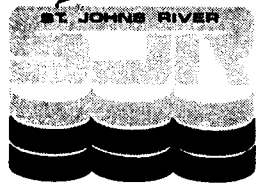




**Permit
with conditions
1728**



**WATER
MANAGEMENT
DISTRICT**

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904-329-4500 1-800-451-7106 SUNCOM 904-860-4500
TDD 904-329-4450 TDD SUNCOM 860-4450
FAX (Executive) 329-4125 (Legal) 329-4485 (Permitting) 329-4315 (Administration/Finance) 329-4508

SERVICE CENTERS			
618 E. South Street Orlando, Florida 32801 407-897-4300 1-877-228-1658 FAX 407-897-4354 TDD 407-897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904-730-6270 1-800-852-1563 FAX 904-730-6267 TDD 904-448-7900	PERMITTING: 305 East Drive Melbourne, Florida 32904 407-984-4940 1-800-295-3264 FAX 407-722-5357 TDD 407-722-5368	OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32935-8109 407-752-3100 TDD 407-752-3102

CERTIFIED #Z 514 832 009

January 31, 2000

Ibis Point Owner's Association, Inc.
6620 Southpoint Drive South
Suite 400
Jacksonville, FL 32216

Subject: Permit Number 40-031-0502J-ERP
Project Name: Ibis Pointe

The surface water management system serving the IBIS POINTE has been constructed and is Functioning in conformance with the requirements of the St. Johns River Water Management District.

The IBIS POINT OWNER'S ASSOCIATION, INC. is now authorized to operate the system and is responsible for its routine maintenance. Enclosed you will find an operation permit, plan, maintenance guidelines, and pamphlets entitled "A Homeowners Guide to Stormwater Management".

The permit, plan, and maintenance guidelines provide information to assist you in assuring the system is properly maintained and will continue to function as designed. Please review this material carefully to assure that your association meets all of the requirements contained in your permit and keep it with other important documents.

The pamphlets contain general information about the system that will be useful to the homeowners in your development. Please provide a copy to each household.

Your participation is vital to the protection of our rivers, streams, lakes, and wetlands. If you have any questions, please call your local District Field Office, the staff will be happy to respond.

Sincerely,

Gloria R. Lewis, Director
Division of Permit Data Services

cc: District Permit File
Robin Harrell, Compliance Manager
CENTEX REAL ESTATE CORPORATION
6620 SOUTHPOINT DR. SOUTH, SUITE 400
JACKSONVILLE, FL 32216

William Kerr, CHAIRMAN
MELBOURNE BEACH

Ometrias D. Long, VICE CHAIRMAN
APOPKA

Jeff K. Jennings, SECRETARY
MAITLAND

Duane Ottenstroer, TREASURER
SWITZERLAND

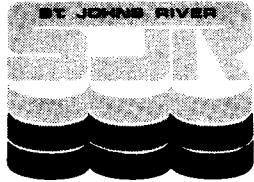
Dan Roach
FERNANDINA BEACH

William M. Segal
MAITLAND

Otis Mason
ST. AUGUSTINE

Clay Albright
EAST LAKE WEIR

Reid Hughes
DAYTONA BEACH



**WATER
MANAGEMENT
DISTRICT**

POST OFFICE BOX 1429 **PALATKA, FLORIDA 32178-1429**
 TELEPHONE 904-329-4500 1-800-451-7106 SUNCOM 904-860-4500
 TDD 904-329-4450 TDD SUNCOM 860-4450
 FAX (Executive) 329-4125 (Legal) 329-4485 (Permitting) 329-4315 (Administration/Finance) 329-4508

SERVICE CENTERS

618 E. South Street Orlando, Florida 32801 407-897-4300 1-877-228-1658 FAX 407-897-4354 TDD 407-897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904-730-6270 1-800-852-1563 FAX 904-730-6267 TDD 904-448-7900	PERMITTING: 305 East Drive Melbourne, Florida 32904 407-984-4940 1-800-295-3264 FAX 407-722-5357 TDD 407-722-5368	OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32935-8109 407-752-3100 TDD 407-752-3102
---	---	---	--

PERMIT NO.: 4-031-0502J-ERP

ORIGINAL PERMIT ISSUED: NOVEMBER 9, 1995
TRANSFER PERMIT ISSUED: JANUARY 31, 2000

A PERMIT AUTHORIZING:

THIS AUTHORIZES THE OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SERVING IBIS POINTE, A RESIDENTIAL DEVELOPMENT CONSISTING OF 85.74 ACRES WHICH WAS PERMITTED AND CONSTRUCTED IN ACCORDANCE WITH PERMIT NUMBER 40-031-0502-ERP.

LOCATION:

SECTION 38 , TOWNSHIP 02 SOUTH, RANGE 28 EAST; DUVAL COUNTY

ISSUED TO:

IBIS POINT OWNER'S ASSOCIATION, INC.
6620 SOUTHPOINT DRIVE SOUTH, SUITE 400
JACKSONVILLE, FL 32216

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This Permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated November 9, 1995

AUTHORIZED BY: St. Johns River Water Management District

Department of Resource Management

By: 
(DIRECTOR)
JEFF ELLEDGE

Governing Board

By: 
(ASSISTANT SECRETARY)
HENRY DEAN

- | | | | |
|---|---|--|---|
| William Kerr, CHAIRMAN
MELBOURNE BEACH | Ometrias D. Long, VICE CHAIRMAN
APOPKA | Jeff K. Jennings, SECRETARY
MATLAND | Duane Ottenstroer, TREASURER
SWITZERLAND |
| Dan Roach
FERNANDINA BEACH | William M. Segal
MATLAND | Otis Mason
ST. AUGUSTINE | Clay Albright
EAST LAKE WEIR |
| | | | Reid Hughes
DAYTONA BEACH |

“EXHIBIT A”

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-031-0502J-ERP

IBIS POINT OWNER’S ASSOCIATION, INC.

ORIGINAL PERMIT DATED NOVEMBER 9, 1995

OPERATION PHASE DATED JANUARY 31, 2000

1. This permit authorizes the operation of the surface water management system as permitted and constructed. It does not authorize modifications to the existing system or the addition of stormwater discharge from areas outside the permitted project boundaries.
2. The permittee must maintain a copy of this permit complete with all conditions, attachments, and exhibits. The complete permit must be available for review upon request by District representatives.
3. All operation and maintenance shall be as set forth in the plans, specifications, and performance criteria contained in this permit.
4. District authorized staff, upon proper identification, must be granted permission to inspect the system to insure conformity with the permit.
5. To the extent permitted by Florida law, the permittee must hold and save the District harmless from any and all liability arising from property damage or personal injury as a result of the permitted activities.
6. The operation and maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.

not det.

OPERATION AND MAINTENANCE PERMIT CONVERSION
STAFF REPORT

DATE: **January 5, 2000**
PROJECT NAME: **IBIS POINTE**
PERMIT NUMBER: **40-031-0502 ERP**
O & M ENTITY NAME: **Ibis Point Owners Association, Inc.**
ADDRESS: **6620 Southpoint Drive, So., Suite 400
Jacksonville, FL 32216**

AUTHORIZING STATEMENT: This authorizes the operation of the surface water management system serving Ibis Pointe a residential development consisting of 85.74 acres which was permitted and constructed in accordance with permit number 40-031-0502 ERP.

Date As-built inspection performed: **January 4, 2000**
Required Documents Submitted? **yes**
Project in compliance? **yes**

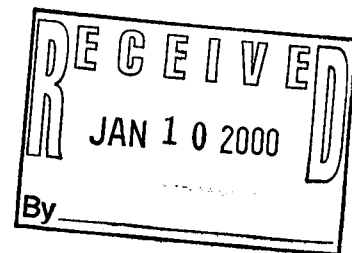
Operation & Maintenance Standard Permit Conditions (carried over from the construction permit) to be placed on the Operation permit:

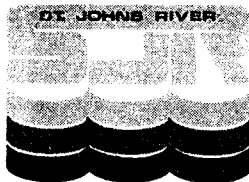
1	2	3	4	5	6
---	---	---	---	---	---

OTHER CONDITIONS (contained in construction permit) to be placed on the Operation permit:

COMMENTS:

R. E. Hall 1/5/00
Compliance Manager / Date





**WATER
MANAGEMENT
DISTRICT**

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director
Charles T. Myers III, Deputy Assistant Executive Director

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904/329-4500 SUNCOM 904/860-4500
TDD 904/329-4450 TDD SUNCOM 860-4450
FAX (EXECUTIVE/LEGAL) 329-4125 (PERMITTING) 329-4315 (ADMINISTRATION/FINANCE) 329-4508

FIELD STATION			
618 E. South Street Orlando, Florida 32801 407/897-4300 TDD 407/897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904/730-6270 TDD 904/730-7900	PERMITTING: 305 East Drive Melbourne, Florida 32904 407/984-4940 TDD 407/722-5368	OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32935-8109 407/254-1762 TDD 407/253-1203

November 9, 1995

CENTEX REAL ESTATE CORPORATION
ATTN: ROBERT PORTER
6620 SOUNTPOINT DR. S., STE. 400
JACKSONVILLE, FL 32216

SUBJECT: Environmental Resource General
Permit Number 40-031-0502-ERP

Dear Sir/Madam:

Enclosed is your general permit as authorized by the staff of the St. Johns River Water Management District on November 9, 1995.

This permit is a legal document and should be kept with your other important documents. The attached Completion Report should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the completion report, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

In the event you sell your property, the permit will be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Patricia T. Harden, CHAIRMAN
SANFORD

William Segal, VICE CHAIRMAN
MAITLAND

Dan Roach, TREASURER
FERNANDINA BEACH

Otis Mason, SECRETARY
ST. AUGUSTINE

Kathy Chinoy
JACKSONVILLE

Griffin A. Greene
VERO BEACH

James H. Williams
OCALA

Reid Hughes
DAYTONA BEACH

James T. Swann
COCOA

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

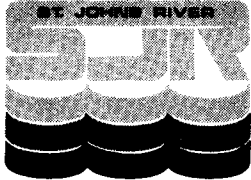
Sincerely,

Marsha Baldwin

Marsha Baldwin, Data Control Technician
Permit Data Services

Enclosures: Permit with Completion Report
Notice of Rights

cc: District Files
J. LUCAS & ASSOCIATES, INC.
ATTN: JAMES M. LUCAS, P.E.
10475 FORTUNE PARKWAY, STE. 202
JACKSONVILLE, FL 32256



**WATER
MANAGEMENT
DISTRICT**

Henry Dean, Executive Director
John R. Wehie, Assistant Executive Director
Charles T. Myers III, Deputy Assistant Executive Director

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904/329-4500 SUNCOM 904/860-4500
TDD 904/329-4450 TDD SUNCOM 860-4450
FAX (EXECUTIVE/LEGAL) 329-4125 (PERMITTING) 329-4315 (ADMINISTRATION/FINANCE) 329-4508

		FIELD STATION	
618 E. South Street Orlando, Florida 32801 407/897-4300 TDD 407/897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904/730-8270 TDD 904/730-7900	PERMITTING: 305 East Drive Melbourne, Florida 32904 407/984-4940 TDD 407/722-5368	OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32935-8109 407/254-1762 TDD 407/253-1203

PERMIT NO. 40-031-0502-ERP DATE ISSUED November 9, 1995

A PERMIT AUTHORIZING:

**CONSTRUCTION AND OPERATION OF A 85.74 ACRE SINGLE FAMILY RESIDENTIAL
SUBDIVISION KNOWN AS IBIS POINTE.**

LOCATION: Section 38, Township 2 South, Range 28 East, Duval County

ISSUED TO:

**CENTEX REAL ESTATE CORPORATION
6620 SOUNTPOINT DRIVE S., STE. 400
JACKSONVILLE, FL 32216**

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This Permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated November 9, 1995

AUTHORIZED BY: St. Johns River Water Management District

Department of Resource Management

Governing Board

BY: 
(DIRECTOR)
JEFF ELLEDGE

BY: 
(ASSISTANT SECRETARY)
HENRY DEAN

- | | | | |
|---|--|--|--|
| Patricia T. Harden, CHAIRMAN
SANFORD | William Segal, VICE CHAIRMAN
MAITLAND | Dan Roach, TREASURER
FERNANDINA BEACH | Otis Mason, SECRETARY
ST. AUGUSTINE |
| Kathy Chinoy
JACKSONVILLE | Griffin A. Greene
VERO BEACH | James H. Williams
OCALA | Reid Hughes
DAYTONA BEACH |
| | | | James T. Swann
COCOA |

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-031-0502-ERP

CENTEX REAL ESTATE CORPORATION

NOVEMBER 9, 1995

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
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 do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

6. At least 48 hours prior to commencement of activity authorized by this permit, the permitted shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicants Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicants Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.
9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially

from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be certified on the as-built drawings:

- A. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
 - B. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
 - C. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
 - D. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
 - E. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
 - F. Existing water elevation(s) and the date determined; and
 - G. Elevation and location of benchmark(s) for the survey.
11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition No. 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicants Handbook: Management and Storage of Surface Waters, accepts responsibility for operation

and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicants Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. 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.
15. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
16. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

17. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to the sale, conveyance or other transfer.
18. 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.
19. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
20. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
21. This permit for construction will expire five years from the date of issuance.
22. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
23. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
24. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
25. The operation and maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.
26. The proposed project must be constructed per the plans received by the District on October 12, 1995.

27. Any existing wells on the project property which are within the limits of construction or the use of which has been permanently discontinued, must be properly abandoned in accordance with Chapter 40C-3, F.A.C., prior to initiation of construction. Abandonment must be done either by or under the supervision of a Florida licensed water well contractor and permits obtained from the District, as appropriate.

28. Prior to initiating any construction or incurring any wetland impacts, the permittee must record a conservation easement pursuant to Section 704.06, F.S., over the real property described herein and defined on the construction plans received by the District on October 30, 1995. The easement must prohibit all construction including clearing, dredging, or filling, except that which is specifically authorized by this permit within the preserved wetlands and preserved upland buffers. The easement must contain provisions as set forth in Paragraphs 1(a)-(h) of Section 704.06, F.S., as well as provisions indicating that it may be enforced by the District and may not be amended without District approval. Within 30 days from the date of issuance of this permit and prior to recording, said easement must be submitted for District review and approval. The surveyor's sketch of the area included in the legal description and an additional surveyor's sketch of the easement area plotted on the appropriate USGS topographic map must be submitted with the draft easement. The easement must be recorded and the easement boundaries must be permanently monumented on the project site within 30 days from receipt of District approval, prior to initiating any construction or incurring any impacts to wetlands, whichever occurs first. The permittee must provide the District with a certified copy of the final recorded easement showing the official records book and page number no later than 30 days after receipt of District approval of the draft easement.

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to District rule 40C-1.511, Florida

Administrative Code, the petition must be filed at the office of

the District Clerk at District Headquarters, Highway 100 West, Palatka, Florida 32178-1429 within nineteen (19) days of the District depositing notice of its intent in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of its intent (for those persons to whom the District does not mail actual notice). Such a petition must comply with District rule 40C-1.421, Florida Administrative Code.

2. If the Governing Board took action which substantially differs from the notice of intent to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing. Pursuant to District rule 40C-1.511, Florida Administrative Code, the petition must be

filed at the office of the District Clerk at District Headquarters, Highway 100 West, Palatka, Florida 32178-1429, within nineteen (19) days of the District depositing notice of final agency action the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice). Such a petition must comply with District rule 40C-1.521, Florida Administrative Code.

3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.57(1), Florida

Statutes, where there is a dispute between the District and the

party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Section 40C-1.521(2), Florida Administrative Code.

4. A substantially interested person has the right to an informal hearing pursuant to Section 120.57(2), Florida Statutes, where no

material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Section 40C-1.521(2), Florida Administrative Code.

5. A petition for an administrative hearing is deemed filed upon delivery of the petition to the District Clerk at the District headquarters in Palatka, Florida. (Section 40C-1.013, Florida Administrative Code)

6. Failure to file a petition for an administrative hearing, within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Section 40C-1.511, Florida Administrative Code)

7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, and Chapter 40C-1, Florida Administrative Code.

8. Any substantially affected person who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of the rendering of the final District action, (Section 373.617, Florida Statutes).

9. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the district court of appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

10. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.

11. For appeals to the District courts of appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

12. Failure to observe the relevant time frames for filing a petition for judicial reviews described in paragraphs #8 and #9 or for Commission review as described in paragraph #10 will result in waiver of that right to review.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

CENTEX REAL ESTATE CORPORATION
ATTN: ROBERT PORTER
6620 SOUTHPOINT DRIVE S., STE. 400
JACKSONVILLE, FL 32216

at _____ 4:00 p.m. this 10 day of NOVEMBER, 1995

Marsha Baldwin, for

Permit Data Services
Director, Gloria Roberson

St. Johns River Water Management District
Post Office Box 1429
Palatka, FL 32178-1429
(904) 329-4566

40-031-0502-ERP