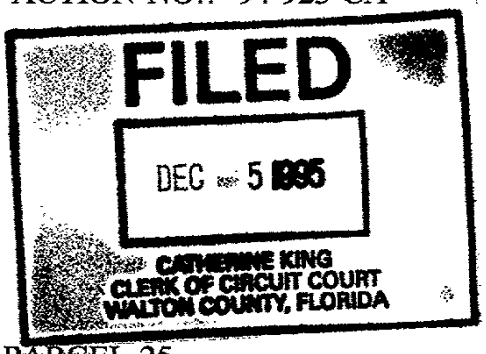
FILED AND RECORDED
DATE 12/06/95 TIME 11:09

FL 515743 B 1371 P 1
CO:WALTON ST:FL

CATHERINE KING CLERK
CO:WALTON ST:FL

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT OF FLORIDA IN AND FOR WALTON COUNTY.

CIVIL ACTION NO.: 94-923-CA



PARCEL 25

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, on behalf of THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND,

Petitioner,

vs.

ST. JOE PAPER COMPANY, a Florida corporation, and SUE CARTER as TAX COLLECTOR OF WALTON COUNTY,

Defendants.
_____/

TOPSAIL CONSENT FINAL JUDGMENT

THIS CAUSE came before the Court on the Amended Petition and Amended Answer of the Defendant heretofore filed in the above-styled eminent domain proceedings by which the Petitioner seeks to acquire part of the Defendant's property known as Topsail Hill and designated as Parcel 25 in this cause. The Defendant/Owner, ST. JOE PAPER COMPANY, is defending against the taking and claims full compensation under the Constitution and Laws of Florida for the taking of such portion of its property, if any,

as the Court may grant. It is also further considered that the DEPARTMENT OF COMMUNITY AFFAIRS and WALTON COUNTY shall be added as additional parties to this cause pursuant to the Consent attached hereto.

Through court ordered mediation, the parties have compromised and resolved the issues of the taking and of full compensation as hereinafter stated in this Consent Final Judgment. The parties have expressly waived jury trial in the above-styled cause and have consented to the entry of this Consent Final Judgment. The Court having reviewed the pleadings and being otherwise fully advised in the premises, the terms of the settlement in this cause are hereby ratified and confirmed by the entry of this Consent Final Judgment and it is

ORDERED AND ADJUDGED as follows:

1. The FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS and WALTON COUNTY are hereby added as additional parties to this cause and the court has jurisdiction of the subject matter and parties to this cause. The pleadings in this cause are sufficient and the Petitioner is properly exercising its delegated authority. The parties agree and the court rules that the taking of the property described on Exhibit "A" attached and by reference made a part hereof is reasonably necessary for the public purposes set forth in the Amended Petition.

2. The property taken for the purposes stated in the Amended Petition is a

portion of the property known as TOPSAIL HILL the legal description of which is set forth in Exhibit "A" attached hereto and incorporated herein.

3. As additional consideration for this settlement and consent judgment, the parties have agreed that Petitioner shall remove the properties described in Exhibit "B" from the acquisition list of the Conservation and Recreation Lands program and the court finds that there is no present necessity for acquisition of these properties. The properties described in Exhibit "B" are the remainders of the property known as TOPSAIL HILL and Defendant's property at DEER LAKE and SEAGROVE, which are not being taken.

4. As further consideration for this settlement and consent judgment, the parties hereto stipulate and agree and the Court rules that the land use and development rights, conditions and provisions set forth in Exhibit "C" attached hereto and by reference made a part hereof are appropriate and reasonable to be applied to the remaining properties specified on Exhibit "B" hereto attached; and that the parties shall cooperate in good faith and act diligently to assist Defendant, its successors or assigns, in obtaining all necessary government approvals and agreements to realize all of such land use and development rights, conditions, and provisions set forth in Exhibit "C" as to the remaining property at TOPSAIL HILL and Defendant's property at DEER LAKE and SEAGROVE, descriptions of which are set forth in Exhibit "B". Whenever applicable and available according to law, the parties agree to utilize and enter into such procedures and

agreements to effectuate, expedite, implement, and secure to the Defendant, its successors or assigns, land use and development rights, conditions and approvals which are consistent with those set forth in Exhibit "C".

Nothing contained in this paragraph shall be interpreted to establish any greater priority of permitting the actual development pursuant to these land use and development rights, conditions, and provisions than any other owner of property in Walton County would have under the facts and circumstances at the time of such permit application.

5. The compensation as set forth herein to be paid by Petitioner is just and reasonable for all parties concerned. Defendant, ST. JOE PAPER COMPANY, shall have and recover from Petitioner, STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, on behalf of THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND the sum of EIGHTY FOUR MILLION AND NO/100 DOLLARS ($84,000,000.00), as and for full compensation, but exclusive of reasonable costs and attorney's fees, for the taking of Parcel 25, which is the property described on Exhibit "A" as the TOPSAIL PROPERTY.

6. Within sixty (60) days of entry of this Final Judgment, Petitioner shall deposit into the Registry of the Court the sum of EIGHTY FOUR MILLION, ONE HUNDRED and NO/100 DOLLARS ($84,000,100.00), which includes the $100 clerk's fee for the deposit, for the taking of the properties described on Exhibit "A" as

TOPSAIL.

7. Within sixty (60) days of the entry of this Final Judgment, Defendant, ST. JOE PAPER COMPANY, shall pay to SUE CARTER, TAX COLLECTOR, all outstanding real estate taxes (including taxes for 1995) on the property taken, prorated to the date of transfer of title upon deposit of the monies set forth in this judgment. Defendant shall file in this cause a Certificate of Payment of Taxes after payment is made. Until payment of the outstanding taxes is made, the said outstanding real estate taxes shall constitute a lien on the remaining properties described in Exhibit "B" attached hereto.

8. Upon payment of the money specified in this Final Judgment into the Registry of this Court, fee simple title to the property described in Exhibit "A", attached hereto, shall vest in the FLORIDA BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND and Petitioner shall be entitled to immediate possession of the property.

9. Upon receipt of the monies into the Court Registry and without further order of the Court, the Clerk of the Court shall pay the Clerk's fee of $100.00 and issue a check in the amount of EIGHTY FOUR MILLION AND NO/100 DOLLARS ($84,000,000.00) payable to the Defendant, ST. JOE PAPER COMPANY, and hand-deliver or wire said check to the Defendant, ST. JOE PAPER COMPANY.

CIVIL ACTION NO. 94-923-CA

10. The provisions of this Consent Final Judgment shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

11. The Petitioner shall have 60 days from the date of the entry of this Final Judgment to elect in its sole discretion to amend this Final Judgment to provide for the taking of certain additional lands consisting of 172.3 acres of the DEER LAKE property by entry of a Consent Amended Final Judgment according to the price and terms agreed upon by the parties and reflected therein.

12. This Court reserves jurisdiction of this cause to amend this Final Judgment pursuant to paragraph 10 hereof, to enforce the provisions of this Final Judgment and any amendment thereto, to determine and award costs and attorneys's fees of Defendant, ST. JOE PAPER COMPANY, upon appropriate motion, and for granting any further relief to which the Petitioner and Defendant may be entitled under the terms of this Judgment.

DONE AND ORDERED in Chambers, at DeFuniak Springs, Walton County, Florida this 5th day of December 1995.

Thomas T. Remington
THOMAS T. REMINGTON
CIRCUIT COURT JUDGE

COPIES FURNISHED TO:

TOBY PRINCE BRIGHAM, ESQUIRE
ROBERT I. SCANLAN, ESQUIRE
SUE CARTER, TAX COLLECTOR

CIVIL ACTION NO. 94-923-CA

CONSENT

The undersigned hereby consent to the entry of the foregoing Consent Final Judgment without jury trial which is hereby waived and stipulate to the admissions and agreements set forth herein and to the addition of the DEPARTMENT OF COMMUNITY AFFAIRS AND WALTON COUNTY as additional parties to this action. The undersigned each respectively represent that the person signing this Consent is fully authorized to sign.

This 4th day of December 1995 at Defuniak Springs, Walton County, Florida.

ST. JOE PAPER COMPANY
1650 Prudential Drive
Suite 400
Jacksonville, Florida 32207

BY: W. L. Thornton

BRIGHAM, MOORE, GAYLORD,
SCHUSTER & MERLIN
203 S.W. 13 Street
Miami, Florida 33133

By: Toby Prince Brigham
TOBY PRINCE BRIGHAM
as Attorney for
ST. JOE PAPER COMPANY

DEPARTMENT OF COMMUNITY AFFAIRS
2740 Centerview Drive
Tallahassee, Florida 32399

By: James S. Munley

WALTON COUNTY
1105 East Nelson Street
DeFuniak Springs, Florida 32433

By: [illegible]

ROBERT I. SCANLAN, ESQUIRE
Assistant Attorney General
Department of Legal Affairs
The Capitol, PL-01
Tallahassee, Florida 32399

By: Robert I. Scanlan
as attorney for Petitioner
State of Florida Department
of Environmental Protection

* *The foregoing Consent is signed by Walton County with the specific understanding that it continues to object to state acquisition of Topsail or any more land in Walton County from its tax base.*

WALTON COUNTY
105 East Nelson Street
DeFuniak Springs, Florida

By: _____

LEGAL DESCRIPTION OF THE PROPERTY

MAP PARCEL NUMBER: 25

RECORDING DATA: WALTON COUNTY, FLORIDA, O.R. BOOK 472, PAGE 176

PARCEL DESCRIPTION(s):

PARCEL #3: LOTS 61, 62, 63 AND THAT PORTION OF LOT 64, LYING SOUTH OF STATE ROAD NO. 30 (100 FOOT RIGHT OF WAY) AND SOUTHWESTERLY OF STATE ROAD NO. S-30-A (100 FOOT RIGHT OF WAY), SECTION 32, TOWNSHIP 2 SOUTH, RANGE 20 WEST, MAP OF SANTA ROSA PLANTATION CO., ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 4, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA.

PARCEL #4: THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 20, WEST, WALTON COUNTY, FLORIDA.

PARCEL #5: FRACTIONAL SECTION 5, TOWNSHIP 3 SOUTH, RANGE 20 WEST, WALTON COUNTY, FLORIDA.

PARCEL #8: THAT PORTION OF FRACTIONAL SECTION 31, TOWNSHIP 2 SOUTH, RANGE 20 WEST, LESS AND EXCEPT LOTS 32 AND 33, MAP OF SANTA ROSA PLANTATION CO., ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 4, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, LYING SOUTH OF STATE ROAD NO. 30 (100 FOOT RIGHT OF WAY).

PARCEL #9: FRACTIONAL SECTION 6, TOWNSHIP 3 SOUTH, RANGE 20 WEST, WALTON COUNTY, FLORIDA.

PARCEL #12: THAT PORTION OF SECTIONS 25 AND 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, LYING SOUTH OF STATE ROAD NO. 30 (100 FOOT RIGHT OF WAY).

PARCEL #13: COMMENCE AT THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, THENCE SOUTH 01°01'34" WEST ALONG THE EAST LINE OF SECTION 35 FOR 1320.91 FEET TO A ST. JOE PAPER COMPANY MONUMENT FOR THE POINT OF BEGINNING, THENCE NORTH 88°50'26" WEST FOR 331.10 FEET; THENCE SOUTH 01°01'34" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 1669.72 FEET; THENCE NORTH 88°50'26" WEST FOR 331.10 FEET; THENCE SOUTH 01°01'34" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 454 FEET, MORE OR LESS, TO THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE SOUTHEASTERLY ALONG SAID MEAN HIGH WATER LINE OF THE GULF FOR 680 FEET, MORE OR LESS, TO SAID EAST LINE OF SECTION 35; THENCE NORTH 01°01'34" EAST ALONG SAID EAST LINE FOR 2268 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPT PARCEL A AND PARCEL B DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, THENCE SOUTH 02°29'35" WEST (BEARING REFERENCE IS GRID NORTH) ALONG THE EAST LINE OF SAID SECTION 36 FOR 59.57 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY NO. 98, HAVING A 100 FOOT RIGHT OF

EXHIBIT
A

WAY); THENCE NORTH 87°42'29" WEST ALONG SAID RIGHT OF WAY LINE FOR 518.04 FEET TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING RADIUS OF 11,509.20 FEET; THENCE WESTERLY ALONG SAID CURVING RIGHT OF WAY LINE FOR AN ARC DISTANCE OF 2309.30 FEET, THE CHORD OF SAID ARC BEARING NORTH 81°57'26" WEST FOR 2305.43 FEET; THENCE NORTH 76°12'28" WEST ALONG SAID RIGHT OF WAY LINE FOR 65.57 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH 76°12'28" WEST ALONG SAID RIGHT OF WAY LINE FOR 2495.89 FEET TO THE WEST LINE OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA; THENCE SOUTH 01°49'06" WEST ALONG SAID WEST LINE OF SECTION 25 FOR 709.24 FEET TO THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA; THENCE SOUTH 01°57'46" WEST ALONG THE EAST LINE OF SAID SECTION 35 FOR 1320.83 FEET; THENCE NORTH 87°54'14" WEST FOR 331.10 FEET; THENCE SOUTH 01°57'46" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 1669.72 FEET; THENCE NORTH 87°54'14" WEST FOR 331.10 FEET; THENCE SOUTH 01°57'46" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 454 FEET, MORE OR LESS, TO THE GULF OF MEXICO; THENCE EASTERLY ALONG SAID GULF OF MEXICO FOR 3147 FEET, MORE OR LESS, TO A POINT ON A LINE THAT BEARS SOUTH 02°29'35" WEST FROM THE POINT OF BEGINNING. THENCE NORTH 02°29'35" EAST PARALLEL WITH THE EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, FOR 4294 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

COMMENCE AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 20 WEST, WALTON COUNTY, FLORIDA. THENCE SOUTH 02°29'35" WEST (BEARING REFERENCE IS GRID NORTH) ALONG THE WEST LINE OF SAID SECTION 31 FOR 59.57 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY NO. 98, HAVING A 100 FOOT RIGHT OF WAY); THENCE SOUTH 87°42'29" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 1343.57 FEET TO THE EAST LINE OF LOT 64, MAP OF SANTA ROSA PLANTATION COMPANY, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 4, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; THENCE SOUTH 01°35'20" WEST ALONG SAID EAST LINE FOR 268.33 FEET TO THE NORTHWEST CORNER OF LOT 34, SAID MAP OF SANTA ROSA PLANTATION COMPANY; THENCE SOUTH 87°48'47" EAST ALONG THE NORTH LINE OF SAID LOT 34 FOR 733.09 FEET TO THE POINT OF BEGINNING. THENCE NORTH 87°48'47" WEST ALONG SAID NORTH LINE OF LOT 34 FOR 733.09 FEET TO THE NORTHWEST CORNER OF SAID LOT 34; THENCE NORTH 01°35'20" EAST ALONG SAID EAST LINE OF LOT 64 FOR 268.33 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 30; THENCE NORTH 87°42'29" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 1343.57 FEET TO THE EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY; FLORIDA; THENCE CONTINUE NORTH 87°42'29" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 518.04 FEET TO THE P.C. OF A CURVE IN SAID RIGHT OF WAY LINE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 11,509.20 FEET; THENCE WESTERLY ALONG SAID CURVING RIGHT OF WAY LINE FOR AN ARC DISTANCE OF 2309.30 FEET; SAID ARC HAVING A CHORD BEARING NORTH 81°57'26" WEST FOR 2305.43 FEET; THENCE NORTH 76°12'28" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 65.57 FEET; THENCE SOUTH 02°29'35" WEST PARALLEL WITH THE EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST FOR 4294 FEET, MORE OR LESS, TO THE GULF OF MEXICO; THENCE EASTERLY ALONG THE GULF OF MEXICO FOR 5087 FEET, MORE OR LESS, TO A POINT ON A LINE THAT BEARS SOUTH 02°29'35" WEST FROM THE POINT OF BEGINNING. THENCE NORTH 02°29'35" EAST PARALLEL WITH SAID EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST FOR 4063 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXHIBIT "B"

LEGAL DESCRIPTION OF REMAINING PROPERTIES

FL 515743 B 1371 P 11
CO:WALTON ST:FL

Legal Description for:

Remaining Property at Topsail Tract North of U.S. Hwy 98

DESCRIPTION OF PARCEL 1: That portion of Lot 49, Section 29, Township 2 South, Range 20 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, lying North of State Road No. 30 (100 foot right of way) and LESS AND EXCEPT the West 23 feet used as right of way for East Hewett Road by Walton County, containing 9.846 acres, more or less.

DESCRIPTION OF PARCEL 6: Lots 13, 14, 15, 18, 19 and 20, and that portion of Lots 16 and 17 lying North of State Road No. 30 (100 foot right of way), Section 30, Township 2 South, Range 20 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as right of way for East Hewett Road by Walton County, and LESS AND EXCEPT the West 23 feet used as right of way for West Hewett Road by Walton County. The parcel less the exceptions contains 77.371 acres, more or less.

and

DESCRIPTION OF PARCEL 7: Lots 45, 46, 47, 50, 51, 52 and 53, and that portion of Lots 48 and 49 lying North of State Road No. 30 (100 foot right of way), Section 30, Township 2 South, Range 20 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as right of way for West Hewett Road by Walton County, and LESS AND EXCEPT the West 23 feet used and claimed as right of way by Walton County, and LESS AND EXCEPT the Gulf Power Company right of way (100 feet wide). The parcel less the exceptions contains 84.151 acres, more or less.

and

DESCRIPTION OF PARCEL 10: Lots 15 and 18, and that portion of Lots 16 and 17, lying North of State Road No. 30 (100 foot right of way), Section 25, Township 2 South, Range 21 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as County Road by Walton County and LESS AND EXCEPT the West 23 feet used as right of way for Mack Bayou Road by Walton County. The parcel less exceptions contains 34.740 acres, more or less.

and

DESCRIPTION OF PARCEL 11: Lots 44, 45, 46 and that portion of Lots 47 and 48 lying North of State Road No. 30 (100 foot right of way), Section 25, Township 2 South, Range 21 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as right of way for Mack Bayou Road by Walton County, and LESS AND EXCEPT the Gulf Power company right of way (100 feet wide). The parcel less the exceptions contains 35.102 acres, more or less.

FL 515743 B 1371 P 12
CO:WALTON ST:FL

11/95

Exhibit B 1 of 9

Less and Except the following Parcels

Parcel 101 60020-2517

A. A parcel of land situate, lying and being in Section 25, Township 2 South, Range 21 West, Walton County, Florida, being described as follows: Commence at a 4 inch by 4 inch concrete monument marking the northwest corner of said Section 25; thence South 01°50'37" West a distance of 4,561.50 feet along the west line of said Section 25 to the centerline of survey of State Road 30 (U.S. 98); thence departing said west line run South 76°12'14" East a distance of 1,359.55 feet along said centerline of survey to a point of intersection with the southerly extension of the easterly line of Parcel "A" of Tract 308 of said Section 25 at a point 518.40 feet South 2°00'23" West of a capped rod (RLS 2535) marking the northeast corner of said Parcel "A"; thence departing said centerline of survey run North 02°00'23" East a distance of 51.08 feet along said southerly extension to the existing northerly right of way line (100 foot right of way) of said State Road 30 and the POINT OF BEGINNING; thence South 76°12'14" East a distance of 1,010.79 feet along said existing northerly right of way line; thence departing said existing northerly right of way line run North 11°57'14" East a distance of 28.81 feet; thence North 78°02'46" West a distance of 117.91 feet; thence North 77°03'48" West a distance of 200.02 feet; thence North 79°03'58" West a distance of 100.12 feet; thence North 76°12'14" West a distance of 400.00 feet; thence North 75°53'45" West a distance of 215.81 feet to the easterly line of said Parcel "A" of Tract 308; thence South 02°00'23" West a distance of 18.55 feet along said easterly line to the POINT OF BEGINNING;

Containing 20,392 square feet of land, more or less.

FL 515743 B 1371 P 13
CO:WALTON ST:FL

ALSO: less & except

B. A parcel of land situate, lying and being in Section 25, Township 2 South, Range 21 West, Walton County, Florida, being described as follows: Commence at a D.O.T. capped rod marking the East 1/4 corner of said Section 25; thence South 02°30'34" West a distance of 2,664.34 feet along the east line of said Section 25 to a P.K. nail and washer marking the southeast corner of said Section 25 (northeast corner of Section 36, Township 2 South, Range 21 West); thence continue South 02°30'34" West a distance of 9.53 feet along the east line of said Section 36 to the centerline of survey of State Road 30 (U.S. 98); thence departing said east line run North 87°41'50" West a distance of 32.92 feet along said centerline of survey; thence departing said centerline of survey run North 02°31'01" East a distance of 50.01 feet,

crossing the north line of said Section 36 (south line of said Section 25), to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing westerly right of way line (right of way varies) of a county maintained graded road and the POINT OF BEGINNING; thence North 87°41'50" West a distance of 485.32 feet along said existing northerly right of way line to the beginning of a tangent curve, concave northerly, having a radius of 11,409.16 feet; thence westerly a distance of 2,105.71 feet along said curve through a central angle of 10°34'29" to the existing easterly right of way line (66 foot right of way) of Mack Bayou Road and the end of curve; thence departing said existing northerly right of way line run North 02°26'12" East a distance of 76.27 feet along said existing easterly right of way line to the beginning of a nontangent curve, concave northerly, having a radius of 11,334.16 feet; thence departing said existing easterly right of way line and from a tangent bearing of South 77°03'10" East run easterly a distance of 117.96 feet along said curve through a central angle of 00°35'47" to the end of curve; thence South 79°40'14" East a distance of 435.10 feet; thence South 75°10'52" East a distance of 59.51 feet to the beginning of a nontangent curve concave northerly, having a radius of 11,332.16 feet; thence from a tangent bearing of South 80°08'56" East run easterly 692.24 feet along said curve through a central angle of 03°30'00" to the end of curve; thence North 06°21'04" East 4.00 feet to the beginning of a nontangent curve, concave northerly, having a radius of 11,328.16 feet; thence from a tangent bearing of South 83°38'56" East run easterly 800.40 feet along said curve through a central angle of 4°02'54" to the end of curve; thence South 87°41'50" East a distance of 485.62 feet to said existing westerly right of way line of a county maintained graded road; thence South 02°31'01" West a distance of 81.00 feet along said existing westerly right of way line to the POINT OF BEGINNING;

Containing 4.726 acres of land, more or less.

ALSO:

11/96

Exhibit B 2 of 9

ALSO: less and except

C. A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at a D.O.T. capped rod marking the West 1/4 corner of said Section 30; thence South 02°30'34" West a distance of 2,664.54 feet along the west line of said Section 30 to a P.K. nail and washer marking the southwest corner of said Section 30 (northwest corner of Section 31, Township 2 South, Range 20 West); thence continue South 02°30'34" West a distance of 9.53 feet along the west line of said Section 31 to the centerline of survey of State Road 30 (U.S. 98); thence departing said west line run South 87°41'50" East a distance of 33.05 feet along said centerline of survey; thence departing said centerline of survey run North 02°31'16" East a distance of 50.00 feet, crossing the north line of said Section 31 (south line of said Section 30), to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing easterly right of way line (right of way varies) of a county maintained graded road and the POINT OF BEGINNING; thence continue North 02°31'16" East a distance of 81.00 feet along said existing easterly right of way line; thence departing said existing easterly right of way line run South 87°41'50" East a distance of 288.74 feet; thence South 02°18'10" West a distance of 1.00 feet; thence South 87°41'50" East a distance of 2,306.19 feet to the existing westerly right of way line (right of way varies) of West Hewett Road; thence South 02°09'40" West a distance of 80.00 feet along said existing westerly right of way line to said existing northerly right of way line of State Road 30; thence North 87°41'50" West a distance of 2,595.44 feet along said existing northerly right of way line to the POINT OF BEGINNING;

N

Containing 4.773 acres of land, more or less.

ALSO: less and except

D. A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northeast corner of said Section 30; thence South 02°04'02" West a distance of 5,318.31 feet along the east line of said Section 30 to a P.K. nail and washer (#2372) marking the southeast corner of said Section 30 (northeast corner of Section 31, Township 2 South, Range 20 West); thence South 02°33'16" West a distance of 7.82 feet along the east line of said Section 31 to the centerline of survey of State Road 30 (U.S. 98); thence departing said east line run North 87°41'50" West a distance of 32.84 feet along said centerline of survey; thence departing said centerline of survey run North 02°03'49" East a distance of 50.00 feet to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing westerly right of way line (right of way varies) of East Hewett Road and the POINT OF BEGINNING; thence North 87°41'50" West a distance of 2,581.77 feet along said existing northerly right of way line to the existing easterly right of way line (right of way varies) of West Hewett Road; thence departing said existing northerly right of way line run North 02°09'33" East a distance of 80.00 feet along said existing easterly right of way line; thence departing said existing easterly right of way line run South 87°41'50" East a distance of 1,877.79 feet; thence South 89°24'56" East a distance of 100.05 feet; thence South 87°41'50" East a distance of 603.84 feet to said existing westerly right of way line of East Hewett Road; thence South 02°03'49" West a distance of 83.00 feet along said existing westerly right of way line to the POINT OF BEGINNING;

Containing 4.377 acres of land, more or less.

N

FL 515743 B 1371 P 14
CO:WALTON ST:FL

Exhibit B 3 of 9

11/95

ALSO: less and except

E. A parcel of land situate, lying and being in Section 29, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northwest corner of said Section 29; thence South 02°04'02" West a distance of 5,318.31 feet along the west line of said Section 29 to a P.K. nail and washer (#2372) marking the southwest corner of said Section 29 (northwest corner of Section 32, Township 2 South, Range 20 West); thence South 02°33'16" West a distance of 7.82 feet along the west line of said Section 32 to the centerline of survey of State Road 30; thence departing said west line run South 87°41'50" East a distance of 33.07 feet along said centerline of survey; thence departing said centerline of survey run North 02°03'54" East a distance of 50.00 feet to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing easterly right of way line (right of way varies) of East Hewett Road and the POINT OF BEGINNING; thence North 02°03'54" East a distance of 83.00 feet along said existing easterly right of way line; thence departing said existing easterly right of way line run South 87°41'50" East a distance of 430.25 feet; thence South 85°58'44" East a distance of 100.05 feet; thence South 87°41'50" East a distance of 500.00 feet; thence South 89°24'56" East a distance of 100.05 feet; thence South 87°41'50" East a distance of 201.10 feet to the east line of Lot 49 of Santa Rosa Plantation Co. subdivision as per plat recorded in Plat Book 2, Page 4 of the public records of Walton County, Florida; thence South 01°44'27" West a distance of 83.00 feet along said east line to said existing northerly right of way line of State Road 30; thence departing said east line run North 87°41'50" West a distance of 1,331.82 feet along said existing northerly right of way line to the POINT OF BEGINNING;

Containing 2.496 acres of land, more or less. N

also less and except

H. A parcel of land situate, lying and being in Section 25, Township 2 South, Range 21 West, Walton County, Florida, being described as follows: Commence at a 4 inch by 4 inch concrete monument marking the northwest corner of said Section 25; thence South 01°50'37" West a distance of 4,561.50 feet along the west line of said Section 25 to the centerline of survey of State Road 30 (U.S. 98); thence departing said west line run South 76°12'14" East a distance of 2,572.09 feet along said centerline of survey to the beginning of a tangent curve, concave northerly, having a radius of 11,459.16 feet; thence run southeasterly 160.14 feet along said curve, through a central angle of 0°48'03" to the centerline of Mack Bayou Road; thence North 2°26'12" East 607.89 feet along said centerline of Mack Bayou Road; thence departing said centerline, run North 87°33'48" West 33.0 feet to the existing Westerly right of way line (66 foot right of way) of said Mack Bayou Road and the POINT OF BEGINNING; thence South 02°26'12" West 182.48 feet along said existing westerly right of way line; thence departing said westerly right of way line, run North 78°02'44" West 20.57 feet; thence North 02°26'12" East 129.08 feet; thence North 24°31'15" East 53.96 feet to the POINT OF BEGINNING;

Containing 3,160 square feet of land, more or less. N

FL 515743 B 1371 P 15
CO:WALTON ST:FL

Exhibit B 4 of 9

11/95

5 of 6

A. LATERAL DITCH LEFT (NORTHERLY) STATION 340+56.00

A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at a D.O.T. capped rod marking the West 1/4 corner of said Section 30; thence South 02°30'34" West a distance of 2664.54 feet along the west line of said Section 30 to a P.K. nail and washer marking the southwest corner of said Section 30 (northwest corner of Section 31, Township 2 South, Range 20 West); thence South 02°30'34" West a distance of 9.83 feet along the west line of said Section 31 to the centerline of survey of State Road 30; thence departing said west line run South 87°41'50" East a distance of 1908.29 feet along said centerline of survey; thence departing said centerline of survey run North 05°06'10" East a distance of 130.16 feet crossing the north line of said Section 31 (south line of said Section 30) to the POINT OF BEGINNING; thence North 87°41'50" West a distance of 35.04 feet; thence North 05°06'10" East a distance of 372.15 feet; thence South 84°53'50" East a distance of 50.00 feet; thence South 05°06'10" West a distance of 368.71 feet; thence North 87°41'50" West a distance of 15.02 feet to the POINT OF BEGINNING;

Containing 18547 square feet of land, more or less.

ALSO: less and except

B. LATERAL DITCH LEFT (NORTHERLY) STATION 363+26.00

A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northeast corner of said Section 30; thence South 02°04'02" West a distance of 5318.31 feet along the east line of said Section 30 to a P.K. nail and washer (#2372) marking the southeast corner of said Section 30 (northeast corner of Section 31, Township 2 South, Range 20 West); thence South 02°33'16" West a distance of 7.82 feet along the east line of said Section 31 to the centerline of survey of State Road 30; thence departing said east line run

North 87°41'50" West a distance of 1111.23 feet along said centerline of survey; thence departing said centerline of survey run North 31°44'10" East a distance of 145.27 feet crossing the north line of said Section 31 (south line of said Section 30) to the POINT OF BEGINNING; thence North 87°41'50" West a distance of 40.19 feet; thence North 31°44'10" East a distance of 370.48 feet; thence South 58°15'50" East a distance of 50.00 feet; thence South 31°44'10" West a distance of 342.27 feet; thence North 87°41'50" West a distance of 17.22 feet to the POINT OF BEGINNING;

Containing 17819 square feet of land, more or less.

FL 515743 B 1371 P 16
CO:WALTON ST:FL

ALSO: less and except

C. LATERAL DITCH LEFT (NORTHERLY) STATION 379+00.00

A parcel of land situate, lying and being in Section 29, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northwest corner of said Section 29; thence South 02°04'02" West a distance of 5318.31 feet along the west line of said Section 29 to a P.K. nail and washer (#2372) marking the southwest corner of said Section 29 (northwest corner of Section 32, Township 2 South, Range 20 West); thence South 02°33'16" West a distance of 7.82 feet along the west line of said Section 32 to the centerline of survey of State Road 30; thence departing said west line run South 87°41'50" East a distance of 462.77 feet along said centerline of survey; thence departing said centerline of survey run North 11°44'50" West a distance of 137.10 feet, crossing the north line of said Section 32 (south line of said Section 29), to the POINT OF BEGINNING; thence North 87°41'50" West a distance of 30.93 feet; thence North 11°44'50" West a distance of 155.39 feet; thence South 78°15'10" West a distance of 30.00 feet; thence North 11°44'50" West a distance of 200.00 feet; thence North 78°15'10" East a distance of 90.00 feet; thence South 11°44'50" East a distance of 200.00 feet; thence South 78°15'10" West a distance of 10.00 feet; thence South 11°44'50" East a distance of 167.90 feet; thence North 87°41'50" West a distance of 20.61 feet to the POINT OF BEGINNING;

Containing 0.599 acres of land, more or less.

Exhibit B 5 of 9

11/95

also
Less & Except

A PARCEL OF LAND IN SECTION 25, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, BEING A PART OF LOTS 46, 47 AND 48 OF SANTA ROSA PLANTATION CO. AS RECORDED IN PLAT BOOK 2, PAGE 4, OF THE PUBLIC RECORDS OF WALTON COUNTY, MORE EXPLICITLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF STATE ROAD 30 (US 98) (100 FOOT RIGHT-OF-WAY) WITH THE WEST RIGHT-OF-WAY OF MACK BAYOU ROAD (66 FOOT RIGHT-OF-WAY) AS DEPICTED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 60020-2517, SAID POINT BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 11409.16 FEET AND A CENTRAL ANGLE OF 00°34'54" THENCE ON SAID NORTH RIGHT-OF-WAY THE FOLLOWING TWO (2) CALLS: ON SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 115.81 FEET (CHORD DISTANCE = 115.81 FEET, CHORD BEARING = SOUTH 76°29'41" EAST) TO THE POINT OF TANGENCY, THENCE NORTH 76°12'14" WEST A DISTANCE OF 192.19 FEET; THENCE DEPARTING THE AFORESAID NORTH RIGHT-OF-WAY, NORTH 11°57'14" EAST A DISTANCE OF 353.80 FEET, THENCE SOUTH 78°02'46" EAST A DISTANCE OF 247.00 FEET TO THE AFORESAID WEST RIGHT OF WAY OF MACK BAYOU ROAD, THENCE ON SAID RIGHT-OF-WAY SOUTH 02°26'12" WEST A DISTANCE OF 368.18 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.2814 ACRES.

FL 515743 B 1371 P 17
CO:WALTON ST:FL

Legal Prov:

Remaining Property at Seagrove Parcel

DESCRIPTION: The North Half and the West Half of Fractional Southwest Quarter of Section 15, Township 3 South, Range 19 West, Walton County, Florida. LESS AND EXCEPT the right of way for State Road No. 395 (70 foot right of way) and State Road No. S-30-A (100 foot right of way). The entire tract less exceptions contains 331.627 acres, more or less, of which 8.97 acres, more or less, is seaward of the Coastal Construction Control Line.

and

DESCRIPTION: The Northwest Quarter and the West Half of the Southwest Quarter of the Northeast Quarter of Section 14, Township 3 South, Range 19 West, Walton County, Florida. LESS AND EXCEPT the right of way of State Road No. 395 (70 foot right of way). The entire tract less the exception contains 175.054 acres, of which 0.309 acre is within Department of Transportation Drainage Easements.

and

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE GO SOUTH 87°51'46" EAST ALONG THE NORTH LINE OF SECTION 14, A DISTANCE OF 376.66 FEET; THENCE GO SOUTH 00°27'55" WEST, A DISTANCE OF 1308.08 FEET; THENCE GO NORTH 88°06'42" WEST, A DISTANCE OF 376.62 FEET; THENCE GO NORTH 00°27'55" EAST, A DISTANCE OF 1309.72 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 11.313 ACRES.

and

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 3 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 36, BLOCK L, SEAGROVE SHORES FOURTH ADDITION TO SEAGROVE SUBDIVISION, AS RECORDED IN PLAT BOOK 3, AT PAGE 29, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; THENCE GO N01°15'54"E ALONG THE WEST LINE OF SAID LOT 36, A DISTANCE OF 215.99 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION AS DETERMINED BY A BUCHANAN AND HARPER, INC. SURVEY (JOB NO. 6123), SAID POINT LYING S01°15'54"W, A DISTANCE OF 89.77 FEET FROM THE NORTHEST CORNER OF THE SEASIDE PROPERTY, AND THE NORTHWEST CORNER OF SAID LOT 36; THENCE GO N87°54'51"E ALONG SAID NORTH LINE AS DETERMINED BY SAID BUCHANAN AND HARPER, INC. SURVEY, A DISTANCE OF 314.98 FEET TO THE POINT OF BEGINNING; THENCE RETRACING THE PRECEDING CALL GO S87°54'51"W, A DISTANCE OF 695 FEET MORE OR LESS TO A POINT ON THE NORTHERLY SHORELINE OF A FRESHWATER CANAL (30 FEET WIDE MORE OR LESS); THENCE DEPARTING THE AFORESAID NORTH LINE MEANDER EASTERLY ALONG SAID NORTHERLY SHORELINE A DISTANCE OF 740 FEET, MORE OR LESS, TO A POINT OF INTERSECTION WITH A LINE PASSED THROUGH THE POINT OF BEGINNING AND HAVING A BEARING OF S02°05'09"E; THENCE DEPARTING SAID NORTHERLY SHORELINE GO N02°05'09"W, A DISTANCE OF 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

FL 515743 B 1371 P 18
CO:WALTON ST:FL

Exhibit B 7 of 9

11/95

Seagrove Parcel
(Continued)

Less and except the following described parcel

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE GO SOUTH 87°51'46" EAST ALONG THE NORTH LINE OF SECTION 14, A DISTANCE OF 376.66 FEET; THENCE GO SOUTH 00°27'55" WEST, A DISTANCE OF 1308.08 FEET TO THE POINT OF BEGINNING; THENCE GO SOUTH 88°06'42" EAST, A DISTANCE OF 284.43 FEET; THENCE GO SOUTH 00°21'50" WEST, A DISTANCE OF 1306.91 FEET; THENCE GO NORTH 88°21'31" WEST, A DISTANCE OF 663.30 FEET TO AN EXISTING CONCRETE MONUMENT; THENCE GO NORTH 88°28'46" WEST, A DISTANCE OF 1529.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF WALTON COUNTY ROAD C-395 (70' R/W) SAID RIGHT OF WAY BEING A CURVE HAVING A RADIUS OF 1754.12 FEET; THENCE GO NORTHEASTERLY ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 63.33 FEET (CH. = 63.33'; CH. BRG. = N-20°09'11"-E); THENCE GO SOUTH 88°28'46" EAST, A DISTANCE OF 1808.34 FEET; THENCE GO NORTH 27°04'46" EAST, A DISTANCE OF 170.88 FEET; THENCE GO NORTH 00°27'55" EAST, A DISTANCE OF 1093.09 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 11.32 ACRES.

also less and except:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 36, BLOCK L, SEAGROVE SHORES FOURTH ADDITION TO SEAGROVE SUBDIVISION, AS RECORDED IN PLAT BOOK 3, AT PAGE 29, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; THENCE GO NORTH 01°15'54" EAST ALONG THE WEST LINE OF SAID LOT 36, A DISTANCE OF 215.99 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION AS DETERMINED BY A BUCHANAN AND HARPER, INC. SURVEY (JOB NO. 6123), SAID POINT BEING THE POINT OF BEGINNING AND LYING SOUTH 01°15'54" WEST A DISTANCE OF 89.77 FEET FROM THE NORTHEAST CORNER OF THE SEASIDE PROPERTY AND THE NORTHWEST CORNER OF SAID LOT 36; THENCE CONTINUE NORTH 01°15'54" EAST ALONG SAID WEST LINE OF SAID LOT 36 A DISTANCE OF 89.77 FEET TO THE NORTHEAST CORNER OF THE SEASIDE PROPERTY: THENCE GO SOUTH 88°10'54" EAST, ALONG THE NORTH LINE OF LOT 36 A DISTNACE OF 20.00 FEET, MORE OR LESS TO A POINT ON THE WESTERLY SHORELINE OF A FRESHWATER CANAL (30 FEET WIDE, MORE OR LESS); THENCE MEANDER SOUTHERLY ALONG SAID WESTERLY SHORELINE A DISTANCE OF 104 FEET MORE OR LESS TO A POINT ON THE AFORESAID NORTH LINE AS DETERMINED BY BUCHANAN AND HARPER, INC., SURVEY AND BEING A POINT OF INTERSECTION WITH A LINE PASSED THROUGH THE POINT OF BEGINNING, AND HAVING A BEARING OF NORTH 87°54'51" EAST: THENCE DEPARTING SAID WESTERLY SHORELINE GO SOUTH 87°54'51" WEST ALONG SAID NORTH LINE A DISTANCE OF 79 FEET, MORE OR LESS TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 0.10 ACRES, MORE OR LESS.

also less and except 9.9 acres mol in the plat of Seaside, O.R. Walton Co.

FL 515743 B 1371 P 19
CO:WALTON ST:FL

Exhibit B 8 of 9

11/95

LEGAL DESCRIPTION FOR:

Remaining Property at DEER LAKE

DESCRIPTION: That portion of Fraction Section 20, Township 3 South, Range 18 West, lying Southerly of State Road No. S-30-A, containing 232.972 acres, more or less, of which 18.487 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control Line 24.877 acres, more or less, are submerged and 0.557 acre, more or less, is within a D.O.T. Drainage Easement.

and

DESCRIPTION: Government Lot 1 and that portion of the Northeast Quarter lying Southerly of State Road No. S-30-A, Section 19, Township 3 South, Range 18 West, Walton County, Florida, containing 137.832 acres, more or less, of which 16.055 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control Line 19.705 acres, more or less, are submerged.

and

DESCRIPTION: That portion of the Southwest Quarter of Section 21, Township 3 South, Range 18 West, Walton County, Florida, lying Southwesterly of State Road No. S-30-A, containing 22.876 acres, more or less, of which 1.899 acres, more or less, are submerged.

ALSO: Government Lot 4, Section 28, Township 3 South, Range 18 West, Walton County, Florida, containing 50.533 acres, more or less, of which 10.226 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control Line 21.773 acres, more or less are submerged.

ALSO: All of Fractional Section 29, Township 3 South, Range 18 West, Walton County, Florida, containing 56.833 acres, more or less, of which 38.072 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control line 0.857 acre, more or less, is submerged.

FL 515743 B 1371 P 20
CO:WALTON ST:FL

Exhibit B 9 of 9

FL 515743 B 1371 P 21
CO:WALTON ST:FL

Map 1.
Topsail - North of U.S. 98
(Amendments to Current Walton County FLUM)

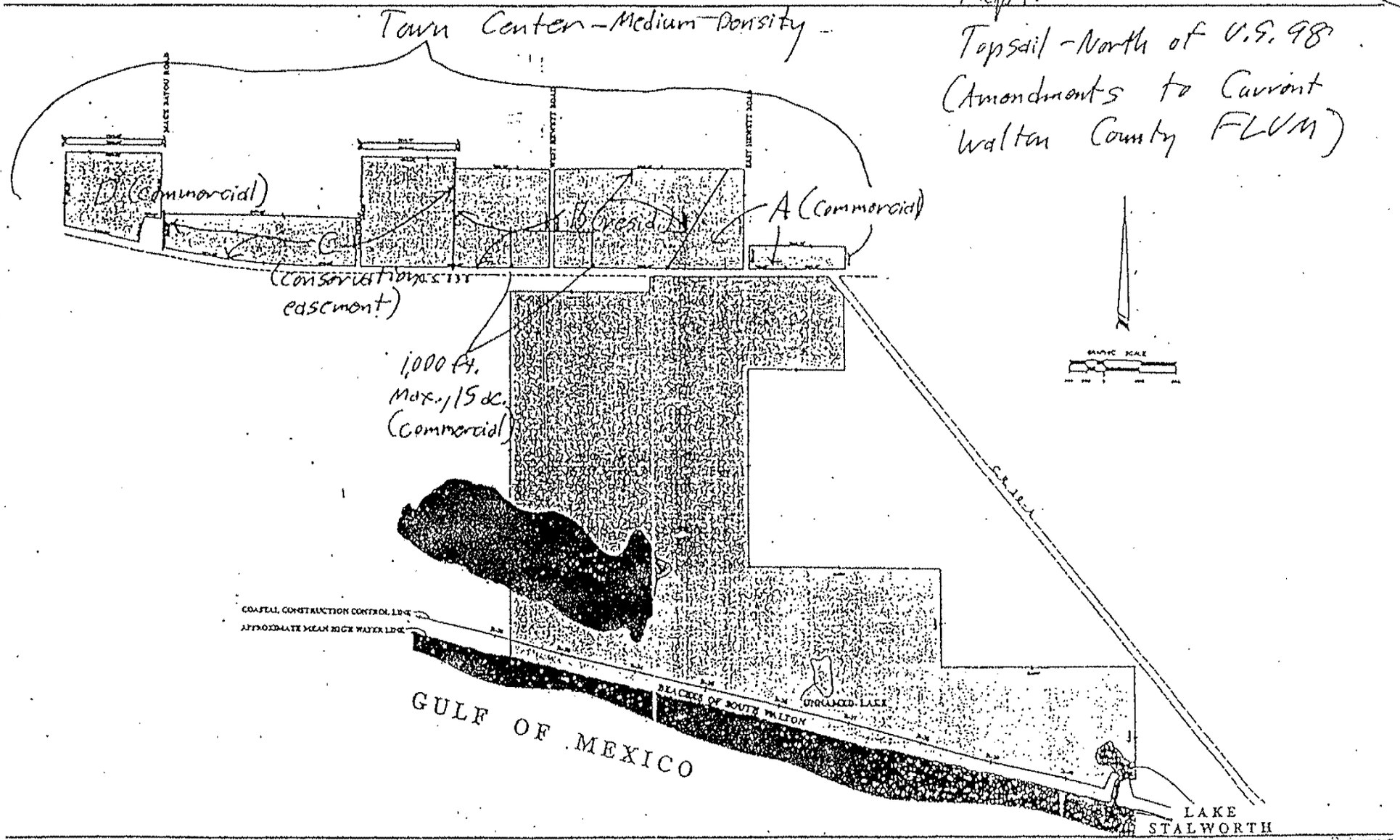


DIAGRAM MAP 1

.RENT TRACT

NTY, FLORIDA

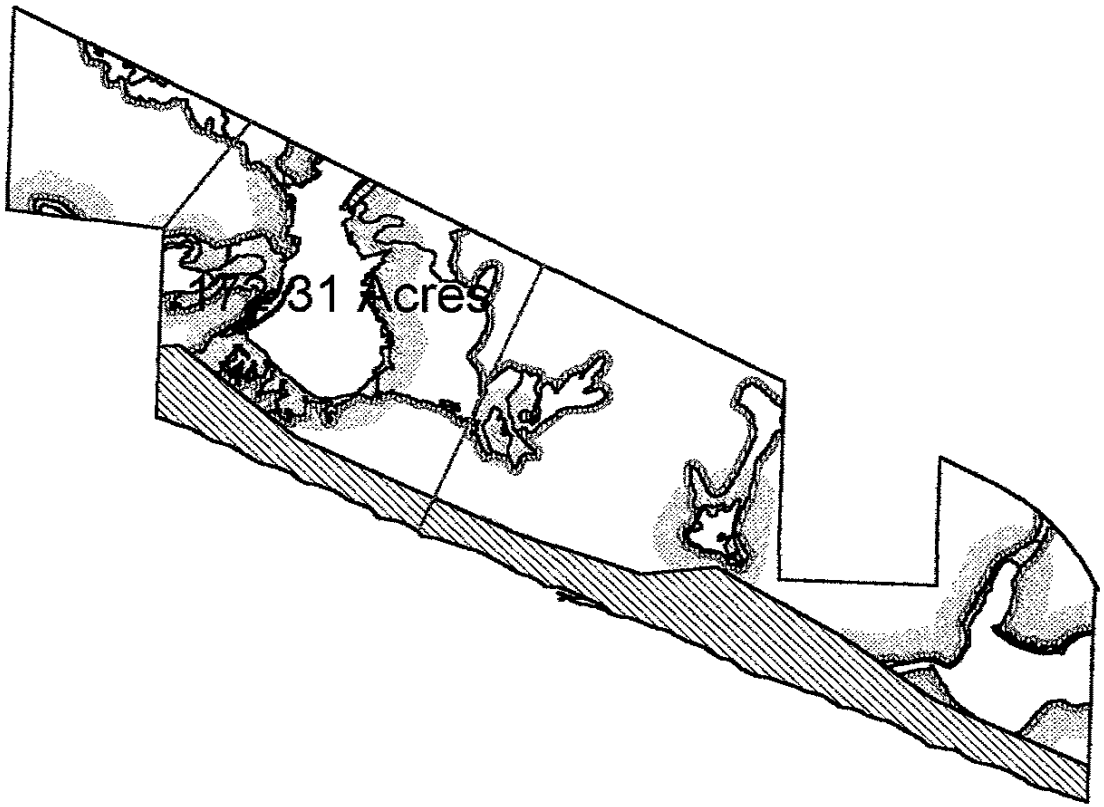
GULF FRONTAGE = 8,850 LF
ROAD FRONTAGE :
NORTHERN PROPERTY = 9,770 LF (U.S.98)
SOUTHERN PROPERTY = 2,457 LF (U.S.98)
= 331 LF (C.R.30A)

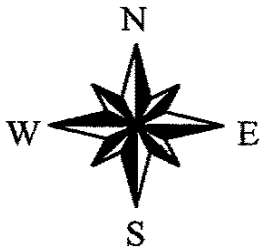
NORTHERN PROPERTY = 232 ACRES
SOUTHERN PROPERTY = 663 ACRES
TOTAL ACRES = 895 ACRES

CCCE NUMBER 95107 JUNE

DEER LAKE

FL 515743 B 1371 P 22
CO:WALTON ST:FL





Deerlake Boundary, Easments, & CCCL (Survey)
- CCCL zone
- Drainage Easement
- Open Land

Deerlake Boundary, Easments, & CCCL (Survey)
- CCCL zone
- Drainage Easement
- Open Land

1.5.1 Coastal Protection Overlay Zone (Site Eval. & Photo Interp.)
- Gulf to Crest of Primary Dune Line
- 50 ft. Landward of Primary Dune Line
- Gulf to Landward Toe of Primary Dune Ridge Line
- 1.5.2 Coastal Construction Control Line (Site Survey)

1.10.4 Wetland Density (Site Eval. & Photo Interp.)
- 5000 < LEVEL IV > 7000 and JURIS = 'FDEP'
- Jurisdictional Wetlands (Site Eval. & Photo Interp.)

12.2.1B Jurisdictional Wetland Buffers (Site Eval. & Photo Interp.)
- 50 ft. from (JURIS = 'FDEP')

12.2.6A Coastal Dune Lakefront Setback (Site Eval. & Photo Interp.)
- 100 ft. from (5210 < LEVEL IV > 5240)

12.2.6B Coastal Dune Lakefront Open Space Req. (Site Survey & Photo Interp.)
- 300 ft from (5210 < LEVEL IV > 5240)

0.62 0 0.62 1.24 Miles

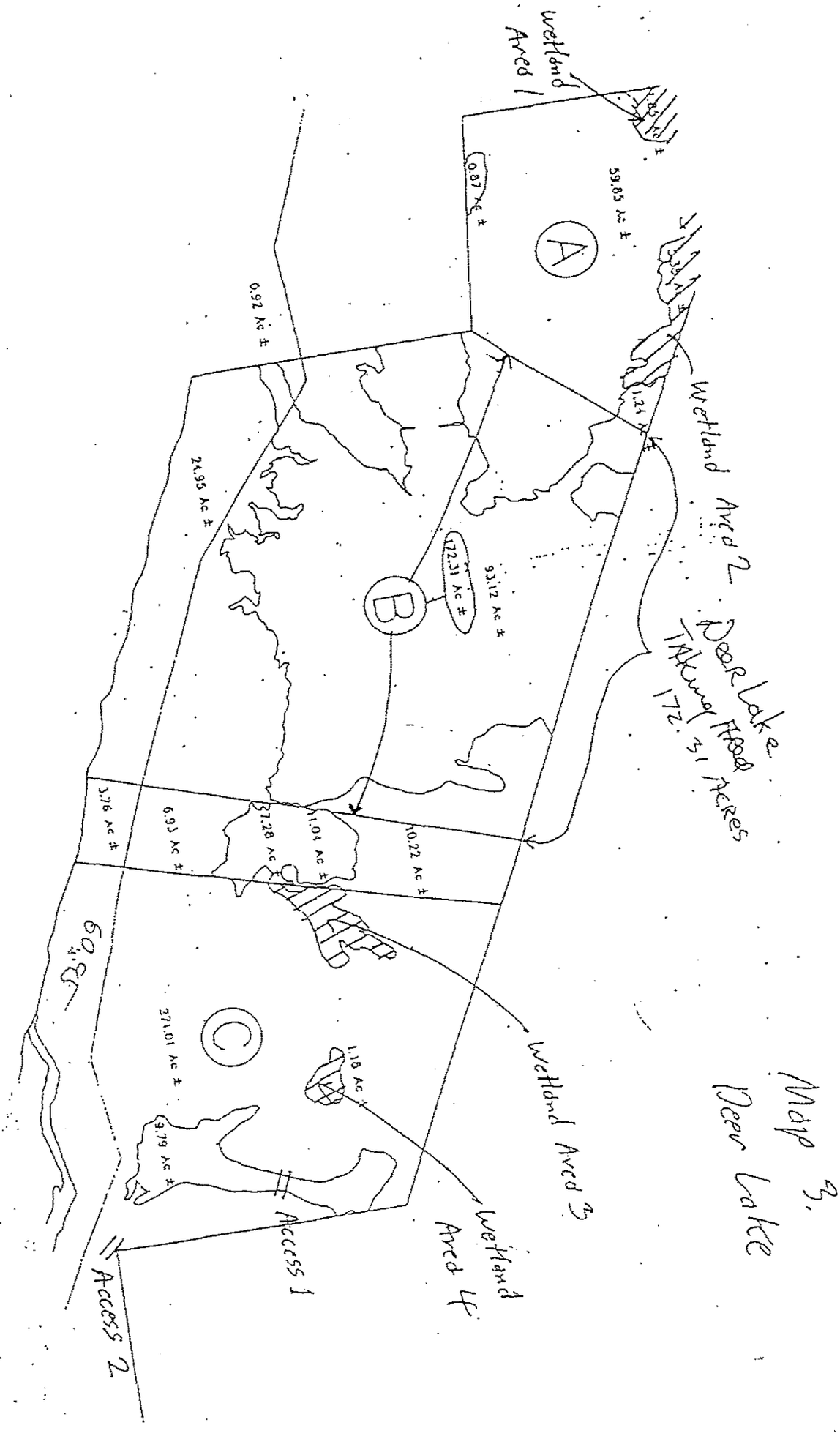


DIAGRAM MAP 3

EXHIBIT "C"

LAND USE AND DEVELOPMENT RIGHTS, CONDITIONS AND PROVISIONS REFERRED TO IN THIS FINAL JUDGMENT AS APPLIED TO ST. JOE'S REMAINING PROPERTY AT TOPSAIL, DEER LAKE AND SEAGROVE

I. Land Use Classifications and Densities*:

A. That portion of Topsail located North of U.S. 98 shall have a Town Center land use classification and a maximum permitted density of 8 dwelling units per gross acre, subject to the conditions and limitations in Paragraph X of Exhibit "C".

B. The Deer Lake property shall have a Coastal Center land use classification with a maximum permitted density of 8 dwelling units per gross acre, except for 30 acres fronting on the Gulf between Deer Lake and Camp Creek Lake which shall have a land use classification of Resort with a maximum permitted density of 12 dwelling units per gross acre.

C. The Seagrove property shall have a Coastal Center land use classification with a maximum permitted density of 8 dwelling units per gross acre on that portion of the property located to the North of County Road 30A, and the property located to the South of CR 30A shall have a land use classification of Resort, which shall have a maximum permitted density of 12 dwelling units per gross acre.

II. Permitted Uses:

The following permitted uses shall be allowed within the respective land use classifications:

A. Coastal Center

1. Residential Dwelling Units

EXHIBIT "C" CONTINUED

2. Golf Courses (upon site specific design and performance standards sufficient to protect the water quality of the Coastal Dune Lake or Lakes)
3. Neighborhood Commercial Uses, such as retail, services, entertainment, restaurants, clubs, offices, medical, and lodging facilities provided that these non-residential uses shall not exceed 20% of the total landarea of the site.
4. Community Facilities and Neighborhood scale Public Utilities.
5. Churches, Synagogues and similar religious institutions.
6. Agriculture/Silviculture

B. Town Center

1. Residential Dwelling Units
2. Golf Courses (upon site specific design and performance standards sufficient to protect the water quality of the Coastal Dune Lake or Lakes)
3. Neighborhood Commercial Uses, such as retail, services, entertainment, restaurants, clubs, offices, medical, and lodging facilities.
4. Community Facilities and Neighborhood scale Public Utilities.
5. Churches, Synagogues and similar religious institutions.
6. Shopping Centers, light industrial areas and similar employment centers.
7. Agriculture/Silviculture

C. Resort

1. Residential Dwelling Units
2. Golf Courses (upon site specific design and performance standards sufficient to protect the water quality of the Coastal Dune Lake or Lakes)

EXHIBIT "C" CONTINUED

3. Neighborhood Commercial Uses, such as retail, services, entertainment, restaurants, clubs, offices and medical facilities.
4. Community Facilities and Neighborhood scale Public Utilities.
5. Churches, Synagogues and similar religious institutions.
6. Shopping Centers.
7. Hotels, motels, and lodging accomodations.
8. Agriculture/Silviculture

III. Application:

In addition to the land uses, development rights, conditions and provisions authorized herein, all regulations, rules and comprehensive plan policies consistent therewith shall apply to the properties referenced herein. In the event there is a conflict between the land uses, development rights, conditions or provisions provided in this Exhibit "C" and the comprehensive plan rules and land use regulations, the land uses, development rights, conditions and provisions provided herein shall control.

IV. Public Facilities and Services:

Infrastructure improvements such as water, sewer, gas, electric, roads and stormwater drainage needed to serve new development shall be permitted consistent with applicable laws, rules, standards and regulations in effect in the County at the time of construction.

V. Development Approvals:

Approval of development plans, rezoning applications, applications for development approval and required permits necessary to the planning and permitting process for the future development of the remaining properties shall not be unreasonably withheld or delayed by State and County officials. The criteria for determining a reasonable approval time shall be measured by the approval cycle and timing related to similar projects in South Walton County and adjacent counties.

EXHIBIT "C" CONTINUED

VI. WETLANDS

Development within a wetland shall conform to the following criteria:

A. All permits from an agency with jurisdiction shall be approved prior to issuance of a final development order.

B. All new development or redevelopment shall be designed to avoid, to the maximum extent possible, impacts on wetlands. Where impacts cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement, creation, restoration, or preservation.

C. In the event any portion of the existing wetlands are properly mitigated by wetland compensation or enhancement of other wetland areas, they may be used for any use permitted in the category of the applicable land use designation provided adjacent wetlands are protected from any adverse impacts of the development. Mitigation of wetlands shall be allowed onsite or offsite.

D. For all purposes in connection with the land use in development lands considered to be wetlands shall not be more restrictive than those depicted on the Map of Jurisdictional Wetlands, prepared by Breedlove, Dennis Associates, dated August 31, 1995, attached hereto as Exhibits 1-B, 2-B, and 3-B and by reference made a part hereof.

E. No development setbacks shall be required from the jurisdictional wetland line that exceeds 50 feet. For silviculture, the wetland setback requirements are determined under the 1993 Silviculture Best Management Practices as promulgated by the Florida Department of Agriculture.

VII. Coastal Dune Lakefront Protection Zone

A. The Coastal Dune Lakefront Protection Zone shall be defined as a zone beginning at the mean or ordinary high water line of the Coastal Dune Lakes and extending 300 feet landward.

EXHIBIT "C" CONTINUED

B. All new development shall be set back 100 feet from the mean or ordinary high water line of the Coastal Dune Lake. This provision shall not apply to docks, boardwalks, pedestrian ways, bicycle paths, and similar facilities provided they are constructed consistent with the performance standards set forth below.

C. All development within the 300 foot Coastal Dune Lakefront Protection Zone shall adhere to the following performance criteria:

1. Lots shall be graded to insure untreated stormwater runoff does not enter the lake. Lots shall utilize a vegetated swale and berm system, underground seepage system or similar stormwater treatment method between the developed area and the lake to hold and treat stormwater runoff.

2. Specific erosion control measures shall be utilized during all construction activity and said erosion and sedimentation controls shall be left in place until the disturbed areas are stabilized with permanent vegetation that will prevent the transport of sediment off site.

3. In addition to erosion control during construction, stabilization of the shoreline shall be provided by limiting clearing of natural vegetation within 50 feet of the mean or ordinary high water line of the shoreline to 25 percent of the site.

4. Hazardous wastes: No land use shall be allowed within the zone which stores, handles or generates hazardous wastes.

5. Seawalls, bulkheads, revetments and rip-rap are not permitted.

6. Endangered Plant Species: All development shall comply with existing Policy 12.2.7 of the 1993 Walton County Comprehensive Plan and state statutes regulating native vegetative communities of threatened or endangered plant species within this zone.

EXHIBIT "C" CONTINUED

7. No new point or non-point sources of pollution shall be discharged into the lakes, such as treated wastewater effluent or untreated stormwater runoff.

8. Open Space: All new development and redevelopment shall preserve at least 75 percent of the parcel in open space.

VIII. Vegetation and Wildlife:

All Vegetation and Land Use Cover Claassification features of the respective properties have been mapped and are delineated on Exhibits 1-F, 2-F, and 3-F, dated August 31, 1995, attached hereto and by reference made a part thereof. At the time of development approval, the applicant shall determine the absence or presence of endangered and threatened animal species within the respective properties in accordance with the following guidelines:

A. The applicant shall make the determination using adopted guidelines and criteria of the appropriate state agency.

B. The determination study shall be conducted at the necessary time of year for proper identification and documentation of endangered and threatened animal species.

C. The study shall include a description of the methodology, including dates and times.

D. If endangered or threatened animal species are determined to be on site, a management plan prepared by a qualified professional shall be submitted. The plan shall include:

1. A description of the anticipated impacts of development on the endangered or threatened animal species; and

2. An explanation of how these species and the habitat necessary to support them will be protected.

EXHIBIT "C" CONTINUED

IX. The remaining properties described on Exhibit "B" of this Consent Final Judgment as Topsail, Deer Lake, and Seagrove shall not be aggregated for DRI purposes, if any. Each shall be regarded separately and independently.

X. The coastal setback line shall conform to that shown on the Coastal Construction Control Line, Mean High Water Line and Section Map prepared by Breedlove, Dennis Associates attached hereto and by reference made a part hereof as Exhibits 1-A(1) and 1-A(2); 2-A(1) and 2-A(2); and 3-A(1) and 3-A(2).

XI. Topsail Property, North of U.S. 98 - Further Provisions:

A. Amend plan to create Town Center -- Medium Density Category.

1. Commercial land uses shall be limited to Areas A and D on the attached diagram map 1, as well as 15 acres at the intersection of West Hewett Road and U.S. 98.

2. Commercial frontage at intersection of West Hewett Road and U.S. 98 shall be limited to a maximum of 1,000 feet along U.S. 98.

3. Maximum gross residential density shall be 8 dwellings/acre.

4. Area C on attached diagram map 1 shall be permanently protected as a preservation and open space easement running to FDEP, or, at the choice of the Defendant, St. Joe Paper Company or its successors, by transfer of fee simple title to FDEP with reservations consistent with the provisions of this whole agreement, as mitigation for wetlands filling on remainder of site, mitigation for listed plant and animal species relocated from remainder of site, and to meet Walton County requirements for native vegetation and habitat preservation for remainder of site. Fencing of property is to be restricted, and must be approved by FDEP, in order to allow functioning, as a wildlife corridor.

5. Residential density in Area C may be transferred to other portions of the Town Center.

EXHIBIT "C" CONTINUED

6. No development is permitted in Area C (specified in easement or title transfer).

B. General Requirements:

1. Conservation and Open Space Easement or title transfer as aforesaid shall be construed to meet FDEP wetland and mitigation requirements, listed plant and animal species protection requirements, Walton County native vegetation protection requirements for remainder of site.

2. Listed plant and animal species found in Areas A, B and D, may be relocated to Area C (as shown on diagram map 1), or other suitable locations, consistent with other applicable State requirements and permits.

3. Walton County wetland density requirements shall apply in Areas outside of Conservation and Open Space Easement or title transfer.

4. All development shall be served by public or central water and sewer. No septic tanks or package plants. Private wells for landscape irrigation only.

5. Conditions specified herein, together with the acquisition of land taken in this case, shall be construed to meet FDEP wetland mitigation requirements, state listed animal species requirements, Walton County native vegetation/habitat requirements, Walton County recreation and open space, and Walton greenway corridor requirements, on portion of property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein.

6. Conditions specified herein, together with acquisition of State Land from St. Joe in the vicinity, shall be construed to comply with Development of Regional Impact requirements related to wetland protection and mitigation, listed animal species protection, native vegetation protection, and recreation and open space, on portion of

EXHIBIT "C" CONTINUED

property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein. This agreement shall not be construed to waive or modify any DRI thresholds or DRI procedural requirements.

XII. Deer Lake - Further Provisions:

A. Amend current Walton County Comprehensive Plan so that the remainder is coastal center, with a maximum density of 8 dwelling units per acre.

1. No development over 4 stories or 50 feet.

2. Conditions specified herein shall be construed to meet FDEP wetland mitigation requirements, listed plant and animal species protection requirements, Walton County native vegetation requirements, Walton County recreation and open space, and Walton greenway corridor requirements, on portion of property retained by St. Joe, or its successors, with respect to the specific subject matter of the conditions that are set forth herein.

3. Conditions specified herein, together with acquisition of the land taken in this case shall be construed to comply with Development of Regional Impact requirements related to wetland protection and mitigation, listed plant and animal species protection, native vegetation protection, and recreation and open space, on portion of property retained by St. Joe. or its successors, only with respect to the specific subject matter of the conditions that are set forth herein. This agreement shall not be construed to waive or modify any DRI thresholds or DRI procedural requirements.

4. Listed plant and animal species found in areas retained by St. Joe or its successors may be protected by relocation to the state acquired property or other suitable location.

5. All development shall be served by public or central water and sewer systems. No septic tanks or package plants are permitted. Private wells are permitted for landscape irrigation only.

EXHIBIT "C" CONTINUED

6. No development, development activity or vegetation clearing shall be permitted within 100-foot Coastal Dune Lakefront Protection Zones, or within wetlands and wetland setbacks, as shown on Proj. No. 95149-10.2, Exhibit 2-A, dated 8-31-95, except for boardwalks and docks with a maximum width of 4 feet.

7. No development or vegetation clearing shall be permitted within the Coastal High Hazard Area, as depicted on Proj. No. 95149-10.2, Exhibit 2-A, dated 8-31-95, except for dune walkovers.

8. Seventy-five feet of the beach landward of the mean high water line to be recorded as a permanent public access easement allowing public pedestrian access laterally along the beach.

9. The dedications and restrictions described in Items 7-9 above, together with land taken in this case, shall be construed to meet Walton County requirements for native vegetation and habitat protection and open space provision.

10. Any golf course development within the St. Joe property at Deer Lake must be approved through the DRI Review and Approval process.

XIII. Seagrove - Further Provisions:

A. Amend comprehensive plan to provide for coastal center north of CR 30A and resort center south of CR 30A

B. Any development of the property at Seagrove shall protect the water quality of the coastal dune lakes.

C. Any project proposed in Seagrove, including a golf course, must undergo development-of-regional-impact review and approval in conformity with the requirements of Chapter 380, Fla. Stat., except as otherwise provided in this Exhibit "C", prior to commencement of construction and prior to the issuance of any development permits by the County.

EXHIBIT "C" CONTINUED

D. Other Provisions:

1. No development over 4 stories or 50 feet.

2. Hotel/Motel/Resort development architecture to be similar to and compatible with surrounding development in Grayton Beach, Seaside areas, as determined by Walton County Commission which will not be unreasonably withheld.

3. Conditions specified herein, together with acquisition of the land taken in this case shall be construed to meet FDEP wetland mitigation requirements, listed plant and animal species protection, Walton County native vegetation requirements, Walton County recreation and open space, and Walton greenway corridor requirements, on portion of property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein.

4. Conditions specified herein, together with acquisition of the lands taken in this case from St. Joe at Topsail shall be construed to comply with Development of Regional Impact requirements related to wetland protection and mitigation, listed plant and animal species protection, native vegetation protection, and recreation and open space, on portion of property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein. This agreement shall not be construed to waive or modify any DRI thresholds or DRI procedural requirements.

5. Listed animal species found in areas retained by St. Joe or its successors may be protected by relocation to the state acquired property or other suitable locations.

6. All development shall be served by public or central water and sewer systems. No septic tanks or package plants are permitted. Private wells are permitted for landscape irrigation only.

EXHIBIT "C" CONTINUED

7. The wetland and wetland setbacks are as shown on Proj. 95149-10.2, Exhibit 3-A, dated 8-31-1995.

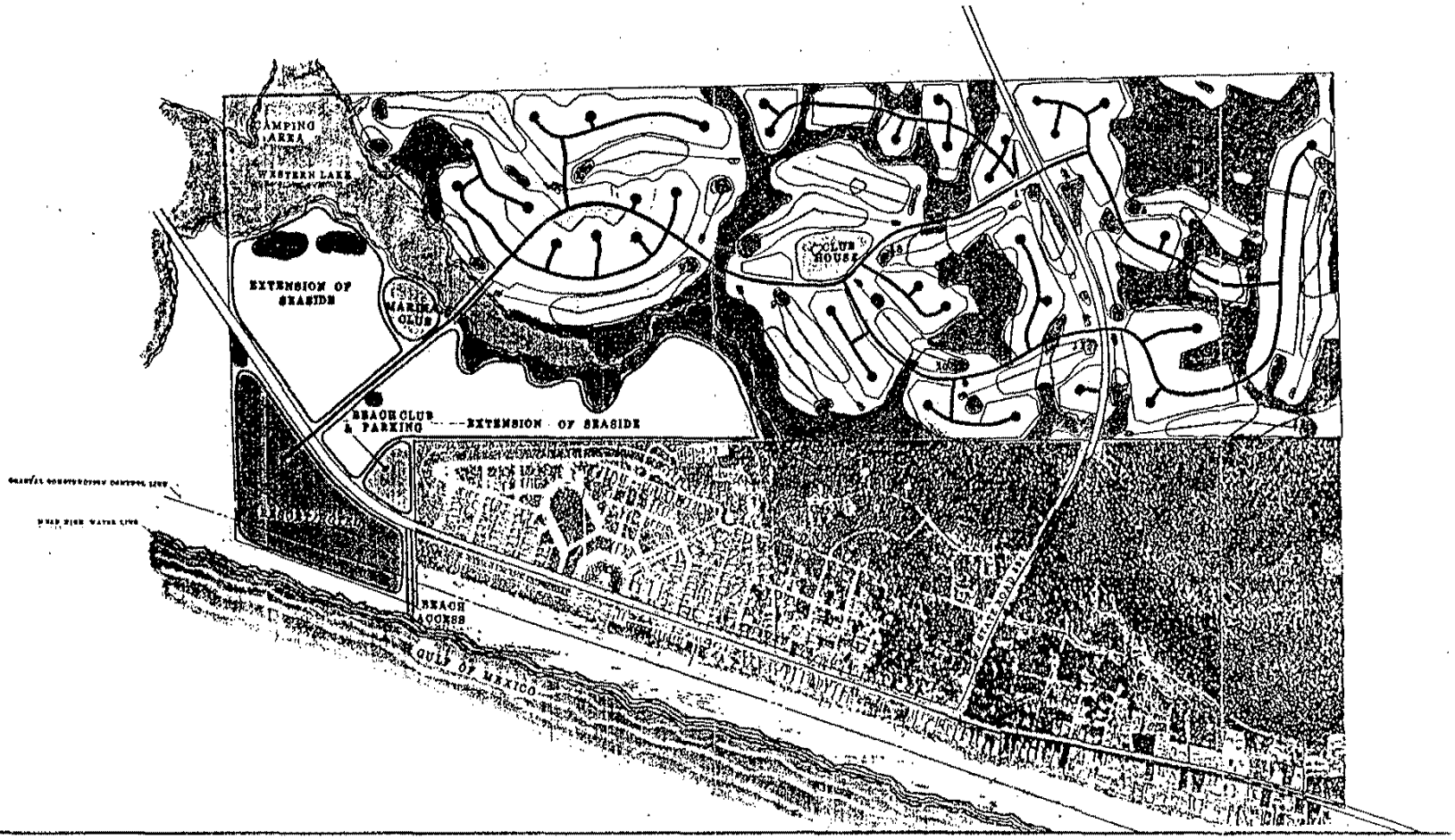
8. There shall be no development, development activity, or vegetation clearing within the 100-foot Coastal Dune Lakefront Protection Zones as shown on Proj. No. 95149-10.2, Exhibit 3-A, dated 8-31-1995, except for boardwalks and docks with a maximum width of 4 feet, and except for the limited marina specified in Item 10. Furthermore, this restriction shall not apply to the road crossings in the general locations shown on the attached "Concept Plan", which may require refinement in the wetland permitting process.

9. Seventy-five feet of the beach landward of the mean high water line to be recorded as a permanent public access easement allowing public pedestrian access laterally along the beach.

10. The marina shall not provide for boat service, repair, fueling, or refueling. Furthermore, the marina shall provide common boat dock facilities for residents of the community. Ten individual docks on Westem Lake shall be allowed, the design of which shall be determined through the DRI review process.

* The land use classifications, Town Center, Coastal Center, Resort Center refer to the definition of such terms given in the 1993 Walton County Comprehensive Land Use Plan and mean the same as used here or the equivalent therof.

FL 515743 B 1371 P 36
CO:WALTON ST:FL



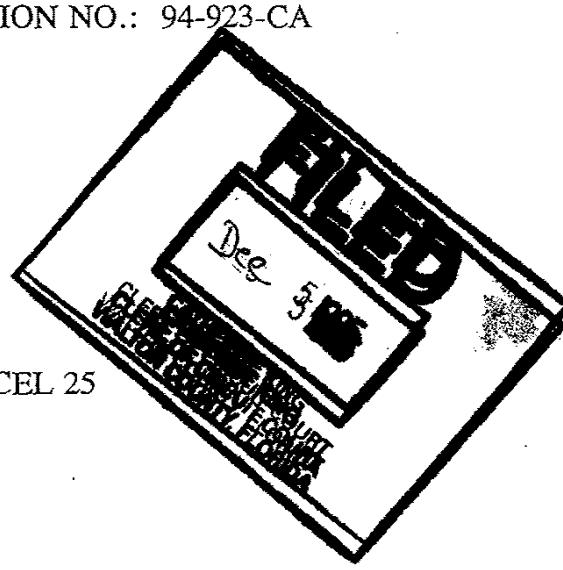
CONCEPT PLAN

SEAGROVE
WALTON COUNTY, FLORIDA

FL 515743 B 1371 P 37
CO:WALTON ST:FL

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT OF FLORIDA IN AND FOR WALTON COUNTY.

CIVIL ACTION NO.: 94-923-CA



STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, on behalf of THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND,

Petitioner,

PARCEL 25

vs.

ST. JOE PAPER COMPANY, a Florida corporation, and SUE CARTER as TAX COLLECTOR OF WALTON COUNTY,

Defendants.

_____/

STIPULATION FOR AMENDED FINAL JUDGMENT
TOPSAIL AND DEER LAKE

The Parties hereto stipulate and agree that within sixty (60) days from the entry of Consent Final Judgment in the above-styled cause to take Parcel 25, TOPSAIL, the Petitioner in its sole discretion may elect to amend said Final Judgment to include that certain 172.3 acres of the property known as DEER LAKE owned by the Defendant, ST. JOE PAPER COMPANY pursuant to the terms and conditions and amount of compensation specified in the attached Consent Amended Final Judgment Topsail and

CIVIL ACTION NO. 94-923-CA

Deer Lake, attached hereto and by reference made a part hereof. In the event the Petitioner elects to take said 172.3 acres of DEER LAKE within sixty (60) days from the date hereof, the parties hereto shall sign the Consent Amended Final Judgment Topsail and Deer Lake attached hereto and present the same to the Court to be entered.

AGREED and STIPULATED this 4th day of ~~November~~ December, 1995, at Defuniak Springs, Walton County, Florida.

ST. JOE PAPER COMPANY
1650 Prudential Drive
Suite 400
Jacksonville, Florida 32207

By: W. L. Harrison

BRIGHAM, MOORE, GAYLORD, SCHUSTER & MERLIN
203 S.W. 13 Street
Miami, Florida 33133

By: Toby Prince Brigham
TOBY PRINCE BRIGHAM

DEPARTMENT OF COMMUNITY AFFAIRS
2740 Centerview Drive
Tallahassee, Florida 32399

By: James D. Whaley

WALTON COUNTY
1105 East Nelson Street
DeFuniak Springs, Florida 32433

By: [illegible]

ROBERT I. SCANLAN, ESQUIRE
Assistant Attorney General
Department of Legal Affairs
The Capitol, PL-01
Tallahassee, Florida 32399

By: Robert I. Scanlan
As Attorney for Petitioner
State of Florida Department
of Environmental Protection

* *The foregoing Consent is signed by Walton County with the specific understanding that it continues to object to state acquisition of Topsail or any more land in Walton County from its tax base.*

WALTON COUNTY
105 East Nelson Street
DeFuniak Springs, Florida

By: _____

FL 515743 B 1371 P 40
CO:WALTON ST:FL

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT OF FLORIDA IN AND FOR WALTON COUNTY.

CIVIL ACTION NO.: 94-923-CA

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, on behalf of THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND,

Petitioner,

PARCEL 25

vs.

ST. JOE PAPER COMPANY, a Florida corporation, and SUE CARTER as TAX COLLECTOR OF WALTON COUNTY,

Defendants.

_____/

CONSENT AMENDED FINAL JUDGMENT
TOPSAIL AND DEER LAKE

THIS CAUSE came before the Court on the Amended Petition and Amended Answer of the Defendant heretofore filed in the above-styled eminent domain proceedings by which the Petitioner seeks to acquire part of the Defendant's property known as Topsail Hill and designated as Parcel 25 in this cause. The Defendant/Owner, ST. JOE PAPER COMPANY, is defending against the taking and claims full compensation under

the Constitution and Laws of Florida for the taking of such portion of its property, if any, as the Court may grant. It is also further considered that the DEPARTMENT OF COMMUNITY AFFAIRS and WALTON COUNTY shall be added as additional parties to this cause pursuant to the Consent attached hereto.

Through court ordered mediation, the parties have compromised and resolved the issues of the taking and of full compensation as hereinafter stated in this Consent Amended Final Judgment. The parties have expressly waived jury trial in the above-styled cause and have consented to the entry of this Consent Amended Final Judgment. The Court having reviewed the pleadings and being otherwise fully advised in the premises, the terms of the settlement in this cause are hereby ratified and confirmed by the entry of this Consent Amended Final Judgment and it is

ORDERED AND ADJUDGED as follows:

1. The FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS and WALTON COUNTY are hereby added as additional parties to this cause and the court has jurisdiction of the subject matter and parties to this cause. The pleadings in this cause are sufficient and the Petitioner is properly exercising its delegated authority. The parties agree and the court rules that the taking of the property described on Exhibit "A" attached and by reference made a part hereof is reasonably necessary for the public purposes set forth in the Amended Petition.

2. The property taken for the purposes stated in the Amended Petition is a portion of the property known as TOPSAIL HILL and a portion of the property known as DEER LAKE, the legal descriptions of which are set forth in Exhibit "A" attached hereto and incorporated herein. The legal description contained in the Amended Petition is hereby amended to include the property described in Exhibit "A".

3. As additional consideration for this settlement and consent judgment, the parties have agreed that Petitioner shall remove the properties described in Exhibit "B" from the acquisition list of the Conservation and Recreation Lands program and the court finds that there is no present necessity for acquisition of these properties. The properties described in Exhibit "B" are the remainders of the property known as TOPSAIL HILL and Defendant's property at DEER LAKE and SEAGROVE, which are not being taken.

4. As further consideration for this settlement and consent judgment, the parties hereto stipulate and agree and the Court rules that the land use and development rights, conditions and provisions set forth in Exhibit "C" attached hereto and by reference made a part hereof are appropriate and reasonable to be applied to the remaining properties specified on Exhibit "B" hereto attached; and that the parties shall cooperate in good faith and act diligently to assist Defendant, its successors or assigns, in obtaining all necessary government approvals and agreements to realize all of such land use and development rights, conditions, and provisions set forth in Exhibit "C" as to the remaining property

at TOPSAIL HILL and Defendant's properties at DEER LAKE and SEAGROVE, descriptions of which are set forth in Exhibit "B". Whenever applicable and available according to law, the parties agree to utilize and enter into such procedures and agreements to effectuate, expedite, implement, and secure to the Defendant, its successors or assigns, land use and development rights, conditions and approvals which are consistent with those set forth in Exhibit "C".

Nothing contained in this paragraph shall be interpreted to establish any greater priority of permitting the actual development pursuant to these land use and development rights, conditions, and provisions than any other owner of property in Walton County would have under the facts and circumstances at the time of such permit application.

5. Notwithstanding the taking of the particular 172.3 acres of DEER LAKE, the remaining property of DEER LAKE owned by the Defendant, its successors or assigns, may be developed in the same way it could as if the said 172.3 acres were not taken and were included in the development so that whatever open space, wetlands, lakes and vegetative cover within said 172.3 acres were not required to develop the uplands within the said 172.3 acres to the same use and density as the remaining property of DEER LAKE; would be available to meet the requirements for developing the remaining DEER LAKE property.

6. The compensation as set forth herein to be paid by Petitioner is just and reasonable for all parties concerned. Defendant, ST. JOE PAPER COMPANY, shall have and recover from Petitioner, STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, on behalf of THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND the sum of NINETY-SEVEN MILLION, SEVEN HUNDRED FIVE THOUSAND, SEVEN HUNDRED EIGHTY-ONE AND NO/100 DOLLARS ($97,705,681.00), as and for full compensation but exclusive of reasonable costs and attorney's fees, for the taking of Parcel 25, which is the property described on Exhibit "A".

7. Within sixty (60) days of entry of this Final Judgment, Petitioner shall deposit into the Registry of the Court the sum of NINETY-SEVEN MILLION, SEVEN HUNDRED FIVE THOUSAND, SEVEN HUNDRED EIGHTY-ONE AND NO/100 DOLLARS ($97,705,781.00), which includes the $100 clerk's fee for the deposit, for the taking of the properties described on Exhibit "A" as TOPSAIL and DEER LAKE, together with Area C described in Paragraph 10(A)(4) of Exhibit "C".

8. Within sixty (60) days of the entry of this Final Judgment, Defendant, ST. JOE PAPER COMPANY, shall pay to SUE CARTER, TAX COLLECTOR, all outstanding real estate taxes (including taxes for 1995) on the property taken, prorated to the date of transfer of title upon deposit of the monies set forth in this judgment.

Defendant shall file in this cause a Certificate of Payment of Taxes after payment is made. Until payment of the outstanding taxes is made, the said outstanding real estate taxes shall constitute a lien on the remaining properties described in Exhibit "B" attached hereto.

9. Upon payment of the money specified in this Final Judgment into the Registry of this Court, fee simple title to the property described in Exhibit "A", attached hereto, shall vest in the FLORIDA BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND and Petitioner shall be entitled to immediate possession of the property.

10. Upon receipt of the monies into the Court Registry and without further order of the Court, the Clerk of the Court shall pay the Clerk's fee of $100.00 and issue a check in the amount of NINETY-SEVEN MILLION, SEVEN HUNDRED FIVE THOUSAND, SIX HUNDRED EIGHTY-ONE AND NO/100 DOLLARS ($97,705,681.00) payable to the Defendant, ST. JOE PAPER COMPANY, and hand-deliver or wire said check to the Defendant, ST. JOE PAPER COMPANY.

11. It is further stipulated and ordered that the northwestern most portion of the remaining property of Deer Lake shall have a suitable pedestrian accessway over and across the property taken to the beach frontage on the Gulf of Mexico in the most direct line practical and without obstruction; and the operation and maintenance of the property

taken shall be compatible with the residential use of the adjoining remaining property.

12. The provisions of this Consent Amended Final Judgment shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

13. This Consent Amended Final Judgment supersedes that certain Consent Final Judgment heretofore entered as to the TOPSAIL property all of the terms of which are incorporated herein except as amended hereby.

14. This Court reserves jurisdiction of this cause to amend this Final Judgment pursuant to paragraph 10 hereof, to enforce the provisions of this Consent Amended Final Judgment, to determine and award costs and attorneys's fees of Defendant, ST. JOE PAPER COMPANY, upon appropriate motion, and for granting any further relief to which the Petitioner and Defendant may be entitled under the terms of this Judgment.

DONE AND ORDERED in Chambers, at DeFuniak Springs, Walton County, Florida this _____ day of December, 1995.

THOMAS T. REMINGTON
CIRCUIT COURT JUDGE

COPIES FURNISHED TO:
TOBY PRINCE BRIGHAM, ESQUIRE
ROBERT I. SCANLAN, ESQUIRE
SUE CARTER, TAX COLLECTOR

FL 515743 B 1371 P 46
CO:WALTON ST:FL

CONSENT

The undersigned hereby consent to the entry of the foregoing Consent Amended Final Judgment without jury trial which is hereby waived and stipulate to the admissions and agreements set forth herein and to the addition of the DEPARTMENT OF COMMUNITY AFFAIRS AND WALTON COUNTY as additional parties to this action. The undersigned each respectively represent that the person signing this Consent is fully authorized to sign.

This _____ day of December, 1995 at Defuniak Springs, Walton County, Florida.

ST. JOE PAPER COMPANY
1650 Prudential Drive
Suite 400
Jacksonville, FL 32207

By: _____

BRIGHAM, MOORE, GAYLORD,
SCHUSTER & MERLIN
203 S.W. 13 Street
Miami, Florida 33133

By: _____
TOBY PRINCE BRIGHAM
as Attorney for
ST. JOE PAPER COMPANY

DEPARTMENT OF COMMUNITY AFFAIRS
2740 Centerview Drive
Tallahassee, Florida 32399

By: _____

WALTON COUNTY
1105 East Nelson Street
DeFuniak Springs, Florida 32433

By: _____

ROBERT I. SCANLAN, ESQUIRE
Assistant Attorney General
Department of Legal Affairs
The Capitol, PL-01
Tallahassee, Florida 32399

By: _____

FL 515743 B 1371 P 47
CO:WALTON ST:FL

WAY); THENCE NORTH 87°42'29" WEST ALONG SAID RIGHT OF WAY LINE FOR 518.04 FEET TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING RADIUS OF 11,509.20 FEET; THENCE WESTERLY ALONG SAID CURVING RIGHT OF WAY LINE FOR AN ARC DISTANCE OF 2309.30 FEET, THE CHORD OF SAID ARC BEARING NORTH 81°57'26" WEST FOR 2305.43 FEET; THENCE NORTH 76°12'28" WEST ALONG SAID RIGHT OF WAY LINE FOR 65.57 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH 76°12'28" WEST ALONG SAID RIGHT OF WAY LINE FOR 2495.89 FEET TO THE WEST LINE OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA; THENCE SOUTH 01°49'06" WEST ALONG SAID WEST LINE OF SECTION 25 FOR 709.24 FEET TO THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA; THENCE SOUTH 01°57'46" WEST ALONG THE EAST LINE OF SAID SECTION 35 FOR 1320.83 FEET; THENCE NORTH 87°54'14" WEST FOR 331.10 FEET; THENCE SOUTH 01°57'46" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 1669.72 FEET; THENCE NORTH 87°54'14" WEST FOR 331.10 FEET; THENCE SOUTH 01°57'46" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 454 FEET, MORE OR LESS, TO THE GULF OF MEXICO; THENCE EASTERLY ALONG SAID GULF OF MEXICO FOR 3147 FEET, MORE OR LESS, TO A POINT ON A LINE THAT BEARS SOUTH 02°29'35" WEST FROM THE POINT OF BEGINNING. THENCE NORTH 02°29'35" EAST PARALLEL WITH THE EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, FOR 4294 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

COMMENCE AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 20 WEST, WALTON COUNTY, FLORIDA. THENCE SOUTH 02°29'35" WEST (BEARING REFERENCE IS GRID NORTH) ALONG THE WEST LINE OF SAID SECTION 31 FOR 59.57 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY NO. 98, HAVING A 100 FOOT RIGHT OF WAY); THENCE SOUTH 87°42'29" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 1343.57 FEET TO THE EAST LINE OF LOT 64, MAP OF SANTA ROSA PLANTATION COMPANY, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 4, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; THENCE SOUTH 01°35'20" WEST ALONG SAID EAST LINE FOR 268.33 FEET TO THE NORTHWEST CORNER OF LOT 34, SAID MAP OF SANTA ROSA PLANTATION COMPANY; THENCE SOUTH 87°48'47" EAST ALONG THE NORTH LINE OF SAID LOT 34 FOR 733.09 FEET TO THE POINT OF BEGINNING. THENCE NORTH 87°48'47" WEST ALONG SAID NORTH LINE OF LOT 34 FOR 733.09 FEET TO THE NORTHWEST CORNER OF SAID LOT 34; THENCE NORTH 01°35'20" EAST ALONG SAID EAST LINE OF LOT 64 FOR 268.33 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 30; THENCE NORTH 87°42'29" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 1343.57 FEET TO THE EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY; FLORIDA; THENCE CONTINUE NORTH 87°42'29" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 518.04 FEET TO THE P.C. OF A CURVE IN SAID RIGHT OF WAY LINE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 11,509.20 FEET; THENCE WESTERLY ALONG SAID CURVING RIGHT OF WAY LINE FOR AN ARC DISTANCE OF 2309.30 FEET; SAID ARC HAVING A CHORD BEARING NORTH 81°57'26" WEST FOR 2305.43 FEET; THENCE NORTH 76°12'28" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 65.57 FEET; THENCE SOUTH 02°29'35" WEST PARALLEL WITH THE EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST FOR 4294 FEET, MORE OR LESS, TO THE GULF OF MEXICO; THENCE EASTERLY ALONG THE GULF OF MEXICO FOR 5087 FEET, MORE OR LESS, TO A POINT ON A LINE THAT BEARS SOUTH 02°29'35" WEST FROM THE POINT OF BEGINNING. THENCE NORTH 02°29'35" EAST PARALLEL WITH SAID EAST LINE OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST FOR 4063 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Deer Lake

FL 515743 B 1371 P 48
CO:WALTON ST:FL

172.3 A to be added

LEGAL DESCRIPTION OF THE PROPERTY

MAP PARCEL NUMBER: 25

RECORDING DATA: WALTON COUNTY, FLORIDA, O.R. BOOK 472, PAGE 176

PARCEL DESCRIPTION(s):

PARCEL #3: LOTS 61, 62, 63 AND THAT PORTION OF LOT 64, LYING SOUTH OF STATE ROAD NO. 30 (100 FOOT RIGHT OF WAY) AND SOUTHWESTERLY OF STATE ROAD NO. S-30-A (100 FOOT RIGHT OF WAY), SECTION 32, TOWNSHIP 2 SOUTH, RANGE 20 WEST, MAP OF SANTA ROSA PLANTATION CO., ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 4, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA.

PARCEL #4: THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 20, WEST, WALTON COUNTY, FLORIDA.

PARCEL #5: FRACTIONAL SECTION 5, TOWNSHIP 3 SOUTH, RANGE 20 WEST, WALTON COUNTY, FLORIDA.

PARCEL #8: THAT PORTION OF FRACTIONAL SECTION 31, TOWNSHIP 2 SOUTH, RANGE 20 WEST, LESS AND EXCEPT LOTS 32 AND 33, MAP OF SANTA ROSA PLANTATION CO., ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 4, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, LYING SOUTH OF STATE ROAD NO. 30 (100 FOOT RIGHT OF WAY).

PARCEL #9: FRACTIONAL SECTION 6, TOWNSHIP 3 SOUTH, RANGE 20 WEST, WALTON COUNTY, FLORIDA.

PARCEL #12: THAT PORTION OF SECTIONS 25 AND 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, LYING SOUTH OF STATE ROAD NO. 30 (100 FOOT RIGHT OF WAY).

PARCEL #13: COMMENCE AT THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, THENCE SOUTH 01°01'34" WEST ALONG THE EAST LINE OF SECTION 35 FOR 1320.91 FEET TO A ST. JOE PAPER COMPANY MONUMENT FOR THE POINT OF BEGINNING, THENCE NORTH 88°50'26" WEST FOR 331.10 FEET; THENCE SOUTH 01°01'34" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 1669.72 FEET; THENCE NORTH 88°50'26" WEST FOR 331.10 FEET; THENCE SOUTH 01°01'34" WEST PARALLEL WITH SAID EAST LINE OF SECTION 35 FOR 454 FEET, MORE OR LESS, TO THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE SOUTHEASTERLY ALONG SAID MEAN HIGH WATER LINE OF THE GULF FOR 680 FEET, MORE OR LESS, TO SAID EAST LINE OF SECTION 35; THENCE NORTH 01°01'34" EAST ALONG SAID EAST LINE FOR 2268 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPT PARCEL A AND PARCEL B DESCRIBED AS FOLLOWS:

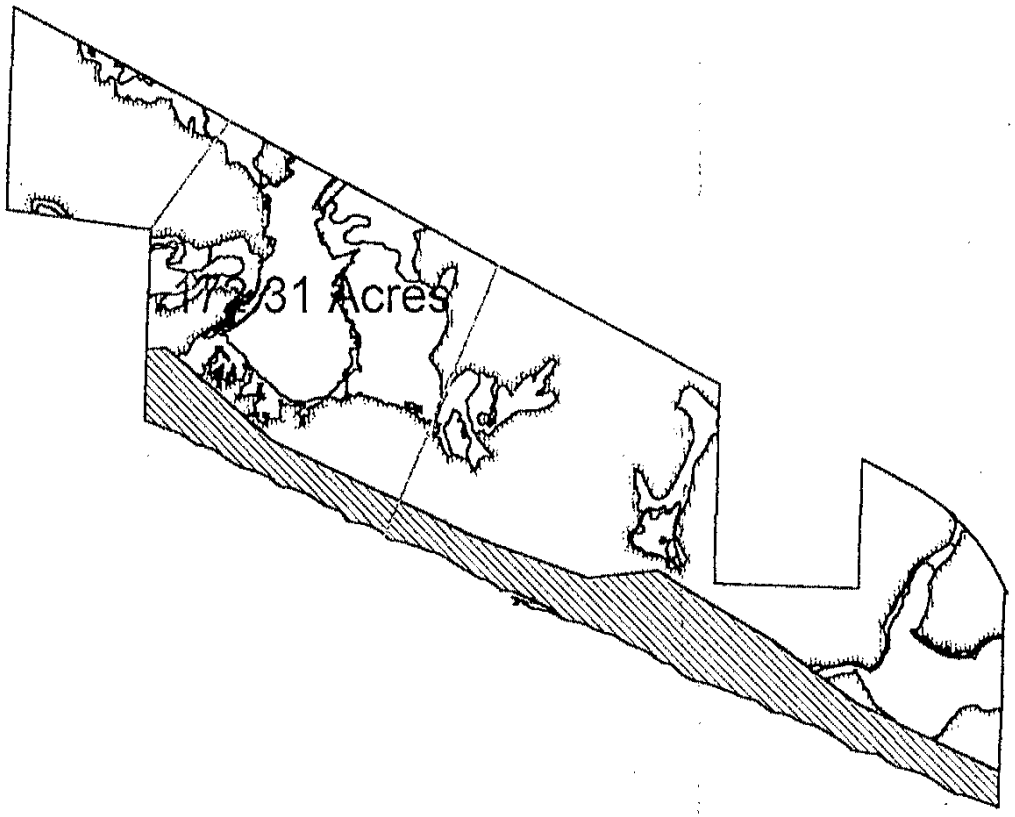
COMMENCE AT THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, THENCE SOUTH 02°29'35" WEST (BEARING REFERENCE IS GRID NORTH) ALONG THE EAST LINE OF SAID SECTION 36 FOR 59.57 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY NO. 98, HAVING A 100 FOOT RIGHT OF

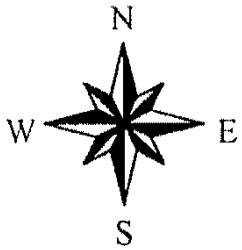
EXHIBIT

A

FL 515743 B 1371 P 50
CO:WALTON ST:FL

DEER LAKE





Deerlake Boundary, Easments, & CCCL (Survey)
CCCL zone
Drainage Easement
Open Land
Deerlake Boundary, Easments, & CCCL (Survey)
CCCL zone
Drainage Easement
Open Land
1.5.1 Coastal Protection Overlay Zone (Site Eval & Photo Interp.)
Gulf to Crest of Primary Dune Line
50 ft. Landward of Primary Dune Line
Gulf to Landward Toe of Primary Dune Ridge Line
1.5.2 Coastal Construction Control Line (Site Survey)
1.10.4 Wetland Density (Site Eval. & Photo Interp.)
5000 < LEVEL IV > 7000 and JURIS = 'FDEP'
Jurisdictional Wetlands (Site Eval & Photo Interp.)
12.2.1B Jurisdictional Wetland Buffers (Site Eval & Photo Interp.)
50 ft. from (JURIS = 'FDEP')
12.2.8A Coastal Dune Lakefront Setback (Site Eval & Photo Interp.)
100 ft from (5210 < LEVEL IV > 5240)
12.2.8B Coastal Dune Lakefront Open Space Req (Site Survey & Photo Interp.)
300 ft from (5210 < LEVEL IV > 5240)

0.62 0 0.62 1.24 Miles

EXHIBIT "B"

LEGAL DESCRIPTION OF REMAINING PROPERTIES

Deer Lake 172.3 A to be deleted.

Legal Description for:

Remaining Property at Topsail Tract North of U.S. Hwy 98

DESCRIPTION OF PARCEL 1: That portion of Lot 49, Section 29, Township 2 South, Range 20 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, lying North of State Road No. 30 (100 foot right of way) and LESS AND EXCEPT the West 23 feet used as right of way for East Hewett Road by Walton County, containing 9.846 acres, more or less.

DESCRIPTION OF PARCEL 6: Lots 13, 14, 15, 18, 19 and 20, and that portion of Lots 16 and 17 lying North of State Road No. 30 (100 foot right of way), Section 30, Township 2 South, Range 20 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as right of way for East Hewett Road by Walton County, and LESS AND EXCEPT the West 23 feet used as right of way for West Hewett Road by Walton County. The parcel less the exceptions contains 77.371 acres, more or less.

and

DESCRIPTION OF PARCEL 7: Lots 45, 46, 47, 50, 51, 52 and 53, and that portion of Lots 48 and 49 lying North of State Road No. 30 (100 foot right of way), Section 30, Township 2 South, Range 20 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as right of way for West Hewett Road by Walton County, and LESS AND EXCEPT the West 23 feet used and claimed as right of way by Walton County, and LESS AND EXCEPT the Gulf Power Company right of way (100 feet wide). The parcel less the exceptions contains 84.151 acres, more or less.

and

DESCRIPTION OF PARCEL 10: Lots 15 and 18, and that portion of Lots 16 and 17, lying North of State Road No. 30 (100 foot right of way), Section 25, Township 2 South, Range 21 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as County Road by Walton County and LESS AND EXCEPT the West 23 feet used as right of way for Mack Bayou Road by Walton County. The parcel less exceptions contains 34.749 acres, more or less.

and

DESCRIPTION OF PARCEL 11: Lots 44, 45, 46 and that portion of Lots 47 and 48 lying North of State Road No. 30 (100 foot right of way), Section 25, Township 2 South, Range 21 West, Map of Santa Rosa Plantation Co., according to the plat recorded in Plat Book 2, page 4, in the public records of Walton County, Florida, LESS AND EXCEPT the East 23 feet used as right of way for Mack Bayou Road by Walton County, and LESS AND EXCEPT the Gulf Power company right of way (100 feet wide). The parcel less the exceptions contains 35.102 acres, more or less.

FL 515743 B 1371 P 52
CO:WALTON ST:FL

11/95

Less and Except the following Parcels

Parcel 101 60020-2519

A. A parcel of land situate, lying and being in Section 25, Township 2 South, Range 21 West, Walton County, Florida, being described as follows: Commence at a 4 inch by 4 inch concrete monument marking the northwest corner of said Section 25; thence South 01°50'37" West a distance of 4,561.50 feet along the west line of said Section 25 to the centerline of survey of State Road 30 (U.S. 98); thence departing said west line run South 76°12'14" East a distance of 1,359.55 feet along said centerline of survey to a point of intersection with the southerly extension of the easterly line of Parcel "A" of Tract 308 of said Section 25 at a point 518.40 feet South 2°00'23" West of a capped rod (RLS 2535) marking the northeast corner of said Parcel "A"; thence departing said centerline of survey run North 02°00'23" East a distance of 51.08 feet along said southerly extension to the existing northerly right of way line (100 foot right of way) of said State Road 30 and the POINT OF BEGINNING; thence South 76°12'14" East a distance of 1,030.79 feet along said existing northerly right of way line; thence departing said existing northerly right of way line run North 11°57'14" East a distance of 28.81 feet; thence North 78°02'46" West a distance of 117.91 feet; thence North 77°03'48" West a distance of 200.02 feet; thence North 79°03'58" West a distance of 100.12 feet; thence North 76°12'14" West a distance of 400.00 feet; thence North 75°53'46" West a distance of 215.81 feet to the easterly line of said Parcel "A" of Tract 308; thence South 02°00'23" West a distance of 18.55 feet along said easterly line to the POINT OF BEGINNING;

Containing 20,392 square feet of land, more or less.

FL 515743 B 1371 P 53
CO:WALTON ST:FL

ALSO: less & except

B. A parcel of land situate, lying and being in Section 25, Township 2 South, Range 21 West, Walton County, Florida, being described as follows: Commence at a D.O.T. capped rod marking the East 1/4 corner of said Section 25; thence South 02°30'34" West a distance of 2,664.54 feet along the east line of said Section 25 to a P.K. nail and washer marking the southeast corner of said Section 25 (northeast corner of Section 36, Township 2 South, Range 21 West); thence continue South 02°30'34" West a distance of 9.53 feet along the east line of said Section 36 to the centerline of survey of State Road 30 (U.S. 98); thence departing said east line run North 87°41'50" West a distance of 32.92 feet along said centerline of survey; thence departing said centerline of survey run North 02°31'01" East a distance of 50.01 feet,

crossing the north line of said Section 36 (south line of said Section 25), to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing westerly right of way line (right of way varies) of a county maintained graded road and the POINT OF BEGINNING; thence North 87°41'50" West a distance of 485.32 feet along said existing northerly right of way line to the beginning of a tangent curve, concave northerly, having a radius of 11,409.16 feet; thence westerly a distance of 2,105.71 feet along said curve through a central angle of 10°34'29" to the existing easterly right of way line (66 foot right of way) of Mack Bayou Road and the end of curve; thence departing said existing northerly right of way line run North 02°26'12" East a distance of 76.27 feet along said existing easterly right of way line to the beginning of a nontangent curve, concave northerly, having a radius of 11,334.16 feet; thence departing said existing easterly right of way line and from a tangent bearing of South 77°03'10" East run easterly a distance of 117.96 feet along said curve through a central angle of 00°35'47" to the end of curve; thence South 79°40'14" East a distance of 435.10 feet; thence South 75°10'52" East a distance of 59.53 feet to the beginning of a nontangent curve concave northerly, having a radius of 11,312.16 feet; thence from a tangent bearing of South 80°08'56" East run easterly 692.24 feet along said curve through a central angle of 03°30'00" to the end of curve; thence North 06°21'04" East 4.00 feet to the beginning of a nontangent curve, concave northerly, having a radius of 11,226.16 feet; thence from a tangent bearing of South 83°38'56" East run easterly 800.40 feet along said curve through a central angle of 4°02'54" to the end of curve; thence South 87°41'50" East a distance of 485.62 feet to said existing westerly right of way line of a county maintained graded road; thence South 02°31'01" West a distance of 61.00 feet along said existing westerly right of way line to the POINT OF BEGINNING;

Containing 4.726 acres of land, more or less.

ALSO:

11/96

Exhibit B 2 of 9

ALSO: less and except

C. A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at a D.O.T. capped rod marking the West 1/4 corner of said Section 30; thence South 02°30'34" West a distance of 2,664.94 feet along the west line of said Section 30 to a P.K. nail and washer marking the southwest corner of said Section 30 (northwest corner of Section 31, Township 2 South, Range 20 West); thence continue South 02°30'34" West a distance of 9.53 feet along the west line of said Section 31 to the centerline of survey of State Road 30 (U.S. 98); thence departing said west line run South 87°41'50" East a distance of 33.05 feet along said centerline of survey; thence departing said centerline of survey run North 02°31'16" East a distance of 50.00 feet, crossing the north line of said Section 31 (south line of said Section 30), to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing easterly right of way line (right of way varies) of a county maintained graded road and the POINT OF BEGINNING; thence continue North 02°31'16" East a distance of 61.00 feet along said existing easterly right of way line; thence departing said existing easterly right of way line run South 87°41'50" East a distance of 288.74 feet; thence South 02°18'10" West a distance of 1.00 feet; thence South 87°41'50" East a distance of 2,306.19 feet to the existing westerly right of way line (right of way varies) of West Hewett Road; thence South 02°09'40" West a distance of 80.00 feet along said existing westerly right of way line to said existing northerly right of way line of State Road 30; thence North 87°41'50" West a distance of 2,595.44 feet along said existing northerly right of way line to the POINT OF BEGINNING;

N

Containing 4.773 acres of land, more or less.

ALSO: less and except

D. A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northeast corner of said Section 30; thence South 02°04'02" West a distance of 5,316.21 feet along the east line of said Section 30 to a P.K. nail and washer (#2372) marking the southeast corner of said Section 30 (northeast corner of Section 31, Township 2 South, Range 20 West); thence South 02°23'16" West a distance of 7.21 feet along the east line of said Section 31 to the centerline of survey of State Road 30 (U.S. 98); thence departing said east line run North 87°41'50" West a distance of 32.84 feet along said centerline of survey; thence departing said centerline of survey run North 02°03'48" East a distance of 50.00 feet to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing westerly right of way line (right of way varies) of East Hewett Road and the POINT OF BEGINNING; thence North 87°41'50" West a distance of 2,581.77 feet along said existing northerly right of way line to the existing easterly right of way line (right of way varies) of West Hewett Road; thence departing said existing northerly right of way line run North 02°09'33" East a distance of 80.00 feet along said existing easterly right of way line; thence departing said existing easterly right of way line run South 87°41'50" East a distance of 1,877.79 feet; thence South 89°24'56" East a distance of 100.05 feet; thence South 87°41'50" East a distance of 603.84 feet to said existing westerly right of way line of East Hewett Road; thence South 02°03'49" West a distance of 83.00 feet along said existing westerly right of way line to the POINT OF BEGINNING;

Containing 4.177 acres of land, more or less. N

Exhibit B 3 of 9

11/95

also: less and except

E. A parcel of land situate, lying and being in Section 29, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northwest corner of said Section 29; thence South 02°04'02" West a distance of 5,316.31 feet along the west line of said Section 29 to a P.K. nail and washer (#2372) marking the southwest corner of said Section 29 (northwest corner of Section 32, Township 2 South, Range 20 West); thence South 02°33'16" West a distance of 7.82 feet along the west line of said Section 32 to the centerline of survey of State Road 30; thence departing said west line run South 87°41'50" East a distance of 33.07 feet along said centerline of survey; thence departing said centerline of survey run North 02°03'54" East a distance of 50.00 feet to the intersection of the existing northerly right of way line (100 foot right of way) of said State Road 30 and the existing easterly right of way line (right of way varies) of East Hewett Road and the POINT OF BEGINNING; thence North 02°03'54" East a distance of 83.00 feet along said existing easterly right of way line; thence departing said existing easterly right of way line run South 87°41'50" East a distance of 430.25 feet; thence South 85°58'44" East a distance of 100.05 feet; thence South 87°41'50" East a distance of 500.00 feet; thence South 89°24'56" East a distance of 100.05 feet; thence South 87°41'50" East a distance of 201.10 feet to the east line of Lot 49 of Santa Rosa Plantation Co. subdivision as per plat recorded in Plat Book 2, Page 4 of the public records of Walton County, Florida; thence South 01°44'27" West a distance of 83.00 feet along said east line to said existing northerly right of way line of State Road 30; thence departing said east line run North 87°41'50" West a distance of 1,331.82 feet along said existing northerly right of way line to the POINT OF BEGINNING;

Containing 2.496 acres of land, more or less. N

also less and except

H. A parcel of land situate, lying and being in Section 25, Township 2 South, Range 21 West, Walton County, Florida, being described as follows: Commence at a 4 inch by 4 inch concrete monument marking the northwest corner of said Section 25; thence South 01°50'37" West a distance of 4,561.50 feet along the west line of said Section 25 to the centerline of survey of State Road 30 (U.S. 98); thence departing said west line run South 76°12'14" East a distance of 2,572.09 feet along said centerline of survey to the beginning of a tangent curve, concave northerly, having a radius of 11,459.16 feet; thence run southeasterly 150.14 feet along said curve, through a central angle of 0°48'03" to the centerline of Mack Bayou Road; thence North 2°26'12" East 607.89 feet along said centerline of Mack Bayou Road; thence departing said centerline, run North 87°33'48" West 33.0 feet to the existing westerly right of way line (66 foot right of way) of said Mack Bayou Road and the POINT OF BEGINNING; thence South 02°26'12" West 182.48 feet along said existing westerly right of way line; thence departing said westerly right of way line, run North 78°02'44" West 20.57 feet; thence North 02°26'12" East 129.08 feet; thence North 24°31'15" East 53.96 feet to the POINT OF BEGINNING;

Containing 3,160 square feet of land, more or less. N

FL 515743 B 1371 P 55
CO:WALTON ST:FL

Exhibit B 4 of 9

11/95

A. LATERAL DITCH LEFT (NORTHERLY) STATION 340+56.00

A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at a D.O.T. capped rod marking the West 1/4 corner of said Section 30; thence South 02°30'34" West a distance of 2664.54 feet along the west line of said Section 30 to a P.K. nail and washer marking the southwest corner of said Section 30 (northwest corner of Section 31, Township 2 South, Range 20 West); thence South 02°30'34" West a distance of 9.53 feet along the west line of said Section 31 to the centerline of survey of State Road 30; thence departing said west line run South 87°41'50" East a distance of 1908.29 feet along said centerline of survey; thence departing said centerline of survey run North 05°06'10" East a distance of 120.16 feet crossing the north line of said Section 31 (south line of said Section 30) to the POINT OF BEGINNING; thence North 87°41'50" West a distance of 35.04 feet; thence North 05°06'10" East a distance of 372.15 feet; thence South 84°53'50" East a distance of 50.00 feet; thence South 05°06'10" West a distance of 369.71 feet; thence North 87°41'50" West a distance of 15.02 feet to the POINT OF BEGINNING;

Containing 18547 square feet of land, more or less.

ALSO: less and except

B. LATERAL DITCH LEFT (NORTHERLY) STATION 363+26.00

A parcel of land situate, lying and being in Section 30, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northeast corner of said Section 30; thence South 02°04'02" West a distance of 5318.31 feet along the east line of said Section 30 to a P.K. nail and washer (#2372) marking the southeast corner of said Section 30 (northeast corner of Section 31, Township 2 South, Range 20 West); thence South 02°33'16" West a distance of 7.82 feet along the east line of said Section 31 to the centerline of survey of State Road 30; thence departing said east line run

North 87°41'50" West a distance of 1111.23 feet along said centerline of survey; thence departing said centerline of survey run North 31°44'10" East a distance of 145.27 feet crossing the north line of said Section 31 (south line of said Section 30) to the POINT OF BEGINNING; thence North 87°41'50" West a distance of 40.19 feet; thence North 31°44'10" East a distance of 370.48 feet; thence South 58°15'50" East a distance of 50.00 feet; thence South 31°44'10" West a distance of 342.27 feet; thence North 87°41'50" West a distance of 17.22 feet to the POINT OF BEGINNING;

Containing 17819 square feet of land, more or less.

ALSO: less and except

FL 515743 B 1371 P 56
CO:WALTON ST:FL

C. LATERAL DITCH LEFT (NORTHERLY) STATION 379+00.00

A parcel of land situate, lying and being in Section 29, Township 2 South, Range 20 West, Walton County, Florida, being described as follows: Commence at 1/2 inch square iron pin marking the northwest corner of said Section 29; thence South 02°04'02" West a distance of 5318.31 feet along the west line of said Section 29 to a P.K. nail and washer (#2372) marking the southwest corner of said Section 29 (northwest corner of Section 32, Township 2 South, Range 20 West); thence South 02°33'16" West a distance of 7.82 feet along the west line of said Section 32 to the centerline of survey of State Road 30; thence departing said west line run South 87°41'50" East a distance of 462.77 feet along said centerline of survey; thence departing said centerline of survey run North 11°44'50" West a distance of 127.10 feet, crossing the north line of said Section 32 (south line of said Section 29), to the POINT OF BEGINNING; thence North 87°41'50" West a distance of 30.93 feet; thence North 11°44'50" West a distance of 155.39 feet; thence South 78°15'10" West a distance of 30.00 feet; thence North 11°44'50" West a distance of 200.00 feet; thence North 78°15'10" East a distance of 90.00 feet; thence South 11°44'50" East a distance of 200.00 feet; thence South 78°15'10" West a distance of 10.00 feet; thence South 11°44'50" East a distance of 167.90 feet; thence North 87°41'50" West a distance of 20.61 feet to the POINT OF BEGINNING;

Containing 0.599 acres of land, more or less.

Exhibit B 5 of 9

11/95

also
Less & Except

A PARCEL OF LAND IN SECTION 25, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA, BEING A PART OF LOTS 46, 47 AND 48 OF SANTA ROSA PLANTATION CO. AS RECORDED IN PLAT BOOK 2, PAGE 4, OF THE PUBLIC RECORDS OF WALTON COUNTY, MORE EXPLICITLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF STATE ROAD 30 (US 98) (100 FOOT RIGHT-OF-WAY) WITH THE WEST RIGHT-OF-WAY OF MACK BAYOU ROAD (66 FOOT RIGHT-OF-WAY) AS DEPICTED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 60020-2517, SAID POINT BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 11409.16 FEET AND A CENTRAL ANGLE OF 00°34'54" THENCE ON SAID NORTH RIGHT-OF-WAY THE FOLLOWING TWO (2) CALLS: ON SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 115.81 FEET (CHORD DISTANCE = 115.81 FEET, CHORD BEARING = SOUTH 76°29'41" EAST) TO THE POINT OF TANGENCY, THENCE NORTH 76°12'14" WEST A DISTANCE OF 192.19 FEET; THENCE DEPARTING THE AFORESAID NORTH RIGHT-OF-WAY, NORTH 11°57'14" EAST A DISTANCE OF 353.80 FEET, THENCE SOUTH 78°02'46" EAST A DISTANCE OF 247.00 FEET TO THE AFORESAID WEST RIGHT OF WAY OF MACK BAYOU ROAD, THENCE ON SAID RIGHT-OF-WAY SOUTH 02°26'12" WEST A DISTANCE OF 368.18 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.2814 ACRES.

FL 515743 B 1371 P 57
CO:WALTON ST:FL

Exhibit B 6 of 9

11/95

Legal For:

Remaining Property at Seagrove Parcel

DESCRIPTION: The North Half and the West Half of Fractional Southwest Quarter of Section 15, Township 3 South, Range 19 West, Walton County, Florida. LESS AND EXCEPT the right of way for State Road No. 395 (70 foot right of way) and State Road No. S-30-A (100 foot right of way). The entire tract less exceptions contains 331.627 acres, more or less, of which 8.97 acres, more or less, is seaward of the Coastal Construction Control Line.

and

DESCRIPTION: The Northwest Quarter and the West Half of the Southwest Quarter of the Northeast Quarter of Section 14, Township 3 South, Range 19 West, Walton County, Florida. LESS AND EXCEPT the right of way of State Road No. 395 (70 foot right of way). The entire tract less the exception contains 175.054 acres, of which 0.309 acre is within Department of Transportation Drainage Easements.

and

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE GO SOUTH 87°51'46" EAST ALONG THE NORTH LINE OF SECTION 14, A DISTANCE OF 376.66 FEET; THENCE GO SOUTH 00°27'55" WEST, A DISTANCE OF 1308.08 FEET; THENCE GO NORTH 88°06'42" WEST, A DISTANCE OF 376.62 FEET; THENCE GO NORTH 00°27'55" EAST, A DISTANCE OF 1309.72 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 11.313 ACRES.

and

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 3 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 36, BLOCK L, SEAGROVE SHORES FOURTH ADDITION TO SEAGROVE SUBDIVISION, AS RECORDED IN PLAT BOOK 3, AT PAGE 29, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; THENCE GO N01°15'54"E ALONG THE WEST LINE OF SAID LOT 36, A DISTANCE OF 215.99 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION AS DETERMINED BY A BUCHANAN AND HARPER, INC. SURVEY [JOB NO. 6123], SAID POINT LYING S01°15'54"W, A DISTANCE OF 89.77 FEET FROM THE NORTHEST CORNER OF THE SEASIDE PROPERTY, AND THE NORTHWEST CORNER OF SAID LOT 36; THENCE GO N87°54'51"E ALONG SAID NORTH LINE AS DETERMINED BY SAID BUCHANAN AND HARPER, INC. SURVEY, A DISTANCE OF 814.98 FEET TO THE POINT OF BEGINNING; THENCE RETRACING THE PRECEDING CALL GO S87°54'51"W, A DISTANCE OF 695 FEET MORE OR LESS TO A POINT ON THE NORTHERLY SHORELINE OF A FRESHWATER CANAL [30 FEET WIDE MORE OR LESS]; THENCE DEPARTING THE AFORESAID NORTH LINE MEANDER EASTERLY ALONG SAID NORTHERLY SHORELINE A DISTANCE OF 740 FEET, MORE OR LESS, TO A POINT OF INTERSECTION WITH A LINE PASSED THROUGH THE POINT OF BEGINNING AND HAVING A BEARING OF S02°05'09"E; THENCE DEPARTING SAID NORTHERLY SHORELINE GO N02°05'09"W, A DISTANCE OF 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

FL 515743 B 1371 P 58
CO:WALTON ST:FL

Exhibit B 7 of 9

11/95

Seagrove Parcel
(Continued)

Less and except the following described parcel

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE GO SOUTH 87°51'46" EAST ALONG THE NORTH LINE OF SECTION 14, A DISTANCE OF 376.66 FEET; THENCE GO SOUTH 00°27'55" WEST, A DISTANCE OF 1308.08 FEET TO THE POINT OF BEGINNING; THENCE GO SOUTH 88°06'42" EAST, A DISTANCE OF 284.43 FEET; THENCE GO SOUTH 00°21'50" WEST, A DISTANCE OF 1306.91 FEET; THENCE GO NORTH 88°21'31" WEST, A DISTANCE OF 663.30 FEET TO AN EXISTING CONCRETE MONUMENT; THENCE GO NORTH 88°28'46" WEST, A DISTANCE OF 1529.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF WALTON COUNTY ROAD C-395 (70' R/W) SAID RIGHT OF WAY BEING A CURVE HAVING A RADIUS OF 1754.12 FEET; THENCE GO NORTHEASTERLY ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 63.33 FEET (CH. = 63.33'; CH. BRG. = N-20°09'11"-E); THENCE GO SOUTH 88°28'46" EAST, A DISTANCE OF 1808.34 FEET; THENCE GO NORTH 27°04'46" EAST, A DISTANCE OF 170.88 FEET; THENCE GO NORTH 00°27'55" EAST, A DISTANCE OF 1093.09 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 11.32 ACRES.

also less and except:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 36, BLOCK L, SEAGROVE SHORES FOURTH ADDITION TO SEAGROVE SUBDIVISION, AS RECORDED IN PLAT BOOK 3, AT PAGE 29, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; THENCE GO NORTH 01°15'54" EAST ALONG THE WEST LINE OF SAID LOT 36, A DISTANCE OF 215.99 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION AS DETERMINED BY A BUCHANAN AND HARPER, INC. SURVEY (JOB NO. 6123), SAID POINT BEING THE POINT OF BEGINNING AND LYING SOUTH 01°15'54" WEST A DISTANCE OF 89.77 FEET FROM THE NORTHEAST CORNER OF THE SEASIDE PROPERTY AND THE NORTHWEST CORNER OF SAID LOT 36; THENCE CONTINUE NORTH 01°15'54" EAST ALONG SAID WEST LINE OF SAID LOT 36 A DISTANCE OF 89.77 FEET TO THE NORTHEAST CORNER OF THE SEASIDE PROPERTY; THENCE GO SOUTH 88°10'54" EAST, ALONG THE NORTH LINE OF LOT 36 A DISTNACE OF 20.00 FEET, MORE OR LESS TO A POINT ON THE WESTERLY SHORELINE OF A FRESHWATER CANAL (30 FEET WIDE, MORE OR LESS); THENCE MEANDER SOUTHERLY ALONG SAID WESTERLY SHORELINE A DISTANCE OF 104 FEET MORE OR LESS TO A POINT ON THE AFORESAID NORTH LINE AS DETERMINED BY BUCHANAN AND HARPER, INC., SURVEY AND BEING A POINT OF INTERSECTION WITH A LINE PASSED THROUGH THE POINT OF BEGINNING, AND HAVING A BEARING OF NORTH 87°54'51" EAST; THENCE DEPARTING SAID WESTERLY SHORELINE GO SOUTH 87°54'51" WEST ALONG SAID NORTH LINE A DISTANCE OF 79 FEET, MORE OR LESS TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 0.10 ACRES, MORE OR LESS.

also less and except 9.9 acres mol in the plat of Seaside, O.R. Walton Co.

FL 515743 B 1371 P 59
CO:WALTON ST:FL

Exhibit B 8 of 9

11/95

LEGAL DESCRIPTION FOR:

Remaining Property at DEER LAKE

DESCRIPTION: That portion of Fraction Section 20, Township 3 South, Range 18 West, lying Southerly of State Road No. S-30-A, containing 232.972 acres, more or less, of which 18.487 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control Line 24.877 acres, more or less, are submerged and 0.557 acre, more or less, is within a D.O.T. Drainage Easement.

and

DESCRIPTION: Government Lot 1 and that portion of the Northeast Quarter lying Southerly of State Road No. S-30-A, Section 19, Township 3 South, Range 18 West, Walton County, Florida, containing 137.832 acres, more or less, of which 16.055 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control Line 19.705 acres, more or less, are submerged.

and

DESCRIPTION: That portion of the Southwest Quarter of Section 21, Township 3 South, Range 18 West, Walton County, Florida, lying Southwesterly of State Road No. S-30-A, containing 22.876 acres, more or less, of which 1.899 acres, more or less, are submerged.

ALSO: Government Lot 4, Section 28, Township 3 South, Range 18 West, Walton County, Florida, containing 50.533 acres, more or less, of which 10.226 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control Line 21.773 acres, more or less are submerged.

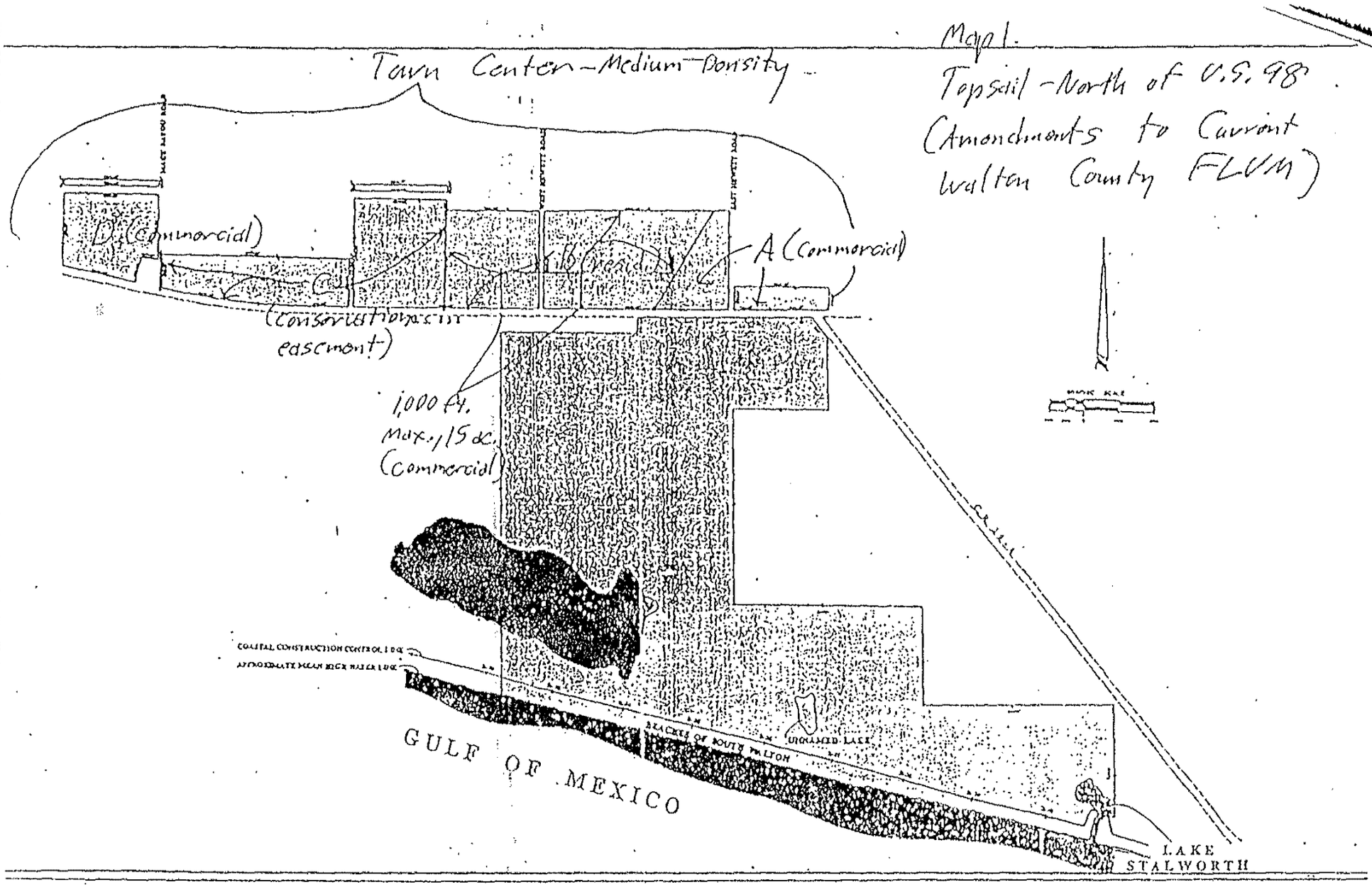
ALSO: All of Fractional Section 29, Township 3 South, Range 18 West, Walton County, Florida, containing 56.833 acres, more or less, of which 38.072 acres, more or less, are seaward of the Coastal Construction Control Line and of that portion upland of the Coastal Construction Control line 0.857 acre, more or less, is submerged.

FL 515743 B 1371 P 60
CO:WALTON ST:FL

Exhibit B 9 of 9

FL 515743 B 1371 P 61
CO:WALTON ST:FL

DIAGRAM MAP 1



RENT TRACT

NTY, FLORIDA

GULF FRONTAGE = 8,850 LF
ROAD FRONTAGE :
NORTHERN PROPERTY = 9,770 LF (U.S.98)
SOUTHERN PROPERTY = 2,457 LF (U.S.98)
= 331 LF (C.R.30A)

NORTHERN PROPERTY = 232 ACRES
SOUTHERN PROPERTY = 663 ACRES
TOTAL ACRES = 895 ACRES

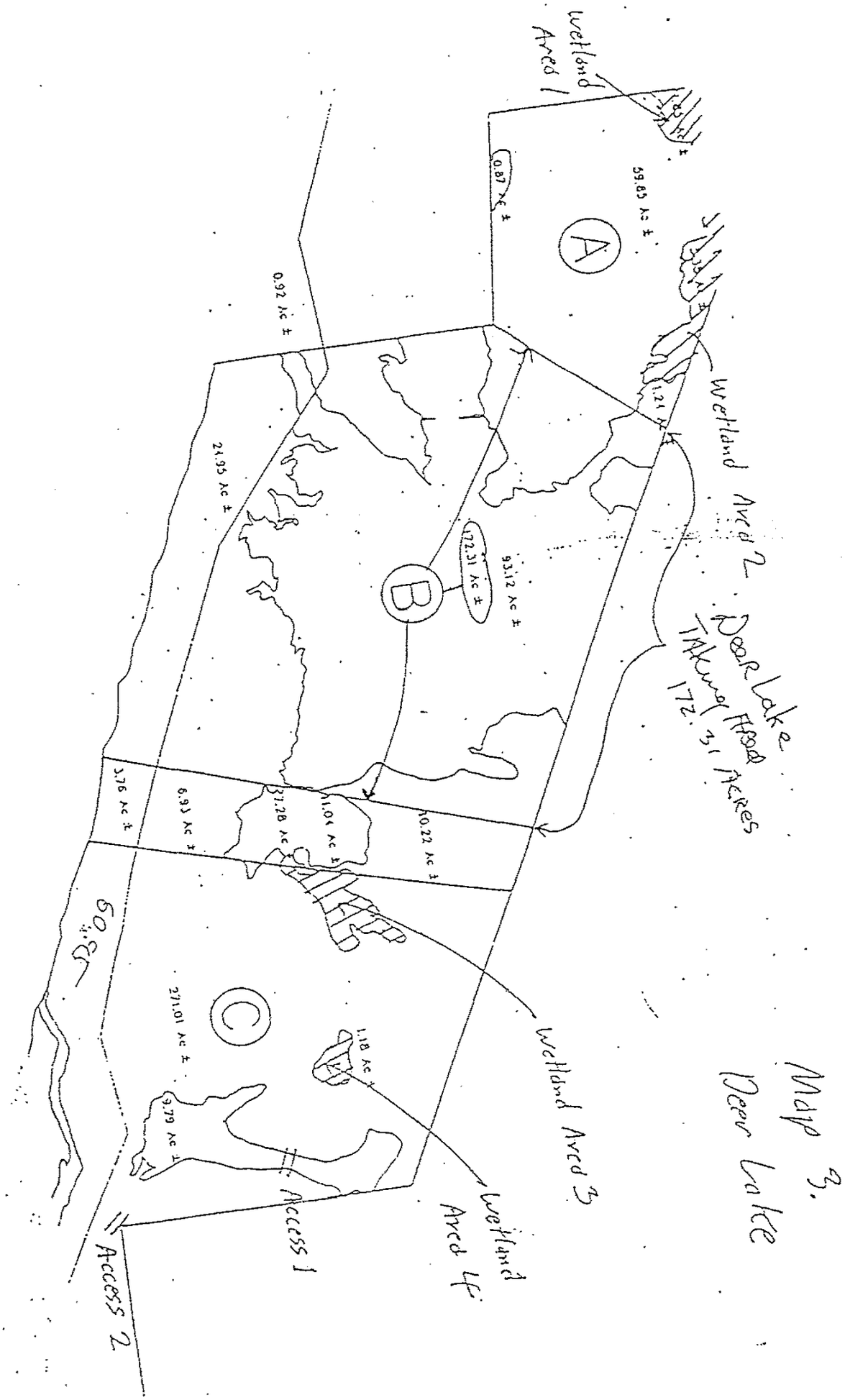


DIAGRAM MAP 3

EXHIBIT "C"

LAND USE AND DEVELOPMENT RIGHTS, CONDITIONS AND PROVISIONS REFERRED TO IN THIS FINAL JUDGMENT AS APPLIED TO ST. JOE'S REMAINING PROPERTY AT TOPSAIL, DEER LAKE AND SEAGROVE

I. Land Use Classifications and Densities*:

A. That portion of Topsail located North of U.S. 98 shall have a Town Center land use classification and a maximum permitted density of 8 dwelling units per gross acre, subject to the conditions and limitations in Paragraph X of Exhibit "C".

B. The Deer Lake property shall have a Coastal Center land use classification with a maximum permitted density of 8 dwelling units per gross acre, except for 30 acres fronting on the Gulf between Deer Lake and Camp Creek Lake which shall have a land use classification of Resort with a maximum permitted density of 12 dwelling units per gross acre.

C. The Seagrove property shall have a Coastal Center land use classification with a maximum permitted density of 8 dwelling units per gross acre on that portion of the property located to the North of County Road 30A, and the property located to the South of CR 30A shall have a land use classification of Resort, which shall have a maximum permitted density of 12 dwelling units per gross acre.

II. Permitted Uses:

The following permitted uses shall be allowed within the respective land use classifications:

A. Coastal Center

1. Residential Dwelling Units

EXHIBIT "C" CONTINUED

2. Golf Courses (upon site specific design and performance standards sufficient to protect the water quality of the Coastal Dune Lake or Lakes)
3. Neighborhood Commercial Uses, such as retail, services, entertainment, restaurants, clubs, offices, medical, and lodging facilities provided that these non-residential uses shall not exceed 20% of the total landarea of the site.
4. Community Facilities and Neighborhood scale Public Utilities.
5. Churches, Synagogues and similar religious institutions.
6. Agriculture/Silviculture

B. Town Center

1. Residential Dwelling Units
2. Golf Courses (upon site specific design and performance standards sufficient to protect the water quality of the Coastal Dune Lake or Lakes)
3. Neighborhood Commercial Uses, such as retail, services, entertainment, restaurants, clubs, offices, medical, and lodging facilities.
4. Community Facilities and Neighborhood scale Public Utilities.
5. Churches, Synagogues and similar religious institutions.
6. Shopping Centers, light industrial areas and similar employment centers.
7. Agriculture/Silviculture

C. Resort

1. Residential Dwelling Units
2. Golf Courses (upon site specific design and performance standards sufficient to protect the water quality of the Coastal Dune Lake or Lakes)

EXHIBIT "C" CONTINUED

3. Neighborhood Commercial Uses, such as retail, services, entertainment, restaurants, clubs, offices and medical facilities.
4. Community Facilities and Neighborhood scale Public Utilities.
5. Churches, Synagogues and similar religious institutions.
6. Shopping Centers.
7. Hotels, motels, and lodging accomodations.
8. Agriculture/Silviculture

III. Application:

In addition to the land uses, development rights, conditions and provisions authorized herein, all regulations, rules and comprehensive plan policies consistent therewith shall apply to the properties referenced herein. In the event there is a conflict between the land uses, development rights, conditions or provisions provided in this Exhibit "C" and the comprehensive plan rules and land use regulations, the land uses, development rights, conditions and provisions provided herein shall control.

IV. Public Facilities and Services:

Infrastructure improvements such as water, sewer, gas, electric, roads and stormwater drainage needed to serve new development shall be permitted consistent with applicable laws, rules, standards and regulations in effect in the County at the time of construction.

V. Development Approvals:

Approval of development plans, rezoning applications, applications for development approval and required permits necessary to the planning and permitting process for the future development of the remaining properties shall not be unreasonably withheld or delayed by State and County officials. The criteria for determining a reasonable approval time shall be measured by the approval cycle and timing related to similar projects in South Walton County and adjacent counties.

EXHIBIT "C" CONTINUED

VI. WETLANDS

Development within a wetland shall conform to the following criteria:

A. All permits from an agency with jurisdiction shall be approved prior to issuance of a final development order.

B. All new development or redevelopment shall be designed to avoid, to the maximum extent possible, impacts on wetlands. Where impacts cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement, creation, restoration, or preservation.

C. In the event any portion of the existing wetlands are properly mitigated by wetland compensation or enhancement of other wetland areas, they may be used for any use permitted in the category of the applicable land use designation provided adjacent wetlands are protected from any adverse impacts of the development. Mitigation of wetlands shall be allowed onsite or offsite.

D. For all purposes in connection with the land use in development lands considered to be wetlands shall not be more restrictive than those depicted on the Map of Jurisdictional Wetlands, prepared by Breedlove, Dennis Associates, dated August 31, 1995, attached hereto as Exhibits 1-B, 2-B, and 3-B and by reference made a part hereof.

E. No development setbacks shall be required from the jurisdictional wetland line that exceeds 50 feet. For silviculture, the wetland setback requirements are determined under the 1993 Silviculture Best Management Practices as promulgated by the Florida Department of Agriculture.

VII. Coastal Dune Lakefront Protection Zone

A. The Coastal Dune Lakefront Protection Zone shall be defined as a zone beginning at the mean or ordinary high water line of the Coastal Dune Lakes and extending 300 feet landward.

EXHIBIT "C" CONTINUED

B. All new development shall be set back 100 feet from the mean or ordinary high water line of the Coastal Dune Lake. This provision shall not apply to docks, boardwalks, pedestrian ways, bicycle paths, and similar facilities provided they are constructed consistent with the performance standards set forth below.

C. All development within the 300 foot Coastal Dune Lakefront Protection Zone shall adhere to the following performance criteria:

1. Lots shall be graded to insure untreated stormwater runoff does not enter the lake. Lots shall utilize a vegetated swale and berm system, underground seepage system or similar stormwater treatment method between the developed area and the lake to hold and treat stormwater runoff.

2. Specific erosion control measures shall be utilized during all construction activity and said erosion and sedimentation controls shall be left in place until the disturbed areas are stabilized with permanent vegetation that will prevent the transport of sediment off site.

3. In addition to erosion control during construction, stabilization of the shoreline shall be provided by limiting clearing of natural vegetation within 50 feet of the mean or ordinary high water line of the shoreline to 25 percent of the site.

4. Hazardous wastes: No land use shall be allowed within the zone which stores, handles or generates hazardous wastes.

5. Seawalls, bulkheads, revetments and rip-rap are not permitted.

6. Endangered Plant Species: All development shall comply with existing Policy 12.2.7 of the 1993 Walton County Comprehensive Plan and state statutes regulating native vegetative communities of threatened or endangered plant species within this zone.

EXHIBIT "C" CONTINUED

7. No new point or non-point sources of pollution shall be discharged into the lakes, such as treated wastewater effluent or untreated stormwater runoff.

8. Open Space: All new development and redevelopment shall preserve at least 75 percent of the parcel in open space.

VIII. Vegetation and Wildlife:

All Vegetation and Land Use Cover Claassification features of the respective properties have been mapped and are delineated on Exhibits 1-F, 2-F, and 3-F, dated August 31, 1995, attached hereto and by reference made a part thereof. At the time of development approval, the applicant shall determine the absence or presence of endangered and threatened animal species within the respective properties in accordance with the following guidelines:

A. The applicant shall make the determination using adopted guidelines and criteria of the appropriate state agency.

B. The determination study shall be conducted at the necessary time of year for proper identification and documentation of endangered and threatened animal species.

C. The study shall include a description of the methodology, including dates and times.

D. If endangered or threatened animal species are determined to be on site, a management plan prepared by a qualified professional shall be submitted. The plan shall include:

1. A description of the anticipated impacts of development on the endangered or threatened animal species; and

2. An explanation of how these species and the habitat necessary to support them will be protected.

EXHIBIT "C" CONTINUED

IX. The remaining properties described on Exhibit "B" of this Consent Final Judgment as Topsail, Deer Lake, and Seagrove shall not be aggregated for DRI purposes, if any. Each shall be regarded separately and independently.

X. The coastal setback line shall conform to that shown on the Coastal Construction Control Line, Mean High Water Line and Section Map prepared by Breedlove, Dennis Associates attached hereto and by reference made a part hereof as Exhibits 1-A(1) and 1-A(2); 2-A(1) and 2-A(2); and 3-A(1) and 3-A(2).

XI. Topsail Property, North of U.S. 98 - Further Provisions:

A. Amend plan to create Town Center -- Medium Density Category.

1. Commercial land uses shall be limited to Areas A and D on the attached diagram map 1, as well as 15 acres at the intersection of West Hewett Road and U.S. 98.

2. Commercial frontage at intersection of West Hewett Road and U.S. 98 shall be limited to a maximum of 1,000 feet along U.S. 98.

3. Maximum gross residential density shall be 8 dwellings/acre.

4. Area C on attached diagram map 1 shall be permanently protected as a preservation and open space easement running to FDEP, or, at the choice of the Defendant, St. Joe Paper Company or its successors, by transfer of fee simple title to FDEP with reservations consistent with the provisions of this whole agreement, as mitigation for wetlands filling on remainder of site, mitigation for listed plant and animal species relocated from remainder of site, and to meet Walton County requirements for native vegetation and habitat preservation for remainder of site. Fencing of property is to be restricted, and must be approved by FDEP, in order to allow functioning, as a wildlife corridor.

5. Residential density in Area C may be transferred to other portions of the Town Center.

FL 515743 B 1371 P 70
CO:WALTON ST:FL

EXHIBIT "C" CONTINUED

6. No development is permitted in Area C (specified in easement or title transfer).

B. General Requirements:

1. Conservation and Open Space Easement or title transfer as aforesaid shall be construed to meet FDEP wetland and mitigation requirements, listed plant and animal species protection requirements, Walton County native vegetation protection requirements for remainder of site.

2. Listed plant and animal species found in Areas A, B and D, may be relocated to Area C (as shown on diagram map 1), or other suitable locations, consistent with other applicable State requirements and permits.

3. Walton County wetland density requirements shall apply in Areas outside of Conservation and Open Space Easement or title transfer.

4. All development shall be served by public or central water and sewer. No septic tanks or package plants. Private wells for landscape irrigation only.

5. Conditions specified herein, together with the acquisition of land taken in this case, shall be construed to meet FDEP wetland mitigation requirements, state listed animal species requirements, Walton County native vegetation/habitat requirements, Walton County recreation and open space, and Walton greenway corridor requirements, on portion of property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein.

6. Conditions specified herein, together with acquisition of State Land from St. Joe in the vicinity, shall be construed to comply with Development of Regional Impact requirements related to wetland protection and mitigation, listed animal species protection, native vegetation protection, and recreation and open space, on portion of

EXHIBIT "C" CONTINUED

property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein. This agreement shall not be construed to waive or modify any DRI thresholds or DRI procedural requirements.

XII. Deer Lake - Further Provisions:

A. Amend current Walton County Comprehensive Plan so that the remainder is coastal center, with a maximum density of 8 dwelling units per acre.

1. No development over 4 stories or 50 feet.

2. Conditions specified herein shall be construed to meet FDEP wetland mitigation requirements, listed plant and animal species protection requirements, Walton County native vegetation requirements, Walton County recreation and open space, and Walton greenway corridor requirements, on portion of property retained by St. Joe, or its successors, with respect to the specific subject matter of the conditions that are set forth herein.

3. Conditions specified herein, together with acquisition of the land taken in this case shall be construed to comply with Development of Regional Impact requirements related to wetland protection and mitigation, listed plant and animal species protection, native vegetation protection, and recreation and open space, on portion of property retained by St. Joe. or its successors, only with respect to the specific subject matter of the conditions that are set forth herein. This agreement shall not be construed to waive or modify any DRI thresholds or DRI procedural requirements.

4. Listed plant and animal species found in areas retained by St. Joe or its successors may be protected by relocation to the state acquired property or other suitable location.

5. All development shall be served by public or central water and sewer systems. No septic tanks or package plants are permitted. Private wells are permitted for landscape irrigation only.

EXHIBIT "C" CONTINUED

6. No development, development activity or vegetation clearing shall be permitted within 100-foot Coastal Dune Lakefront Protection Zones, or within wetlands and wetland setbacks, as shown on Proj. No. 95149-10.2, Exhibit 2-A, dated 8-31-95, except for boardwalks and docks with a maximum width of 4 feet.

7. No development or vegetation clearing shall be permitted within the Coastal High Hazard Area, as depicted on Proj. No. 95149-10.2, Exhibit 2-A, dated 8-31-95, except for dune walkovers.

8. Seventy-five feet of the beach landward of the mean high water line to be recorded as a permanent public access easement allowing public pedestrian access laterally along the beach.

9. The dedications and restrictions described in Items 7-9 above, together with land taken in this case, shall be construed to meet Walton County requirements for native vegetation and habitat protection and open space provision.

10. Any golf course development within the St. Joe property at Deer Lake must be approved through the DRI Review and Approval process.

XIII. Seagrove - Further Provisions:

A. Amend comprehensive plan to provide for coastal center north of CR 30A and resort center south of CR 30A

B. Any development of the property at Seagrove shall protect the water quality of the coastal dune lakes.

C. Any project proposed in Seagrove, including a golf course, must undergo development-of-regional-impact review and approval in conformity with the requirements of Chapter 380, Fla. Stat., except as otherwise provided in this Exhibit "C", prior to commencement of construction and prior to the issuance of any development permits by the County.

EXHIBIT "C" CONTINUED

D. Other Provisions:

1. No development over 4 stories or 50 feet.

2. Hotel/Motel/Resort development architecture to be similar to and compatible with surrounding development in Grayton Beach, Seaside areas, as determined by Walton County Commission which will not be unreasonably withheld.

3. Conditions specified herein, together with acquisition of the land taken in this case shall be construed to meet FDEP wetland mitigation requirements, listed plant and animal species protection, Walton County native vegetation requirements, Walton County recreation and open space, and Walton greenway corridor requirements, on portion of property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein.

4. Conditions specified herein, together with acquisition of the lands taken in this case from St. Joe at Topsail shall be construed to comply with Development of Regional Impact requirements related to wetland protection and mitigation, listed plant and animal species protection, native vegetation protection, and recreation and open space, on portion of property retained by St. Joe or its successors, only with respect to the specific subject matter of the conditions that are set forth herein. This agreement shall not be construed to waive or modify any DRI thresholds or DRI procedural requirements.

5. Listed animal species found in areas retained by St. Joe or its successors may be protected by relocation to the state acquired property or other suitable locations.

6. All development shall be served by public or central water and sewer systems. No septic tanks or package plants are permitted. Private wells are permitted for landscape irrigation only.

EXHIBIT "C" CONTINUED

7. The wetland and wetland setbacks are as shown on Proj. 95149-10.2, Exhibit 3-A, dated 8-31-1995.

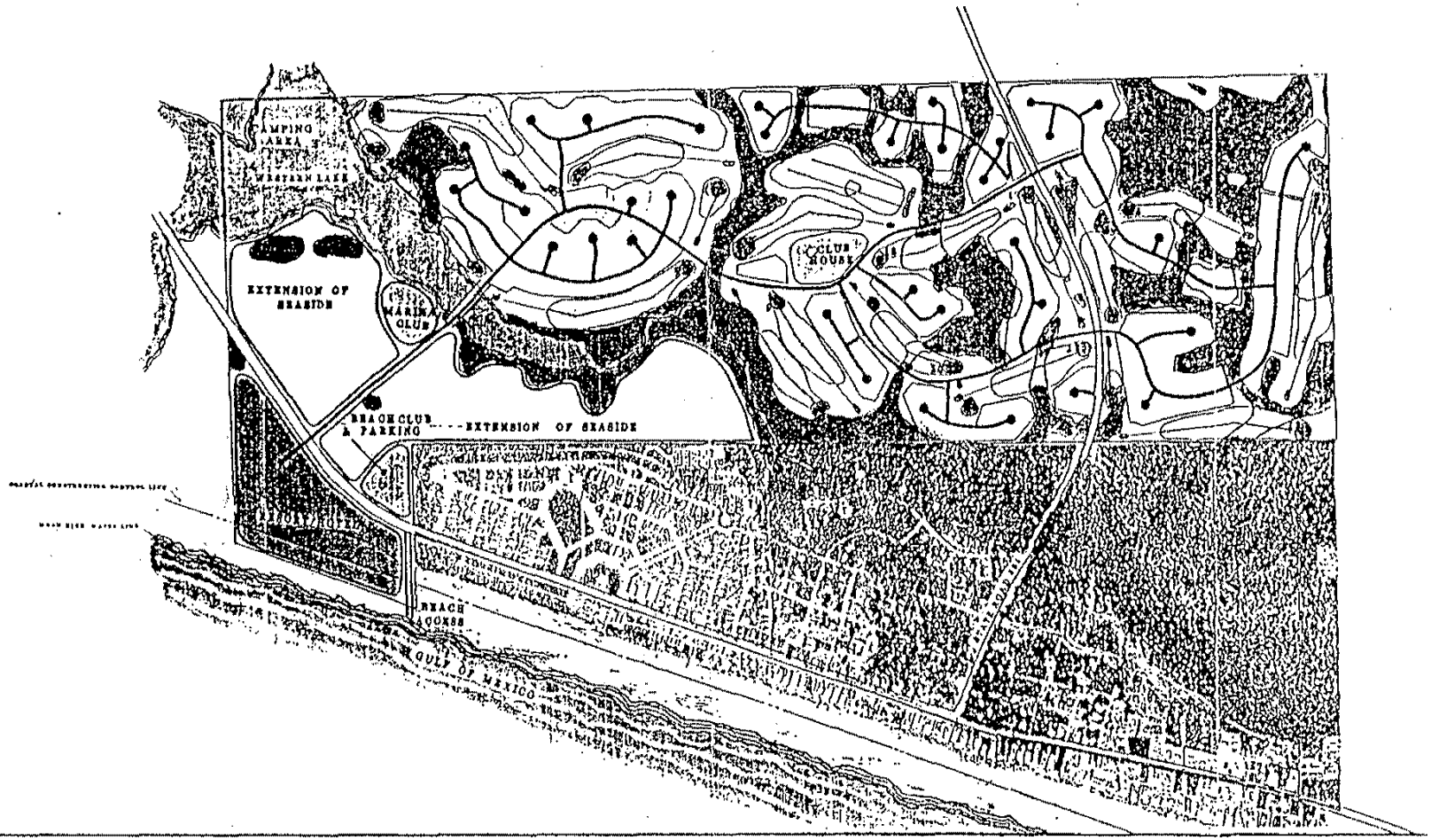
8. There shall be no development, development activity, or vegetation clearing within the 100-foot Coastal Dune Lakefront Protection Zones as shown on Proj. No. 95149-10.2, Exhibit 3-A, dated 8-31-1995, except for boardwalks and docks with a maximum width of 4 feet, and except for the limited marina specified in Item 10. Furthermore, this restriction shall not apply to the road crossings in the general locations shown on the attached "Concept Plan", which may require refinement in the wetland permitting process.

9. Seventy-five feet of the beach landward of the mean high water line to be recorded as a permanent public access easement allowing public pedestrian access laterally along the beach.

10. The marina shall not provide for boat service, repair, fueling, or refueling. Furthermore, the marina shall provide common boat dock facilities for residents of the community. Ten individual docks on Western Lake shall be allowed, the design of which shall be determined through the DRI review process.

* The land use classifications, Town Center, Coastal Center, Resort Center refer to the definition of such terms given in the 1993 Walton County Comprehensive Land Use Plan and mean the same as used here or the equivalent therof.

FL 515743 B 1371 P 75
CO:WALTON ST:FL



CONCEPT PLAN

SEAGROVE
WALTON COUNTY, FLORIDA