of 352.89 feet to a tangential line, said tangential line being the East Right of Way of County Road No. 1, also known as Keene Road, a 100 foot public Right of Way as defined by said Official Records Book 3512, Page 143; THENCE run Northerly along said East Right of Way, N00°02'41"W for 1017.23 feet to the South Right of Way of Achieva Way, as identified in the field, a varying width public Right of Way, as dedicated by said Commissioner's Book 3, Pages 452-453, as defined by said DUNEDIN CEMETERY PARTIAL REPLAT; THENCE departing said East Right of Way, run Easterly along said South Right of Way, S89°39'43"E for 387.69 feet to the Westerly boundary of said DUNEDIN CEMETERY; THENCE departing said South Right of Way, run Southerly along the Westerly boundary of said DUNEDIN CEMETERY, S00°22'29"W for 170.03 feet to the Southerly boundary of said DUNEDIN CEMETERY; THENCE departing the Westerly boundary of said DUNEDIN CEMETERY, run Easterly along the Southerly boundary of said DUNEDIN CEMETERY and the Southerly boundary of said DUNEDIN CEMETERY PARTIAL REPLAT, S89°39'45"E for 897.19 feet to the East line of the Southwest 1/4 of said Northwest 1/4; THENCE departing said Southerly boundary, run Southerly along the East line of said Southwest 1/4, S00°05'40"E for 25.00 feet to a line parallel with and 25.00 feet Southerly of said Southerly boundary; THENCE departing the East line of said Southwest 1/4, run Westerly along said 25.00 foot Southerly parallel line, N89°39'45"W for 25.00 feet to said 25.00 foot Westerly parallel line; THENCE departing said 25.00 foot Southerly parallel line, run Southerly along said 25.00 foot Westerly parallel line, S00°05'40"E for 1067.57 feet to the POINT OF BEGINNING.

Containing 32.85 acres, more or less.

PARCEL 2: (36-28-15-00000-240-0100)

The West 396 feet of the Southeast 1/4 of the Northwest 1/4 of Section 36, Township 28 South, Range 15 East, lying in Pinellas County, Florida.

AND the portion of the East 25.00 feet of the Southwest 1/4 of the Northwest 1/4 of Section 36, Township 28 South, Range 15 East, described in Official Records Book 6119, Page 2049 of the Official Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT those portions taken by Pinellas County for road Right of Way as described in Amended Order of Taking recorded in Official Records Book 3512, Page 143 of the Public Records of Pinellas County, Florida.

ALSO LESS AND EXCEPT any portion thereof lying within those lands conveyed to The Southwest Florida Water Management District by warranty deed recorded in Official Records Book 6194, Page 2151, of the Public Records of Pinellas County, Florida.

Being more particularly described as follows:

COMMENCE at the Southeast corner of the Northwest 1/4 of said Section 36; THENCE run Westerly along the South line of said Northwest 1/4, N89°49'51"W for 1309.47 feet to a line parallel with and 25.00 feet East of the West line of the Southeast 1/4 of said Northwest 1/4; THENCE departing the South line of said Northwest 1/4, run Northerly along said 25.00 foot Easterly parallel line, N00°05'40"W for 40.00 feet to the North Right of Way of Virginia Avenue, a varying width public Right of Way as defined by Official Records Book 3512, Page 143 of said Public Records, and the POINT OF BEGINNING; THENCE continue Northerly along said 25.00 foot Easterly parallel line and said North Right of Way, as defined by Commissioner's Book 3, Page 452 to 453 of said Public Records and by Official Records Book 6119, Page 2049 of said Public Records, N00°05'40"W for 10.00 feet; THENCE departing said 25.00 foot Easterly parallel line, continue Westerly along said North Right of Way, N89°49'51"W for 50.00 feet to a line parallel with and 25.00 feet Westerly of the West line of said Southeast 1/4; THENCE departing said North Right of Way, run Northerly along said 25.00 foot Westerly parallel line, N00°05'40"W for 1057.57 feet to a line parallel with and 25.00 feet Southerly of the South boundary of DUNEDIN CEMETERY PARTIAL REPLAT, a subdivision as recorded in Plat Book 110, Page 55 of said Public Records; THENCE departing said 25.00 foot Westerly parallel line, run Easterly along said 25.00 foot Southerly parallel line, 589°39'45"E for 25.00 feet to the West line of said Southeast 1/4; THENCE departing said 25.00 foot Southerly parallel line, run Northerly along the West line of said Southeast 1/4, N00°05'40"W for 229.57 feet to the North line of said Southeast 1/4; THENCE departing the West line of said Southeast 1/4, run Easterly along the North line of said Southeast 1/4, N89°56'01"E for 97.33 feet to the water's edge of Jerry Lake; THENCE departing the North line of said Southeast 1/4, run Southeasterly along the water's edge of Jerry Lake the following seven (7) courses and distances; 1) S56°45'41"E for 68.68 feet; 2) S68°41'58"E for 83.38 feet; 3) S50°39'42"E for 61.88 feet; 4) S29°24'07"E for 94.36 feet; 5) S15°44'07"E for 49.84 feet; 6) S34°06'18"E for 52.78 feet; 7) S19°13'12"E for 81.51 feet to the East line of the West 396 feet of said Southeast 1/4; THENCE departing the water's edge of Jerry Lake, run Southerly along the East line of said West 396 feet, S00°05'40"E for 940.33 feet to said North Right of Way; THENCE departing the East line of said West 396 feet, run Westerly along said North Right of Way, N89°49'51"W for 371.00 feet to the POINT OF BEGINNING.

Containing 11.59 acres, more or less.



EXHIBIT B

McKim & Creed, Inc.  
 3903 Northdale Boulevard, Suite 115E  
 Tampa, Florida 33624  
 (813)-549-3740  
 Florida Certificate of Authorization Number: LB7917



SECTION(S) 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST  
 Rosemary Bald Area

A parcel of land lying in Section 36, Township 28 South, Range 15 East, Pinellas County, Florida being further described as:

COMMENCE at the Southeast corner of the Northwest 1/4 of said Section 36; THENCE run westerly along the South line of said Northwest 1/4, North 89° 49' 51" West a distance of 1359.48 feet to a line parallel with and 25.00 feet West of the Southwest 1/4 of said Northwest 1/4, also being the southerly projection of the East boundary of Parcel 1 as depicted on "Boundary Survey of 1900 Virginia Avenue Dunedin, FL 33763 for The City of Dunedin" dated May 11, 2021; THENCE departing the South line of said Northwest 1/4, run northerly along said southerly projection, North 00° 05' 40" West a distance of 40.00 feet to the Southeast corner of said Parcel 1, also being the Point of Beginning for Parcel 1 as depicted on aforementioned Boundary Survey, also being a 5/8" iron rod with cap stamped "LB 7917"; THENCE run northerly along the East boundary of said Parcel 1, North 00° 05' 40" West a distance of 678.60 feet; THENCE departing the East boundary of said Parcel 1, run westerly South 89° 54' 20" West a distance of 135.24 feet to the POINT OF BEGINNING for the Rosemary Bald Area; THENCE along the outer boundary of the Rosemary Bald Area the following twenty-seven (27) courses and distances:

- 1) THENCE run South 22° 22' 46" West for 11.84 feet;
- 2) THENCE run North 89° 04' 29" West for 39.95 feet;
- 3) THENCE run South 70° 08' 41" West for 49.32 feet;
- 4) THENCE run South 87° 03' 47" West for 25.16 feet;
- 5) THENCE run South 67° 10' 01" West for 39.84 feet;
- 6) THENCE run South 81° 52' 10" West for 36.44 feet;
- 7) THENCE run North 78° 03' 18" West for 34.24 feet;
- 8) THENCE run North 62° 23' 47" West for 111.23 feet;
- 9) THENCE run North 72° 12' 57" West for 35.86 feet;
- 10) THENCE run North 86° 49' 08" West for 23.23 feet;
- 11) THENCE run North 62° 10' 35" West for 52.45 feet;
- 12) THENCE run North 02° 02' 43" West for 18.05 feet;
- 13) THENCE run North 32° 33' 52" East for 90.96 feet;
- 14) THENCE run North 04° 19' 30" East for 76.88 feet;
- 15) THENCE run North 00° 45' 50" West for 48.32 feet;
- 16) THENCE run North 45° 18' 58" East for 82.45 feet;
- 17) THENCE run South 70° 42' 30" East for 13.65 feet;
- 18) THENCE run South 41° 54' 20" East for 33.76 feet;
- 19) THENCE run South 74° 19' 14" East for 76.28 feet;
- 20) THENCE run North 77° 07' 28" East for 69.39 feet;
- 21) THENCE run South 89° 15' 18" East for 49.61 feet;
- 22) THENCE run South 53° 55' 51" East for 64.56 feet;
- 23) THENCE run South 32° 21' 59" East for 54.15 feet;
- 24) THENCE run South 23° 23' 08" East for 51.94 feet;
- 25) THENCE run South 06° 27' 31" East for 34.36 feet;
- 26) THENCE run South 20° 20' 21" West for 79.70 feet;
- 27) THENCE run South 09° 50' 01" East for 49.04 feet to the POINT OF BEGINNING.

Said Rosemary Bald Area containing 2.68 acres, more or less.

Additions or deletions by other than the Professional Land Surveyor in responsible charge is prohibited.  
 Land Description is invalid without signature and/or embossed seal of the Professional Land Surveyor

CALCULATED BY: C.Bosshart	The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief.
CHECKED BY: J.Beland	
S.F.N.: 1686	DATE _____ JOHN J. BELAND, FLORIDA SURVEYOR AND MAPPER LICENSE NUMBER: 7004
	SEAL

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 3903 Northdale Boulevard, Suite 115E  
 Tampa, Florida 33624  
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SECTION(S) 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST  
 Sand Pine Scrub Area

A parcel of land lying in Section 36, Township 28 South, Range 15 East, Pinellas County, Florida being further described as:

COMMENCE at the Southeast corner of the Northwest 1/4 of said Section 36; THENCE run westerly along the South line of said Northwest 1/4, North 89° 49' 51" West a distance of 1359.48 feet to a line parallel with and 25.00 feet West of the Southwest 1/4 of said Northwest 1/4, also being the southerly projection of the East boundary of Parcel 1 as depicted on "Boundary Survey of 1900 Virginia Avenue Dunedin, FL 33763 for The City of Dunedin" dated May 11, 2021; THENCE departing the South line of said Northwest 1/4, run northerly along said southerly projection, North 00° 05' 40" West a distance of 40.00 feet to the Southeast corner of said Parcel 1, also being the Point of Beginning for Parcel 1 as depicted on aforementioned Boundary Survey, also being a 5/8" iron rod with cap stamped "LB 7917"; THENCE run northerly along the East boundary of said Parcel 1, North 00° 05' 40" West a distance of 376.71 feet to the POINT OF BEGINNING for the Sand Pine Scrub Area; THENCE along the outer boundary of the Sand Pine Scrub Area the following twenty-seven (27) courses and distances:

- 1) THENCE run North 77° 38' 11" West for 42.16 feet;
- 2) THENCE run North 16° 23' 22" West for 25.68 feet;
- 3) THENCE run North 60° 45' 06" West for 31.14 feet;
- 4) THENCE run South 89° 26' 39" West for 37.32 feet;
- 5) THENCE run South 65° 39' 33" West for 16.70 feet;
- 6) THENCE run South 88° 04' 10" West for 32.26 feet;
- 7) THENCE run South 54° 05' 21" West for 12.97 feet;
- 8) THENCE run South 00° 00' 00" East for 21.38 feet;
- 9) THENCE run South 20° 13' 28" East for 36.68 feet;
- 10) THENCE run South 16° 05' 27" West for 39.22 feet;
- 11) THENCE run South 43° 22' 52" East for 33.12 feet;
- 12) THENCE run South 77° 05' 01" West for 268.49 feet;
- 13) THENCE run North 40° 45' 50" West for 236.59 feet;
- 14) THENCE run South 89° 49' 55" West for 50.00 feet;
- 15) THENCE run North 60° 03' 31" West for 108.11 feet;
- 16) THENCE run North 48° 17' 09" West for 162.27 feet;
- 17) THENCE run North 27° 45' 08" West for 52.03 feet;
- 18) THENCE run North 05° 27' 37" East for 43.40 feet;
- 19) THENCE run North 28° 53' 12" West for 53.31 feet;
- 20) THENCE run North 28° 36' 38" West for 40.33 feet;
- 21) THENCE run North 63° 36' 23" West for 44.19 feet;
- 22) THENCE run North 27° 01' 46" West for 147.19 feet;
- 23) THENCE run North 04° 22' 05" East for 83.60 feet;
- 24) THENCE run North 48° 14' 22" East for 73.79 feet;
- 25) THENCE run North 78° 57' 44" East for 81.12 feet;
- 26) THENCE run North 67° 06' 35" East for 88.49 feet;
- 27) THENCE run North 51° 20' 24" East for 31.00 feet, to the North line of said Parcel 1;

SEE FOLLOWING PAGE FOR REMAINDER OF LEGAL DESCRIPTION

Additions or deletions by other than the Professional Land Surveyor in responsible charge is prohibited. Land Description is invalid without signature and/or embossed seal of the Professional Land Surveyor

CALCULATED BY: C.Bosshart	The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief.		
CHECKED BY: J.Beland			
S.F.N.: 1686		DATE _____	
		JOHN J. BELAND, FLORIDA SURVEYOR AND MAPPER LICENSE NUMBER: 7004	SEAL

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SECTION(S) 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST  
 Sand Pine Scrub Area

LEGAL DESCRIPTION CONTINUED FROM PREVIOUS PAGE

THENCE run easterly along the North line of said Parcel 1, South 89° 39' 45" East for 776.04 feet to the Northeast corner of said Parcel 1, also being a 5/8" iron rod and cap stamped LB 208 with the remaining stamping being illegible; THENCE departing the North line of said Parcel 1, run southerly along the East line of said Parcel 1 South 00° 05' 40" East for 25.00 feet; THENCE run westerly along the East boundary of said Parcel 1 North 89° 39' 45" West for 25.00 feet to a 5/8" iron rod and cap stamped "LB 7917"; THENCE run southerly along the East line of said Parcel 1 South 00° 05' 40" East for 690.85 feet to the POINT OF BEGINNING.

LESS AND EXCEPT

The herein described Rosemary Bald Area  
 Said Sand Pine Scrub Area containing 12.16 acres, more or less.

Surveyor's Note:

1. This description and accompanying sketch makes reference to Parcel 1, as depicted on a Boundary Survey titled "Boundary Survey of 1900 Virginia Avenue Dunedin, FL 33763 for The City of Dunedin", electronically signed and sealed by John J. Beland, PSM on May 7th, 2021, McKim & Creed file number 03200-0015, Pinellas County Survey file number 1686.
2. The basis of bearing for this description and accompanying sketch is the East line of said Parcel 1, also being a line parallel with and 25.00 feet West of the East line of the Southwest 1/4 of the Northwest 1/4 of Section 36, Township 28 South, Range 15 East, being North 00° 05' 40" West.
3. The conservation easements depicted on this description and accompanying sketch are based on geometry provided the Pinellas County Parks Department and best fit to the Florida State Plane coordinate system, West zone, 1983 North American Datum, 2D11 adjustment, by McKim & Creed.

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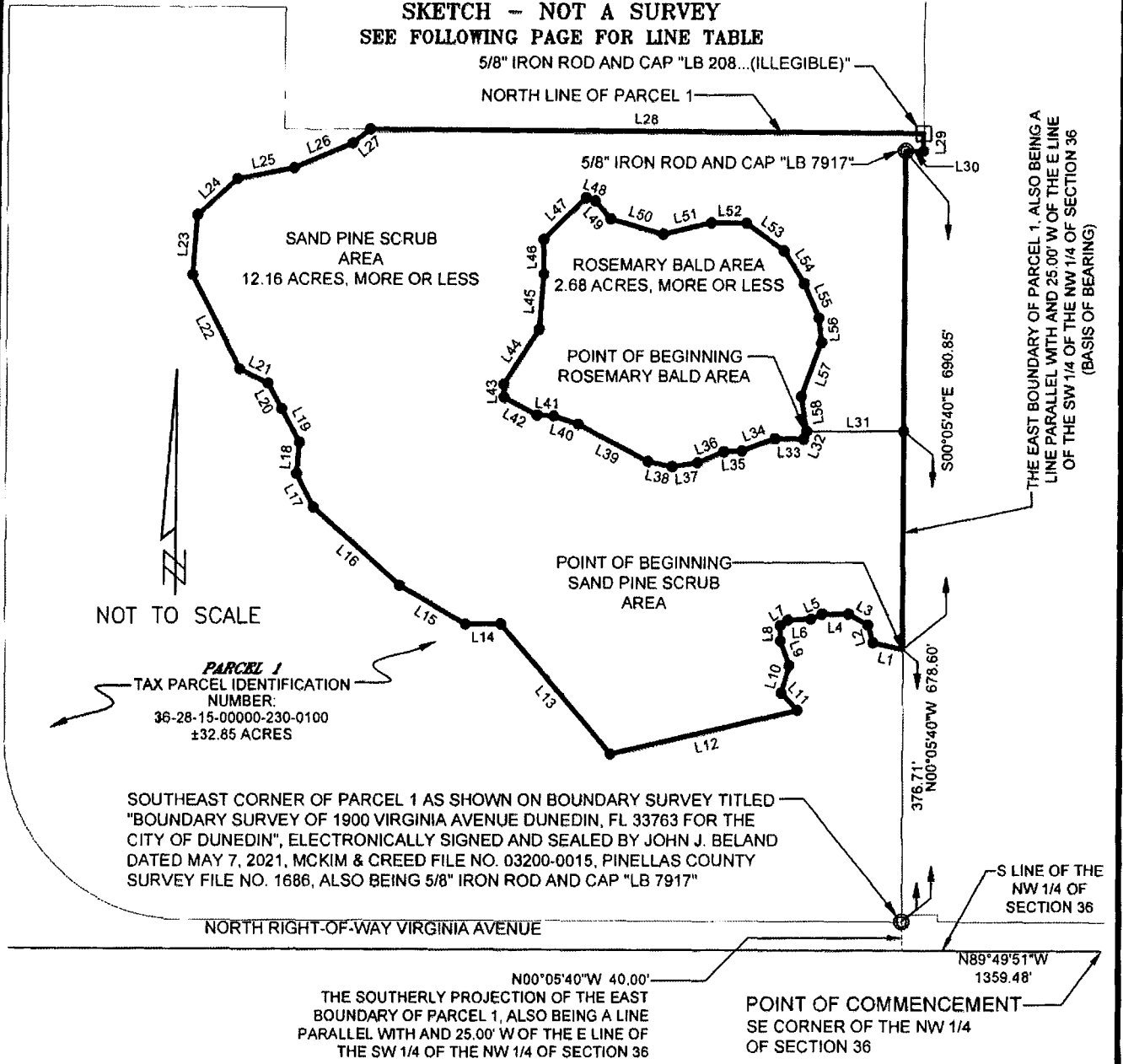
CALCULATED BY: C.Bosshart	The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief.	
CHECKED BY: J.Beland		
S.F.N.: 1686	DATE _____ JOHN J. BELAND, FLORIDA SURVEYOR AND MAPPER LICENSE NUMBER: 7004	SEAL

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**SECTION(S) 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST**

**SKETCH - NOT A SURVEY**  
**SEE FOLLOWING PAGE FOR LINE TABLE**



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CALCULATED BY: C.Bosshart	The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief.
CHECKED BY: J.Beland	
S.F.N.:	
1686	
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JOHN J. BELAND, FLORIDA SURVEYOR AND MAPPER LICENSE NUMBER: 7004	
SEAL	

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SECTION(S) 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST

Parcel Line Table		
Line #	Length	Direction
L31	135.24	S89° 54' 20"W
L32	11.84	S22° 22' 46"W
L33	38.95	N89° 04' 29"W
L34	49.32	S70° 08' 41"W
L35	25.16	S87° 03' 47"W
L36	39.84	S67° 10' 01"W
L37	36.44	S81° 52' 10"W
L38	34.24	N78° 03' 18"W
L39	111.23	N62° 23' 47"W
L40	35.86	N72° 12' 57"W
L41	23.23	N86° 49' 08"W
L42	52.45	N62° 10' 35"W
L43	18.05	N2° 02' 43"W
L44	90.88	N32° 33' 52"E
L45	76.88	N4° 19' 30"E
L46	48.32	N0° 45' 50"W
L47	82.45	N45° 18' 58"E
L48	13.65	S70° 42' 30"E
L49	33.76	S41° 54' 20"E
L50	78.28	S74° 18' 14"E
L51	69.39	N77° 07' 28"E
L52	49.61	S89° 15' 18"E
L53	64.56	S53° 55' 51"E
L54	54.15	S32° 21' 59"E
L55	51.94	S23° 23' 08"E
L56	34.38	S6° 27' 31"E
L57	79.70	S20° 20' 21"W
L58	49.04	S9° 50' 01"E

Parcel Line Table		
Line #	Length	Direction
L1	42.16	N77° 38' 11"W
L2	25.68	N16° 23' 22"W
L3	31.14	N60° 45' 06"W
L4	37.32	S88° 26' 39"W
L5	16.70	S85° 38' 33"W
L6	32.26	S88° 04' 10"W
L7	12.97	S54° 05' 21"W
L8	21.38	S0° 00' 00"E
L9	36.88	S20° 13' 28"E
L10	39.22	S16° 05' 27"W
L11	33.12	S43° 22' 52"E
L12	268.49	S77° 05' 01"W
L13	238.59	N40° 45' 50"W
L14	50.00	S89° 49' 55"W
L15	108.11	N60° 03' 31"W
L16	162.27	N48° 17' 09"W
L17	52.03	N27° 45' 08"W
L18	43.40	N5° 27' 37"E
L19	53.31	N28° 53' 12"W
L20	40.33	N28° 36' 38"W
L21	44.19	N63° 36' 23"W
L22	147.19	N27° 01' 46"W
L23	83.60	N4° 22' 05"E
L24	73.79	N48° 14' 22"E
L25	81.12	N78° 57' 44"E
L26	88.49	N87° 06' 35"E
L27	31.00	N51° 20' 24"E
L28	776.04	S89° 39' 45"E
L29	25.00	S0° 05' 40"E
L30	25.00	N89° 39' 45"W

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CALCULATED BY: C.Bosshart	The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief.
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SEAL	