

9. Successors. The covenants, terms, conditions and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

IN WITNESS WHEREOF, Grantor has executed this Conservation Easement on the day and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

GRANTOR:
GARRISON CONSTRUCTION, INC.

Signature: *Beverly J. Holland*
Printed Name: Beverly J. Holland

Signature: *Gary M. Garrison*
Printed Name: GARY M. GARRISON

Signature: *Sarah C. Miller*
Printed Name: Sarah C. Miller

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this 10th day of January, 2007, by Gary M. Garrison, who did not take an oath.



Beverly J. Holland
Notary Public, State of Florida
at Large.

My Commission Expires:
4-16-09

Serial No. DD 417994

Personally known _____ OR produced identification ✓. Identification produced FDL # G625-293-55-221-0.

EXHIBIT "A"

Benton Lakes Preservation

A portion of Section 12, Township 5 South, Range 28 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 2507, page 431, of the Public Records of said County, and being more particularly described as follows:

For a Point of Reference, commence at the Southeast corner of the Southwest $\frac{1}{4}$ of said Section 12; thence South $88^{\circ}21'33''$ West, along the Southerly line of said Section 12, a distance of 476.32 feet to a point lying on the Southeasterly right of way line of Sixth Street, a 40 foot right of way as shown on plat of Subdivision of Hilden, as recorded in Map Book 3, page 59, said Public Records; thence North $49^{\circ}10'26''$ East, departing said Southerly line, and along said Southeasterly right of way line, a distance of 135.03 feet; thence North $39^{\circ}49'54''$ West, along the Northeasterly right of way line of Eighth Avenue, a 40 foot right of way per said plat, a distance of 540.00 feet; thence North $49^{\circ}10'26''$ East, along the Southeasterly right of way line of Seventh Street, a 40 foot right of way per said plat, a distance of 240.00 feet; thence North $39^{\circ}49'54''$ West, along the Northeasterly right of way line of Ninth Avenue, a 40 foot right of way per said plat, a distance of 540.00 feet; thence North $49^{\circ}10'26''$ East, along the Southeasterly right of way line of Eighth Street, a 40 foot right of way per said plat, a distance of 399.34 feet to the Point of Beginning.

From said Point of Beginning, thence continue North $49^{\circ}10'26''$ East, along said Southeasterly right of way line of Eighth Street, a distance of 320.66 feet; thence North $39^{\circ}49'54''$ West, along the Northeasterly right of way line of Twelfth Avenue, a 40 foot right of way per said plat, a distance of 168.45 feet; thence North $49^{\circ}10'26''$ East, departing said Northeasterly right of way line, a distance of 555.11 feet to a point lying on the Easterly line of said Southwest $\frac{1}{4}$ of Section 12; thence South $00^{\circ}46'06''$ East, along said Easterly line, a distance of 701.98 feet; thence Due West, departing said Easterly line, a distance of 564.21 feet to the Point of Beginning.

Containing 5.00 acres, more or less.

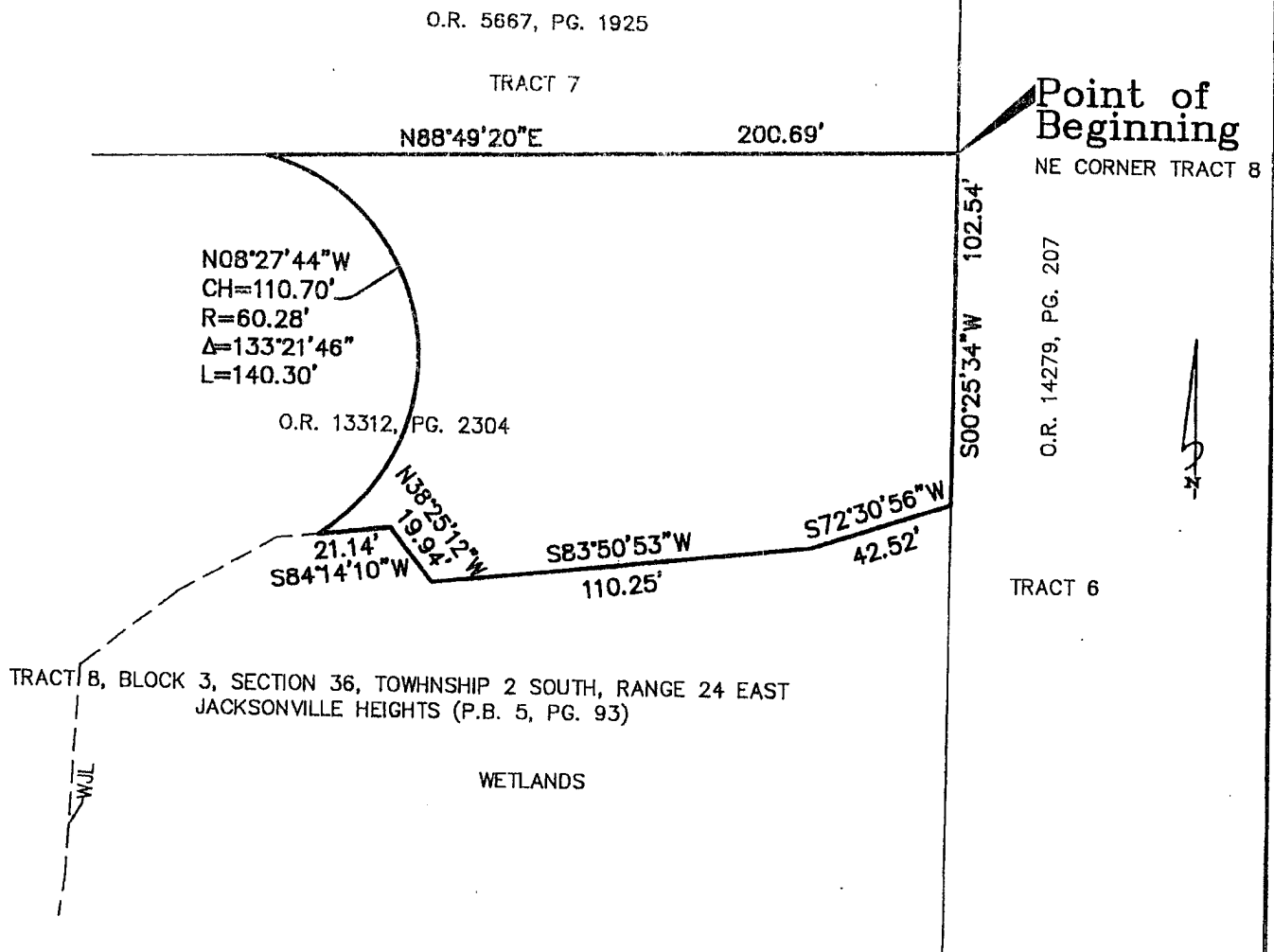
MAP SHOWING

A PORTION OF TRACT 8, BLOCK 3, SECTION 36, TOWNSHIP 2 SOUTH, RANGE 24 EAST, AS SHOWN ON THE PLAT OF JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID TRACT 8; THENCE SOUTH 00°25'34" WEST, ALONG THE EASTERLY LINE OF SAID TRACT 8, A DISTANCE OF 102.54 FEET; THENCE SOUTH 72°30'56" WEST, 42.52 FEET; THENCE SOUTH 83°50'53" WEST, 110.25 FEET; THENCE NORTH 38°25'12" WEST, 19.94 FEET; THENCE SOUTH 84°14'10" WEST, 21.14 FEET TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 60.28 FEET, AN ARC DISTANCE OF 140.30 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 08°27'44" WEST, 110.70 FEET TO THE NORTHERLY LINE OF SAID TRACT 8; THENCE NORTH 88°49'20" EAST, ALONG LAST SAID LINE, 200.69 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.44 ACRES, MORE OR LESS.

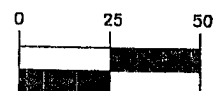
FOR: PEACOCK CONSULTING GROUP, LLC



GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY LINE OF TRACT 8, BLOCK 3, SECTION 36, T2S, R24E, AS N88°49'20"E.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
3. THIS MAP WAS MADE WITHOUT THE BENEFIT OF AN ABSTRACT TITLE, THEREFORE, THERE COULD BE ADDITIONAL EASEMENTS, COVENANTS AND RESTRICTIONS OR OTHER MATTERS OF PUBLIC RECORD THAT MAY OR MAY NOT AFFECT THIS PARCEL.
4. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
5. X-REFERENCE: SURVEY BY CLARY & ASSOC. FILE NO. R7-13B, SA-2614.

GRAPHIC SCALE



(IN FEET)
1" = 50'

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

DRAFTER: MMS
JOB No. 2008-426

UNLESS OTHERWISE SHOWN AND STATED HEREON, THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER 61G17-8, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND DOES NOT NECESSARILY MEET ANY OTHER NATIONAL OR REGIONAL STANDARDS.

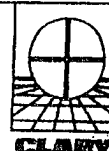
DATE MAY 1, 2008

SCALE 1" = 50'

CHECKED BY: *mjs*

Clary & Associates, Inc.
PROFESSIONAL SURVEYORS & MAPPERS
3830 CROWN POINT ROAD
JACKSONVILLE, FLORIDA 32257
904-288-2703 | WWW.CLARYASSOC.COM
LB NO. 3731

GREGORY B. CLARY, P.L.S. CERT. NO. 3377



LEGEND

- W/L - WETLAND JURISDICTIONAL LINE
- OR - OFFICIAL RECORDS
- PB - PLAT BOOK
- PG(S) - PAGE(S)
- L - ARC LENGTH
- R - RADIUS
- CH - CHORD
- Δ - DELTA

CONSENT AND JOINDER OF MORTGAGEE

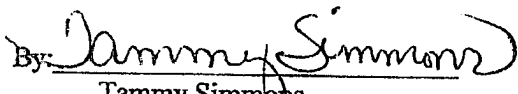
The undersigned, Fidelity National Bank (mortgagee), the mortgagee under that certain Mortgage and Security Agreement dated September 12, 2005 and recorded September 29, 2005 at Official Records Book 12783, page 2390; Note and Mortgage Modification and Spreading Agreement recorded in Official Records Book 12833, page 1136; Official Records Book 12823, page 70; Official Records Book 12870, page 761 and Official Records Book 12905, page 244; Official Records Book 12910, page 2088; Official Records Book 13002, page 1936, Official Records Book 13209, page 1997, all of the public records of Duval County, Florida, hereby consents and joins in the foregoing Deed of Conservation Easement, and subordinates its mortgage lien encumbering all or any part of the Property (as described in the foregoing Deed of Conservation Easement) to the Deed of Conservation Easement.

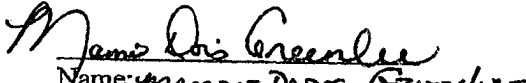
IN WITNESS WHEREOF, this Consent and Joinder is executed by the undersigned this 24th day of JUNE, 2008.

Witnesses:


Name: DEBORAH D. BARBER

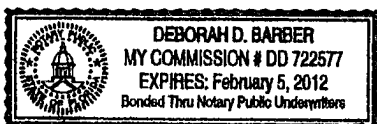
Mortgagee
Fidelity Bank

By: 
Tammy Simmons
Its Vice President
Construction Lending


Name: MARIA DORA GREENLEE

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 24th day of June, 2008 by Tammy Simmons, Vice President, Construction Lending of Fidelity Bank, who did not take an oath.




Notary Public, State of Florida at Large

My Commission Expires: 2-5-2012

Serial No. DD 722577

Personally known ☒ or produced identification ☐ Identification produced ☐