

**RESOLUTION R-19-072**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELEASING A CONSERVATION EASEMENT PURSUANT TO SECTION 704.06(4), FLORIDA STATUTES.**

**WHEREAS**, an application has been made by STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (Applicant), to release a Conservation Easement, as recorded in Official Records Book 1643, Page 3330, of the Public Records of Manatee County, Florida, located in Section 9, Township 34 South, Range 18 East, and more particularly described in Exhibit A attached hereto and by this reference provided herein; and

**WHEREAS**, Section 704.06(4), Florida Statutes, authorizes the release of a conservation easement by the holder of the easement to the holder of the fee even though the holder of the fee may not be a governmental body or a charitable corporation or trust; and

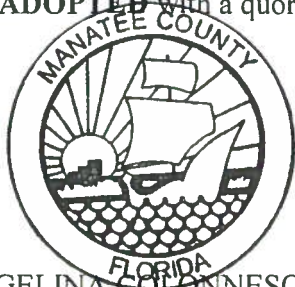
**WHEREAS**, the Applicant owns fee simple title to the area sought to be released; and

**WHEREAS**, the Board has been fully advised and informed in the premises.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Manatee County, Florida, that:

1. The findings set forth in the preamble above are hereby adopted as findings of the Board and are incorporated herein by reference.
2. Upon request of the Applicant, the Board agrees to release the conservation easement described in Exhibit A.
3. The Chairperson or Vice Chairperson of the Board is hereby authorized to execute the Release of Conservation Easement, attached as Exhibit B.
4. This resolution shall be effective immediately upon adoption.

**DULY ADOPTED** with a quorum present and voting this 23rd day of July, 2019.



**BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_

*Stephen R. Johnson*  
Chairperson

ATTEST: ANGELINA COLONNESO

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_

*Robin Roth OC*  
Deputy Clerk

BK 1643 PG 3330 DKT # 1381209 1 of 4

(b) Corporation

CONSERVATION EASEMENT

In consideration of the premises and mutual covenants, terms, conditions, and restrictions contained herein and other good and valuable considerations the receipt of which is hereby acknowledged, Gold Coast Restaurants, Inc. (DEVELOPER, a Florida Corporation or a Florida Corporation licensed to do business in the State of Florida) whose mailing address is P.O. Box 20466, Tampa, FL 33622 (GRANTOR), certify ownership by said Corporation of the property described as follows:

ATTACH LEGAL DESCRIPTION AS EXHIBIT "A" OF CONSERVATION EASEMENT

on behalf of itself and its successors, heirs and assigns, grants and gives unto Manatee County, a political subdivision of the State of Florida, whose mailing address is P.O. Box 1000, Bradenton, FL 34208, (GRANTEE), a Conservation Easement pursuant to Florida Statutes 704.06 over the above-described property of the Grantor.

Unless permitted by the Manatee County Land Development Code, the following acts and activities are expressly prohibited within the boundaries of this Conservation Easement without the prior consent of Grantee:

- Construction or placing of buildings, roads, signs, billboards or other advertising structures on or other structures on or above the ground.
- Construction or placing of utilities on, below or above the ground without appropriate local, state, and federal permits or other authorization.
- Dumping or placing of soil or other substances or material as landfill or dumping or placing trash, waste, unsightly, or offensive materials.
- Removal, mowing, or trimming of trees, shrubs or other vegetation.
- Application of herbicides, pesticides, or fertilizers.
- Excavation, dredging or removal of loam, peat, gravel, soil rock or other material substances in such manner as to affect the surface.
- Surface use except for purposes that permit the land or water areas to remain in its natural condition.
- Any activity detrimental to drainage, flood control, water conservation, erosion control, soil conservation or fish and wildlife habitat preservation.
- Acts or uses detrimental to such retention of land or water areas.



BK 1643 PG 3331 2 of 4

(b) Corporation, Conservation Easement, page 2 of 2

SIGNED, SEALED, and delivered in the presence of;

Gold Coast Restaurants, Inc  
Developer, A Corporation of the  
State of Florida

BY: [Signature]  
President or Vice-President's Signature  
William A. Long, Jr., Vice-President  
Type or Print Name and Title

ATTEST: [Signature]  
Secretary Signature  
William A. Long, Jr., Secretary  
Printed Name

OR

WITNESSES:

[Signature]  
Witness Signature  
STEVEN E. PENNY  
Printed Name

[Signature]  
Witness Signature  
KEITH ACHUEF  
Printed Name

STATE OF Florida  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of  
July 2000 by William A. Long, Jr. as  
Vice-President  
(Title), on behalf of the Corporation identified herein as Developer and who is  
personally known to me, ~~or and who has produced~~ \_\_\_\_\_  
(Type of Identification) as identification.

NOTARY SEAL:

[Signature]  
Notary Public  
Anna May Wegbreit  
Commission # CC 954932  
Expires Aug. 27, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.

Zoller,  
Najjar &  
Shroyer, L.C.

BK 1643 PG 3332 3 of 4

201 5th Avenue Drive East  
Post Office Box 9448  
Bradenton, Florida 34206

(941) 748-8080  
Fax (941) 748-3316  
Survey Fax (941) 748-3777  
E-mail: zns@manatee-cc.com  
Web Page: www.manatee-cc.com/zns/

FEBRUARY 2, 2000

## LEVEROCKS

DESCRIPTION: CONSERVATION EASEMENT

FROM THE SOUTH 1/4 CORNER OF SECTION 9, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, RUN NORTH 89°37'19" WEST ALONG THE SOUTH LINE OF SECTION 9, A DISTANCE OF 293.66 FEET; THENCE SOUTH 19°19'20" EAST ALONG THE WESTERLY LIMITED ACCESS RIGHT OF WAY LINE OF I-75, A DISTANCE OF 28.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 19°19'20" EAST ALONG SAID WESTERLY LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 75.66 FEET TO THE APPROXIMATE MEAN HIGH WATER LINE OF THE MANATEE RIVER; THENCE SOUTHWESTERLY ALONG SAID APPROXIMATE MEAN HIGH WATER LINE THE FOLLOWING FOURTEEN (14) COURSES: THENCE SOUTH 06°48'04" WEST, A DISTANCE OF 41.74 FEET; THENCE SOUTH 01°38'53" WEST, A DISTANCE OF 34.66 FEET; THENCE SOUTH 33°12'06" WEST, A DISTANCE OF 33.96 FEET; THENCE SOUTH 57°32'03" WEST, A DISTANCE OF 41.17 FEET; THENCE SOUTH 57°52'21" WEST, A DISTANCE OF 37.34 FEET; THENCE SOUTH 62°18'04" WEST, A DISTANCE OF 44.35 FEET; THENCE SOUTH 50°42'10" WEST, A DISTANCE OF 49.57 FEET; THENCE SOUTH 63°04'26" WEST, A DISTANCE OF 66.31 FEET; THENCE SOUTH 49°56'16" WEST, A DISTANCE OF 39.19 FEET; THENCE SOUTH 47°03'17" WEST, A DISTANCE OF 38.26 FEET; THENCE SOUTH 71°42'41" WEST, A DISTANCE OF 34.48 FEET; THENCE SOUTH 82°04'21" WEST, A DISTANCE OF 21.97 FEET; THENCE NORTH 53°16'50" WEST, A DISTANCE OF 55.07 FEET; THENCE NORTH 83°59'32" WEST, A DISTANCE OF 28.52 FEET TO THE END OF SAID APPROXIMATE MEAN HIGH WATER LINE; THENCE NORTH 00°04'52" EAST, A DISTANCE OF 53.00 FEET; THENCE SOUTH 86°20'26" EAST, A DISTANCE OF 25.00 FEET TO A POINT ON A CURVE TO THE LEFT WHOSE RADIUS POINT LIES SOUTH 86°20'26" EAST, A DISTANCE OF 22.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 23.61 FEET THROUGH A CENTRAL ANGLE OF 61°29'14"; THENCE SOUTH 57°49'40" EAST, A DISTANCE OF 62.32 FEET; THENCE SOUTH 55°41'02" EAST, A DISTANCE OF 7.89 FEET; THENCE NORTH 72°46'08" EAST, A DISTANCE OF 10.29

FEET; THENCE NORTH 59°39'17" EAST, A DISTANCE OF 48.30 FEET; THENCE NORTH 51°10'56" EAST, A DISTANCE OF 60.16 FEET; THENCE NORTH 65°32'41" EAST, A DISTANCE OF 36.45 FEET; THENCE NORTH 55°15'04" EAST, A DISTANCE OF 41.66 FEET; THENCE NORTH 46°00'40" EAST, A DISTANCE OF 38.03 FEET; THENCE NORTH 71°13'59" EAST, A DISTANCE OF 36.42 FEET; THENCE NORTH 64°40'45" EAST, A DISTANCE OF 36.13 FEET; THENCE NORTH 74°48'57" EAST, A DISTANCE OF 11.84 FEET; THENCE NORTH 29°10'57" EAST, A DISTANCE OF 6.63 FEET; THENCE NORTH 25°46'43" EAST, A DISTANCE OF 20.63 FEET; THENCE NORTH 02°44'51" WEST, A DISTANCE OF 31.98 FEET; THENCE NORTH 09°22'04" EAST, A DISTANCE OF 33.03 FEET; THENCE NORTH 10°07'04" EAST, A DISTANCE OF 30.53 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES SOUTH 86°50'41" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 26.13 FEET THROUGH A CENTRAL ANGLE OF 49°53'58" TO THE END OF SAID CURVE; THENCE NORTH 17°05'10" WEST, A DISTANCE OF 15.20 FEET; THENCE NORTH 70°40'40" EAST, A DISTANCE OF 3.93 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 9, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.50 ACRES, MORE OR LESS.

K:\LEGALS 2000\LEVEROCKS-CONSERVATION ESMT

*Zoller,  
Najjar &  
Shroyer, L.C.*

**THIS INSTRUMENT PREPARED BY:**  
Pamela D'Agostino, Assistant County Attorney  
Manatee County Government  
Office of the County Attorney  
1112 Manatee Avenue West  
Bradenton, Florida 34205

PID NO. 864400109

SPACE ABOVE THIS LINE FOR RECORDING DATA

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### **RELEASE OF CONSERVATION EASEMENT**

**THIS RELEASE** is made this 23rd day of July, 2019, between **MANATEE COUNTY, a political subdivision of the State of Florida**, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206 (County), and **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, whose mailing address is Post Office Box 1249, Bartow, Florida 33831-1249 (Fee Holder).

**WHEREAS**, Fee Holder warrants that it holds legal title to certain land situated in Manatee County, Florida, as described in Exhibit 1, which is attached hereto and made a part hereof; and

**WHEREAS**, County was granted a Conservation Easement over the lands described in Exhibit 1 that is recorded in Official Records Book 1643, Page 3330, of the Public Records of Manatee County, Florida; and

**WHEREAS**, Fee Holder has applied for a release of said Conservation Easement which encumbers the lands described in Exhibit 1 in accordance with Section 704.06(4), Florida Statutes, and the Manatee County Land Development Code; and

**WHEREAS**, County has determined that the Conservation Easement serves no public purpose; and

**WHEREAS**, County, as the holder of the Conservation Easement, may release the easement to the holder of the fee even though the holder of the fee may not be a governmental body or a charitable corporation or trust.

**NOW, THEREFORE**, for good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, County does hereby release the premises described in Exhibit A from all easement rights and interest acquired by the County pursuant to the Conservation Easement granted and recorded in Official Records Book 1643, Page 3330, of the Public Records of Manatee County, Florida.

**IN WITNESS WHEREOF**, County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

**SIGNATURE AND ACKNOWLEDGMENT APPEAR ON FOLLOWING PAGE.**



**COUNTY:**

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

BK 1643 PG 3330 DKT # 1381209 1 of 4

(b) Corporation

CONSERVATION EASEMENT

In consideration of the premises and mutual covenants, terms, conditions, and restrictions contained herein and other good and valuable considerations the receipt of which is hereby acknowledged, Gold Coast Restaurants, Inc. (DEVELOPER, a Florida Corporation or a Florida Corporation licensed to do business in the State of Florida) whose mailing address is P.O. Box 20466 Tampa, FL 33622 (GRANTOR), certify ownership by said Corporation of the property described as follows:

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on behalf of itself and its successors, heirs and assigns, grants and gives unto Manatee County, a political subdivision of the State of Florida, whose mailing address is P.O. Box 1000, Bradenton, FL 34206, (GRANTEE), a Conservation Easement pursuant to Florida Statutes 704.06 over the above-described property of the Grantor.

Unless permitted by the Manatee County Land Development Code, the following acts and activities are expressly prohibited within the boundaries of this Conservation Easement without the prior consent of Grantee:

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BK 1643 PG 3331 2 of 4

(b) Corporation, Conservation Easement, page 2 of 2

SIGNED, SEALED, and delivered in the presence of;

Godd Coast Restaurants, Inc  
Developer, A Corporation of the  
State of Florida

BY: [Signature]  
President or Vice-President's Signature  
William A. Long, Jr., Vice-President  
Type or Print Name and Title

ATTEST: [Signature]  
Secretary Signature  
William A. Long, Jr., Secretary  
Printed Name

OR

WITNESSES:

[Signature]  
Witness Signature  
STEVEN E. DENBY  
Printed Name

[Signature]  
Witness Signature  
KEITH ACHUEF  
Printed Name

STATE OF Florida  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of  
July 2000, by William A. Long, Jr. as  
Vice-President  
(Title), on behalf of the Corporation identified herein as Developer and who is  
personally known to me, ~~or and who has produced~~ \_\_\_\_\_  
(Type of Identification) as identification.

NOTARY SEAL:

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Notary Public  
Anna May Wegbreit  
Commission # CC 954932  
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Web Page: www.manatee-cc.com/zns/

FEBRUARY 2, 2000

LEVEROCKS

DESCRIPTION: CONSERVATION EASEMENT

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LYING AND BEING IN SECTION 9, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.50 ACRES, MORE OR LESS.

K:\LEGALS 2000\LEVEROCKS-CONSERVATION ESMT

*Zoller,  
Najjar &  
Shroyer, L.C.*

**THIS INSTRUMENT PREPARED BY:**  
Pamela D'Agostino, Assistant County Attorney  
Manatee County Government  
Office of the County Attorney  
1112 Manatee Avenue West  
Bradenton, Florida 34205

PID NO. 864400109

SPACE ABOVE THIS LINE FOR RECORDING DATA

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**WHEREAS**, County has determined that the Conservation Easement serves no public purpose; and

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**IN WITNESS WHEREOF**, County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

**SIGNATURE AND ACKNOWLEDGMENT APPEAR ON FOLLOWING PAGE.**

COUNTY:



BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

By: Stephen R. Hanson  
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: Robin Pettit, DC  
Deputy Clerk

BK 1643 PG 3330 DKT # 1381209 1 of 4

**(b) Corporation****CONSERVATION EASEMENT**

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BK 1643 PG 3331 2 of 4

(b) Corporation, Conservation Easement, page 2 of 2

SIGNED, SEALED, and delivered in the presence of;

Gold Coast Restaurants, Inc  
Developer, A Corporation of the  
State of Florida

BY: [Signature]  
President or Vice-President's Signature  
William A. Long, Jr., Vice-President  
Type or Print Name and Title

ATTEST: [Signature]  
Secretary Signature  
William A. Long, Jr., Secretary  
Printed Name

OR

WITNESSES:  
[Signature]  
Witness Signature  
STEVEN E. DEMPSEY  
Printed Name

[Signature]  
Witness Signature  
KEITH ACHUFF  
Printed Name

STATE OF Florida  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of  
July 2000 by William A. Long, Jr. as  
Vice-President  
(Title), on behalf of the Corporation identified herein as Developer and who is  
personally known to me, ~~or and who has produced~~  
(Type of Identification) as identification.

NOTARY SEAL:

[Signature]  
Notary Public  
Anna May Wegbreit  
Commission # CC 954932  
Expires Aug. 27, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.



Zoller,  
Najjar &  
Shroyer, L.C.

BK 1643 PG 3332 3 of 4

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FEBRUARY 2, 2000

## LEVEROCKS

DESCRIPTION: CONSERVATION EASEMENT

FROM THE SOUTH 1/4 CORNER OF SECTION 9, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, RUN NORTH 89°37'19" WEST ALONG THE SOUTH LINE OF SECTION 9, A DISTANCE OF 293.66 FEET; THENCE SOUTH 19°19'20" EAST ALONG THE WESTERLY LIMITED ACCESS RIGHT OF WAY LINE OF I-75, A DISTANCE OF 28.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 19°19'20" EAST ALONG SAID WESTERLY LIMITED ACCESS RIGHT OF WAY LINE, A DISTANCE OF 75.66 FEET TO THE APPROXIMATE MEAN HIGH WATER LINE OF THE MANATEE RIVER; THENCE SOUTHWESTERLY ALONG SAID APPROXIMATE MEAN HIGH WATER LINE THE FOLLOWING FOURTEEN (14) COURSES: THENCE SOUTH 06°48'04" WEST, A DISTANCE OF 41.74 FEET; THENCE SOUTH 01°38'53" WEST, A DISTANCE OF 34.66 FEET; THENCE SOUTH 33°12'06" WEST, A DISTANCE OF 33.96 FEET; THENCE SOUTH 57°32'03" WEST, A DISTANCE OF 41.17 FEET; THENCE SOUTH 57°52'21" WEST, A DISTANCE OF 37.34 FEET; THENCE SOUTH 62°18'04" WEST, A DISTANCE OF 44.35 FEET; THENCE SOUTH 50°42'10" WEST, A DISTANCE OF 49.57 FEET; THENCE SOUTH 63°04'26" WEST, A DISTANCE OF 66.31 FEET; THENCE SOUTH 49°56'16" WEST, A DISTANCE OF 39.19 FEET; THENCE SOUTH 47°03'17" WEST, A DISTANCE OF 38.26 FEET; THENCE SOUTH 71°42'41" WEST, A DISTANCE OF 34.48 FEET; THENCE SOUTH 82°04'21" WEST, A DISTANCE OF 21.97 FEET; THENCE NORTH 53°16'50" WEST, A DISTANCE OF 55.07 FEET; THENCE NORTH 83°59'32" WEST, A DISTANCE OF 28.52 FEET TO THE END OF SAID APPROXIMATE MEAN HIGH WATER LINE; THENCE NORTH 00°04'52" EAST, A DISTANCE OF 53.00 FEET; THENCE SOUTH 86°20'26" EAST, A DISTANCE OF 25.00 FEET TO A POINT ON A CURVE TO THE LEFT WHOSE RADIUS POINT LIES SOUTH 86°20'26" EAST, A DISTANCE OF 22.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 23.61 FEET THROUGH A CENTRAL ANGLE OF 61°29'14"; THENCE SOUTH 57°49'40" EAST, A DISTANCE OF 62.32 FEET; THENCE SOUTH 55°41'02" EAST, A DISTANCE OF 7.89 FEET; THENCE NORTH 72°46'08" EAST, A DISTANCE OF 10.29



FEET; THENCE NORTH 59°39'17" EAST, A DISTANCE OF 48.30 FEET; THENCE NORTH 51°10'56" EAST, A DISTANCE OF 60.16 FEET; THENCE NORTH 65°32'41" EAST, A DISTANCE OF 36.45 FEET; THENCE NORTH 55°15'04" EAST, A DISTANCE OF 41.66 FEET; THENCE NORTH 46°00'40" EAST, A DISTANCE OF 38.03 FEET; THENCE NORTH 71°13'59" EAST, A DISTANCE OF 36.42 FEET; THENCE NORTH 64°40'45" EAST, A DISTANCE OF 36.13 FEET; THENCE NORTH 74°48'57" EAST, A DISTANCE OF 11.84 FEET; THENCE NORTH 29°10'57" EAST, A DISTANCE OF 6.63 FEET; THENCE NORTH 25°46'43" EAST, A DISTANCE OF 20.63 FEET; THENCE NORTH 02°44'51" WEST, A DISTANCE OF 31.98 FEET; THENCE NORTH 09°22'04" EAST, A DISTANCE OF 33.03 FEET; THENCE NORTH 10°07'04" EAST, A DISTANCE OF 30.53 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES SOUTH 86°50'41" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 26.13 FEET THROUGH A CENTRAL ANGLE OF 49°53'58" TO THE END OF SAID CURVE; THENCE NORTH 17°05'10" WEST, A DISTANCE OF 15.20 FEET; THENCE NORTH 70°40'40" EAST, A DISTANCE OF 3.93 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 9, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.50 ACRES, MORE OR LESS.

K:\LEGALS 2000\LEVEROCKS-CONSERVATION ESMT

*Zoller,  
Najjar &  
Shroyer, L.C.*