

## MEMORANDUM

Agenda Item No. 8(M) (2)

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**TO:** Honorable Vice Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** December 4, 2012

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution authorizing the  
acceptance of eight (8)  
Environmentally Endangered  
Lands Covenants  
Resolution No. R-1026-12

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The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Co-Prime Sponsors Commissioner Lynda Bell and Commissioner Dennis C. Moss.



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R. A. Cuevas, Jr.  
County Attorney

RAC/smm

# Memorandum



**Date:** December 4, 2012

**To:** Honorable Vice Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the name in the "From" field.

**Subject:** Resolution Authorizing the Acceptance of Eight (8) Environmentally Endangered Lands  
Covenants in Miami-Dade County

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## **Recommendation**

It is recommended that the Board approve the attached resolution authorizing the acceptance of eight (8) covenants running with the land for the preservation and maintenance of environmentally endangered lands listed below and attached hereto.

## **Scope**

These covenants are for properties located in Commissioner Bell's District 8 and in Commissioner Moss' District 9.

## **Fiscal Impact/Funding Source**

In accordance with Sec. 193.501(3)(a) of the Florida Statutes and Chapter 25B of the Miami-Dade County Code, originally adopted in 1979, these properties will receive preferential tax treatment through reductions in their assessed values from the Miami-Dade County Property Appraiser upon execution of the covenants and approval by the Board.

## **Track Record/Monitor**

The Manager of the Natural Resources Planning Section, Craig Grossenbacher, in the Department of Regulatory and Economic Resources, will monitor these covenants.

## **Background**

Chapter 25B (Article II) of the Miami-Dade County Code was approved by the Board under Ordinance No. 79-105 on December 4, 1979. This ordinance allows qualifying owners in Miami-Dade County to voluntarily enter into a 10-year covenant with the Board, stipulating that their property will be preserved and maintained in its natural state subject to one or more conservation restrictions. The purpose of the ordinance is to provide an economic incentive for owners of environmentally endangered lands, such as hammocks and pinelands, who choose to manage their land in a natural state and thereby maintain the land's natural resource values. Renewals of existing covenants for additional 10-year periods are available to willing property owners.

Upon approval by the Board and execution of the covenants, the properties will receive preferential tax treatment through a reduction in their assessed value from the Miami-Dade County Property appraiser in accordance with the criteria in Section 193.501(3)(a), Florida Statutes. This will result in tax savings to the property owners. In the event that a property owner breaches any portion of the covenant, the property owner is then liable for all back taxes (i.e. taxes that would have been required had the endangered land assessment not been obtained) plus state-mandated interest penalties on the back taxes.

Under Chapter 25B of the Code, the Department of Regulatory and Economic Resources shall review proposed covenants and make recommendations to the Board as to whether the land qualifies as environmentally endangered. To qualify, lands must have unique ecological characteristics, have features of a rare or limited nature constituting wildlife habitat, have coastal protection elements or have scientific, geologic or archaeological significance. Examples of lands qualifying under Chapter 25B are mangrove forests, hammock and tree islands, pinelands, wetlands and native cypress forests.

There are currently 82 properties with environmentally endangered lands covenants in Miami-Dade County, comprising a total of 250 acres. Many of the existing covenanted properties include pine rocklands. Pine rocklands, interspersed with tropical hardwood hammocks, once covered 185,000 acres of Miami-Dade County but have now been officially designated as a globally imperiled habitat. Over 225 native plants occur in pine rocklands with more than 20% of those species being endemic and five species being federally listed as threatened or endangered.

Once a site has been determined to qualify as environmentally endangered, the application and covenant are submitted to the Board for approval. The sites listed below meet the criteria for environmentally endangered lands. Therefore, the attached resolution is recommended for approval of the eight (8) environmentally endangered lands covenants for the following properties.

#### **New Covenants**

- A) Jose & Lidia Carbonell (2.69 acres of pine rockland)  
Folio 30-6812-000-0140 located at 20500 SW 177 Ave., Miami-Dade County.
- B) Everglades Alligator Farms, Inc. (175 acres of freshwater wetland prairie)  
Folio 30-8814-000-0021 located in the vicinity of SW 424 St. & SW 192 Ave., Miami-Dade County.
- C) Eric Beneby & Mary Nail (2.45 acres of pine rockland and hardwood hammock)  
Folio 30-6916-001-0080 located at 22000 SW 147 Ave., Miami-Dade County.
- D) Anne Gorden Vega (0.56 acres of pine rockland and hardwood hammock)  
Folio 30-6826-000-0550 located at 19505 SW 264 St., Miami-Dade County.

#### **Renewal Covenants**

- E) John Bolash IV Trust (0.83 acres of pine rockland)  
Folio 30-6924-000-0890 located in the vicinity of SW 236 St. & SW 125 Ave., Miami-Dade County.
- F) John Bolash IV Trust (0.99 acres of pine rockland)  
Folio 30-6924-000-0891 located in the vicinity of SW 236 St. & SW 125 Ave., Miami-Dade County.
- G) Shirley & Richard Medlock (2.96 acres of pine rockland)  
Folio 30-6915-000-0340 located at 14305 SW 222 St., Miami-Dade County.
- H) Elly Trout (2.5 acres of pine rockland)  
Folio 30-6924-000-1040 located in the vicinity of SW 237 St. & SW 125 Ave., Miami-Dade County.



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Jack Osterholt, Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Vice Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** December 4, 2012

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 8(M) (2)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(M)(2)

12-4-12

RESOLUTION NO. R-1026-12

RESOLUTION AUTHORIZING THE ACCEPTANCE OF  
EIGHT (8) ENVIRONMENTALLY ENDANGERED  
LANDS COVENANTS IN MIAMI-DADE COUNTY,  
FLORIDA

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, the attached eight (8) covenants, covering properties identified as folio 30-6812-000-0140 and located at 20500 SW 177 Ave. (2.69 acres of pine rockland); folio 30-8814-000-0021 and located in the vicinity of SW 424 St. & SW 192 Ave. (175 acres of freshwater wetland prairie); folio 30-6916-001-0080 and located at 22000 SW 147 Ave. (2.45 acres of pine rockland and hardwood hammock); folio 30-6826-000-0550 and located at 19505 SW 264 St. (0.56 acres of pine rockland and hardwood hammock); folio 30-6924-000-0890 and located in the vicinity of SW 236 St. & SW 125 Ave. (0.83 acres pine rockland); folio 30-6924-000-0891 and located in the vicinity of SW 236 St. & SW 125 Ave. (0.99 acres of pine rockland); folio 30-6915-000-0340 and located at 14305 SW 222 St. (2.96 acres of pine rockland); and folio 30-6924-000-1040 and located in the vicinity of SW 237 St. & SW 125 Ave. (2.5 acres of pine rockland) have been submitted pursuant to Chapter 25B of the Code of Miami-Dade County, and Section 193.501, Florida Statutes, which both provide for beneficial ad valorem tax classifications for outdoor recreational or parkland and environmentally endangered lands; and

**WHEREAS**, the attached covenants have been executed and are being proffered to this Board for acceptance, as indicated in the Mayor's memorandum, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, this Board finds that the attached covenants meet the criteria for County acceptance as set forth in Chapter 25B of the Code of Miami-Dade County,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby accepts the attached covenants and, pursuant to Resolution No. R-974-09, hereby directs the Mayor or the Mayor's designee to record the aforementioned covenants accepted herein and applicable joinders by mortgagees in the Public Records of Miami-Dade County, Florida; and to provide recorded copies of the covenants accepted herein and applicable joinders to the Clerk of the Board within thirty (30) days of acceptance of the covenants and applicable joinders; directs the Clerk of the Board to attach and permanently store recorded copies of the covenants and applicable joinders together with this Resolution; and directs the Mayor or the Mayor's designee to forward certified copies of same to the Property Appraiser.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Vice Chairwoman			<b>aye</b>
Bruno A. Barreiro	<b>aye</b>	Lynda Bell	<b>absent</b>
Esteban L. Bovo, Jr.	<b>aye</b>	Jose "Pepe" Diaz	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>absent</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto	<b>absent</b>
Xavier L. Suarez	<b>absent</b>	Juan C. Zapata	<b>aye</b>

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of December, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK

By: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Abbie Schwaderer-Raurell

## **Attachment A**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 20500 SW 177  
AVENUE, MIAMI-DADE COUNTY,  
FLORIDA, CURRENTLY FOLIO # 30-  
6812-000-0140

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.
  
4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
  
8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
  
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
  
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
  
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print Armando Fernandez  
sign [Signature]  
print FRANCO SANTIAGO  
sign Rubido Carbonell  
print Rubido Carbonell  
sign [Signature]  
print Catalina Meza

OWNER(S):

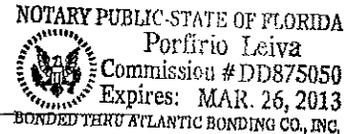
sign [Signature]  
print Lidia Carbonell  
Address 550 SW 123 Ave, Miami, FL 33184  
sign [Signature]  
print Jose Carbonell  
Address 550 SW 123 Ave, Miami, FL 33184

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of September, 2012, by Lidia & Jose L. Carbonell, who is personally known to me or who has produced FL Driver Lic as identification and who did take an oath.

NOTARY PUBLIC:

Sign [Signature]  
Print Porfirio Leiva  
State of Florida at Large (Seal)  
My Commission Expires:



THIS INSTRUMENT PREPARED BY:

Elaine Johnson, Biologist II  
Miami-Dade County Department of Regulatory and Economic Resources  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

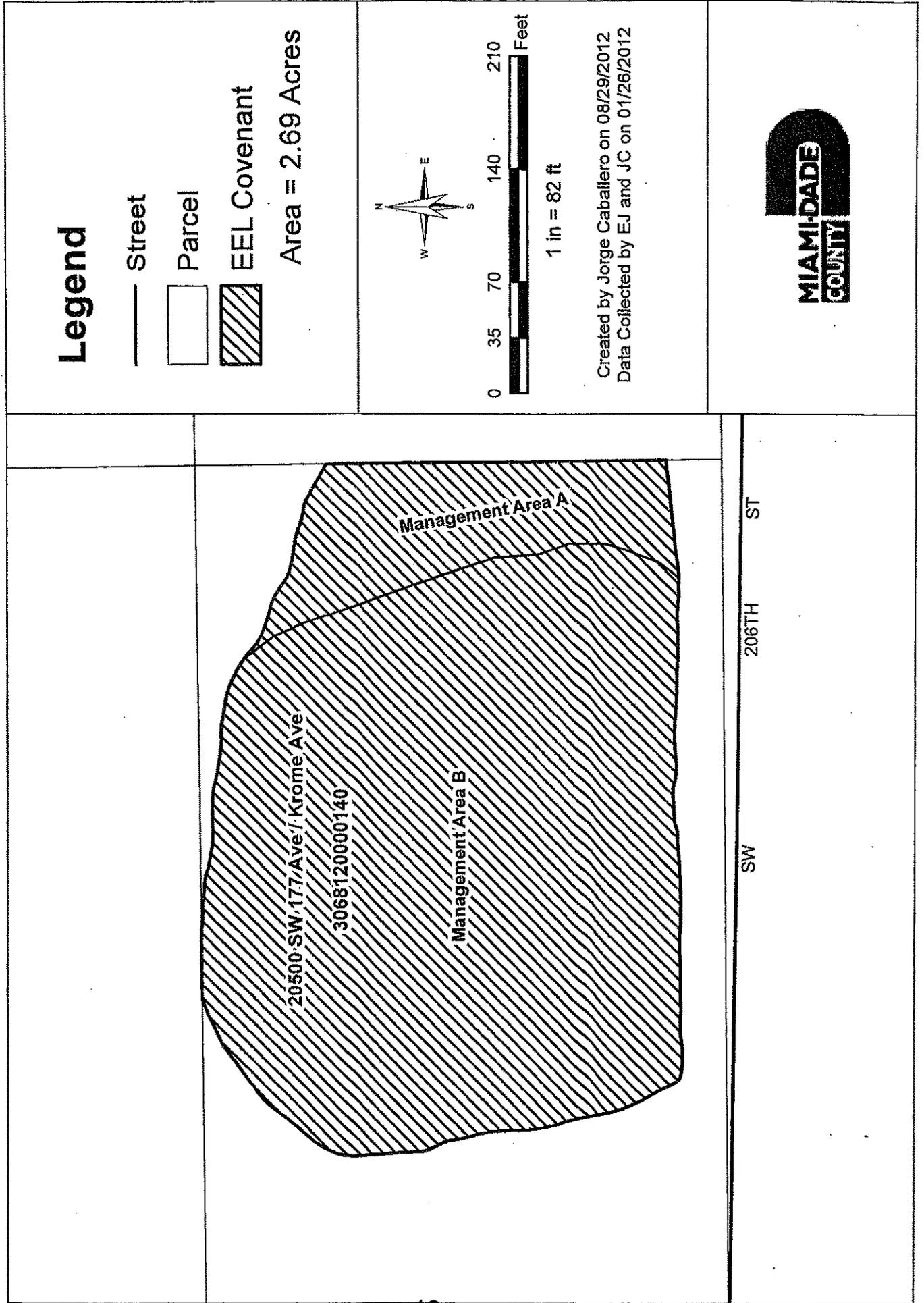
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6812-000-0140

**Property Address:** 20500 SW 177 Ave.

**Legal description:** 12 56 38 9.62 AC N1/2 OF NE1/4 OF SE1/4 OF NE1/4  
LESS E50FT FOR R/W & S1/2 OF NW1/4 OF SE1/4 OF  
NE1/4 SUBJECT TO NFC REST ON 2.430 AC OR  
16876-1175 0895 2(2)

# Exhibit B Carbonell 30-6812-000-0140



**Exhibit C**  
**Pine Rockland Management Plan**  
**for Jose & Lidia Carbonell**

**Location:** 20500 SW 177 Ave., Miami-Dade County, Florida.

**Size:** 9.62 acre parcel  
2.69 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folios #:** 30-6812-000-0140

**Forest Type:** Pine Rockland

**Location**

The property is located on the north side of SW 208<sup>th</sup> Street, west of SW 177<sup>th</sup> Avenue. The site is an agricultural property (nursery) outside the urban development boundary (UDB) and it is bordered by agriculture on all sides. This property is a county-designated Natural Forest Community (NFC). The property can be accessed via SW 177<sup>th</sup> Avenue.

Distance from nearest EEL/county-owned site: ~2 miles from Castellow Hammock  
Distance from nearest EEL covenant site: ~1 mile  
Distance from nearest county-designated Natural Forest Community (NFC): ~1,000 feet

**Property Information**

The property consists of 2.69 acres of pine rockland which qualify for an EEL covenant. The property is located on the Miami rock ridge. The property was designated as a NFC in 1984 by the Miami-Dade County Board of County Commissioners, via Resolution No. R-1764-84 and may be found on Miami-Dade County Natural Forest Community Map 30, T56 R38 S12, parcel B. NFCs are protected and regulated via Section 24-49 of the Code of Miami-Dade County.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres along the Miami rock ridge, which is a large limestone outcropping that extends south from the Miami River to Everglades National Park. Because of its high elevation, the Miami rock ridge was the first area to be impacted by development. The clearing of large tracts for development has now reduced pine rocklands to about 20,000 acres, most of which are now protected inside Everglades National Park. The pine rockland canopy is dominated almost exclusively by slash pines. Beneath this canopy lays a rich understory composed of grasses, sedges, palms, vines, shrubs and wildflowers of temperate and tropical origin, many of which are listed as endangered or threatened. A sub-climatic community, pine rocklands have depended on fire to keep them from

transitioning into hardwood hammocks. Fire exclusion has caused many properties that were formerly pine rockland to either transition into hammock or become invaded by non-native invasive species. This has caused a net loss of biodiversity and the extinction or near extinction of several rare and unique plant species. Pine rocklands are South Florida's most floristically diverse plant community and contain several endemic species that are found nowhere else in the world. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled. The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-8 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

### **Present Condition**

The current biological condition of Management Area B can be classified as poor to average with relatively low diversity. This can be attributed mostly to perimeter impacts to the site resulting in exotics such as Cane Grass (*Neyraudia reynaudiana*) and ruderal species such as Spanish Needles (*Bidens alba var. radiata*), which the property owners have been attempting to control over several years. The interior of the site contains the best biodiversity, including the Florida listed threatened species West Indian Lilac (*Tetrazygia bicolor*).

Management Area A was planted with Slash Pine (*Pinus elliottii var. densa*) and Live Oak (*Quercus virginiana*) trees in an effort to restore the eastern edge of the natural area. However, this area has been periodically mowed to suppress exotic growth and lacks a healthy native understory. Mowing activities in this area will need to gradually cease, and the area planted with native pine rockland plants and grasses such as, but limited to, Coontie (*Zamia pumila*), Saw Palmetto (*Serenoa repens*), Sabal Palms (*Sabal palmetto*), Florida Silver Palms (*Coccothrinax argentata*), Pineland Snowberry (*Chiococca parvifolia*), Lopsided Indian Grass (*Sorghastrum secundum*), and Elliot's Love Grass (*Eragrostis elliottii*).

### **Conclusion**

Overall, the site is in average condition and will continue to improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics and vine control, as well as the replanting of native pine rockland species. Continued selective hardwood control is also needed if prescribed burning this area is not feasible.

### **Ecological Goals**

1. Increase plant biodiversity.
2. Maintain and increase pine rockland plant species.
3. Remove and control exotic plants.
4. Provide habitat for native wildlife.

## Management Goals

1. Eliminate invasive exotic plants to ensure less than 5% exotic coverage within the EEL covenanted area.
2. Increase biodiversity with appropriate native plant species.
3. Control hardwoods in the pine rockland.
4. Control native ruderal plants and vines.
5. Allow natural regeneration of native plants.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

## Management Techniques and Schedule

(No heavy machinery is allowed within the site. All work must be done by hand (i.e. chainsaw, hand tools). Mowing and vehicle traffic within the covenanted area is not allowed.

**Year 1-2:** Hand removal and herbicide treatment of all invasive exotic plant species, and vines (non-native and native woody) is required. Interior exotics should be treated first and work extended out to the perimeters. All exotic and native hardwood seedlings should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps. Prescribe burn the covenanted area. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from Miami-Dade County Department of Regulatory and Economic Resources (RER). Gradually cease mowing activities within Management Area A and monitor for recolonization by native pine rockland species. Plant native understory as needed to make up for insufficient native plant recolonization (as determined by RER).

**Year 3-6:** Continue invasive exotic and vine control. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Planting of native pine rockland species (RER approved plants only) may be required within the previously mowed open areas (Management Area A). Prescribe burn the covenanted area if not achieved in years 1-2.

**Year 7-10:** Continue invasive exotic and ruderal plant/ vine control to ensure less than 5% exotic coverage within the EEL covenanted area. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Monitor plantings and herbaceous understory regeneration and health. Planting of native pine rockland species may be required if native recolonization is low. Prescribe burn the covenanted area if not yet achieved in the previous 1-6 years.

## PLANT SPECIES LIST\*

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

N	native to South Florida
R	ruderal
FL endangered	listed as an endangered species in the state of Florida
FL threatened	listed as a threatened species in the state of Florida
E	exotic to South Florida
EPPC I	category I as per Florida Exotic Pest Plant Council (most invasive)
EPPC II	category II as per Florida Exotic Pest Plant Council (invasive)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Abrus precatorius</i>	rosary pea	E / EPPC (I)
<i>Albizia lebbek</i>	woman's tongue	E / EPPC (I)
<i>Angadenia berteroi</i>	pineland allamanda	N / FL threatened
<i>Ardisia elliptica</i>	shoebutton	E / EPPC (I)
<i>Ayenia euphrasiifolia</i>	eyebright ayenia	N
<i>Bidens alba var. radiata</i>	Spanish needles	N
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Chamaecrista deeringiana</i>	Deering partridge pea	N
<i>Chiococca parvifolia</i>	pineland snowberry	N
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Flacourtia indica</i>	governor's plum	E / EPPC (II)
<i>Galactia smallii</i>	Small's milkpea	N / FL endangered
<i>Galium hispidulum</i>	coastal bedstraw	N
<i>Lantana camara</i>	shrub verbena	E / EPPC (I)
<i>Lantana involucrata</i>	buttonsage	N
<i>Leucaena leucocephala</i>	leadtree	E / EPPC (II)
<i>Mangifera indica</i>	mango	E
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Morinda royoc</i>	cheese shrub	N
<i>Myrsine floridana</i>	myrsine	N
<i>Nephrolepis exaltata</i>	boston fern	N
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corky stem passionflower	N
<i>Pennisetum purpureum</i>	napier grass	E / EPPC (I)
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Pinus elliottii var. densa</i>	South Florida slash pine	N
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Psidium guajava</i>	guava	E / EPPC (I)
<i>Quercus pumila</i>	running oak	N
<i>Quercus virginiana</i>	live oak	N
<i>Rhus copallinum</i>	winged sumac	N

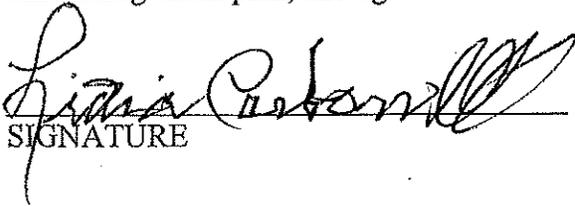
<i>Rhynchospora colorata</i>	white top sedge	N
<i>Sabal palmetto</i>	cabbage palm	N
<i>Schimus terebinthifolia</i>	Brazilian pepper	E / EPPC (I)
<i>Serenoa repens</i>	saw palmetto	N
<i>Smilax auriculata</i>	earleaf greenbrier	N
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL threatened
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Tradescantia spathacea</i>	oyster plant	E / EPPC (II)
<i>Urena lobata</i>	Caesar's weed	E / EPPC (II)
<i>Vitis rotundifolia</i>	muscadine grapevine	N
<i>Zamia pumila</i>	coontie	N
Banana Tree		

\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.

---

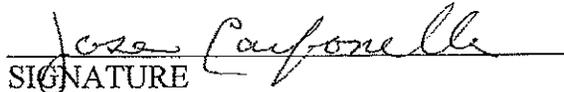
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, Lidia Carbonell hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

09-27-2012  
DATE

I, Jose L. Carbonell hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

09-27-2012  
DATE

JOINDER/CORPORATE LIENHOLDER

NAME OF PROPERTY OWNER(S):

JOSE & LIDIA CARBONELL

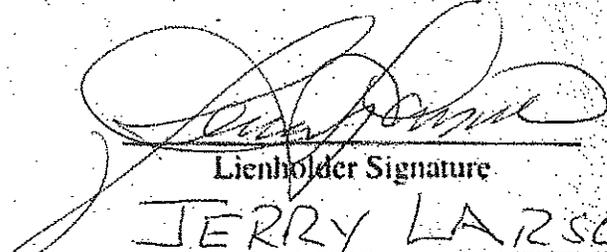
ADDRESS OF PROPERTY:

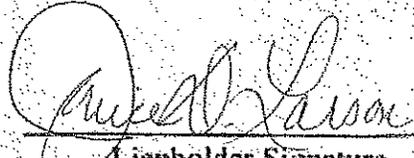
20500 SW 177 AVE  
MIAMI, FL. 33187

NAME OF INTEREST-HOLDER MORTGAGEE:

JERRY AND JANICE LARSON

The undersigned mortgagee, lienholder, or holder of interest in the above-described property hereby consent the Covenant between Miami-Dade County and the above property owner, a copy of which covenant is attached hereto:

  
Lienholder Signature  
JERRY LARSON  
Printed Name  
9/6/12  
Date

  
Lienholder Signature  
JANICE D. LARSON  
Printed Name  
9/6/12  
Date

STATE OF FLORIDA  
COUNTY OF MIAMI DADE Charlotte

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of September, 2012, by Jerry Larson and Janice D. Larson, who are personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath

NOTARY PUBLIC:

sign Barbara D. Stewart  
print Barbara D. Stewart  
State of Florida at Large (Seal)  
My Commission Expires: 12/20/2013



BARBARA D. STEWART  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# DD0948339  
Expires 12/20/2013

**Attachment B**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED IN THE VICINITY OF  
SW 424 STREET AND SW 192 AVENUE,  
MIAMI-DADE COUNTY, FLORIDA,  
CURRENTLY FOLIO # 30-8814-000-0021

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office,, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.

4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 18 day of September, 2012.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print Carly Barrow  
sign Kelly Kennedy  
print KELLY KENNEDY  
sign \_\_\_\_\_  
print \_\_\_\_\_  
sign \_\_\_\_\_  
print \_\_\_\_\_

OWNER(S):

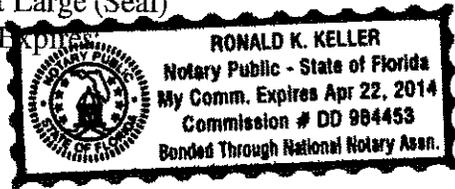
sign [Signature]  
print Charles R. Thibod President  
Address 40751 SW 192th Florida City FL  
sign \_\_\_\_\_  
print \_\_\_\_\_  
Address \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 18 day of September, 2012, by [Signature], who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC:

Sign [Signature]  
Print Ronald K Keller  
State of Florida at Large (Seal)  
My Commission Expires \_\_\_\_\_



THIS INSTRUMENT PREPARED BY:

Elaine Johnson, Biologist II  
Miami-Dade County Department of Regulatory and Economic Resources  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

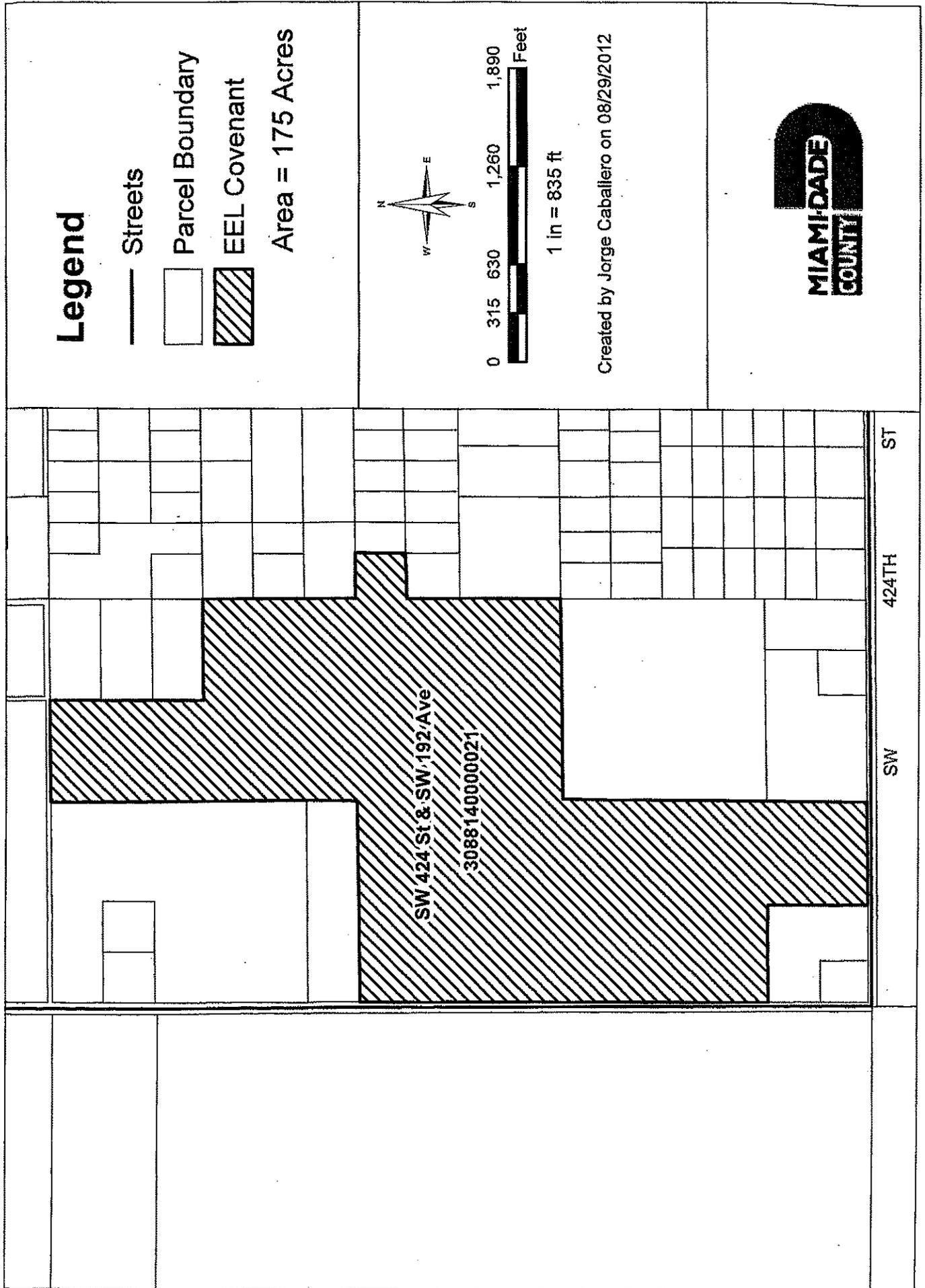
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-8814-000-0021

**Property Address:** vicinity of SW 424 St. & SW 192 Ave.

**Legal description:** 14 58 38 175.42 AC N1/2 OF S1/2 OF SW1/4 OF NE1/4  
LESS E1025FT THEREOF & NW1/4 LESS N3/4 OF  
W1/2 OF NW1/4 & LESS N3/4 E1/2 OF NE1/4 OF  
NW1/4 & LESS W30FT OF S1/2 OF SW1/4 OF NW1/4

# Exhibit B Everglades Alligator Farm 30-8814-000-0021



**Exhibit C**  
**Wetlands Management Plan**  
**for Everglades Alligator Farm**

**Location:** vicinity of SW 424 St. & SW 192 Ave., Miami-Dade County, Florida.

**Size:** 175 acre parcel  
175 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-8814-000-0021

**Forest Type:** Freshwater wet prairie

**Location**

The property is located in the vicinity of SW 424 Street and SW 192 Avenue. The site is an undeveloped parcel outside the urban development boundary (UDB). It is bordered by freshwater wetlands on all sides and can be accessed via airboat.

Distance from nearest EEL/county-owned site: 0 feet

Distance from nearest EEL covenant site: ~ 5 miles

Distance from nearest county-designated Natural Forest Community (NFC): ~1 mile from Holiday Hammock

**Property Information**

The property contains of 175 acres of undeveloped freshwater wet prairie with tree islands which qualify for an EEL covenant. The property is within the South Dade wetlands and adjacent to properties owned and managed by Miami-Dade County and the South Florida Water Management District.

The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-7 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

**Present Condition**

The property is currently a vast wet prairie, dotted with areas of higher elevation forming tree islands comprised of hardwoods. The dominant plant species are *Cladium jamaicense* (Sawgrass), *Eleocharis interstincta* (Spikerush), *Annona glabra* (Pond Apple), and scattered tree islands with native vegetation such as *Taxodium ascendens*

(Cypress), *Salix caroliniana* (Coastal Plain Willow), *Chrysobalanus icaco* (Cocoplum), and *Persea borbonia* (Red Bay). These tree islands provide food and shelter for wading birds, deer, alligators, and even panthers, which according to the property owner, have been spotted onsite. The site supports the algal mat known as periphyton, which forms the basis of the food chain in this system.

There are very few exotics present at the site. *Melaleuca quinquenervia* (Melaleuca) and *Casuarina equisetifolia* (Australian Pine) were documented primarily in areas of higher elevation such as the tree islands, and along berms and ditches created by old access roads, or as means of water management within the area. Except for a few *Melaleuca* saplings, there are very few exotics within the wetland prairie. It should be noted that the property owner is actively removing the *Melaleuca* saplings.

The property owners have historically provided public and educational access to the site via airboat tours. The Department does not object to this use, provided that said tours are conducted to the greatest extent on existing trails in order to avoid impacts to vegetation and hydrology.

### **Conclusion**

Overall, the site is in substantially good condition and will continue to improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics.

### **Ecological Goals**

1. Maintain and increase native wetland plant species.
2. Remove and control exotic plants on the entire site.
3. Provide habitat for native wildlife.

### **Management Goals**

1. Eliminate invasive exotic plants to achieve less than 3% exotic cover.
2. Increase biodiversity with appropriate native plant species.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

**Management Techniques and Schedule**

All work must be done by hand (i.e. chainsaw, hand tools). Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from the Coastal and Wetlands Resources section of RER. Removal of the exotics shall be conducted in a manner that causes minimal impact to areas not containing exotics and avoids or minimizes disturbance in the wetlands or tree islands. If hauling of materials removed from the site is to occur, disposal of the exotics shall be conducted by placement of the exotics into a fully enclosed truck, wetting the exotic vegetation to prevent seed dispersal during transportation and disposal of the exotic vegetation at an approved site. Disposal receipts shall then be submitted to the Coastal and Wetlands Resources Section of RER upon completion of the removal of invasive and exotic trees and tree cover from the subject property.

**Year 1-3:** Hand removal and herbicide treatment of all invasive exotic plant species is required. Tree island exotics should be treated first. All exotic and seedlings should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps (large trees may be treated with herbicide and left in place).

**Year 4-6:** Continue invasive exotic control in all areas. Monitor areas previously treated for exotics to ensure native recolonization exceeds that of exotics.

**Year 7-10:** Continue invasive exotic and ruderal plant/ vine control to ensure less than 1% exotic coverage at the site.

**PLANT SPECIES LIST\***

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

- N native to South Florida
- R ruderal
- FL endangered listed as an endangered species in the state of Florida
- FL threatened listed as a threatened species in the state of Florida
- E exotic to South Florida
- EPPC I category I as per Florida Exotic Pest Plant Council (most invasive)
- EPPC II category II as per Florida Exotic Pest Plant Council (invasive)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Acrostichum danaeifolium</i>	giant leatherfern	N
<i>Annona glabra</i>	pond apple	N
<i>Blechnum serrulatum</i>	swamp fern	N
<i>Cassytha filiformis</i>	lovevine	N

<i>Casuarina equisetifolia</i>	Australian pine	E / EPPC (I)
<i>Cephalanthus occidentalis</i>	common buttonbush	N
<i>Chrysobalanus icaco</i>	cocoplum	N
<i>Cladium jamaicense</i>	sawgrass	N
<i>Conocarpus erectus</i>	buttonwood	N
<i>Crinum americanum</i>	swamp lilly	N
<i>Eleocharis interstincta</i>	knotted spikerush	N
<i>Melaleuca quinquenervia</i>	melaleuca	E / EPPC (I)
<i>Muhlenbergia capillaris</i>	muhlygrass	N
<i>Myrica cerifera</i>	wax myrtle	N
<i>Osmunda regalis</i> var. <i>spectabilis</i>	royal fern	N
<i>Persea borbonia</i>	red bay	N
<i>Pluchea baccharis</i>	rosy camphorweed	N
<i>Pontederia cordata</i>	pickerelweed	N
<i>Rhynchospora divergens</i>	spreading beaksedge	N
<i>Sabatia</i> spp.	coastal rosegiant	N
<i>Sagittaria lancifolia</i>	bulltongue arrowhead	N
<i>Salix caroliniana</i>	coastal plain willow	N
<i>Taxodium ascendens</i>	pond cypress	N
<i>Typha latifolia</i>	cattail	N
<i>Utricularia purpurea</i>	eastern purple bladderwort	N
<i>Vitis rotundifolia</i>	muscadine grapevine	N

**\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.**

**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, Charles P. Thibos, President hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

September 18, 2012  
DATE

I, \_\_\_\_\_ hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

## **Attachment C**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 22000 SW 147  
AVENUE, MIAMI-DADE COUNTY,  
FLORIDA, CURRENTLY FOLIO # 30-  
6916-001-0080

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office,, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.

4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 29 day of AUGUST, 2012.

INDIVIDUAL

WITNESSES:

sign [Signature]

print MARIA SALGADO

sign [Signature]

print William NALL

sign \_\_\_\_\_

print \_\_\_\_\_

sign \_\_\_\_\_

print \_\_\_\_\_

OWNER(S):

sign [Signature]

print MARY VIRGINIA (GINI) NALL

Address 22000 SW 147 AV. MIAMI, FL

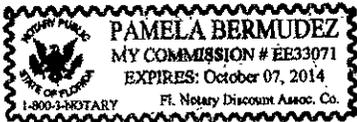
sign [Signature]

print ERIC MICHAEL BENEBY

Address 22000 SW 147 AV. MIAMI, FL

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of AUGUST, 2012, by MARY V. NALL, ERIC M. BENEBY, who is personally known to me or who has produced FL DRIVER'S LICENSE as identification and who did take an oath.



NOTARY PUBLIC:

Sign [Signature]

Print Pamela Bermudez

State of Florida at Large (Seal)

My Commission Expires:

THIS INSTRUMENT PREPARED BY:

Elaine Johnson, Biologist II

Miami-Dade County Department of Regulatory and Economic Resources

701 NW 1<sup>st</sup> Court,

Miami, Florida 33136

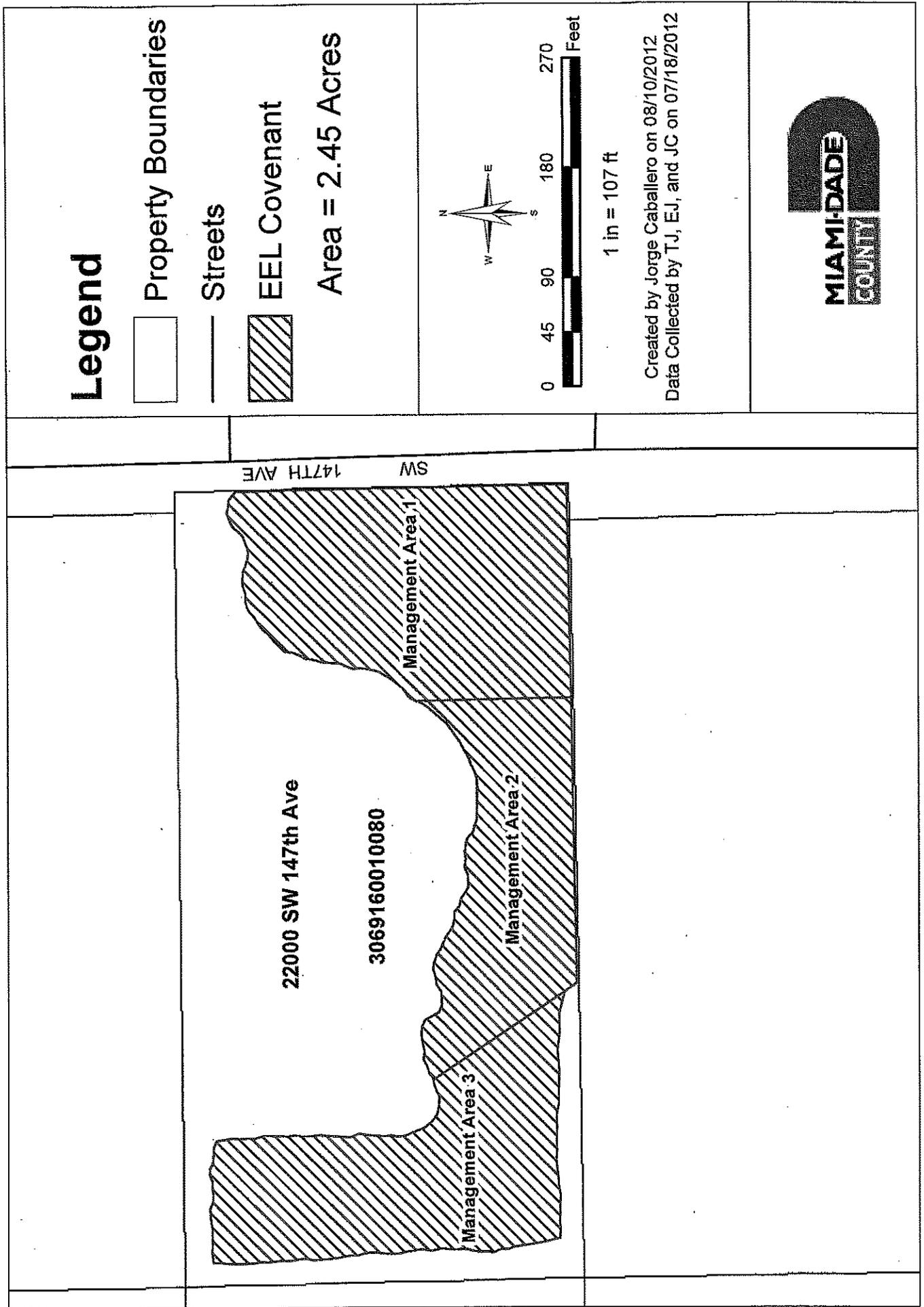
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6916-001-0080

**Property Address:** 22000 SW 147 Ave.

**Legal description:** 16 56 39 5 AC REDLAND CITRUS ORCHARDS LOT 8  
PB 5-31 LOT SIZE IRREGULAR OR 20494-2382 062002  
4 OR 20494-2382 0602 01

# Exhibit B Nall 30-6916-001-0080



**Exhibit C  
Management Plan  
for Eric Beneby & Gini Nall**

**Location:** 22000 SW 147 Ave., Miami-Dade County, Florida.

**Size:** 5.0 acre parcel  
2.45 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6916-001-0080

**Forest Type:** Pine Rockland/Transitional Hardwood Hammock

**Location**

The property is located on the west side of SW 147 Avenue and south of SW 216 Street. The site is a developed residential lot outside the urban development boundary (UDB) and it is bordered by agriculture and residential properties. The property can be accessed via SW 147 Avenue.

Distance from nearest EEL/county-owned site: ~1,650 feet from Silver Palm Grove

Distance from nearest EEL covenant site: ~1,700 feet

Distance from nearest county-designated Natural Forest Community (NFC): ~1,300 feet

**Property Information**

The property consists of a single-family home with driveway bordered by 2.45 acres of remnant pine rockland and hardwood hammock on the south, east and west, which qualifies for an EEL covenant. This is a pineland/hammock fragment surrounded by agriculture.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres along the Miami rock ridge, which is a large limestone outcropping that extends south from the Miami River to Everglades National Park. Because of its high elevation, the Miami rock ridge was the first area to be impacted by development. The clearing of large tracts for development has now reduced pine rocklands to about 20,000 acres, most of which are now protected inside Everglades National Park. The pine rockland canopy is dominated almost exclusively by slash pines. Beneath this canopy lays a rich understory composed of grasses, sedges, palms, vines, shrubs and wildflowers of temperate and tropical origin, many of which are listed as endangered or threatened. A sub-climatic community, pine rocklands have depended on fire to keep them from transitioning into hardwood hammocks. Fire exclusion has caused many properties that were formerly pine rockland to either transition into hammock or become invaded by

non-native invasive species. This has caused a net loss of biodiversity and the extinction or near extinction of several rare and unique plant species. Pine rocklands are South Florida's most floristically diverse plant community and contain several endemic species that are found nowhere else in the world. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled. The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-8 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

### **Present Condition**

The EEL Covenant qualifying portion of the property can be separated into three management areas (see Exhibit B).

The first management area is east/southeast of the residence and driveway can be classified as a remnant pine rockland that is transitioning to hardwood hammock. Some portions of this area are more characteristic of a hardwood hammock. This area is currently a mix of native hardwood and pine rockland plant species, and has good native biodiversity. State listed endangered species such as Pineland Clustervine (*Jacquemontia curtisii*) and Shrub Eupatorium (*Koanophyllon villosum*), and State listed threatened species such as Satinleaf (*Chrysophyllum oliviforme*), Krug's Holly (*Ilex krugiana*), West Indian Lilac (*Tetrazygia bicolor*), and West Indian Mahogany (*Swietenia mahagoni*) are present in this area. The property owner is currently performing exotic plant removal work in this area, removing exotics such as Rosary Pea (*Abrus precatorius*), Burma Reed (*Neyraudia reynaudiana*), and Jasmine Vine (*Jasminum dichotomum* & *Jasminum fluminense*).

The second management area contains a large sinkhole which is located immediately southwest of the residence. This sinkhole currently contains exotics such as the tuberous Sword Fern (*Nephrolepis cordifolia*) and Air Potato (*Dioscorea bulbifera*), which will be removed and replanted with appropriate native vegetation as part of this management plan. The rest of the second management area consists of large native trees with an understory of comprised of native and exotic plants as well as mowed lawn. This area will require exotic plant removal as well some native understory planting.

The third management area is located on the southwest/west side of the property and is a created pine rockland habitat. The owner planted Slash Pines (*Pinus elliottii* var. *densa*) in this area approximately 15 years ago and again this year. The understory in this area contains mostly native grasses and ruderal native plants. The property owner has conducted exotic removal within the southernmost part of this area. In addition to the Slash Pines, the property owners have planted Saw Palmettos (*Serenoa repens*) and Coontie (*Zamia pumila*) in this area. These previously and newly planted areas will be managed and restored under the guidance of this management plan.

### **Conclusion**

The property contains several rare and state listed plant species whose existence in the continental US is limited to this area. It is important to note that the current state of the property is due to the continuous commitment of the owner to the long term maintenance of the area as a natural preserve.

Overall, the site is in average to good condition and will continue to improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics, vine control, and supplemental native plantings.

### **Ecological Goals**

1. Increase plant biodiversity on the entire site.
2. Maintain and increase native pine rockland and hardwood hammock plant species, focusing on rare and listed species.
3. Remove and control exotic plants on the entire site.
4. Provide habitat for native wildlife.

### **Management Goals**

1. Eliminate invasive exotic plants to ensure less than 3% exotic coverage within the EEL covenanted areas.
2. Increase biodiversity of appropriate native plant species.
3. Manage the transitional pine rockland areas to maintain rare and listed plant species.
4. Restore the sinkhole and surrounding areas by removing exotic plant species and planting appropriate native species.
5. Enhance the created pine rockland areas by planting more pines and appropriate native pine rockland understory plants.
6. Control hardwoods in the pine rockland area.
7. Control native ruderal plants and vines.
8. Allow natural regeneration of native plants.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

### **Management Techniques and Schedule**

(No heavy machinery is allowed within the site. All work must be done by hand (i.e. chainsaw, hand tools). Mowing within the covenanted areas is prohibited.

**Year 1:** Hand removal and herbicide treatment of all exotic plant species, and vines (non-native and native woody) is required within the EEL Covenanted areas. Interior exotics should be treated first and work extended out to the perimeters. All exotic hardwood seedlings should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from Miami-Dade County Department of Regulatory and Economic Resources (RER).

Management areas 2 and 3 require enhancement planting (please see attached planting lists). The required planting shall begin in year one and continue until adequate native plant cover is achieved. It is recommended that new plantings occur in the rainy season to help ensure survival. **All new plant material must be approved by RER prior to installation.**

The Black Olive trees located along the southern property line should be treated with herbicide and left in-place to provide nesting habitat for birds, insects, and other wildlife (any dead trees that pose a safety hazard may be removed at the property owner's discretion).

Mowing should gradually be phased out of all EEL Covenanted. Excess pine needle duff from the existing Slash Pine areas should be spread over the grassy areas in an effort to control exotics and begin establishing native pine rockland plant species.

**Years 2-5** Continue exotic plant and vine control. Monitor areas previously treated for exotics to ensure successful eradication. Monitor native recolonization. Continue planting native species if native recolonization is low. Thinning out of some of Slash Pine in management area 3 may be necessary, as determined by RER.

**Years 6-10:** Continue exotic and ruderal plant/ vine control to ensure less than 3% exotic coverage within all EEL covenanted areas. Continue to selectively control hardwoods located within management area 3 and allow for pine proliferation. Plant additional native species if needed (within all management areas).

**PLANT SPECIES LIST\***

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

N	native to South Florida
R	ruderal
FL endangered	listed as an endangered species in the state of Florida
FL threatened	listed as a threatened species in the state of Florida
E	exotic to South Florida
EPPC I	category I as per Florida Exotic Pest Plant Council (most invasive)
EPPC II	category II as per Florida Exotic Pest Plant Council (invasive)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Abrus precatorius</i>	rosary pea	E / EPPC (I)
<i>Albizia lebeck</i>	woman's tongue	E / EPPC (I)
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Ardisia elliptica</i>	shoebuttton	E / EPPC (I)
<i>Bidens alba</i>	Spanish needles	N
<i>Bucida buceras</i>	black olive	E
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Chamaecrista deeringiana</i>	Deering partridge pea	N
<i>Chiococca alba</i>	Co. snowberry	N
<i>Chrysophyllum oliviforme</i>	satinleaf	N / FL threatened
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Delonix regia</i>	royal poinciana	E
<i>Dioscorea bulbifera</i>	air potato	E / EPPC (I)
<i>Ficus aurea</i>	strangler fig	N
<i>Flacourtia indica</i>	governor's plum	E/ EPPC (II)
<i>Galium hispidulum</i>	bedstraw	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Ilex krugiana</i>	Krug's holly	N / FL threatened
<i>Jacquemontia curtisii</i>	Pineland clustervine	N/ FL endangered
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC (I)
<i>Koanophyllon villosum</i>	Shrub eupatorium	N/ FL endangered
<i>Lantana camara</i>	shrub verbena	E / EPPC (I)
<i>Lysiloma latisiliquum</i>	Wild tamarind	N
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Monstera deliciosa</i>	Swiss cheese plant	E
<i>Morinda royoc</i>	cheese shrub	N
<i>Myrsine floridana</i>	myrsine	N
<i>Nephrolepis cordifolia</i>	tuberous sword fern	E / EPPC (I)
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N

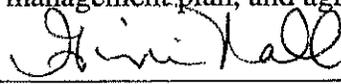
<i>Pinus elliottii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Piriqueta caroliniana</i>	pitted stripeseed	N
<i>Plumeria</i> spp.	frangipani	E
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Psychotria nervosa</i>	wild coffee	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy bracken	N
<i>Quercus virginiana</i>	live oak	N
<i>Rhus copallinum</i>	winged sumac	N
<i>Sabal palmetto</i>	cabbage palm	N
<i>Schinus terebinthifolius</i>	Brazilian pepper	E / EPPC (I)
<i>Serenoa repens</i>	saw palmetto	N
<i>Sideroxylon salicifolium</i>	willow bustic	N
<i>Simarouba glauca</i>	paradise tree	N
<i>Smilax auriculata</i>	earleaf greenbrier	N
<i>Sophora tomentosa</i>	necklacepod	N
<i>Swietenia mahagoni</i>	West Indian mahogany	N / FL threatened
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL threatened
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Trema micranthum</i>	nettletree	N
<i>Zamia furfuracea</i>	cardboard palm	E
<i>Zamia pumila</i>	coontie	N
Ginger		E

**\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.**

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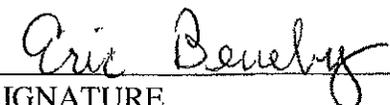
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, MARY VIRGINIA (GINI) NALL hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

8/29/12  
DATE

I, ERIC BENEBY hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

8/29/12  
DATE

## Nall EEL Covenant Planting List

Location: 22000 SW 147 Ave., Miami-Dade County, Florida  
Folio: 30-6916-001-0080

The number of species planted in each area shall be maximized to the greatest extent possible, depending on plant material availability. Additional plant species not on this list may be planted with RER approval.

### **Management area #2**

<u>Scientific Name</u>	<u>Common Name</u>
<i>Bursera simaruba</i>	gumbo limbo
<i>Callicarpa americana</i>	American beautyberry
<i>Calyptanthes pallens</i>	spicewood
<i>Chrysophyllum oliviforme</i>	satinleaf
<i>Coccoloba diversifolia</i>	pigeon plum
<i>Erythrina herbacea</i>	coralbean
<i>Eugenia axillaris</i>	white stopper
<i>Eugenia foetida</i>	Spanish stopper
<i>Eugenia rhombea</i>	red stopper
<i>Ficus aurea</i>	strangler fig
<i>Guettarda scabra</i>	rough velvetseed
<i>Hamelia patens</i>	firebush
<i>Ilex krugiana</i>	Krug's holly
<i>Mycianthes fragrans</i>	Simpson stopper
<i>Myrsine floridana</i>	myrsine
<i>Ocotea coriacea</i>	lancewood
<i>Peperomia obtusifolia</i>	Florida peperomia
<i>Prunus myrtifolia</i>	West Indian Cherry
<i>Psychotria nervosa</i>	wild coffee
<i>Quercus virginiana</i>	live oak
<i>Rivina humilis</i>	rougeplant
<i>Sideroxylon foetidissimum</i>	wild mastic
<i>Simarouba glauca</i>	paradise tree

### **Management area #3**

<u>Scientific Name</u>	<u>Common Name</u>
<i>Angadenia berteroi</i>	Pineland-allamanda
<i>Aristida purpurascens</i>	Arrowfeather threeawn
<i>Aster adnatus</i>	Clasping aster
<i>Byrsonima lucida</i>	Locustberry
<i>Centrosema virginianum</i>	Spurred butterfly-pea
<i>Chamaecrista deeringiana</i>	Deering partridge pea
<i>Chiococca parvifolia</i>	Pineland snowberry
<i>Coccothrinax argentata</i>	Florida silver palm
<i>Crossopetalum illicifolium</i>	Quailberry
<i>Crotalaria pumila</i>	Low rattlebox
<i>Crotalaria rotundifolia</i>	Rabbitbells

<i>Croton linearis</i>	Pineland croton
<i>Echites umbellata</i>	Devil's-potato, Rubbervine
<i>Eragrostis elliotii</i>	Elliott's love grass
<i>Ipomoea microdactyla</i>	Man-in-the-ground
<i>Lantana depressa</i>	Pineland lantana
<i>Liatris gracilis</i>	Slender gayfeather
<i>Licania michauxii</i>	Gopher-apple
<i>Melanthera parvifolia</i>	Pineland blackanthers
<i>Passiflora suberosa</i>	Corkystem passionflower
<i>Pinus elliotii</i> var. <i>densa</i>	South Florida slash pine
<i>Pityopsis graminifolia</i>	Narrowleaf silkgrass
<i>Psidium longipes</i>	Longstalked-stopper
<i>Quercus pumila</i>	Running oak
<i>Ruellia succulenta</i>	Thickleaf wild petunia
<i>Schizachyrium gracile</i>	Wire bluestem
<i>Schizachyrium rhizomatum</i>	Rhizomatous bluestem
<i>Schizachyrium sanguineum</i>	Crimson bluestem
<i>Scutellaria havanensis</i>	Havana skullcap
<i>Senna ligustrina</i>	Privet senna
<i>Serenoa repens</i>	Saw palmetto
<i>Solidago odora</i> var. <i>chapmanii</i>	Chapman's goldenrod
<i>Sorghastrum secundum</i>	Lopsided Indian grass
<i>Tetrazygia bicolor</i>	West Indian-lilac
<i>Zamia integrifolia</i>	Coontie

**Attachment D**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 19505 SW 264  
STREET, MIAMI-DADE COUNTY,  
FLORIDA, CURRENTLY FOLIO # 30-  
6826-000-0550

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office,, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.

4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 28 day of AUGUST, 2012.

INDIVIDUAL

WITNESSES:

sign [Signature]

print Jessica Reyes

sign [Signature]

print Ingrid Roscio

sign \_\_\_\_\_

print \_\_\_\_\_

sign \_\_\_\_\_

print \_\_\_\_\_

OWNER(S):

sign [Signature]

print ANNE GOLDEN-VEGA

Address 19505 SW 264 ST

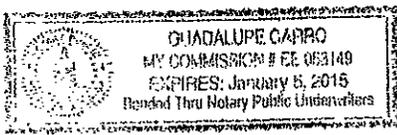
sign N/A

print \_\_\_\_\_

Address \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 28 day of AUGUST, 2012, by ANNE GOLDEN VEGA, who is personally known to me or who has produced FLORIDA DRIVER LICENSE as identification and who did take an oath.



NOTARY PUBLIC:

Sign [Signature]

Print GUADALUPE CARRO

State of Florida at Large (Seal)

My Commission Expires: 01.06.2015

THIS INSTRUMENT PREPARED BY:

Elaine Johnson, Biologist II

Miami-Dade County Department of Regulatory and Economic Resources

701 NW 1<sup>st</sup> Court,

Miami, Florida 33136

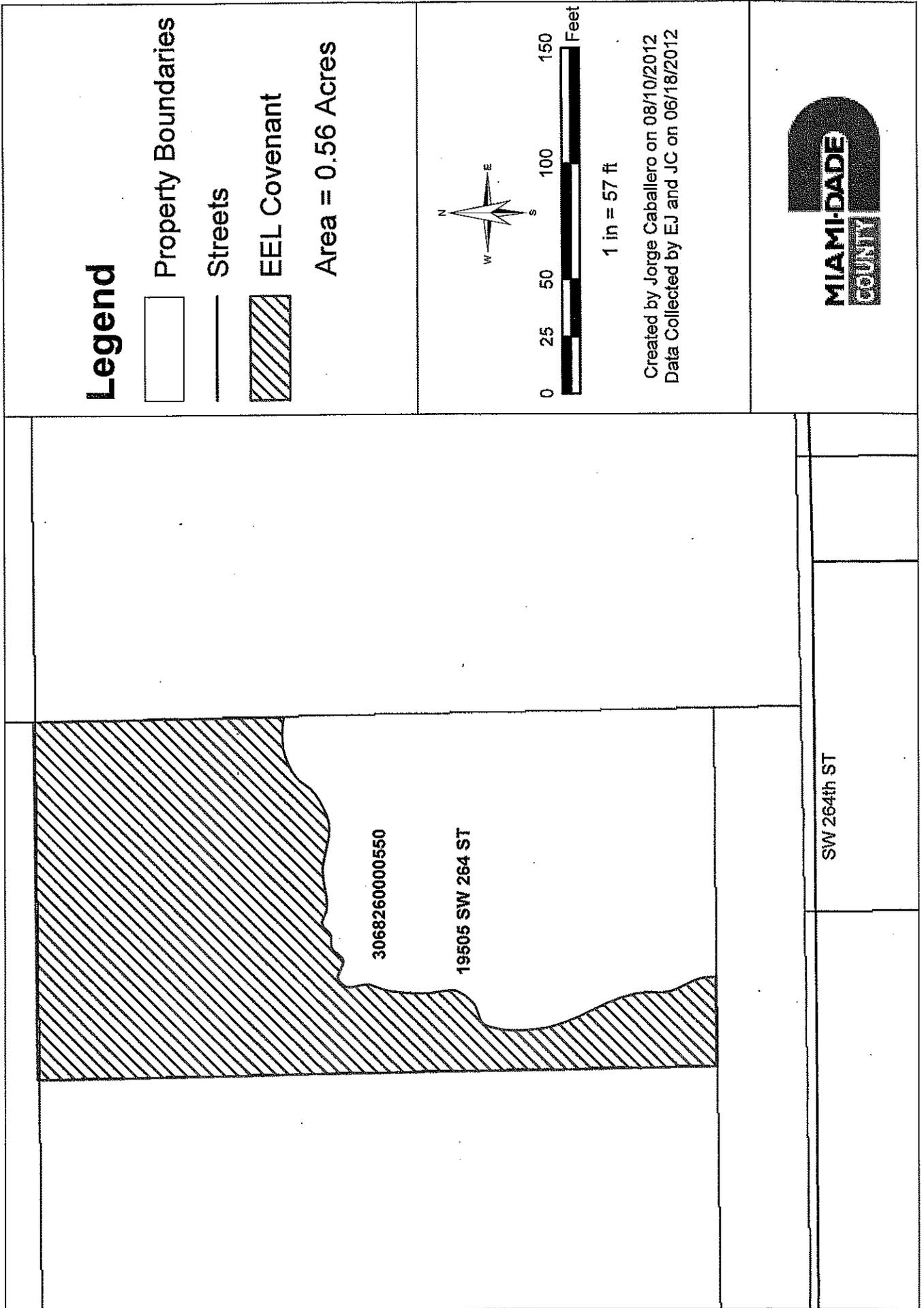
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6826-000-0550

**Property Address:** 19505 SW 264 ST

**Legal description:** 26 56 38 1.04 AC E156FT OF S1/2 OF SW1/4 OF SW1/4  
OR SW1/4 LESS S40FT FOR R/W SUBJECT TO NFC  
REST ON .54 AC COC 20914-4101 12 2002 4 OR 20914-  
4101 1202 01

# Exhibit B Gorden-Vega 30-6826-000-0550



**Exhibit C  
Management Plan  
for Anne Gorden Vega**

**Location:** 19505 SW 264 St. Miami-Dade County, Florida.

**Size:** 1.04 acre parcel  
0.56 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6826-000-0550

**Forest Type:** Pine Rockland/Hardwood Hammock

**Location**

The property is located on the north side of SW 264 Street, east of SW 197 Avenue. The site is a developed residential lot outside the urban development boundary (UDB) and it is bordered by residential properties and agriculture. This property, as well as the property to the north, is county-designated Natural Forest Community (NFC). The property can be accessed via SW 264 Street.

Distance from nearest EEL/county-owned site: ~1.3 miles from West Biscayne Pineland  
Distance from nearest EEL covenant site: ~700 feet  
Distance from nearest county-designated Natural Forest Community (NFC): 0 feet

**Property Information**

The property consists of a single-family home and driveway that are bordered on the north and west by 0.56 acres of pine rockland and hardwood hammock which qualify for an EEL covenant. The property owner has been involved in maintaining the property for at least 20 years. The property owner planted pine trees after Hurricane Andrew and has been working to remove exotics and restore areas of the property.

The property was designated as a natural forest community (NFC) in 1984 by the Miami-Dade County Board of County Commissioners, via Resolution No. R-1764-84 and may be found on Miami-Dade County Natural Forest Community Map 31, T56 R38 S26, parcel A. NFCs are protected and regulated via Section 24-49 of the Code of Miami-Dade County.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres along the Miami rock ridge, which is a large limestone outcropping that extends south from the Miami River to Everglades National Park. Because of its high

elevation, the Miami rock ridge was the first area to be impacted by development. The clearing of large tracts for development has now reduced pine rocklands to about 20,000 acres, most of which are now protected inside Everglades National Park. The pine rockland canopy is dominated almost exclusively by slash pines. Beneath this canopy lays a rich understory composed of grasses, sedges, palms, vines, shrubs and wildflowers of temperate and tropical origin, many of which are listed as endangered or threatened. A sub-climatic community, pine rocklands have depended on fire to keep them from transitioning into hardwood hammocks. Fire exclusion has caused many properties that were formerly pine rockland to either transition into hammock or become invaded by non-native invasive species. This has caused a net loss of biodiversity and the extinction or near extinction of several rare and unique plant species. Pine rocklands are South Florida's most floristically diverse plant community and contain several endemic species that are found nowhere else in the world. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled. The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-8 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

Tropical hardwood hammocks contain primarily broadleaf and mostly hardwood evergreen trees growing on outcrops of limestone. The closed canopy conditions typically found in hammocks creates a humid forest interior with low light levels. Under natural conditions this community is rarely subject to fire and forms dense forests in relatively small areas. Hammocks are floristically rich and harbor some of Florida's rarest plants and also serve as habitat for a wide array of animal species. Many of the rare plants harbored by this habitat are fern species found in geologically significant solution holes.

### **Present Condition**

The vegetation within the EEL covenanted area can be classified as pine rockland on the northernmost section of the property, and hardwood hammock, primarily located in the strip west of the residence and along to the north of the residence. Both of these areas are in average to poor condition, with the pine rockland area being in the best state due to the property owner's maintenance and exotic control measures in this area.

The pine rockland area was planted with Slash Pine (*Pinus elliottii* var. *densa*) trees after Hurricane Andrew. These trees are approximately 15 feet tall and are dropping pine needle duff that is helping to suppress the growth of exotics. State listed endangered species in this area include Silver Palm (*Coccothrinax argentata*), with State listed threatened species Satinleaf (*Chrysophyllum oliviforme*), Joewood (*Jacquinia keyensis*), West Indian Lilac (*Tetrazygia bicolor*), and Florida Keys Noseburn (*Tragia saxicola*) present as well. The area does have a bit of exotic infestation, primarily Jasmine vines (*Jasminum* spp.), Rose Natal Grass (*Melinis repens*), Brazilian Pepper (*Schinus terebinthifolius*), and Rosary Pea (*Abrus precatorius*), which are encroaching from the neighboring properties. Some mowing has occurred within areas of the pine rockland, particularly along the eastern perimeter. A portion of this area is open and comprised of a mixture of grasses, ruderal natives and some rare herbaceous plants. The oolite substrate

in this area is intact. The property owner has agreed to cease mowing activities and remove the non-native grasses and other species in order to allow for the regeneration of the appropriate native plant species. The owner has also agreed to plant appropriate native species if natural regeneration is low.

The hardwood hammock areas are comprised of native hardwoods such as Satinleaf and Oaks (*Quercus virginiana*), with an understory containing natives such as Wild Coffee (*Psychotria nervosa*) and Coontie (*Zamia integrifolia*), as well as ruderals and non-natives such as Shoebuttan Ardisia (*Ardisia elliptica*) and Sword Fern (*Nephrolepis cordifolia*). Rosary Pea and Jasmine vines are also a problem in this area. Extensive exotic control will need to be conducted along the western perimeter of the property.

### **Conclusion**

The property contains several rare and state listed plant species whose existence in the continental US is limited to this area. The property owner has expressed a strong desire to maintain the property and has been working to enhance and restore areas.

Overall, the site is in average condition and will improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics and vine control, as well as the restoration of the pine rockland area and the planting of native pine rockland species. Continued selective hardwood control is also needed if prescribed burning the pine rockland area is not feasible.

### **Ecological Goals**

1. Increase plant biodiversity on the entire site.
2. Maintain and increase pine rockland and hammock plant species.
3. Remove and control exotic plants on the entire site.
4. Provide habitat for native wildlife.

### **Management Goals**

1. Eliminate invasive exotic plants to ensure less than 3% exotic coverage within the EEL covenanted area.
2. Increase biodiversity with appropriate native plant species.
3. Control hardwoods in the pine rockland.
4. Control native ruderal plants and vines.
5. Cease mowing activities within the covenanted area.
6. Restore open & mowed areas within the pine rockland by allowing native regeneration & by the planting of native pine rockland species.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

## Management Techniques and Schedule

(No heavy machinery is allowed within the site. All work must be done by hand (i.e. chainsaw, hand tools). Mowing and vehicle traffic within the covenanted area is not allowed.

- Year 1:** Hand removal and herbicide treatment of all exotic plant species and vines (non-native and native woody) is required for the entire covenanted area. Interior exotics should be treated first and work extended out to the perimeters. All exotic and native hardwood seedlings (pine area only) should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from Miami-Dade County Department of Regulatory and Economic Resources (RER). Cease mowing activities within the covenanted area. Non-native grasses must be hand-pulled from within the covenanted area north of the residence within the first year. Monitor open areas for native plant recolonization. Removal of the trampoline from within the covenanted area is required within ninety (90) days of Miami-Dade County Board of County Commission approval of this covenant.
- Year 2-6:** Continue invasive exotic and vine control. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Monitor areas previously treated for exotics to ensure native recolonization and continued control of exotics. Planting of native pine rockland species (RER approved plants only) may be required within the previously mowed open areas.
- Year 7-10:** Continue invasive exotic and ruderal plant/ vine control to ensure less than 3% exotic coverage within the covenanted area. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Planting of additional native pine rockland species (RER approved plants only) in areas of exotic removal may be required if native recolonization is low.

## PLANT SPECIES LIST\*

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

N	native to South Florida
R	ruderal
FL endangered	listed as an endangered species in the state of Florida
FL threatened	listed as a threatened species in the state of Florida
E	exotic to South Florida
EPPC I	category I as per Florida Exotic Pest Plant Council (most invasive)
EPPC II	category II as per Florida Exotic Pest Plant Council (invasive)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Abrus precatorius</i>	Rosary-pea	E / EPPC (I)
<i>Albizia lebbek</i>	Woman's Tongue	E / EPPC (I)
<i>Ardisia elliptica</i>	Shoe-button Ardisia	E / EPPC (I)
<i>Bauhinia purpurea</i>	Orchid Tree	E / EPPC (I)
<i>Bidens alba</i> var. <i>radiata</i>	Spanish-needles	N
<i>Busera simaruba</i>	Gumbo limbo	N
<i>Catharanthus roseus</i>	Periwinkle	E
<i>Chrysophyllum oliviforme</i>	Satinleaf	N / FL threatened
<i>Coccothrinax argentata</i>	Silver Palm	N / FL endangered
<i>Ficus aurea</i>	Strangler Fig	N
<i>Forestiera segregata</i>	Florida privet	N
<i>Galactia</i> spp.	Milk-pea	N
<i>Hamilia patens</i>	Firebush	N
<i>Jacquinia keyensis</i>	Joewood	N / FL threatened
<i>Jasminum dichotomum</i>	Gold Coast jasmine	E / EPPC (I)
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC (I)
<i>Lantana camara</i>	Shrub verbena	E
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Merremia tuberosa</i>	Spanish arborvine	E
<i>Monstera deliciosa</i>	Swiss-cheese plant	E
<i>Morinda royoc</i>	cheese-weed	N
<i>Myrsine cubana</i>	myrsine	N
<i>Nephrolepis cordifolia</i>	sword fern	E / EPPC (I)
<i>Pinus elliottii</i> var. <i>densa</i>	Slash Pine	N
<i>Psychotria nervosa</i>	wild coffee	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	Lacy bracken fern	N
<i>Quercus virginiana</i>	Live Oak	N
<i>Randia aculeata</i>	White indigoberry	N
<i>Rhus copallinum</i>	Winged sumac	N
<i>Richardia brasiliensis</i>	Mexican clover	E
<i>Sabal palmetto</i>	Sabal Palm	N
<i>Schefflera actinophylla</i>	Umbrella Tree	E / EPPC (I)

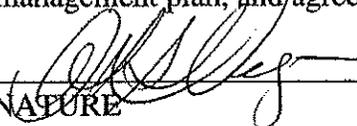
<i>Schinus terebinthifolios</i>	Brazilian pepper	E / EPPC (I)
<i>Senna ligustrina</i>	privet senna	N
<i>Serenoa repens</i>	Saw Palmetto	N
<i>Stachytarpheta jamaicensis</i>	Blue porterweed	N
<i>Stenotaphrum secundatum</i>	St. Augustine grass	E
<i>Syngonium angustatum</i>	Arrowhead vine	E / EPPC (I)
<i>Tamarindus indica</i>	Tamarind	E
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL threatened
<i>Tragia saxicola</i>	Florida Keys	N / FL threatened
<i>Vitis rotundifolia</i>	Muscadine Grape	N
<i>Zamia integrifolia</i>	Coontie	N

**\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.**

---

**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, ANNE GORDEN-VEGA hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

9/28/2012  
DATE

I, \_\_\_\_\_ hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

JOINDER/CORPORATE LIENHOLDER

NAME OF PROPERTY OWNER(S): ANNE GOLDEN - VEGA

ADDRESS OF PROPERTY: 19505 SW 264 TH ST  
HOMESTEAD, FL 33021

NAME OF INTEREST-HOLDER MORTGAGEE: 1st National Bank of South Florida  
1550 N. Krome Ave.  
Homestead, FL 33030

The undersigned mortgagee, lienholder, or holder of interest in the above-described property hereby consents to the Covenant between Miami-Dade County and the above property owner, a copy of which covenant is attached hereto:

<u>1st National Bank of South Florida</u>	<u>R. Dean Holland</u>
Lienholder Signature	Lienholder Signature
_____	<u>R. Dean Holland</u>
Printed Name	Printed Name
_____	<u>8-30-2012</u>
Date	Date

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 30 day of August, 2012, by R. Dean Holland and \_\_\_\_\_, who are personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC:

[Signature]  
sign \_\_\_\_\_  
print Nancy Rivera  
State of Florida at Large (Seal)  
My Commission Expires: \_\_\_\_\_



## **Attachment E**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT THE VICINITY OF  
SW 236 STREET AND SW 125 AVENUE,  
MIAMI-DADE COUNTY, FLORIDA,  
CURRENTLY FOLIO # 30-6924-000-0890

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office,, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.

4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
  
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
  
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
  
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 28 day of August, 2012.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print JOSE QUINONES  
sign [Signature]  
print Jose Quinones  
sign \_\_\_\_\_  
print \_\_\_\_\_  
sign \_\_\_\_\_  
print \_\_\_\_\_

OWNER(S):

sign [Signature]  
print John Bolash  
Address 23015 SW 120 Ave, Miami, FL  
sign \_\_\_\_\_  
print \_\_\_\_\_  
Address \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 28 day of August, 2012, by John Bolash, who is personally known to me or who has produced FL DR LIC as identification and who did take an oath.



NOTARY PUBLIC:

Sign [Signature]  
Print \_\_\_\_\_  
State of Florida at Large (Seal)  
My Commission Expires:

NELIDA ESTRADA  
23728 S. DIXIE HWY.  
HOMESTEAD, FL 33033  
305-245-7300

THIS INSTRUMENT PREPARED BY:

Elaine Johnson, Biologist II  
Miami-Dade County Department of Regulatory and Economic Resources  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

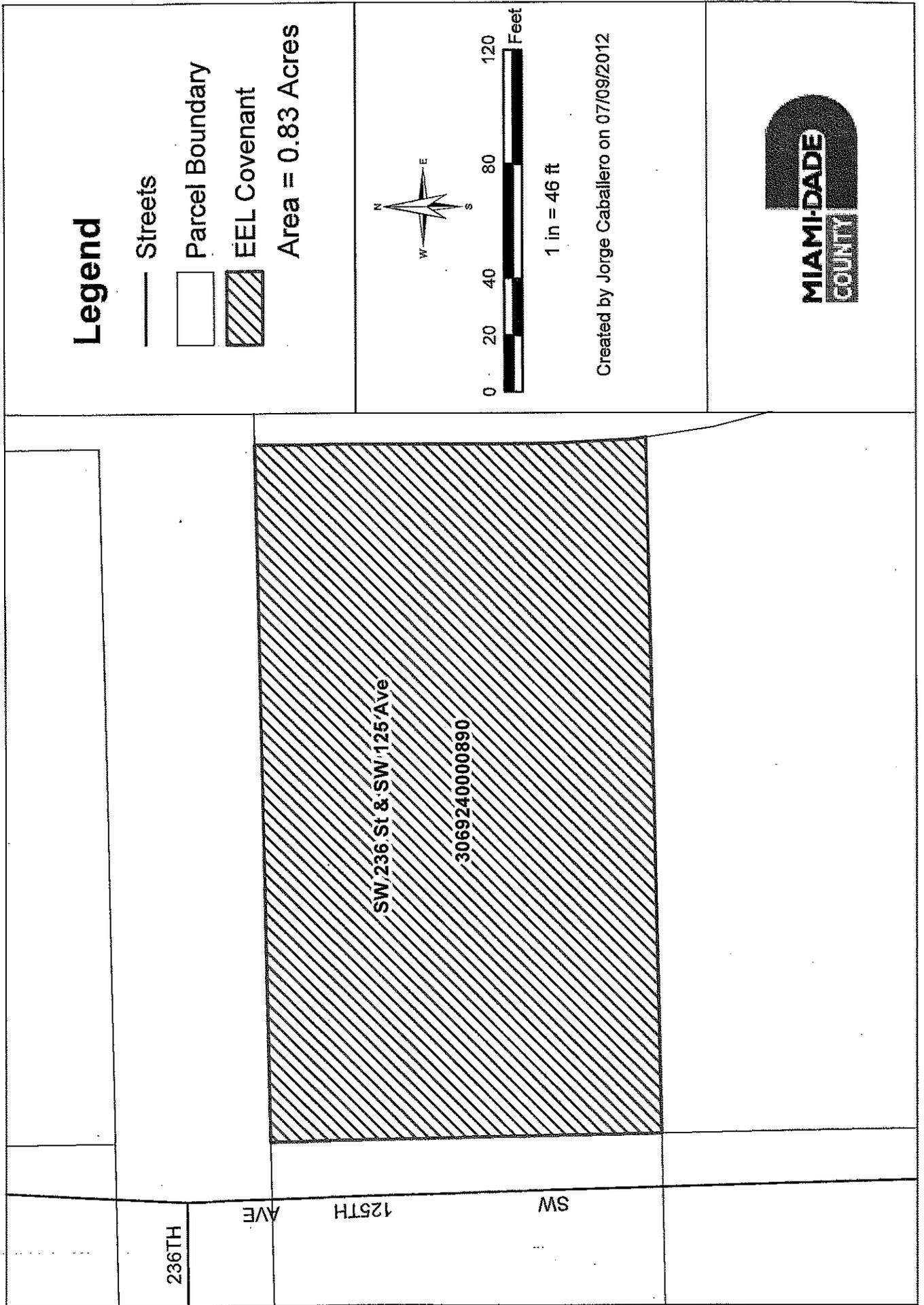
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6924-000-0890

**Property Address:** vicinity of SW 236 St. & SW 125 Ave.

**Legal description:** 24 56 39 .83 AC M/L N1/2 OF NW1/4 OF NE1/4 OF  
SW1/4 OF NW1/4 LESS W25FT FOR RD & LESS C-102-  
N CANAL R/W SUBJ TO NFC REST SUBJ TO EEL 237  
02 0N .83 AC LOT SIZE IRREG

# Exhibit B Bolash 30-6924-000-0890



**Exhibit C**  
**Pine Rockland Management Plan**  
**for John Bolash IV**

**Location:** vicinity of SW 236 St. & SW 125 Ave., Miami-Dade County, Florida.

**Size:** 0.83 acre parcel  
0.83 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6924-000-0890

**Forest Type:** Pine Rockland

**Location**

The property is located on the south side of SW 236 Street, east of SW 125 Avenue. The site is an undeveloped lot inside the urban development boundary (UDB) and it is bordered by primarily undeveloped pine rockland properties. This property, as well as the property to the south, is county-designated Natural Forest Community (NFC). The property can be accessed via SW 125 Avenue.

Distance from nearest EEL/county-owned site: ~1,900 feet from Goulds pineland  
Distance from nearest EEL covenant site: 0 feet  
Distance from nearest county-designated Natural Forest Community (NFC): 0 feet

**Property Information**

The property consists of 0.83 acres of undeveloped pine rockland which qualify for an EEL covenant. The property was designated as a natural forest community (NFC) in 1984 by the Miami-Dade County Board of County Commissioners, via Resolution No. R-1764-84 and may be found on Miami-Dade County Natural Forest Community Map 35, T56 R39 S24, parcel L. NFCs are protected and regulated via Section 24-49 of the Code of Miami-Dade County.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres along the Miami rock ridge, which is a large limestone outcropping that extends south from the Miami River to Everglades National Park. Because of its high elevation, the Miami rock ridge was the first area to be impacted by development. The clearing of large tracts for development has now reduced pine rocklands to about 20,000 acres, most of which are now protected inside Everglades National Park. The pine rockland canopy is dominated almost exclusively by slash pines. Beneath this canopy lays a rich understory composed of grasses, sedges, palms, vines, shrubs and wildflowers of temperate and tropical origin, many of which are listed as endangered or threatened. A

sub-climatic community, pine rocklands have depended on fire to keep them from transitioning into hardwood hammocks. Fire exclusion has caused many properties that were formerly pine rockland to either transition into hammock or become invaded by non-native invasive species. This has caused a net loss of biodiversity and the extinction or near extinction of several rare and unique plant species. Pine rocklands are South Florida's most floristically diverse plant community and contain several endemic species that are found nowhere else in the world. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled. The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-8 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

### **Present Condition**

The property is currently a mix of native hardwood and pine rockland plant species. The outer edges of the covenanted area are moderately disturbed by exotics such as Air Potato (*Dioscorea bulbifera*), Brazilian Pepper (*Schinus terebinthifolia*), and Umbrella Tree (*Schefflera actinophylla*). The interior of the pine rockland is of better quality, with fewer exotic species. State listed endangered species such as Pineland Clustervine (*Jacquemontia curtisii*), and State listed threatened species such as Pineland Allamanda (*Angadenia berteroi*), Locustberry (*Byrsonima lucida*), Florida Silver Palm (*Coccothrinax argentata*), West Indian Lilac (*Tetrazygia bicolor*), and Florida Keys Noseburn (*Tragia saxicola*) are present. In order to maintain the pine rockland, the thinning of native hardwoods is recommended. The pine rockland has not recently burned and is therefore less open and becoming overgrown with hardwoods and exotics.

### **Conclusion**

The property contains several rare and state listed plant species whose existence in the continental US is limited to this area. It is important to note that the current state of the property is due to the continuous commitment of the owner to the long term maintenance of the area as a natural preserve.

Overall, the site is in substantially good condition and will continue to improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics and vine control. Continued selective hardwood control is also needed if prescribed burning this area is not feasible.

### Ecological Goals

1. Increase plant biodiversity on the entire site.
2. Maintain and increase pine rockland plant species.
3. Remove and control exotic plants on the entire site.
4. Provide habitat for native wildlife.

### Management Goals

1. Eliminate invasive exotic plants to ensure less than 3% exotic coverage at the site.
2. Increase biodiversity with appropriate native plant species.
3. Control hardwoods in the pine rockland.
4. Control native ruderal plants and vines.
5. Allow natural regeneration of native plants.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

### Management Techniques and Schedule

(No heavy machinery is allowed within the site. All work must be done by hand (i.e. chainsaw, hand tools). Mowing and vehicle traffic within the covenanted area is not allowed.

**Year 1-3:** Hand removal and herbicide treatment of all invasive exotic plant species, and vines (non-native and native woody) is required. Interior exotics should be treated first and work extended out to the perimeters. All exotic and native hardwood seedlings should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps. Prescribe burn the covenanted area. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from Miami-Dade County Department of Regulatory and Economic Resources (RER).

**Year 4-6:** Continue invasive exotic and vine control. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Monitor areas previously treated for exotics to ensure native recolonization exceeds that of exotics. Prescribe burn the covenanted area if not achieved in years 1-3.

**Year 7-10:** Continue invasive exotic and ruderal plant/ vine control to ensure less than 3% exotic coverage at the site. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Planting of native pine rockland species in areas of exotic removal may be required if native recolonization is low. Prescribe burn the covenanted area if not yet achieved in the previous 3-5 years.

### PLANT SPECIES LIST\*

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

N	native to South Florida
R	ruderal
FL endangered	listed as an endangered species in the state of Florida
FL threatened	listed as a threatened species in the state of Florida
E	exotic to South Florida
EPPC I	category I as per Florida Exotic Pest Plant Council (most invasive)
EPPC II	category II as per Florida Exotic Pest Plant Council (invasive)

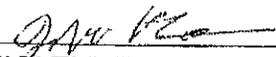
<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebbbeck</i>	woman's tongue	E / EPPC (I)
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland allamanda	N / FL threatened
<i>Ayenia euphrasiifolia</i>	eyebright ayenia	N
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Byrsonima lucida</i>	locust berry	N / FL threatened
<i>Casuarina equisetifolia</i>	Australian Pine	E / EPPC (I)
<i>Chamaecrista deeringiana</i>	Deering partridge pea	N
<i>Chiococca parvifolia</i>	pineland snowberry	N
<i>Cnidocolus stimulosus</i>	tread-softly	N
<i>Coccoloba uvifera</i>	seagrape	N
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Dioscorea bulbifera</i>	air-potato	E / EPPC (I)
<i>Ficus aurea</i>	strangler fig	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Jacquemontia curtisii</i>	Pineland clustervine	N / FL endangered
<i>Lantana involucrata</i>	button sage	N
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Metopium toxiferum</i>	poisonwood	N
<i>Morinda royoc</i>	cheese shrub	N
<i>Myrica cerifera</i>	wax myrtle	N
<i>Myrsine floridana</i>	myrsine	N
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Pinus elliotii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy bracken	N
<i>Quercus virginiana</i>	live oak	N
<i>Randia aculeata</i>	white indigoberry	N
<i>Rhynchospora colorata</i>	white top sedge	N

<i>Rhus copallinum</i>	winged sumac	N
<i>Sabal palmetto</i>	cabbage palm	N
<i>Schefflera actinophylla</i>	Queensland umbrella tree	E / EPPC (I)
<i>Schinus terebinthifolia</i>	Brazilian pepper	E / EPPC (I)
<i>Serenoa repens</i>	saw palmetto	N
<i>Sideroxylon salicifolium</i>	willow bastic	N
<i>Smilax auriculata</i>	earleaf greenbrier	N
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL. threatened
<i>Toxicodendron radicans</i>	poison ivy	N
<i>Tragia saxicola</i>	Florida keys noseburn	N / FL. threatened
<i>Trema micranthum</i>	nettletree	N
<i>Vitis rotundifolia</i>	muscadine grapevine	N
<i>Zamia pumila</i>	coontie	N

**\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.**

**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, John Bolash hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

8/28/2012  
DATE

I, \_\_\_\_\_ hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

## **Attachment F**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT THE VICINITY OF  
SW 236 STREET AND SW 125 AVENUE,  
MIAMI-DADE COUNTY, FLORIDA,  
CURRENTLY FOLIO # 30-6924-000-0891

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office,, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.

4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
  
8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
  
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
  
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
  
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 28 day of August, 2012.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print JOSE QUINONES  
sign [Signature]  
print Jose Quinones  
sign \_\_\_\_\_  
print \_\_\_\_\_  
sign \_\_\_\_\_  
print \_\_\_\_\_

OWNER(S):

sign [Signature]  
print John Bolash  
Address 23015 SW 120 Ave., Miami, FL  
sign \_\_\_\_\_  
print \_\_\_\_\_  
Address \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 28 day of August, 2012, by John Bolash, who is personally known to me or who has produced FL. DR. LIC as identification and who did take an oath.

NOTARY PUBLIC:

Sign [Signature]

Print \_\_\_\_\_  
State of Florida at Large (Seal)  
My Commission Expires:

NELIDA ESTRADA  
28728 S. DIXIE HWY.  
HOMESTEAD, FL 33033  
305-245-7300



THIS INSTRUMENT PREPARED BY:  
Elaine Johnson, Biologist II  
Miami-Dade County Department of Regulatory and Economic Resources  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

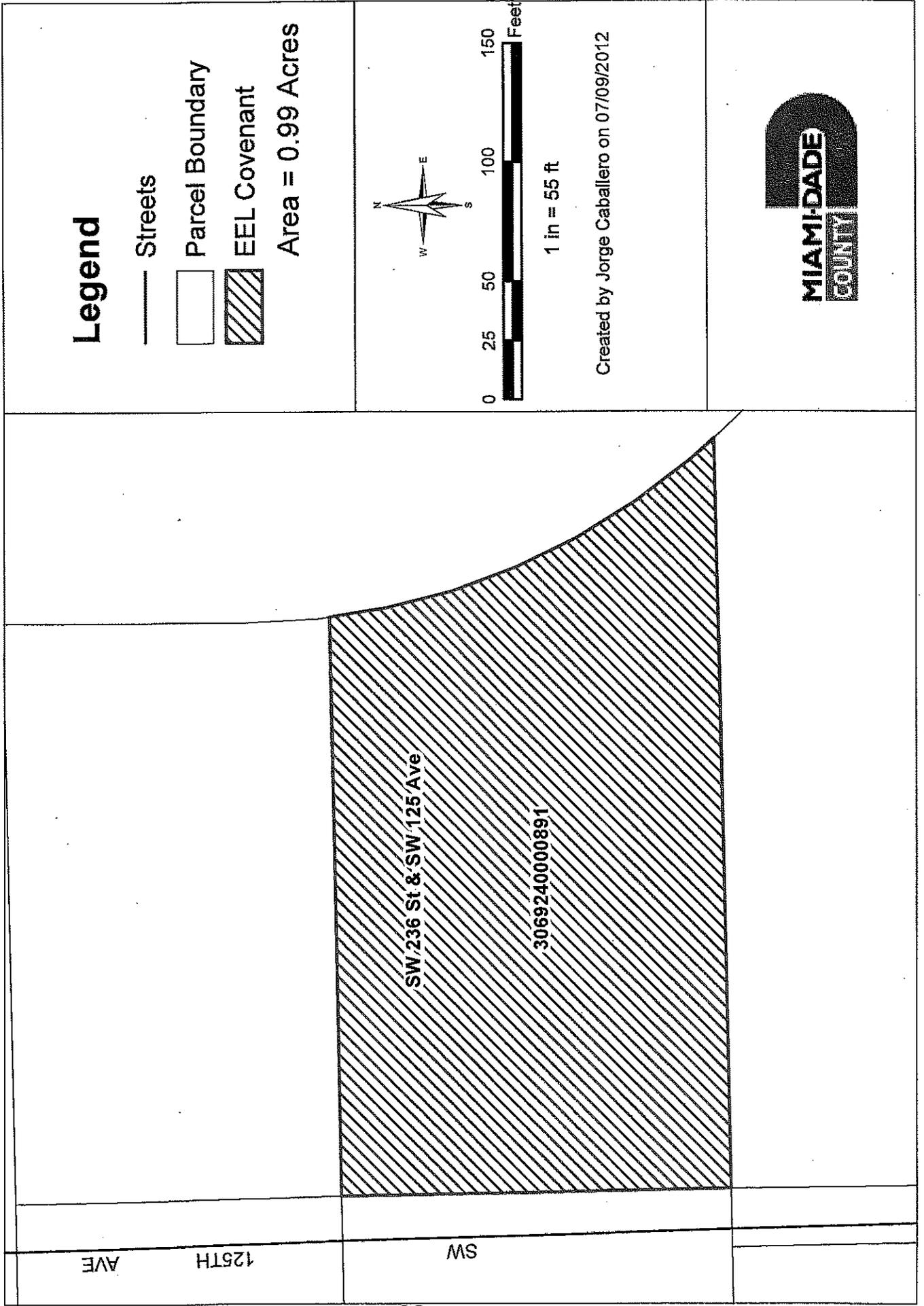
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6924-000-0891

**Property Address:** vicinity of SW 236 St. & SW 125 Ave.

**Legal description:** 24 56 39 .99 AC M/L S1/2 OF NW1/4 OF NE1/4 OF  
SW1/4 OF NW1/4 LESS W25FT & LESS C-102-N  
CANAL R/W SUBJ TO EEL R 1237 02 ON .99 AC LOT  
SIZE IRREGULAR

# Exhibit B Bolash 30-6924-000-0891



**Exhibit C**  
**Pine Rockland Management Plan**  
**for John Bolash IV**

**Location:** Vicinity of SW 236 St. & SW 125 Ave., Miami-Dade County, Florida.

**Size:** 0.99 acre parcel  
0.99 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6924-000-0891

**Forest Type:** Pine Rockland

**Location**

The property is located on the south side of SW 236 Street, east of SW 125 Avenue. The site is an undeveloped lot inside the urban development boundary (UDB) and it is bordered by primarily undeveloped pine rockland properties. This property, as well as the property to the north, is county-designated Natural Forest Community (NFC). The property can be accessed via SW 125 Avenue.

Distance from nearest EEL/county-owned site: ~2,000 feet from Goulds pineland  
Distance from nearest EEL covenant site: 0 feet  
Distance from nearest county-designated Natural Forest Community (NFC): 0 feet

**Property Information**

The property consists of 0.99 acres of undeveloped pine rockland which qualify for an EEL covenant. The property was designated as a natural forest community (NFC) in 1984 by the Miami-Dade County Board of County Commissioners, via Resolution No. R-1764-84 and may be found on Miami-Dade County Natural Forest Community Map 35, T56 R39 S24, parcel L. NFCs are protected and regulated via Section 24-49 of the Code of Miami-Dade County.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres along the Miami rock ridge, which is a large limestone outcropping that extends south from the Miami River to Everglades National Park. Because of its high elevation, the Miami rock ridge was the first area to be impacted by development. The clearing of large tracts for development has now reduced pine rocklands to about 20,000 acres, most of which are now protected inside Everglades National Park. The pine rockland canopy is dominated almost exclusively by slash pines. Beneath this canopy lays a rich understory composed of grasses, sedges, palms, vines, shrubs and wildflowers of temperate and tropical origin, many of which are listed as endangered or threatened. A

sub-climatic community, pine rocklands have depended on fire to keep them from transitioning into hardwood hammocks. Fire exclusion has caused many properties that were formerly pine rockland to either transition into hammock or become invaded by non-native invasive species. This has caused a net loss of biodiversity and the extinction or near extinction of several rare and unique plant species. Pine rocklands are South Florida's most floristically diverse plant community and contain several endemic species that are found nowhere else in the world. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled. The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-8 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

### **Present Condition**

The property is currently a mix of native hardwood and pine rockland plant species, and has good native biodiversity. The majority of the exotics, such as Umbrella Trees (*Schefflera actinophylla*) and Burma Reed (*Neyraudia reynaudiana*) are located along perimeter areas. Interior areas of the site are open and diverse, in excellent condition. The covenanted area is located adjacent to a property owned and managed by the Institute for Regional Conservation, which has few to no exotics.

The site is dominated by native species, including State listed endangered species such as Pineland Clustervine (*Jacquemontia curtisii*), and State listed threatened species such as Pineland Allamanda (*Angadenia berteroi*), Locustberry (*Byrsonima lucida*), Florida Silver Palm (*Coccothrinax argentata*), Quailberry (*Crossopetalum ilicifolium*), West Indian Lilac (*Tetrazygia bicolor*), and Florida Keys Noseburn (*Tragia saxicola*). The dominant canopy trees are Slash Pine (*Pinus elliottii* var. *densa*) and native hardwoods. See below for a more complete plant list.

### **Conclusion**

The property contains several rare and state listed plant species whose existence in the continental US is limited to this area. It is important to note that the current state of the property is due to the continuous commitment of the owner to the long term maintenance of the area as a natural preserve.

Overall, the site is in substantially good condition and will continue to improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics and vine control. Continued selective hardwood control is also needed if prescribed burning this area is not feasible.

### Ecological Goals

1. Increase plant biodiversity on the entire site.
2. Maintain and increase pine rockland plant species.
3. Remove and control exotic plants on the entire site.
4. Provide habitat for native wildlife.

### Management Goals

1. Eliminate invasive exotic plants to ensure less than 3% exotic coverage at the site.
2. Increase biodiversity with appropriate native pine rockland plant species.
3. Control hardwoods in the pine rockland.
4. Control native ruderal plants and vines.
5. Allow natural regeneration of native pine rockland plants.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

### Management Techniques and Schedule

(No heavy machinery is allowed within the site. All work must be done by hand (i.e. chainsaw, hand tools). Mowing and vehicle traffic within the covenanted area is not allowed.

**Year 1-3:** Hand removal and herbicide treatment of all invasive exotic plant species, and vines (non-native and native woody) is required. Interior exotics should be treated first and work extended out to the perimeters. All exotic and native hardwood seedlings should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps. Prescribe burn the covenanted area. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from Miami-Dade County Department of Regulatory and Economic Resources (RER).

**Year 4-6:** Continue invasive exotic and vine control. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Monitor areas previously treated for exotics to ensure native recolonization exceeds that of exotics. Prescribe burn the covenanted area if not achieved in years 1-3.

**Year 7-10:** Continue invasive exotic and ruderal plant/ vine control to ensure less than 3% exotic coverage at the site. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Planting of native pine rockland species in areas of exotic removal may be required if native recolonization is low. Prescribe burn the covenanted area if not yet achieved in the previous 3-5 years.

## PLANT SPECIES LIST\*

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

N	native to South Florida
R	ruderal
FL endangered	listed as an endangered species in the state of Florida
FL threatened	listed as a threatened species in the state of Florida
E	exotic to South Florida
EPPC I	category I as per Florida Exotic Pest Plant Council (most invasive)
EPPC II	category II as per Florida Exotic Pest Plant Council (invasive)

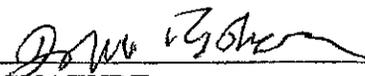
<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebbbeck</i>	woman's tongue	E / EPPC (I)
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland allamanda	N / FL threatened
<i>Ayenia euphrasifolia</i>	eyebright ayenia	N
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Byrsonima lucida</i>	locust berry	N / FL threatened
<i>Chamaecrista deeringiana</i>	Deering partridge pea	N
<i>Chiococca parvifolia</i>	pineland snowberry	N
<i>Cnidocolus stimulosus</i>	tread-softly	N
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Ficus aurea</i>	strangler fig	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Jacquemontia curtisii</i>	Pineland clustervine	N / FL endangered
<i>Lantana involucrata</i>	button sage	N
<i>Metopium toxiferum</i>	poisonwood	N
<i>Morinda royoc</i>	cheese shrub	N
<i>Myrica cerifera</i>	wax myrtle	N
<i>Myrsine floridana</i>	myrsine	N
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Pinus elliotii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy bracken	N
<i>Quercus virginiana</i>	live oak	N
<i>Randia aculeata</i>	white indigoberry	N
<i>Rhynchospora colorata</i>	white top sedge	N
<i>Rhus copallinum</i>	winged sumac	N
<i>Sabal palmetto</i>	cabbage palm	N
<i>Schinus terebinthifolius</i>	Brazilian pepper	E / EPPC (I)

<i>Serenoa repens</i>	saw palmetto	N
<i>Sideroxylon salicifolium</i>	willow bastic	N
<i>Smilax auriculata</i>	earleaf greenbrier	N
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL threatened
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Tragia saxicola</i>	Florida keys noseburn	N / FL threatened
<i>Trema micranthum</i>	nettletree	N
<i>Vitis rotundifolia</i>	muscadine grapevine	N
<i>Zamia pumila</i>	coontie	N

**\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.**

**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, John Bolash hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

8/25/2012  
DATE

I, \_\_\_\_\_ hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**Attachment G**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 14305 SW 222  
STREET, MIAMI-DADE COUNTY,  
FLORIDA, CURRENTLY FOLIO # 30-  
6915-000-0340

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office,, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.

4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
  
8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 28 day of AUGUST, 2012.

INDIVIDUAL

WITNESSES:

sign Elda M. Torriente

print Elda M. Torriente

sign Fabun Guarativa

print Fabun Guarativa

sign Elda M. Torriente

print Elda M. Torriente

sign Fabun Guarativa

print Fabun Guarativa

OWNER(S):

sign Richard Medlock

print RICHARD MEDLOCK

Address 14305 SW 222 ST MIAMI 33170

sign Shirley Medlock

print SHIRLEY MEDLOCK

Address 14305 SW 222 ST MIAMI

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 28 day of August, 2012, by Richard Medlock/Shirley Medlock who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

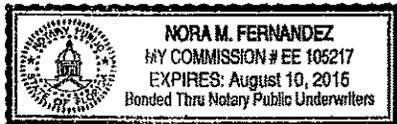
NOTARY PUBLIC:

Sign Nora M. Fernandez

Print NORA M. FERNANDEZ

State of Florida at Large (Seal)

My Commission Expires:



THIS INSTRUMENT PREPARED BY:

Elaine Johnson, Biologist II

Miami-Dade County Department of Regulatory and Economic Resources  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

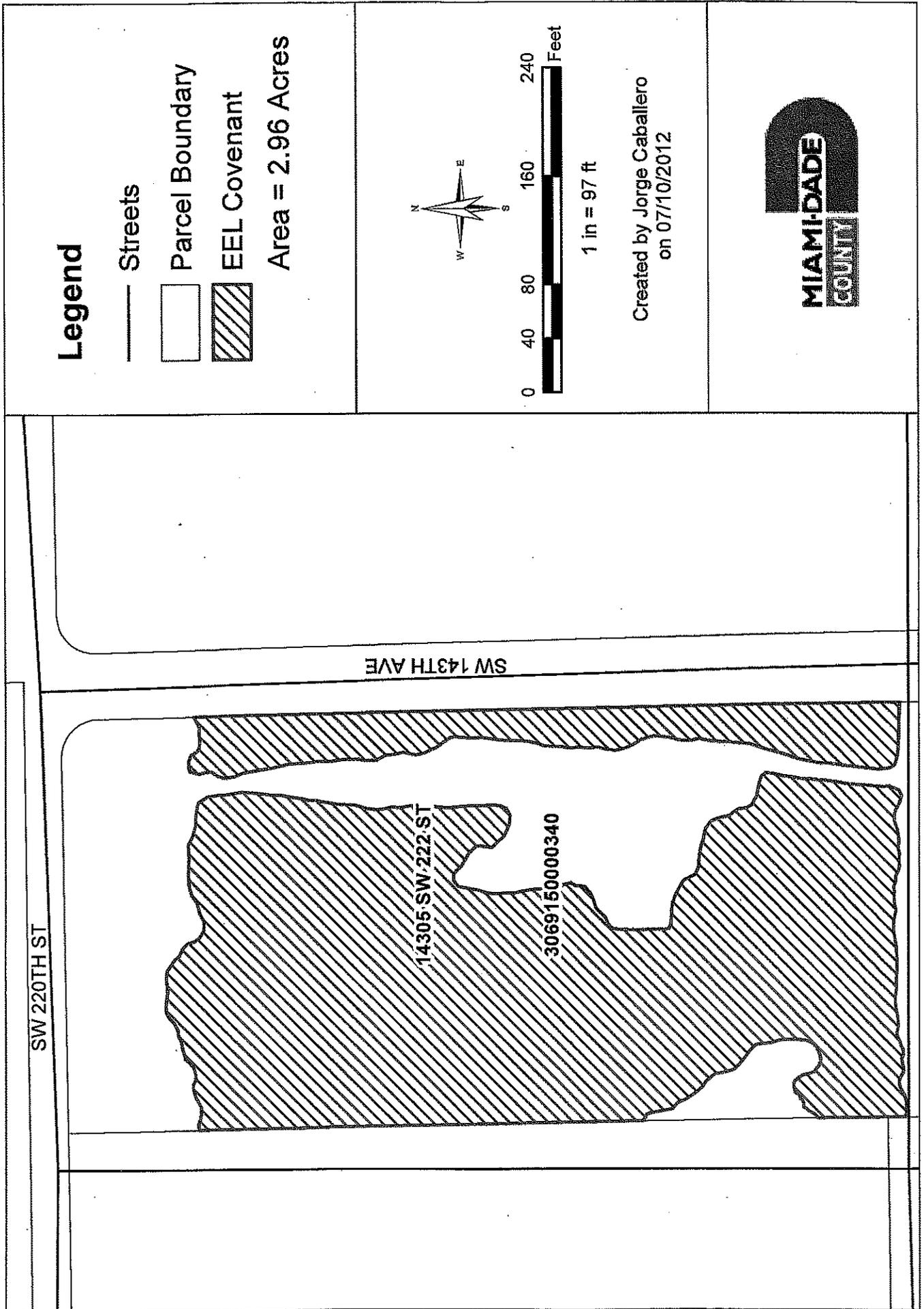
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6915-000-0340

**Property Address:** 14305 SW 222 ST

**Legal description:** 15 56 39 4.44 AC E1/2 OF NW1/4 OF SE1/4 OF NW1/4  
LESS N & E25FT & LESS EXT AREA OF CURVE IN  
NE COR FOR R/W SUBJ TO EEL COV ON 3.3 AC AS  
PER R-1463-92

# Exhibit B Medlock 30-6915-000-0340



**Exhibit C**  
**Pine Rockland Management Plan**  
**for Shirley & Richard Medlock**

**Location:** 14305 SW 222 St., Miami-Dade County, Florida.

**Size:** 4.44 acre parcel  
2.96 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6915-000-0340

**Forest Type:** Pine Rockland

**Location**

The property is located on the north side of SW 222 Street, east of SW 147 Avenue. The site is a developed residential lot outside the urban development boundary (UDB) and it is bordered by agriculture and residential properties. The property can be accessed via SW 222 Street.

Distance from nearest EEL/county-owned site: ~2,000 feet from Silver Palm Grove  
Distance from nearest EEL covenant site: ~400 feet  
Distance from nearest county-designated Natural Forest Community (NFC): ~1,000 feet

**Property Information**

The property consists of a single-family home with driveway centered within 2.96 acres of pine rockland which qualify for an EEL covenant. This is a pineland fragment surrounded by agriculture.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres along the Miami rock ridge, which is a large limestone outcropping that extends south from the Miami River to Everglades National Park. Because of its high elevation, the Miami rock ridge was the first area to be impacted by development. The clearing of large tracts for development has now reduced pine rocklands to about 20,000 acres, most of which are now protected inside Everglades National Park. The pine rockland canopy is dominated almost exclusively by slash pines. Beneath this canopy lays a rich understory composed of grasses, sedges, palms, vines, shrubs and wildflowers of temperate and tropical origin, many of which are listed as endangered or threatened. A sub-climatic community, pine rocklands have depended on fire to keep them from transitioning into hardwood hammocks. Fire exclusion has caused many properties that were formerly pine rockland to either transition into hammock or become invaded by non-native invasive species. This has caused a net loss of biodiversity and the extinction

or near extinction of several rare and unique plant species. Pine rocklands are South Florida's most floristically diverse plant community and contain several endemic species that are found nowhere else in the world. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled. The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-8 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

### **Present Condition**

The property is currently a mix of native hardwood and pine rockland plant species, and has good native biodiversity. The property owner is currently doing management onsite as part of a previous ten year EEL covenant management plan. Much of the site has undergone extensive exotic removal, particularly the removal of large Australian Pine trees and control of Cane grass. The majority of the exotics, such as Brazilian Pepper (*Schinus terebinthifolius*) and Shrub Verbena (*Lantana camara*), and a few remaining Australian Pine trees, are located along perimeter areas and within the northernmost section of the pine rockland. Interior areas of the site are open and diverse, with intact substrate. Various tree snags were observed onsite, providing valuable nesting habitat for birds, insects, and other wildlife.

The site is dominated by native species, including State listed endangered species such as Pineland Clustervine (*Jacquemontia curtisii*), and State listed threatened species such as Pineland Allamanda (*Angadenia berteroi*), Locustberry (*Byrsonima lucida*), Florida Silver Palm (*Coccothrinax argentata*), Quailberry (*Crossopetalum ilicifolium*), West Indian Lilac (*Tetrazygia bicolor*), and Florida Keys Noseburn (*Tragia saxicola*). The dominant canopy trees are Slash Pine (*Pinus elliottii* var. *densa*) and native hardwoods such as Live Oak (*Quercus virginiana*) and Poisonwood (*Metopium toxiferum*). See below for a more complete plant list.

### **Conclusion**

The property contains several rare and state listed plant species whose existence in the continental US is limited to this area. It is important to note that the current state of the property is due to the continuous commitment of the owner to the long term maintenance of the area as a natural preserve. The property owner is actively managing the site and has been in contact with the Florida Forest Service in order for a prescribed burn to be conducted at the property.

Overall, the site is in substantially good condition and will continue to improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics and vine control. Continued selective hardwood control is also needed if prescribed burning this area is not feasible.

### **Ecological Goals**

1. Increase plant biodiversity within the EEL covenanted area.
2. Maintain and increase pine rockland plant species.
3. Remove and control exotic plants within the EEL covenanted area.
4. Provide habitat for native wildlife.

### **Management Goals**

1. Eliminate invasive exotic plants to ensure less than 3% exotic coverage within the EEL covenanted area.
2. Increase biodiversity with appropriate native pine rockland plant species.
3. Control hardwoods in the pine rockland.
4. Control native ruderal plants and vines.
5. Allow natural regeneration of pine rockland native plants.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

### **Management Techniques and Schedule**

(No heavy machinery is allowed within the site. All work must be done by hand (i.e. chainsaw, hand tools). Mowing and vehicle traffic within the covenanted area is not allowed.

**Year 1-3:** Hand removal and herbicide treatment of all invasive exotic plant species and vines (non-native and native woody) is required. Interior exotics should be treated first and work then extended out to the perimeters. All exotic and native hardwood seedlings should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps. Prescribe burn the covenanted area. Planting of native pine rockland species in areas of exotic removal may be required if native recolonization is low. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from Miami-Dade County Department of Regulatory and Economic Resources (RER).

**Year 4-6:** Continue invasive exotic and vine control. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Monitor areas previously treated for exotics to ensure native recolonization exceeds that of exotics. Planting of native pine rockland species in areas of exotic removal may be required if native recolonization is low. Prescribe burn the covenanted area if not achieved in years 1-3.

**Year 7-10:** Continue invasive exotic and ruderal plant/ vine control to ensure less than 3% exotic coverage within the EEL covenanted area. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Planting of native pine rockland species in areas of exotic removal may be required if native recolonization is low. Prescribe burn the covenanted area if not yet achieved in the previous 3-5 years.

**PLANT SPECIES LIST\***

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

- N native to South Florida
- R ruderal
- FL endangered listed as an endangered species in the state of Florida
- FL threatened listed as a threatened species in the state of Florida
- E exotic to South Florida
- EPPC I category I as per Florida Exotic Pest Plant Council (most invasive)
- EPPC II category II as per Florida Exotic Pest Plant Council (invasive)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebeck</i>	woman's tongue	E / EPPC (I)
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland allamanda	N / FL threatened
<i>Bidens alba</i>	Spanish needles	N
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Byrsonima lucida</i>	locust berry	N / FL threatened
<i>Callicarpa americana</i>	American beautyberry	N
<i>Casuarina equisetifolia</i>	Australian Pine	E / EPPC (I)
<i>Chamaecrista deeringiana</i>	Deering partridge pea	N
<i>Chiococca parvifolia</i>	pineland snowberry	N
<i>Cnidocolus stimulosus</i>	tread-softly	N
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Crossopetalum ilicifolium</i>	quailberry	N / FL threatened
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Croton linearis</i>	pineland croton	N
<i>Dalbergia sissoo</i>	Indian rosewood	E
<i>Ficus aurea</i>	strangler fig	N
<i>Forestiera segregata</i>	Florida privet	N
<i>Galium hispidulum</i>	bedstraw	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Jacquemontia curtisii</i>	Pineland clustervine	N / FL endangered
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Lantana involucrata</i>	buttonsage	N
<i>Lysiloma latisiliquum</i>	Wild tamarind	N

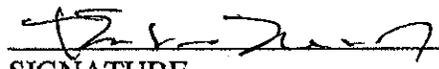
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Metopium toxiferum</i>	poisonwood	N
<i>Morinda royoc</i>	cheese shrub	N
<i>Myrica cerifera</i>	wax myrtle	N
<i>Myrsine floridana</i>	myrsine	N
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corky stem passionflower	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Pinus elliottii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy bracken	N
<i>Pteris vittata</i>	Chinese ladder brake	E / EPPC (II)
<i>Quercus pumila</i>	running oak	N
<i>Quercus virginiana</i>	live oak	N
<i>Randia aculeata</i>	white indigoberry	N
<i>Rhynchospora colorata</i>	white top sedge	N
<i>Rhus copallinum</i>	winged sumac	N
<i>Sabal palmetto</i>	cabbage palm	N
<i>Schefflera actinophylla</i>	Queensland umbrella tree	E / EPPC (I)
<i>Schinus terebinthifolius</i>	Brazilian pepper	E / EPPC (I)
<i>Serenoa repens</i>	saw palmetto	N
<i>Sideroxylon salicifolium</i>	willow bustic	N
<i>Smilax auriculata</i>	earleaf greenbrier	N
<i>Solidago stricta</i>	goldenrod	N
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL threatened
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Tradescantia spathacea</i>	oyster plant	E / EPPC (II)
<i>Tragia saxicola</i>	Florida keys noseburn	N / FL threatened
<i>Trema micranthum</i>	nettletree	N
<i>Vitis rotundifolia</i>	muscadine grapevine	N
<i>Zamia pumila</i>	coontie	N

**\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.**

---

**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, RICHARD MEDLOCK hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

8.28.2012  
DATE

I, SHIRLEY MEDLOCK hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

8/20/12  
DATE

## **Attachment H**

COVENANT RUNNING WITH THE  
LAND IN FAVOR OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT THE VICINITY OF  
SW 237 STREET AND SW 125 AVENUE,  
MIAMI-DADE COUNTY, FLORIDA,  
CURRENTLY FOLIO # 30-6924-000-1040

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," and

IN ORDER TO ASSURE the County that the representations made by the Owner in the application, pursuant to Chapter 25B of the Code of Miami-Dade County and Section 193.501 of the Florida Statutes, will be abided by the Owner freely, voluntarily, and without duress, the Owner makes the following Covenant covering and running with the property:

1. The EEL Preservation Area on the Property, as shown on the map attached hereto as Exhibit B and incorporated herein by reference, shall be maintained in its present natural state.
2. The EEL Preservation Area on the Property shall be and the same is hereby subject to the conservation restrictions set forth in Exhibit C, which is attached hereto and incorporated herein by reference, including, but not limited to, the requirement that the Owner, shall maintain the EEL Preservation Area free of vegetation which is not native to Miami-Dade County, pursuant to Section 24-5 of the Code of Miami-Dade County and as determined by the Director of the Department of Regulatory and Economic Resources, or successor department, in his or her sole discretion. No native vegetation may be removed, trimmed,

or destroyed in the EEL Preservation Area without prior written consent from the Director or Director's designee of the Department of Regulatory and Economic Resources, or successor department.

3. **County Inspection and Requests for Curative Action.** As further part of this Covenant, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, shall have the right, upon written notification to the, then, owner(s) of the Property, as reflected in the Property Appraiser's records, to inspect the Property at reasonable times to determine whether the Property is being maintained in the manner required by this Covenant. Should the County determine after such an inspection that some curative action on the Property is necessary in order to preserve the terms of this covenant, the County shall notify the then, owner(s) in writing by Certified Mail, return receipt requested, at the address of record from the Property Appraiser's office,, of the particular curative action required and the reasons therefor. The, then, owner(s) shall have the right to appeal such proposed curative action to the Board of County Commissioners by filing a written objection with the Clerk of the Board within thirty (30) days after receipt of written notification of said proposed curative action and the reasons therefor.

4. **Covenant Running with the Land.** This Covenant on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, together with a certified copy of the Board of County Commissioners' resolution accepting the covenant, and shall remain in full force and effect and be binding on undersigned Owner, and their heirs, successors and

assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Covenant does not in any way obligate or provide a limitation on the County. The Owner shall also send a copy of the recorded covenant and Board of County Commissioners' resolution accepting the covenant to the Miami-Dade County Property Appraiser.

5. **Term.** This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of ten (10) years from the date this Covenant is recorded, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.
  
6. **Modification, Amendment, Release.** This Covenant may be modified, amended or released as to the land herein described, or any portion thereof, by written instrument executed by the, then, owner(s) of all of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. The release from this Covenant shall be made after public hearing and after a determination by the Board of County Commissioners of Miami-Dade County that such release would not adversely affect the interest of the public. Notice of said public hearing shall be published once a week for at least two (2) weeks in a newspaper of general circulation in Miami-Dade County, prior to said hearing. Furthermore, release of this Covenant shall only be made to

the Owner upon payment of the deferred tax liability pursuant to Section 25B-17(b) of the Code of Miami-Dade County.

7. **Enforcement.** The, then, owner or anyone with the owner's knowledge or consent shall not use the Property in any manner inconsistent with the terms of this Covenant without first obtaining a written instrument from the Board of County Commissioners of Miami-Dade County which releases the Owner from the terms of the covenant, and which instrument must be promptly recorded in the public records of Miami-Dade County, Florida. Any violation of this section shall constitute a breach of this Covenant, for which the Board of County Commissioners may revoke the covenant and require the Owner to pay the deferred tax liability as such term is defined in Section 25B-17(b) of the Code of Miami-Dade County. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

8. **Renewal.** The current owner(s) of the property may apply to renew this covenant for successive ten (10) year periods following the termination of the term of this covenant. Applications for such renewals shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources, or successor department, and such applications for renewal may be approved administratively by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department. After approval of a renewal, the Owner shall record, at Owner's expense, a renewed covenant in the public records of Miami-Dade County, Florida. Said renewed covenant shall be in a

form approved by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or successor department.

9. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such additional rights, remedies or privileges.
  
10. **Severability.** Invalidation of any one of these provisions, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
  
11. **Recording.** This Covenant, along with a certified copy of the resolution from the Board of County Commissioners accepting the Covenant, shall be filed of record in the public records of Miami-Dade County, Florida at the costs of the Owners after the effective date of the Board of County Commissioners' resolution accepting the Covenant.. This Covenant shall become effective immediately upon recordation.
  
12. **Acceptance of Covenant.** Acceptance of this Covenant does not obligate the County in any manner, nor does it entitle the Owner to approval of any application, and the Board of County Commissioners and the County retain full power and authority to deny each such application in whole or in part.

13. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 30 day of August, 2012.

INDIVIDUAL

WITNESSES:

sign [Signature]

print Kim Chavez

sign [Signature]

print Nicole M. Sanchez

sign [Signature]

print Liudmila Tavernieri

sign \_\_\_\_\_

print \_\_\_\_\_

OWNER(S):

sign [Signature]

print ELLA TROUT

Address 23750 SW 125 Ave

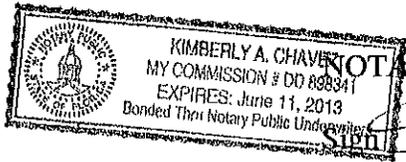
sign \_\_\_\_\_

print \_\_\_\_\_

Address \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 30 day of August, 2012, by Ella Bell Trout, who is personally known to me or who has produced DL as identification and who did take an oath.



[Signature]

Print Kim Chavez  
State of Florida at Large (Seal)  
My Commission Expires:

THIS INSTRUMENT PREPARED BY:  
Elaine Johnson, Biologist II  
Miami-Dade County Department of Regulatory and Economic Resources  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

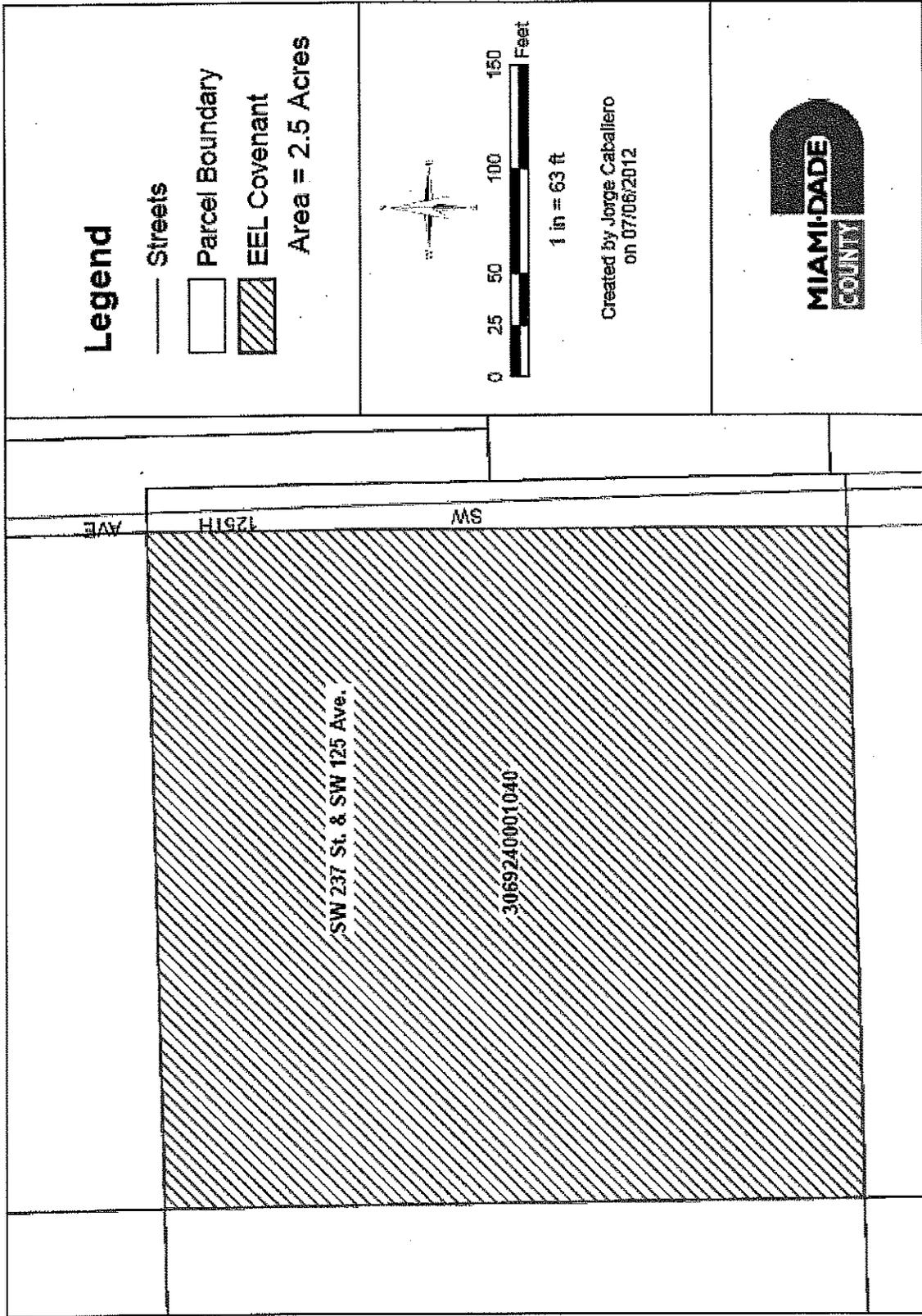
**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6924-000-1040

**Property Address:** vicinity of SW 237 St. & SW 125 Ave.

**Legal description:** 24 56 39 2.5 AC NE1/4 OF SW1/4 OF SW1/4 OF NW1/4  
SUBJ TO EEL R 1304 02 ON 2.5 AC OR 15017-1001  
THRU 1003 0391 1 OR 15017-1003 0391 00

# Exhibit B Elly Trout 30-6924-000-1040



**Exhibit C**  
**Pine Rockland Management Plan**  
**for Elly Trout**

**Location:** Vicinity of SW 237 St. & SW 125 Ave., Miami-Dade County, Florida.

**Size:** 2.5 acre parcel  
2.5 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6924-000-1040

**Forest Type:** Pine Rockland

**Location**

The property is located on the north side of SW 240 Street, west of SW 125 Avenue. The site is an undeveloped lot inside the urban development boundary (UDB) and it is bordered by primarily undeveloped pine rockland properties. This property, as well as the property to the north, is county-designated Natural Forest Community (NFC). The property can be accessed via SW 125 Avenue.

Distance from nearest EEL/county-owned site: ~2,000 feet from Andrew Dodge pineland  
Distance from nearest EEL covenant site: 0 feet  
Distance from nearest county-designated Natural Forest Community (NFC): 0 feet

**Property Information**

The property consists of 2.5 acres of undeveloped pine rockland which qualify for an EEL covenant. The property was designated as a natural forest community (NFC) in 1984 by the Miami-Dade County Board of County Commissioners, via Resolution No. R-1764-84 and may be found on Miami-Dade County Natural Forest Community Map 35, T56 R39 S24, parcel L. NFCs are protected and regulated via Section 24-49 of the Code of Miami-Dade County.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres along the Miami rock ridge, which is a large limestone outcropping that extends south from the Miami River to Everglades National Park. Because of its high elevation, the Miami rock ridge was the first area to be impacted by development. The clearing of large tracts for development has now reduced pine rocklands to about 20,000 acres, most of which are now protected inside Everglades National Park. The pine rockland canopy is dominated almost exclusively by slash pines. Beneath this canopy lays a rich understory composed of grasses, sedges, palms, vines, shrubs and wildflowers of temperate and tropical origin, many of which are listed as endangered or threatened. A

sub-climatic community, pine rocklands have depended on fire to keep them from transitioning into hardwood hammocks. Fire exclusion has caused many properties that were formerly pine rockland to either transition into hammock or become invaded by non-native invasive species. This has caused a net loss of biodiversity and the extinction or near extinction of several rare and unique plant species. Pine rocklands are South Florida's most floristically diverse plant community and contain several endemic species that are found nowhere else in the world. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled. The implementation of this management plan helps reduce exotic plant infestations and also maintains and re-establishes federally and State listed plant species within Miami-Dade County, both of which are stated as objectives in CON-8 of the Miami-Dade County Comprehensive Development Master Plan (CDMP).

### **Present Condition**

The property is currently a mix of native hardwood and pine rockland plant species, and has good native biodiversity. Much of the site has undergone extensive exotic removal, particularly the removal of large Australian Pine (*Casuarina equisetifolia*) trees and control of Burma Reed (*Neyraudia reynaudiana*). The majority of the exotics, such as Umbrella Trees (*Schefflera actinophylla*) and Burma Reed (*Neyraudia reynaudiana*) are located along perimeter areas. Interior areas of the site are relatively open and diverse. Areas of the site are undergoing management by the property owner, as per the original management plan adopted under a covenant signed by the same property owner ten years ago. Very few exotic species remain.

The site is dominated by native species, including State listed endangered species such as Pineland Clustervine (*Jacquemontia curtisii*), and State listed threatened species such as Pineland Allamanda (*Angadenia berteroi*), Locustberry (*Byrsonima lucida*), Florida Silver Palm (*Coccothrinax argentata*), Quailberry (*Crossopetalum ilicifolium*), West Indian Lilac (*Tetrazygia bicolor*), and Florida Keys Noseburn (*Tragia saxicola*). The dominant canopy trees are Slash Pine (*Pinus elliottii* var. *densa*) and native hardwoods. See below for a more complete plant list.

The property owner, whose primary residence is at the adjacent connected property to the north, has 2 cows living on her property that sometimes wander onto the covenanted area. The Department does not object to this practice, as this does not appear to be having a negative impact on the vegetation. However, the property owner will need to monitor any grazing activities and remove the cows from the covenanted area if negative impacts to native vegetation are observed.

### **Conclusion**

The property contains several rare and state listed plant species whose existence in the continental US is limited to this area. It is important to note that the current state of the

property is due to the continuous commitment of the owner to the long term maintenance of the area as a natural preserve.

Overall, the site is in substantially good condition and will continue to improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property will center on eliminating invasive exotics and vine control. Continued selective hardwood control is also needed if prescribed burning this area is not feasible.

### **Ecological Goals**

1. Increase plant biodiversity on the entire site.
2. Maintain and increase pine rockland plant species.
3. Remove and control exotic plants on the entire site.
4. Provide habitat for native wildlife.

### **Management Goals**

1. Eliminate invasive exotic plants to achieve less than 3% exotic cover.
2. Increase biodiversity with appropriate native plant species.
3. Control hardwoods in the pine rockland.
4. Control native ruderal plants and vines.
5. Allow natural regeneration of native pine rockland plants.
6. Monitor livestock grazing activities on the property for negative impacts to native vegetation and biodiversity.

Miami-Dade County Department of Regulatory and Economic Resources (RER) will periodically inspect property to ensure that management goals are achieved.

### **Management Techniques and Schedule**

(No heavy machinery is allowed within the site. All work must be done by hand (i.e. chainsaw, hand tools). Mowing and vehicle traffic within the covenanted area is not allowed.

**Year 1-3:** Hand removal and herbicide treatment of all invasive exotic plant species, and vines (non-native and native woody) is required. Interior exotics should be treated first and work extended out to the perimeters. All exotic and native hardwood seedlings should be hand pulled if possible. Multiple follow up herbicide treatments may be needed for cut stumps. Prescribe burn the covenanted area. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant without prior approval from Miami-Dade County Department of Regulatory and Economic Resources (RER).

**Year 4-6:** Continue invasive exotic and vine control. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Monitor areas previously treated for exotics to ensure native recolonization exceeds that of exotics. Prescribe burn the covenanted area if not achieved in years 1-3.

**Year 7-10:** Continue invasive exotic and ruderal plant/ vine control to ensure less than 3% exotic coverage at the site. Selectively control hardwoods located within the pine rockland area and allow for pine proliferation. Planting of native pine rockland species in areas of exotic removal may be required if native recolonization is low. Prescribe burn the covenanted area if not yet achieved in the previous 3-5 years.

### PLANT SPECIES LIST\*

Plant taxa are listed by habit and origin. Key to Origin/Status codes:

- N native to South Florida
- R ruderal
- FL endangered listed as an endangered species in the state of Florida
- FL threatened listed as a threatened species in the state of Florida
- E exotic to South Florida
- EPPC I category I as per Florida Exotic Pest Plant Council (most invasive)
- EPPC II category II as per Florida Exotic Pest Plant Council (invasive)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Abrus precatorius</i>	rosary pea	E / EPPC (I)
<i>Agave spp.</i>	agave	E
<i>Albizia lebeck</i>	woman's tongue	E / EPPC (I)
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland allamanda	N / FL threatened
<i>Ardisia escallonioides</i>	marlberry	N
<i>Bidens alba</i>	Spanish needles	N
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Byrsonima lucida</i>	locust berry	N / FL threatened
<i>Chamaecrista deeringiana</i>	Deering partridge pea	N
<i>Cnidoscolus stimulosus</i>	tread-softly	N
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Crossopetalum ilicifolium</i>	quailberry	N / FL threatened
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Croton linearis</i>	pineland croton	N
<i>Ficus aurea</i>	strangler fig	N
<i>Forestiera segregata</i>	Florida privet	N
<i>Galactia floridana</i>	hairy milkpea	N
<i>Guettarda scabra</i>	rough velvetseed	N

<i>Jacquemontia curtisii</i>	Pineland clustervine	N/ FL endangered
<i>Lantana involucrata</i>	button sage	N
<i>Mamordica spp.</i>	balsam pear	E
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Metopium toxiferum</i>	poisonwood	N
<i>Morinda royoc</i>	cheese shrub	N
<i>Muhlenbergia capillaries</i>	mulhy grass	N
<i>Myrsine floridana</i>	myrsine	N
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corky stem passionflower	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Pinus elliottii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy bracken	N
<i>Quercus pumila</i>	running oak	N
<i>Quercus virginiana</i>	live oak	N
<i>Randia aculeata</i>	white indigoberry	N
<i>Rhus copallinum</i>	winged sumac	N
<i>Rhynchosia reniformis</i>	dollarweed	N
<i>Rhynchospora spp.</i>	white top sedge	N
<i>Sabal palmetto</i>	cabbage palm	N
<i>Schefflera actinophylla</i>	Queensland umbrella tree	E / EPPC (I)
<i>Serenoa repens</i>	saw palmetto	N
<i>Sideroxylon salicifolium</i>	willow bustic	N
<i>Smilax auriculata</i>	earleaf greenbrier	N
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL threatened
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Tragia saxicola</i>	Florida keys noseburn	N / FL threatened
<i>Trema micranthum</i>	nettletree	N
<i>Vitis rotundifolia</i>	muscadine grapevine	N
<i>Zamia pumila</i>	coontie	N

\*Please note that this is not a complete plant species list. The list includes the plants that account for the highest percentage of overall biomass within the property.

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**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, ELLA TROUT hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
 \_\_\_\_\_  
 SIGNATURE

8-28-12  
 \_\_\_\_\_  
 DATE