

# Memorandum



**Date:** December 7, 2010  
**To:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners  
**From:** George M. Burgess  
County Manager   
**Subject:** Resolution Authorizing the Acceptance of Ten (10) Environmentally Endangered Lands  
Covenants in Miami-Dade County

Agenda Item No. 8(D)(1)(C)

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the acceptance of ten (10) covenants running with the land for the preservation and maintenance of environmentally endangered lands (EEL) listed below and attached hereto.

## Scope

These covenants are for properties located in Commission District 8.

## Fiscal Impact/Funding Source

Upon execution of the covenants and approval by the Board, these properties will receive preferential tax treatment through reductions in their assessed values from the Miami-Dade County Property Appraiser pursuant to Sec. 193.501(3)(a), Florida Statutes.

## Track Record/Monitor

The Director of the Department of Environmental Resources Management (DERM) will monitor these covenants as allowed by Chapter 25B (Article II) of the Code of Miami-Dade County.

## Background

Chapter 25B (Article II) of the Code Miami-Dade County was approved by the Board pursuant to 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, to manage their land; thereby maintaining the lands' natural resource value. This is particularly significant in the rural areas of Miami-Dade County where many property owners have an economic incentive to clear forested lands and replace them with fruit groves or vegetable crops in order to qualify for an agricultural tax exemption.

Upon execution of the covenants and approval by the Board, the properties will receive preferential tax treatment by receiving a substantial reduction in their assessed value from the Miami-Dade County Property appraiser in accordance with the criteria in Sec. 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.

The Department of Environmental Resources Management (DERM) is responsible for the evaluation of all applications for environmentally endangered lands tax exemptions. Factors considered by DERM in reviewing applications include ecological significance, site integrity, farming suitability, agricultural tax exemption and the likelihood of further subdivision of the site. Existing zoning for each application is also considered by DERM.

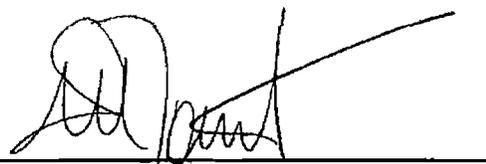
Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners  
Page 2

Once a site has been determined to meet the minimum threshold for ecological significance and integrity, the application and covenant are submitted to the Board for approval.

The subject sites, listed below, meet the above-mentioned criteria for environmentally endangered lands. Therefore, the Director of DERM is recommending approval for acceptance of ten (70) EEL covenants for these properties.

**New Covenants**

- 1) Thomas J. Blakley (3.07 acres of hardwood hammock)  
Folio 30-7906-000-0100 located at 28590 SW 170 Avenue, Miami-Dade County, Florida.
- 2) The estate of Donald F. Davis (4.333 acres of pine rockland)  
Folio 30-6914-000-0300 located at 22520 SW 134 Avenue, Miami-Dade County, Florida.
- 3) The estate of Donald F. Davis (3.820 acres of pine rockland)  
Folio 30-6914-000-0290 located in the vicinity of SW 224 Street and SW 134 Avenue, Miami-Dade County, Florida.
- 4) Todd & Jill Hardwick (1.029 acres of pine rockland)  
Folio 30-6928-000-0061 located at 14940 Coconut Palm Drive, Miami-Dade County, Florida.
- 5) JMC Groves, LLC (8.753 acres of hardwood hammock)  
Folio 30-6921-000-0100 located in the vicinity of SW 232 Street and SW 151 Avenue, Miami-Dade County, Florida.
- 6) JMC Groves, LLC (0.532 acres of hardwood hammock)  
Folio 30-6921-000-0132 located in the vicinity of SW 232 Street and SW 151 Avenue, Miami-Dade County, Florida.
- 7) Nesbitt Goulds, LLC (2.763 acres of hardwood hammock)  
Folio 30-6917-000-0031 located at 22000 SW 157 Avenue, Miami-Dade County, Florida.
- 8) Jason & Charlotte Springer (4.104 acres of transitional hardwood hammock/pine rockland)  
Folio 30-6928-000-0500 located at 26363 SW 152 Avenue, Miami-Dade County, Florida.
- 9) Coleen H. Tietig (15.863 acres of pine rockland)  
Folio 30-6905-000-0200 located at 16300 SW 184 Street, Miami-Dade County, Florida.
- 10) L.A. and Marta S. Weeks (7.162 acres of hardwood hammock)  
Folio 33-5026-000-0230 located at 7350 SW 162 Street, Miami-Dade County, Florida.



Assistant County Manager



**MEMORANDUM**  
(Revised)

TO: Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

DATE: December 7, 2010

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

SUBJECT: Agenda Item No. 8(D)(1)(C)

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(D)(1)(C)  
12-7-10

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE ACCEPTANCE OF  
TEN (10) 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 ten (10) Covenants, identified as folio 30-7906-000-0100 at 28590 SW 170 Avenue (3.07 acres of hardwood hammock); folio 30-6914-000-0300 at 22520 SW 134 Avenue (4.333 acres of pine rockland); folio 30-6914-000-0290 in the vicinity of SW 224 Street and SW 134 Avenue (3.820 acres of pine rockland); folio 30-6928-000-0061 at 14940 Coconut Palm Drive (1.029 acres of pine rockland); folio 30-6921-000-0100 in the vicinity of SW 232 Street and SW 151 Avenue (8.753 acres of hardwood hammock); folio 30-6921-000-0132 in the vicinity of SW 232 Street and SW 151 Avenue (0.532 acres of hardwood hammock); folio 30-6917-000-0031 at 22000 SW 157 Avenue (2.763 acres of hardwood hammock); folio 30-6928-000-0500 at 26363 SW 152 Avenue (4.104 acres of transitional hardwood hammock/pine rockland); folio 30-6905-000-0200 at 16300 SW 184 Street (15.863 acres of pine rockland); and folio 33-5026-000-0230 at 7350 SW 162 Street (7.162 acres of hardwood hammock), have been submitted pursuant to Chapter 25B of the Code of Miami-Dade County, and Section 193.501, Florida Statutes, which Ordinance and Statute 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 Manager'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 provide recorded copies of the aforementioned covenants and applicable joinders by mortgagees to the Clerk of the Board within thirty (30) days of execution of the acceptance by the Mayor or the Mayor's designee and directs the Clerk of the Board to attach and permanently store recorded copies of the aforementioned covenants together with this Resolution; and directs the Mayor or the Mayor's designee to forward a certified copy of same to the Property Appraiser.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Lynda Bell
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of December, 2010. 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: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

TWR *for*

Robert A. Duvall

**COVENANT RUNNING WITH THE  
LAND OF THOMAS J. BLAKLEY IN  
FAVOR OF THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 28590 SW 170<sup>TH</sup>  
AVENUE, MIAMI-DADE COUNTY,  
FLORIDA 33030, FOLIO 30-7906-000-  
0100.**

The undersigned, Thomas J. Blakley, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located at 28590 SW 170<sup>th</sup> Avenue, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-7906-000-0100, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner('s)(s) heirs, successors, assigns and grantees, running with the land to and in favor of *the* Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to ~~the~~ Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in *its* present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
  
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
  
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

**covenant** and **the** provisions contained herein may be enforced by the Director of the Miami-Dade County Department of **Environmental Resources Management** by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law **or ordinance**.

6. **As provided herein, this covenant may be renewed** at the discretion of the **owner(s)** of the **property** for successive ten (10) year periods following **the** termination of the **first** ten (10) **year** period. Upon the owner's **filing with** the **Clerk of the Courts** for recording a written notification of the owner's intent to renew, this covenant **shall be renewed** for an additional ten (10) year period. Said **written** notification shall be made **to the Clerk of the Courts** not **later** than **thirty (30) days** prior to the expiration **date** of the covenant. Contemporaneous to the **written notification above**, a **copy** of the **owner's** notification **letter shall be provided to the Miami-Dade County Department** of Environmental Resources Management.
7. After this Covenant is accepted by the Board, the Covenant, together with a certified **copy of the Board's resolution accepting the** Covenant, **shall** be promptly **filed** with the **Clerk of Court** for recording in **the official records** of Miami-Dade County and a copy sent to **the Miami-Dade County Property Appraiser**.
8. **After this Covenant** is executed by the **owner(s)** of the **Property** and accepted by the Board and during the time this Covenant is in force and effect, **the Property Appraiser** shall **assess the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes**.

9. **After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner('s)(s') knowledge or consent shall use the Property or modify the present *state* of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.**
  
10. **The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.**

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 23 day of SEPTEMBER, 2010.

**INDIVIDUAL**

**WITNESSES:**

sign Mercedes C. Keen

print Mercedes C. Keen

sign

print Doris D. Meneses

**OWNER(S):**

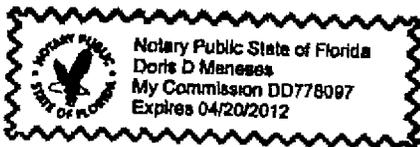
sign Thomas J. Blakley

print THOMAS J. BLAKLEY

Address 28590 SW 176 AVE  
HOMESTEAD, FL 33030

**STATE OF FLORIDA**  
**COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me this 23 day of September, 2010, by Thomas J. Blakley, who is personally known to me or who has produced N/A as identification and who did take an oath.



**NOTARY PUBLIC:**

sign Doris D. Meneses

print Doris D. Meneses

State of Florida at Large (Seal)

My Commission Expires: 4/20/12

**THIS INSTRUMENT PREPARED BY:**

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

**EXHIBIT A  
LEGAL DESCRIPTION**

**Polio Number :** 30-7906-000-0100

**Property Address:** 28590 SW 170 Avenue,  
Miami-Dade County, Florida.

**Legal description:** 6 57 39 3.39 AC  
S1/2 OF E3/4 OF S1/2 OF NW1/4 OF  
SW1/4 OF NE1/4 LESS E25FT & S25FT  
OF W1/4 OF N1/2 OF SW1/4 OF SW1/4  
OF NE1/4 LESS W35FT & E3/4 OF  
N1/2 OF SW1/4 OF SW1/4 OF NE1/4  
LESS E25FT & LESS 5130 FT OF NE1/4  
OF SW1/4 OF SW1/4 OF NE1/4 & LESS  
E240 FT OF N202.33FT  
SUBJ TO EEL COV & NFC ON 2.4 AC  
PER R-1146-00  
LOT SIZE IRREGULAR  
OR 18895-1250 1199 1  
OR 18895-1250 1199 00

12

**Exhibit B**  
**Tropical Hardwood Hammock Management Plan**  
**for Thomas J. Blakley**

**Location:** 28590 SW 170<sup>th</sup> Avenue, Miami-Dade County, Florida.

**Size:** 3.39 acre parcel  
3.07 acres qualify for an **Environmentally Endangered Lands (EEL)** covenant

**Folio #:** 30-7906-000-0100

**Forest Type:** **Tropical** hardwood hammock (currently containing 2.40 acres of **County** designated **Natural Forest Community (NFC)**)

**Location**

The property is located on the **west** side of SW 170<sup>th</sup> Avenue at approximately SW 286<sup>th</sup> Street. The site is a developed residential **lot** outside the urban development **boundary (UDB)** and **it is bordered** by residential properties containing county-designated Natural Forest Community (**NFC**) **to the north, south, east and west**. The property can be accessed via SW 170<sup>th</sup> Avenue.

Distance **from** nearest EEL/county-owned site: ~1,500 feet from Ingram Pineland  
Distance **from** nearest EEL Covenanted site: ~5,000 feet from Torcise NFC (30-7801-000-0433)  
Distance **from** nearest county-designated Natural Forest **Community (NFC)**: ~0 feet.

**Property Information**

The property consists of 3.07 acres of Tropical **hardwood hammock** which qualify for an EEL Covenant. **The property is located** on the Miami rock **ridge**. 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 45, T57 R39 S06, parcel B.

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 parcel contains two structures: the main **one-story** single-family **home** and a small two-story building. **These** are completely surrounded by the hardwood hammock, and can be accessed from a **driveway** that is an **extension of SW 286<sup>th</sup> Street (from SW 170 Avenue)**. The hammock portions of the site are undergoing management by the current property owner, as per the original management plan adopted under a covenant signed by the same property owner ten years ago. Extensive exotic removal **has taken place** on site and very few exotic **species** remain – these **are** mainly present on the property **perimeter** and continue to invade the Blakley hammock **from** neighboring properties.

The canopy and understory of this hammock are dominated by **native** species. The plant list is **biodiverse** and there are several listed **species** on site, such as Simpson's **stopper** (*Myrcianthes fragrans*, state threatened), lobed croton (*Croton lobatus*, IRC critically imperiled), and goatsfoot passionflower (*Passiflora sexflora*, state endangered).

The majority of the **hammock** is high quality with little to no substrate disturbance. This property has notable **geological** formations including several sinkholes. While the hammock **may** have **archaeological significance**, it **has** not been officially designated; although the Miami-Dade County Historic Preservation Board **stresses** that all solution holes may contain archaeological or **paleontological** materials of significance. The **site** could **be** designated, if warranted. **There** are three **small** sinkholes, all about six feet deep, and one **contains** a tunnel which **may connect** to other **sinkholes**. There **are** at least three large sinkholes (approximately 20 feet in **diameter**) on the property. **Two** of **them** appear to be shallow due to an accumulation of vegetative debris but are **probably** much deeper. The third large **sinkhole** is about **five feet** deep. The **stable** and humid environment in these formations **allows** for several fern species **to exist here, including** the state threatened broad **halberd** fern (*Tectaria heracleifolia*) present in the largest **sinkhole**.

The management **activates** being conducted by the current owner are significant and commendable. Exotic plant species cover was observed to **be** less than **5%**. **Several bird and** butterfly species were observed by **DERM staff**.

## Conclusion

This property is a unique remnant of the Miami rock ridge hardwood **hammock**. 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 hammock 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 very 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 aggressive vine control.

### Ecological Goals

1. Maintain the present extent of the hardwood hammock.
2. Maintain a diverse **understory** and preserve rare hammock **species**.
3. Promote regeneration and growth of native hardwoods and rare plants.
4. Provide suitable habitat **for** native **wildlife**.
5. **Eliminate** invasive exotic species.
6. Maintain **sinkholes and rare fern** populations

### Management Goals

1. **Eliminate exotic plant species from interior of hammock** to achieve less than 2% **exotic cover**.
2. Eradicate **all** invasive **exotic** plant species from perimeter and interior of hammock and prevent exotic re-colonization. **Ensure** that no more than 50 **square feet of any exotic cover remains**.
3. Prevent reproduction of **exotic seeds** within **the site**.

DERM will periodically **inspect** property to **ensure** that management **goals** are achieved.

### Management Techniques and **d** for Hardwood H **s**

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

**Year 1-2:** **Hand removal and herbicide** treatment of **all invasive species and exotics** is required by DERM. **Interior exotics should** be **treated** first and work extended out to the **perimeters**. All exotic seedlings should be hand pulled if possible. Multiple **herbicide treatments may be needed**. **Heavy** machinery is not, **under any circumstances or purposes, to** be used within **any portion** of the property that is covered **under this covenant**.

**Year 3-5:** Continue to **eradicate** exotic **and invasive** plants **and vines**. Retreat any re-sprouting or re-colonizing of invasive exotic plants.

**Year 6-7:** **Continue to** eradicate exotic and **invasive** plants **and vines**. **Maintain open diverse understory and rare species**.

**Year 8-10:** Continue invasive **exotic** eradication and monitor **rare** hardwood hammock **species**.

**PLANT SPECIES LIST\***

Plant taxa are listed by habit and origin.

- "N" indicates a plant that is native to South Florida
- "R" indicates a plant that is ruderal (including taxa of undetermined origin).
- "E" indicates a plant that is exotic to South Florida (includes native taxa naturalized outside or historic range)

**GRAMINOIDS (Grasses and Sedges)**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin</b>
<i>Neyraudia reynaudiana</i>	Burma-reed	E
<i>Pennisetum purpureum</i>	Napier grass	E

**FORBS AND WOODY GROUNDCOVERS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin</b>
<i>Anemia adiantifolia</i>	Pine Fern	N
<i>Bidens alba</i> var. <i>radiata</i>	Spanish-needles	R
<i>Campyloneurum phyllitidis</i>	Long Strap Fern	N
<i>Cassia ligustrina</i>	Privet Cassia	N
<i>Chiococca parvifolia</i>	Pineland Snowberry	N
<i>Chromolaena odorata</i>	Jack-in-the-Bush	N
<i>Cordioglobosa</i>	Butterfly Sage	N
<i>Crossopetalum ilicifolium</i>	Quail berry	N
<i>Crotalaria spectabilis</i>	Showy Rattlebox	E
<i>Euphorbia cyathophora</i> ( <i>Poinsettia cyathophora</i> )	Wild Poinsettia	R
<i>Galium hispidulum</i>	a Bedstraw	N
<i>Kalanchoe pinnata</i>	Life Plant	E
<i>Morinda royoc</i>	Yellowroot	N
<i>Myrica cerifera</i>	Wax Myrtle	N
<i>Nephrolepis bisserata</i>	Sword Fern	N
<i>Nephrolepis exaltata</i>	Boston Fern	R
<i>Oeceoclades maculata</i> ( <i>Eulophidium maculatum</i> )	African Ground Orchid	R
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	Southern Bracken	N
<i>Pteris vittata</i>	China Brake	E
<i>Rhoeo spathacea</i>	Oyster Plant	E

<i>Stachytarpheta jamaicensis</i>	Blue Porterweed	R
<i>Thelypteris kunthii</i> ( <i>T. normalis</i> )	Woods Fern	N
<i>Zamia integrifolia</i> ( <i>Z. pumila</i> ssp. <i>pumila</i> in part)	Coontie	N

#### VINES AND SCANDENT SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin</u>
<i>Abrus precatorius</i>	Rosary-pea	E
<i>Cassytha filiformis</i>	Love Vine	N
<i>Chiococca alba</i>	Co. Snowberry	N
<i>Cissus verticillata</i> ( <i>C. cicyoides</i> )	Possum-grape	R
<i>Dioscorea bulbifera</i>	Air-potato	E
<i>Ipomea trioba</i>	Morning Glory	N
<i>Jasminum dichotomum</i>	Gold Coast Jasmine	E
<i>Momordica charantia</i>	Wild Balsam-apple	R
<i>Parthenocissus quinquefolia</i>	Virginia Creeper	R
<i>Passiflora sexflora</i> (Endangered)	Batwing Passion-flower	N
<i>Passiflora suberosa</i>	Corky-stemmed Passion-flower	N
<i>Pisonia aculeata</i>		N
<i>Smilax auriculata</i>	a Greenbrier	R
<i>Syngonium pododphyllum</i>	Arrow Vine	E
<i>Toxicodendron radicans</i> ssp. <i>radicans</i>	Poison-ivy	R
<i>Vitis rotundifolia</i>	Muscadine	R

#### TREES AND SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin</u>
<i>Andeanthera pavonia</i>	Sandalwood	E
<i>Albizia lebeck</i>	Woman's Tongue	E
<i>Ardisia elliptica</i> ( <i>A. solanacea</i> of authors)	Shoebuttton Ardisia	E
<i>Ardisia escallonoides</i>	Marlberry	N
<i>Baccharis halimifolia</i> var. <i>angustior</i>	a Groundsel; Salt Bush	N
<i>Brassaia actinophylla</i> ( <i>Schefflera actinophylla</i> )	Umbrella Tree	E
<i>Bursera simaruba</i>	Gumbo limbo	N
<i>Callicarpa americana</i>	American Beautyberry	N
<i>Capparis cynophallophora</i>	Jamaican Caper	N

<i>Carica papaya</i>	Papaya	E
<i>Chrysophyllum oliviforme</i>	Satin Leaf	N
<i>Citharexylum fruticosum</i>	Fiddlewood	N
<i>Coccothrinax argentata</i>	Silver Palm	N
<i>Erythrina herbacea</i>	Coralbean	N
<i>Eugenia axillaris</i>	White Stopper	N
<i>Eugenia foetida</i>	Spanish Stopper	N
<i>Eugenia uniflora</i>	Surinam Cherry	E
<i>Exothea paniculata</i>	Inkwood	N
<i>Ficus aurea</i>	Strangler Fig	N
<i>Ficus citrifolia</i>	Short-leaf Fig	N
<i>Ficus citrifolia</i>	Short-leaf Fig	N
<i>Forestiera segregata</i>		
var. <i>pinetorum</i>	Pineland privet	N
<i>Guettarda scabra</i>	Rough Velvetseed	N
<i>Hamelia patens</i>	Firebush	N
<i>Ilex krugiana</i>	Krug's Holly	N
<i>Lantana camara</i>		
var. <i>aculeata</i>	Spiny Shrub Verbena	E
<i>Lysilorna latisiliquum</i>	Wild tamarind	N
<i>Mangifera indica</i>	Mango	E
<i>Mastichodendron foetidissimum</i>	Mastic	N
<i>Melia azedarch</i>	Chinaberry	E
(L. <i>bahamensis</i> )		
<i>Metopium toxiferum</i>	Poisonwood	N
<i>Monstera deliciosa</i>	Monstera	E
<i>Morus rubra</i>	Mullberry	N
<i>Mycianthes fragrans</i>	Simpson Stopper	N
<i>Myrica cerifera</i>		
var. <i>cerifera</i>	Waxmyrtle	N
<i>Myrsine floridana</i>	Myrsine	N
(M. <i>guianensis</i> ; <i>Rapanea guianensis</i> )		
<i>Neurolaena lobata</i>	Bushy Fleabane	N
( <i>Pluchea symphytifolia</i> )		
<i>Octea coriacea</i>	Lancewood	N
<i>Persea borbonia</i>	Redbay	N
<i>Pimenta officinalis</i>	Allspice	E
<i>Ploycias balfourina</i>	M i a	E
<i>Pouteria campechiana</i>	Eggfruit	E
<i>Prunus myetifolia</i>	West Indian Cherry	N
<i>Psidium guajava</i>	Guava	E
<i>Psychotria nervosa</i>	Shiney-leaved Wildcoffee	N
<i>Quercus virginiana</i>		
var. <i>virginiana</i>	Co. Live Oak	N
<i>Rhus copallina</i>		
var. <i>leucantha</i>	Southern Sumac	N

Roystonea regia	Royal Palm	N
Sabal palmetto	Cabbage Palm	N
Serenoa repens	Saw Palmetto	N
Schefflera actinophylla	Australian umbrella Tree	E
Sideroxylon foetidissimum	Wild Mastic	N
Simarouba glauca	Paradisetree	N
Syzygium cuminii	Jambolan plum	E
Tetrazygia bicolor	West Indian-lilac	N
Terna micranthum (T. floridanum)	Florida Trema	N
Verbesina virginica var. laciniata	Lobed Crownbeard	N
Zanthoxylum fagra	Wild Lime	N

**EPIPHYTES**

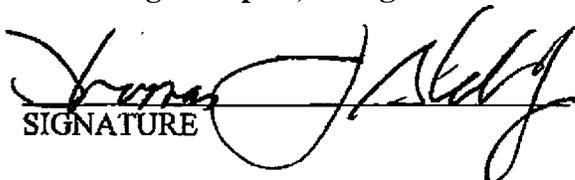
<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin</u>
Adiantum tenerum	Maidenhair Fern	N
Phlebodium aureum (Polypodium aureum)	Golden Polypody	N
Polypodium polypodiodes	Resurrection Fern	N
Tectariasp.	Halbern Fern	N
Tillandsia fasciculate (var. densispica)	Stiff-leafed Wild Pine	N
Tillandsia setacea	Needle-leaved Wild-pine	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.

---

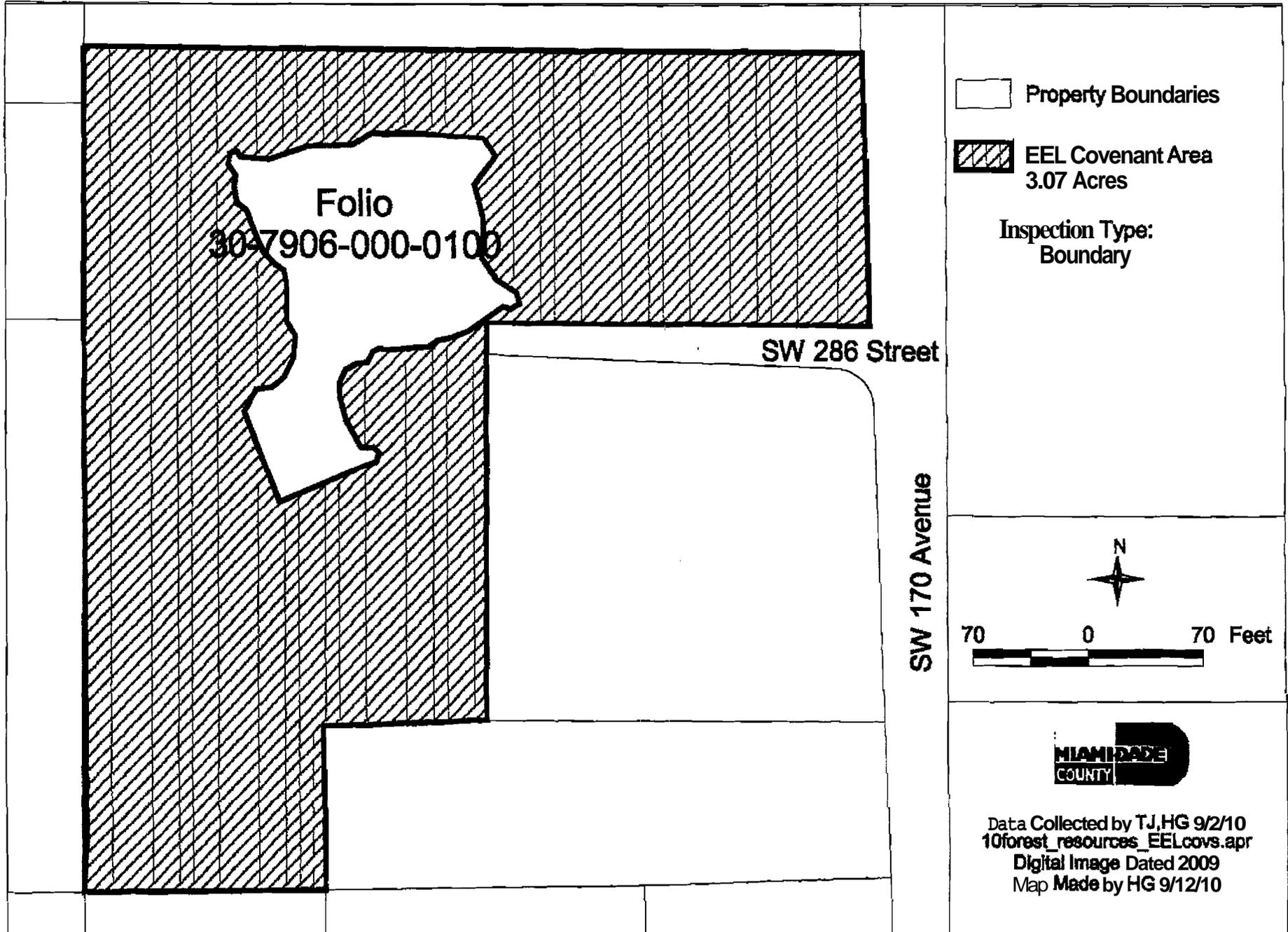
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, THOMAS J. BLAKLEY hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

9/23/2010  
DATE

# 30-7906-000-0100 Blakley EEL Covenant



20

28590 S.W. 170 Ave.  
Homestead, FL 33030-2013  
September 3, 2010

Ms. Helena Giannini  
701 N.W. 1st Ct.  
5th Floor  
Miami, FL 33136-3912

Dear Ms. Giannini,

The letter will serve to inform you that I no longer have a mortgage on my property. The Satisfaction of Mortgage is recorded in Book 19921 Page 4822 and is dated September 5, 2001.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Blakley". The signature is written in a cursive, flowing style.

Jeff Blakley

COVENANT RUNNING WITH THE  
LAND OF THE ESTATE OF DONALD F.  
DAVIS IN FAVOR OF THE BOARD OF  
COUNTY COMMISSIONERS OF MIAMI-  
DADE COUNTY, FLORIDA,  
CONCERNING ENVIRONMENTALLY  
ENDANGERED LAND LOCATED AT  
22520 SW 134 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA 33170, FOLIO 30-  
6914-000-0300.

The undersigned, George E. Davis, as personal representative of the estate of Donald F. Davis, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located at 22520 SW 134 Avenue, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-6914-000-0300, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner('s)(s') heirs, successors, assigns and grantees, running with *the* land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, **with** respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
  
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
  
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

covenant and the provisions contained herein may be enforced by the Director of the Miami-Dade County Department of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, this covenant may be renewed at the discretion of the owner(s) of the property for successive ten (10) year periods following the termination of the first ten (10) year period. Upon the owner's filing with the Clerk of the Courts for recording a written notification of the owner's intent to renew, this covenant shall be renewed for an additional ten (10) year period. Said written notification shall be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade County Department of Environmental Resources Management.
7. After this Covenant is accepted by the Board, the Covenant, together with a certified copy of the Board's resolution accepting the Covenant, shall be promptly filed with the Clerk of Court for recording in the official records of Miami-Dade County and a copy sent to the Miami-Dade County Property Appraiser.
8. After this Covenant is executed by the owner(s) of the Property and accepted by the Board and during the time this Covenant is in force and effect, the Property Appraiser shall assess the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.

9. After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner(s)'s knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.
  
10. The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 21 day of October, 2010.

INDIVIDUAL

WITNESSES:

sign J. S. Joyner  
print John P. Joyner  
sign Marcia Steelman  
print MARCIA STEELMAN

OWNER(S):

sign George E. Davis  
print GEORGE E. DAVIS  
Address 7257054134  
MIAMI, FL. 33170

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

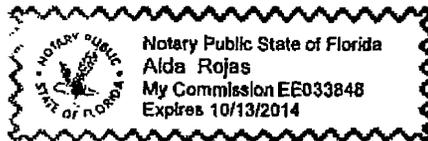
The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October, 2010, by George E. Davis, who is personally known to me or who has produced D120-305-49-205-0 DL as identification and who did take an oath.

NOTARY PUBLIC:

sign Aida Rojas  
print AIDA ROJAS  
State of Florida at Large (Seal)  
My Commission Expires: October 13, 2014

THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136



26

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6914-000-0300

**Property Address:** 22520 SW 134 Avenue,  
Miami-Dade County, Florida.

**Legal description:** 14 56 39 10.335 AC  
S1/2 OF N1/2 OF NW1/4 OF SW1/4

**Exhibit B**  
**Pine Rockland Management Plan**  
**for Donald F. and Marjorie Davis c/o George E. Davis**

**Location:** 22520 SW 134 Avenue, Miami-Dade County, Florida.  
**Size:** 10.335 acre parcel  
4.333 acres qualify for Environmentally Endangered Lands (EEL) covenant  
**Folio #:** 30-6914-000-0300  
**Forest Type:** Pine Rockland

**Location**

The property is located on the west side of SW 134<sup>th</sup> Avenue (Talbot Road) and on the east side of SW 137<sup>th</sup> Avenue (Lindgren Road) approximately 300 feet south of SW 224<sup>th</sup> Street. The site is a developed residential lot outside the urban development boundary (UDB). There is agriculture on the west, north, and east of the parcel. The parcel directly to the north also contains a county-designated Natural Forest Community (NFC) that is going to be covenanted and that is currently under the same owner as this one. The parcel to the south is an exotic bird nursery. The property can be accessed via SW 134<sup>th</sup> Avenue and via SW 137<sup>th</sup> Avenue.

Distance from nearest EEL/county-owned site: -2,100 feet from Silver Palm Groves  
Pineland  
Distance from nearest EEL covenant site: ~0 feet from Davis NFC  
(30-6914-000-0290)  
Distance from nearest county-designated Natural Forest Community (NFC): ~0 feet.

**Property Information**

The property consists of 4.333 acres of pine rockland which qualify for an EEL covenant. The property is located on the Miami rock ridge.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres in 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, and shrubs of temperate and tropical origin. 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 plant species. Pine rocklands are South Florida's most floristically diverse plant community, including several endemic species found only in this habitat. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled.

### **Present Condition**

The site is currently in good overall biological condition. The east, west and south edges have edge effect impacts, including substrate disturbance and exotic plant infestation. The northern edge of the property abuts a NFC pine rockland that is also under consideration for an EEL covenant. Over fifty (50) native plant species have been documented on the site of which fourteen (14) are State-listed. It is likely that more native species are occurring on the site. The lack of fire has allowed native hardwood cover to increase and physical control and/or a prescribed burn is needed to maintain the site's biodiversity and rare plants. Agricultural practices on the north and east are encroaching slightly and need to be monitored. This site is not a county designated NFC but contains the same characteristics and qualities and the NFC to the north.

### **Conclusion**

In order to ensure the preservation of this globally-imperiled pine rockland, active management is required. The past EEL covenant for the site was allowed to expire. The execution of a new EEL covenant will provide property owners with an incentive to perform the work necessary to maintain the biological integrity of the site. While the site does show signs of impacts typical to pine rockland that has been fragmented, it continues to harbor many rare and endangered species. The preservation of the site through active management provides a benefit to the county in the form of wildlife habitat and natural area corridor connection.

### **Ecological Goals**

1. Eradicate and control exotic plant species.
2. Maintain and increase native plant species biodiversity and cover.
3. Increase slash pine cover with varied age classes.
4. Provide wildlife habitat.

### **Management Goals**

1. Remove and prevent re-growth of exotic species on perimeter of site.
2. Remove and prevent re-growth of exotic species in interior of site.
3. Reduce hardwood cover and overall fuel load on site.
4. Maintain open canopy and understory to promote herbaceous plant diversity.
5. Execute a prescribed burn of the entire site.

DERM will periodically inspect property to ensure that management goals are achieved.

## Management Techniques and Schedule for Pine Rockland

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

- Year 1-2:** Establish and maintain a 30 foot firebreak between eastern-most edge of covenanted area and remaining exotic vegetation. Remove exotics from interior of site and follow up with appropriate herbicide control. Plant slash pine tublings in areas where natural recruitment is insufficient. Perform prescribed burn if determined feasible by FL Division of Forestry (DOF).
- Year 3-5:** Continue interior exotic control and herbicide follow up. Less than 2% cover of exotic plants is to be achieved by the end of year 5. Control exotic vegetation cover on perimeter. Perform prescribed burn if not yet achieved. Monitor survival of slash pine plantings.
- Year 6-7:** Continue interior exotic control efforts. Maintain less than 2% exotic plant cover. Increase exotic control efforts on perimeter. Perform prescribed burn if not yet achieved. Monitor survival of slash pine plantings.
- Year 8-10:** Continue interior exotic control efforts. Complete exotic control efforts on perimeter achieving less than 5% exotic plant cover. Perform prescribed burn if not yet achieved. Monitor survival of slash pine plantings.

### PLANT SPECIES LIST\*

*(this plant species list encompasses this property, 30-6914-000-0300, and the adjacent property, 30-6914-000-0290, which is under the same property owner and is going to be covenanted and managed as a single natural area)*

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 an endangered 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)

#### **GRAMINOIDS (Grasses, Sedges and Rushes)**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Rhynchospora floridensis</i>	Florida whitetop	N

## FORBS AND WOODY GROUNDCOVERS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Acalypha chamaedrifolia</i>	bastard copperleaf	N
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland golden trumpet	N / FL threatened
<i>Argythamnia blodgettii</i>	Blodgett's wild mercurt	N I FL endangered
<i>Bidens alba</i>	beggarticks	N
<i>Bidens pilosa</i>	Spanish needles	E
<i>Chamaecrista fasciculata</i>	partridge pea	N
<i>Chiococca alba</i> var. <i>parvifolia</i>	snowberry	N
<i>Cnidoscolus stimulosus</i>	tread softly	N
<i>Crossopetalum ilicifolium</i>	quailberry	N / FL threatened
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Crotalaria spectabilis</i>	showy rattlebox	E
<i>Croton linearis</i>	pineland croton	N
<i>Desmodium</i> spp.	ticktrefoil	unidentified
<i>Galium hispidulum</i>	coastal bedstraw	N
<i>Jacquemontia curtisii</i>	pineland clustervine	N / FL threatened
<i>Lantana camara</i>	shrub verbena	E I EPPC (I)
<i>Morinda royoc</i>	cheese shrub	N
<i>Nephrolepis exalta</i>	sword fern	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Physalis pubescens</i>	husk tomamto	N
<i>Phytolacca Americana</i>	<b>American</b> pokeweed	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy bracken	N
<i>Rhynchosia reniformis</i>	dollarleaf	N
<i>Stachytarpheta jamaicensis</i>	blue porter weed	N
<i>Tragia saxicola</i>	Florida Keys noseburn	N / FL threatened
<i>Urena lobata</i>	Cesarweed	E / EPPC (II)

## VINES AND SCANDENT SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Cissus verticillata</i>	possum grape	N
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Momordica charantia</i>	balsampear	E
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corkystem passionflower	N
<i>Smilax</i> spp.	greenbrier	N
<i>Vitis rotundifolia</i>	muscadine	N

## TREES AND SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebbek</i>	woman's tongue	E / EPPC (I)
<i>Ardisia elliptica</i>	shoebotton	E / EPPC (I)
<i>Byrsonima lucida</i>	locust berry	N I FL threatened
<i>Callicarpa americana</i>	American beautyberry	N

<i>Chiococca alba</i>	snowberry	N
<i>Coccothrinax argentata</i>	Florida silver palm	N/FL threatened
<i>Dodonaea viscosa</i>	hopbush	N
<i>Forestiera segregate</i>	Florida swampprivet	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Lantana involucrata</i>	button sage	N
<i>Metopium toxiferum</i>	poisonwood	N
<i>Myrsine cubana</i>	myrsine	N
<i>Pinus elliotii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Quercuspumila</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>Ricinus communis</i>	castorbean	E/ EPPC (II)
<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 bustic	N
<i>Tetrazygia bicolor</i>	Florida clover ash	N/ FL threatened
<i>Trema micrantha</i>	nettletree	N

**EPIPHYTES**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Phlebodium aureum</i>	golden polypody	N
<i>Pleopeltis polypodioides</i> var. <i>michauxiana</i>	resurrection fern	N
<i>Psilotum nudum</i>	whisk fern	N
<i>Tillandsia</i> spp.	airplant	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.

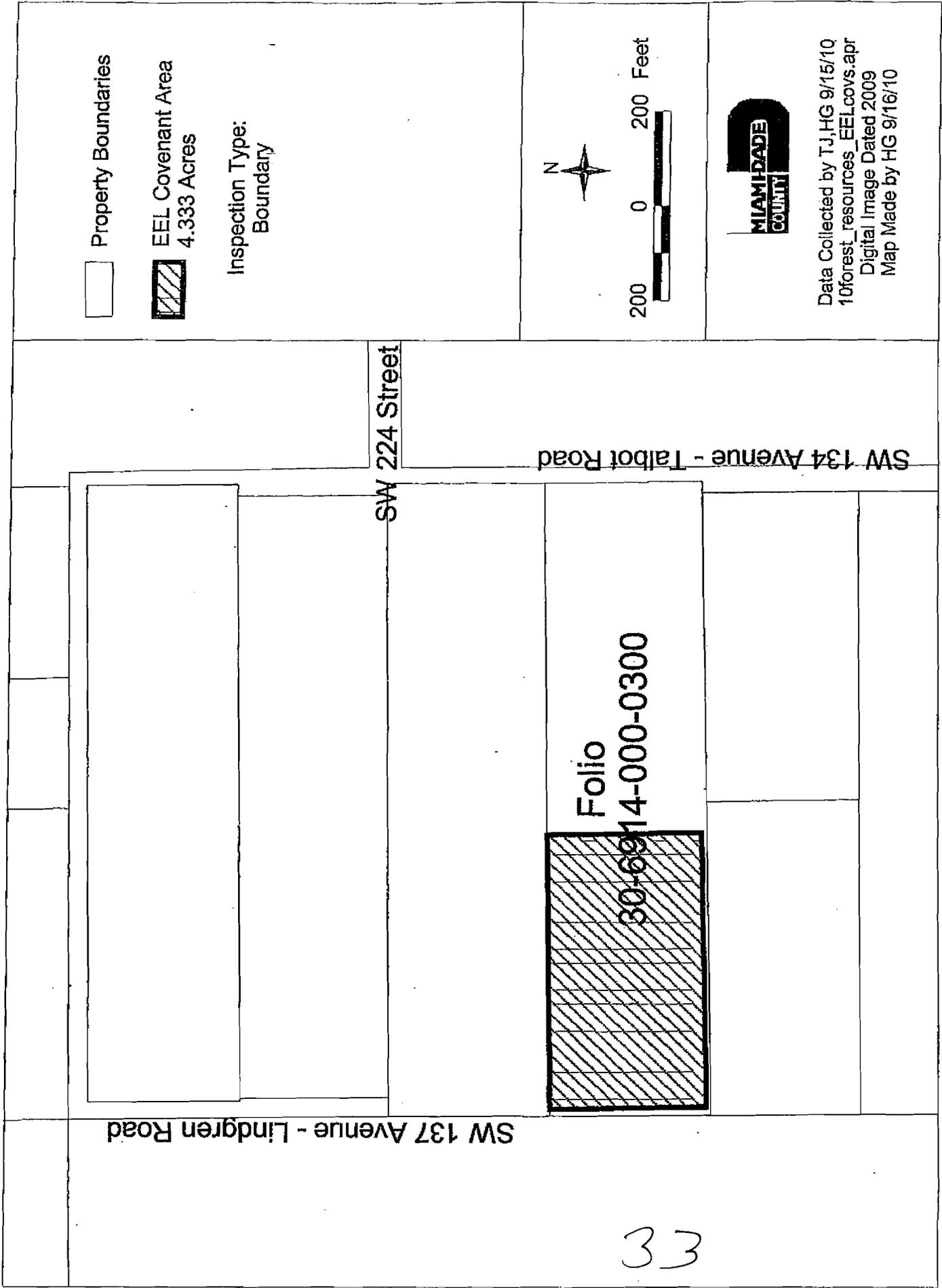
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, GEORGE E. DAVIS hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

9-23-10  
DATE

# 30-6914-000-0300 Davis EEL Covenant



IN THE CIRCUIT COURT FOR MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

IN RE: ESTATE OF

DONALD F. DAVIS

File No.: 08-0539 CP 04

Division: Probate

STATE OF FLORIDA
COUNTY OF DADE
I, THE UNDERSIGNED, Judge Clerk, Circuit Court, Dade County, Florida, DO HEREBY CERTIFY that I have read the foregoing copy of copy of the original and a copy of the original and file in the office of the Circuit Court, Dade County, Florida, and that same is in full force and effect.
WITNESS my hand and Seal of the Circuit Court at Miami, Florida, this 2nd day of February, 2010.
MARVELENE L. LIND, Circuit Court
County Clerk, Dade County



FILED FOR RECORD
2010 FEB - 2 PM 12:00
CLERK, CIRCUIT & COUNTY COURT
DADE COUNTY, FLORIDA

LETTERS OF ADMINISTRATION

TO ALL WHOM IT MAY CONCERN

WHEREAS, Donald F. Davis, a resident of Miami-Dade County, Florida, died on August 14, 2005, owning assets in the State of Florida, and

WHEREAS, George E. Davis has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare George E. Davis duly qualified under the laws of the State of Florida to act as personal representative of the estate of Donald F. Davis, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on February 2, 2010.

FEB - 2 2010

Edes R. Anderson
Circuit Judge

THESE LETTERS DO NOT AUTHORIZE ENTRY INTO ANY SAFE DEPOSIT BOX WITHOUT FURTHER ORDER OF COURT

Copies to: Eunice Puga, Esq.

THIS ESTATE MUST BE CLOSED WITHIN 12 MONTHS IF NOT CONTESTED.

INVENTORY SHALL BE FILED WITHIN 60 DAYS

AN INVENTORY OF RECORD SHALL FILE RECEIPT OF ASSETS BY RESTRICTED DEPOSITORY(ES) WITHIN 30 DAYS OF ISSUANCE OF LETTERS.

IN THE EVENT FLORIDA REAL ESTATE IS SOLD, NET PROCEEDS OF SALE SHALL BE DEPOSITED IN A COURT

THE PERSONAL REPRESENTATIVE SHALL PLACE ALL LIQUID ASSETS IN A DEPOSITORY DESIGNATED BY THE COURT PURSUANT TO THE F.S. 69.081

THIS IS A FROZEN ACCOUNT WHICH MEANS THAT NO FUNDS CAN BE

3 Y

THESE LETTERS DO NOT AUTHORIZE THE SALE OF REAL ESTATE

George E. Davis  
22520 SW 134<sup>th</sup> Ave.  
Miami, FL 33170 -

**September 15, 2010**

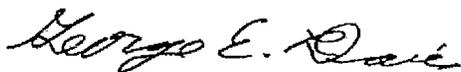
**Miami-Dade Co.**  
Environmental Resources Management  
701 NW 1<sup>st</sup> Ct., 5<sup>th</sup> Floor  
Miami, FL 33136

RE: Tax Folio #s 30-6914000-290 and 30-6914-000-300

To Whom It May Concern:

As Personal Representative of the Estate of Donald F. Davis, I confirm that there are no mortgages on either of these parcels.

Sincerely,



**George E. Davis**

COVENANT RUNNING WITH THE  
LAND OF THE ESTATE OF DONALD F.  
DAVIS IN FAVOR OF THE BOARD OF  
COUNTY COMMISSIONERS OF MIAMI-  
DADE COUNTY, FLORIDA,  
CONCERNING ENVIRONMENTALLY  
ENDANGERED LAND LOCATED IN  
THE VICINITY OF SW 224<sup>TH</sup> STREET  
AND SW 134<sup>TH</sup> AVENUE, MIAMI-DADE  
COUNTY, FLORIDA 33170, FOLIO 30-  
6914-000-0290.

The undersigned, George E. Davis, as personal representative of the estate of Donald F. Davis, being owner(s) of a parcel of real propel-ty legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located in the vicinity of SW 224<sup>th</sup> Street and SW 134<sup>th</sup> Avenue, Miami-Dade County, Florida, and furthermore identified for ad valorem *tax* purposes by all or part of Folio Number 30-6914-000-0290, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner('s)(s) heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this covenant and the provisions contained herein may be enforced by the Director of the Miami-Dade County Department of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, this covenant may be renewed at the discretion of the owner(s) of the property for successive ten (10) year periods following the termination of the first ten (10) year period. Upon the owner's filing with the Clerk of the Courts for recording a written notification of the owner's intent to renew, this covenant shall be renewed for an additional ten (10) year period. Said written notification shall be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade County Department of Environmental Resources Management.
7. After this Covenant is accepted by the Board, the Covenant, together with a certified copy of the Board's resolution accepting the Covenant, shall be promptly filed with the Clerk of Court for recording in the official records of Miami-Dade County and a copy sent to the Miami-Dade County Property Appraiser.
8. After this Covenant is executed by the owner(s) of the Property and accepted by the Board and during the time this Covenant is in force and effect, the Property Appraiser shall assess

-

the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.

-

9. After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner('s)(s') knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.
  
10. The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade *County*, Florida.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 21 day of October, 2010.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print John T. Boyer  
sign [Signature]  
print MARCIA STEELMAN

OWNER(S):

sign [Signature]  
print GEORGE E. DAVIS  
Address 22520 SW 134 AVE  
MIAMI, FL. 33170

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

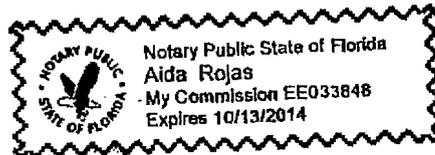
The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October, 2010, by George E. Davis, who is personally known to me or who has produced D120-305-49-205-0 - DL as identification and who did take an oath.

NOTARY PUBLIC:

sign [Signature]  
print AIDA ROJAS  
State of Florida at Large (Seal)  
My Commission Expires: October 13, 2014

THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental, Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136



**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6914-000-0290

**Property Address:** Vicinity of SW 224'' Street and SW 134<sup>th</sup> Avenue,  
Miami-Dade *County*, Florida.

**Legal description:** 14 56 39 10.314 AC  
N1/2 OF N1/2 OF NW1/4 OF SW1/4  
SUBJECT TO NFC REST  
ON 2.80 AC

**Exhibit B**  
**Pine Rockland Management Plan**  
**for Donald F. and Marjorie Davis c/o George E. Davis**

- Location:** Vicinity of SW 224th Street and SW 134th Avenue,  
Miami-Dade County, Florida.
- Size:** 10.314 acre parcel  
3.820 acres qualify for an Environmentally Endangered Lands (EEL)  
covenant
- Folio #:** 30-6914-000-0290
- Forest Type:** Pine Rockland (currently containing 3.50 acres of County designated  
Natural Forest Community (NFC))

**Location**

The property is located on the west side of SW 134<sup>th</sup> Avenue (Talbot Road) and on the **east** side of SW 137<sup>th</sup> Avenue (Lindgren Road), south of SW 224<sup>th</sup> **Street**. The **site** is an undeveloped lot outside the **urban** development boundary (UDB). The surrounding lots are **agricultural** with residences. The parcel directly to the south contains a natural area that is **also going to be covenanted** and is currently under the same ownership **as** this site. The property can be accessed via SW 134<sup>th</sup> Avenue and via SW 137<sup>th</sup> Avenue.

Distance from nearest EEL/county-owned site: ~2,300 feet from Silver Palm Groves  
Pineland

Distance from nearest EEL covenant site: ~0 feet **from** Davis pine rockland  
(30-6914-000-0300)

Distance from nearest county-designated Natural Forest Community (NFC): ~770 feet.

**Property Information**

The property consists of 3.820 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 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 32, T56 R39 S14, parcel C.

**Pine rocklands** were once South Florida's dominant plant community, occupying about 186,000 acres in 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, and shrubs of temperate and tropical origin. 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 plant species. Pine rocklands are South Florida's most floristically diverse plant community, including several endemic species found only in this habitat. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled.

### **Present Condition**

The site is currently in good overall biological condition. The east west and north edges have edge effect impacts, including substrate disturbance and exotic plant infestation. Past removal of Brazilian pepper on the north side has helped reduce exotic cover; however, the resulting debris has been pushed into the adjacent firebreak and needs to be removed. The southern edge of the property abuts a non-NFC pine rockland that is also under consideration for an EEL covenant. Over fifty (50) native plant species have been documented on the site of which fourteen (14) are state-listed. It is likely that more native species are occurring on the site. The lack of fire has allowed native hardwood cover to increase and physical control and/or a prescribed burn is needed to maintain the site's biodiversity and rare plants. Agricultural practices on the north and east have encroached into the area and need to be stopped, reversed, and monitored to prevent further impact.

### **Conclusion**

In order to ensure the preservation of this county-designated Natural Forest Community (NFC), active management is required. The past EEL covenant for the site was allowed to expire. The execution of a new EEL covenant will provide property owners with an incentive to perform the work necessary to maintain the biological integrity of the site. While the site does show signs of impacts typical to pine rockland that has been fragmented, it continues to harbor many rare and endangered species. The preservation of the site through active management provides a benefit to the county in the form of wildlife habitat and natural area corridor connection.

### **Ecological Goals**

1. Eradicate and control exotic plant species.
2. Maintain and increase native plant species biodiversity and cover.
3. Increase slash pine cover with varied age classes
4. Provide wildlife habitat.

### Management Goals

1. Remove and prevent re-growth of exotic species on perimeter of site.
2. Remove and prevent re-growth of exotic species in interior of site.
3. Reduce hardwoodcover and overall fuel load on site.
4. Maintain open canopy and understory to promote herbaceous plant diversity.
5. Execute a prescribed burn of the entire site.

DERM will periodically inspect property to ensure that management goals are achieved.

### Management Techniques and Schedule for Pine Rockland

(No heavy machinery allowed within site. All work must be done by hand (i.e. chainsaw, hand tools)

- Year 1-2:** Remove vegetative debris (from past exotic control efforts) that is choking the firebreak on the north side of the site. Remove exotics from interior of site and follow up with appropriate herbicide control. Plant slash pine tublings in areas where natural recruitment is insufficient. Perform prescribed burn if determined feasible by FL Division of Forestry (DOF).
- Year 3-5:** Continue interior exotic control and herbicide follow up. Less than 2% cover of exotic plants is to be achieved by the end of year 5. Control exotic vegetation cover on perimeter, Perform prescribed burn if not yet achieved. Monitor survival of slash pine plantings.
- Year 6-7:** Continue interior exotic control efforts. Maintain less than 2% exotic plant cover. Increase exotic control efforts on perimeter. Perform prescribed burn if not yet achieved. Monitor survival of slash pine plantings.
- Year 8-10:** Continue interior exotic control efforts. Complete exotic control efforts on perimeter achieving less than 5% exotic plant cover. Perform prescribed burn if not yet achieved. Monitor survival of slash pine plantings.

## PLANT SPECIES LIST\*

(this plant species list encompasses this property, 30-6914-000-0290, and the adjacent property, 30-6914-000-0300, which is under *the same property owner and is going to be covenanted and managed as a single natural area*)

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 an endangered 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)

### GRAMINOIDS (Grasses, Sedges and Rushes)

Scientific Name	Common Name	Origin/Status
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Rhynchospora floridensis</i>	Florida whitetop	N

### FORBS AND WOODY GROUNDCOVERS

Scientific Name	Common Name	Origin/Status
<i>Acalypha chamaedrifolia</i>	bastard copperleaf	N
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland golden trumpet	N / FL threatened
<i>Argythamnia blodgettii</i>	Blodgett's wild mercurt	N / FL endangered
<i>Bidens alba</i>	beggarticks	N
<i>Bidens pilosa</i>	Spanish needles	E
<i>Chamaecrista fasciculata</i>	partridge pea	N
<i>Chiococca alba var. parvifolia</i>	snowberry	N
<i>Cnidoscolus stimulosus</i>	tread softly	N
<i>Crossopetalum ilicifolium</i>	quailberry	N / FL threatened
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Crotalaria spectabilis</i>	showy rattlebox	E
<i>Croton linearis</i>	pineland croton	N
<i>Desmodium spp.</i>	ticktrefoil	unidentified
<i>Galium hispidulum</i>	coastal bedstraw	N
<i>Jacquemontia curtisii</i>	pineland clustervine	N / FL threatened
<i>Lantana camara</i>	shrub verbena	E / EPPC (I)
<i>Morinda royoc</i>	cheese shrub	N
<i>Nephrolepis exalta</i>	sword fern	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Physalis pubescens</i>	husk tomamto	N

<i>Phytolacca Americana</i>	American pokeweed	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy bracken	N
<i>Rhynchosia reniformis</i>	dollarleaf	N
<i>Stachytarpheta jamaicensis</i>	blue porter weed	N
<i>Tragia saxicola</i>	Florida Keys noseburn	N I FL threatened
<i>Urena lobata</i>	Cesarweed	E / EPPC (II)

#### VINES AND SCANDENT SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Cissus verticillata</i>	possum grape	N
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Momordica charantia</i>	balsampear	E-
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corkstem passionflower	N
<i>Smilax spp.</i>	greenbrier	N
<i>Vitis rotundifolia</i>	muscadine	N

#### TREES AND SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebeck</i>	woman's tongue	E / EPPC (I)
<i>Ardisia elliptica</i>	shoebuttan	E / EPPC (I)
<i>Byrsonima lucida</i>	locust berry	N / FL threatened
<i>Callicarpa americana</i>	American beautyberry	N
<i>Chiococca alba</i>	snowberry	N
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Dodonaea viscosa</i>	hophbush	N
<i>Forestiera segregate</i>	Florida swampprivet	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Lantana involucrata</i>	buttonsage	N
<i>Metopium toxiferum</i>	poisonwood	N
<i>Myrsine cubana</i>	myrsine	N
<i>Pinus elliottii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Quercuspumila</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>Ricinus communis</i>	castorbean	E I EPPC (II)
<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 bustic	N
<i>Tetrazygia bicolor</i>	Florida clover ash	N / FL threatened
<i>Trema micrantha</i>	nettletree	N

**EPIPHYTES**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Phlebodium aureum</i>	golden polypody	N
<i>Pleopeltis polypodioides</i> var. <i>michauxiana</i>	resurrection fern	N
<i>Psilotum nudum</i>	whisk fern	N
<i>Tillandsia</i> spp.	airplant	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.**

---

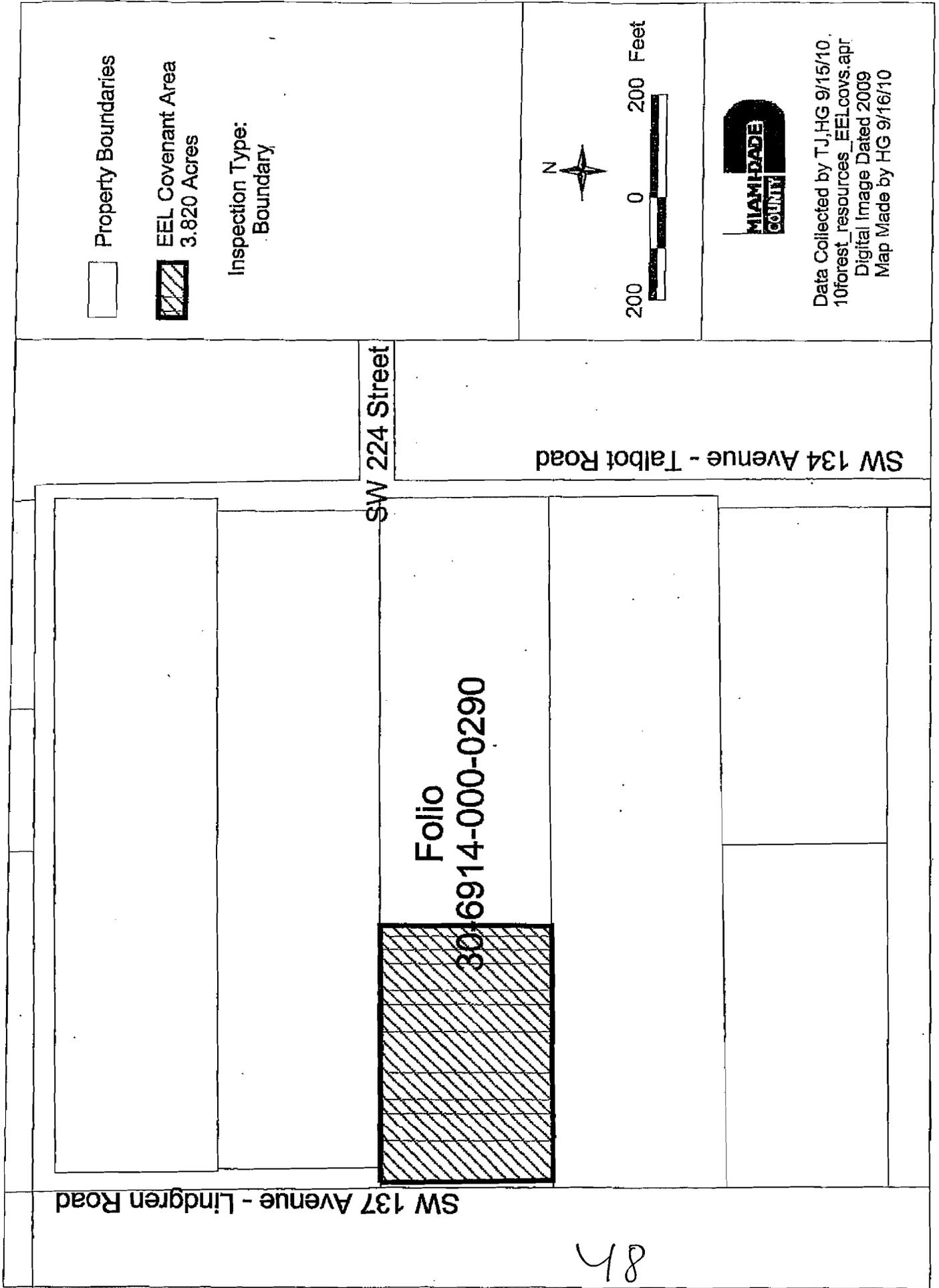
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, GEORGE E. DAVIS hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

George E. Davis  
SIGNATURE

9-23-10  
DATE

# 30-6914-000-0290 Davis EEL Covenant



Property Boundaries

EEL Covenant Area  
3.820 Acres

Inspection Type:  
Boundary

200 0 200 Feet



Data Collected by TJ, HG 9/15/10,  
10forest\_resources\_EELcovs.apr  
Digital Image Dated 2009  
Map Made by HG 9/16/10

SW 224 Street

SW 134 Avenue - Talbot Road

SW 137 Avenue - Lindgren Road

Folio  
30-6914-000-0290

84

**IN THE CIRCUIT COURT FOR MIAMI-DADE COUNTY  
FLORIDA**

**PROBATE DIVISION**

**IN RE: ESTATE OF**

**DONALD F. DAVIS**

**File No.: 08-0539 CP 04**

**Division: Probate**

STATE OF FLORIDA  
COUNTY OF DADE

I, THE UNDERSIGNED, Judge of the Circuit Court for  
County, Florida, do hereby certify that the foregoing  
copy and file in the office of the Circuit Court, Dade County,  
Florida, and that said copy is in full force and effect.

WITNESS my hand and Seal of the Circuit Court  
Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Deputy Clerk of the Circuit Court

*[Handwritten Signature]*  
713  
Deputy Clerk of the Circuit Court

FILED FOR RECORD  
2010 FEB 2 PM 12:00  
CLERK, CIRCUIT & COUNTY CLERK  
DADE COUNTY, FLORIDA

**LETTERS OF ADMINISTRATION**

TO ALL WHOM IT MAY CONCERN

WHEREAS, Donald F. Davis, a resident of Miami-Dade County, Florida, died on August 14, 2005, owning assets in the **State of Florida**, and

WHEREAS, George E. **Davis** has been **appointed** personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned **circuit** judge, declare George E. **Davis** duly qualified under the laws of the State of Florida to act as personal representative of the estate of Donald F. Davis, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive **the** property of the **decedent**; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on February 2, 2010.

FEB - 2 2010

THESE LETTERS DO NOT AUTHORIZE  
INTO ANY SAFE DEPOSIT BOX  
WITHOUT FURTHER ORDER OF COURT

*Edwin J. ...*  
Circuit Judge

Copies to: Eunice Puga, Esq.

IN THE EVENT FLORIDA REAL REAL ESTATE  
IS SOLD, THE NET PROCEEDS OF SALE  
SHALL BE DEPOSITED IN A COURT

THE PERSONAL REPRESENTATIVE SHALL PLACE ALL  
LIQUID ASSETS IN A DEPOSITORY DESIGNATED BY  
THE COURT PURSUANT TO THE F.S. 69.081

THIS IS A FROZEN ACCOUNT WHICH  
MEANS THAT NO FUNDS CAN BE  
WITHDRAWN FROM THE ACCOUNT

THESE LETTERS DO NOT AUTHORIZE  
THE SALE OF REAL ESTATE

THIS ESTATE MUST BE CLOSED  
WITHIN 12 MONTHS IF NOT  
CONTESTED.

INVENTORIES SHALL BE  
FILED WITHIN 10 DAYS

RETURNED OF RETURN SHALL  
FILE RECEIPT OF ASSETS BY  
RESTRICTED DEPOSITORY(ES)  
WITHIN 30 DAYS OF ISSUANCE  
OF LETTERS.

CELEBRATE ESTATE

49

George E. Davis  
22520 SW 134<sup>th</sup> Ave.  
Miami, FL 33170

September 15, 2010

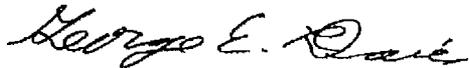
Miami-Dade Co.  
Environmental Resources Management  
701 NW 1<sup>st</sup> Ct., 5<sup>th</sup> Floor  
Miami, FL 33136

RE: Tax Folio #s 30-6914-000-290 and 30-6914-000-300

To Whom It May Concern:

As Personal Representative of the Estate of Donald F. **Davis**, I confirm that there are no mortgages on **either** of these parcels.

Sincerely,



George E. Davis

-

**COVENANT RUNNING WITH THE  
LAND OF TODD & JILL HARDWICK IN  
FAVOR OF THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 14940 COCONUT  
PALM DRIVE, MIAMI-DADE COUNTY,  
FLORIDA 33032, FOLIO 30-6928-000-  
0061.**

The undersigned, Todd & Jill Hardwick, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located at 14940 Coconut Palm Drive, Miami-Rade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-6928-000-0061, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner('s)(s') heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

covenant and the provisions contained herein may **be** enforced by **the** Director of the **Miami-Dade** County **Department** of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as **otherwise** provided for by law or **ordinance**.

6. As provided herein, this covenant may be renewed at the discretion of the **owner(s)** of the property for successive ten (10) year periods following the **termination** of the first ten (10) year **period**. Upon the **owner's** filing with the Clerk of **the Courts** for **recording** a written notification of the owner's intent **to** renew, this covenant shall be renewed for an **additional** ten (10) year period. Said **written** notification **shall be** made to the Clerk of the Courts not later **than** thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written **notification** above, a copy of the owner's **notification** letter **shall be** provided to the Miami-Dade **County** Department of Environmental **Resources** Management.
  
7. After this Covenant is accepted by the Board, the Covenant, together with a certified **copy of the Board's** resolution accepting **the Covenant**, shall be promptly **filed** with the Clerk of Court for recording in the **official** records of Miami-Dade **County** and a copy sent to the **Miami-Dade County Property Appraiser**.
  
8. After this Covenant is executed by the **owner(s)** of the Property **and** accepted by the Board and during the time **this** Covenant is in force **and** effect, the **Property** Appraiser shall **assess** the Property for ad valorem **tax purposes in conformance with Chapter 25B**, Code of **Miami-Dade** County, Florida, and Section 193.501, Florida **Statutes**.

9. **After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner(s)'s knowledge or consent shall use the Property *or* modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.**
  
10. **The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with *the* procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.**

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 22 day of September, 2010.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print Deborah Albert  
sign [Signature]  
print Stephanie Trujillo

sign [Signature]  
print Deborah Albert  
sign [Signature]  
print Stephanie Trujillo

OWNER(S):

sign [Signature]  
print TODD HARDWICK  
Address 25195 SW 152 AV  
33032

sign [Signature]  
print Jill K Hardwick  
Address 25195 SW 152 Ave  
Homestead 33032

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 22 day of September 2010, by Todd Hardwick & Jill K. Hardwick who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC:



sign [Signature]  
print Deborah Albert  
State of Florida at Large (Seal)  
My Commission Expires: 10-21-10

THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court.  
Miami, Florida 33136

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6928-000-0061

**Property Address:** 14940 Coconut Palm Drive,  
Miami-Dade County, Florida.

**Legal description:** 28 56 39 2.5 AC  
NW1/4 OF NE1/4 OF NW1/4 OF NE1/4  
LESS W25FT SUBJ TO NFC ON .83 AC  
SUBJ TO EEL COVENANT ON 1.04 AC  
R-1348-01 EXP. 22/04/11  
OR 19122-1854 052000 1  
OR 19122-1854 0500 00

**Exhibit B**  
**Pine Rockland Management Plan**  
**for Todd & Jill Hardwick**

**Location:** 14940 Coconut Palm Drive, Miami-Dade County, Florida.

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

**Folio #:** 30-6928-000-0061

**Forest Type:** Pine **Rockland** (currently containing 1.1 acres of **County** designated Natural Forest **Community** (NFC))

**Location**

The property is located on the south side of SW 248<sup>th</sup> Street (Coconut Palm Drive) approximately 300 **feet** west of SW 149<sup>th</sup> Avenue. The site is a developed residential lot **outside** the urban **development** boundary (**UDB**) and it is **bordered** by **agriculture and residential** properties. There **is** property containing county-designated Natural Forest Community (NFC) directly **south** of the parcel. The **property can be accessed via SW 248<sup>th</sup> Street.**

**Distance from nearest EEL/county-owned site: -6,500 feet from Hattie Bauer Hammock**  
**Distance from nearest EEL covenant site: -380 feet from Romero NFC**  
**(30-6928-000-0100)**

**Distance from nearest county-designated Natural Forest Community (NFC): ~0 feet.**

**Property Information**

**The property consists of 1.029 acres of pine rockland which qualify for an EEL covenant. The property is located on the Miami rock ridge and 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. The site is found on Miami-Dade County Natural Forest Community Map 34, T56 R39 528, parcel E.**

Pine rocklands were **once** South Florida's dominant plant **community, occupying** about 186,000 acres in the Miami **rock** ridge, which is a large limestone outcropping that extends south from the M iami 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, and shrubs of temperate and tropical origin. 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 found only in this habitat. For this **reason**, the **Florida Natural Areas Inventory (FNAI)** classifies pine **rocklands** as globally imperiled.

### Present Condition

The property is currently a **mix** of **native** hardwood plant species on **the** southern half **and** **pine rockland** species **on** the northern half. Both areas are in poor to average condition with **relatively** low biodiversity. Exotic plant species cover is low (5% to 10%). The previous management plan for the site, that was part of the previous EEL covenant approved for the site, **allowed the planting of hammock species**. However, some of the species planted (**namely** orange geiger and **mahogany**) are not appropriate for this location. These species are still **present** but may **eventually** be out-competed by wild tamarind **trees growing on the south** end of the site.

The northern half is dominated by some **native pineland** species, however no **pine trees** were observed. The dominate trees in this area are **sabal** palm and live **oaks**. The biodiversity on the site is low, but rare listed species **such as** *Jacquemontia curtissii*, *Tetrazygia bicolor* and *Coccolrhinax argentata* were observed.

It appears that the understory in **both** areas is being mowed and the shrub **layer** is therefore **very** sparse. Evidence of vehicle traffic **was** also observed.

### Conclusion

In order to increase the biodiversity in both the hammock **and** pine rockland areas the site will need selective exotic plant species **control**. Vehicle **traffic** and mowing or any other non-selective control methods have **to cease in** order to increase the quality of the site. **Planting** slash pine tublings and selectively removing exotic species on the northern **half** will help improve the pine **rockland** habitat. Selective hardwood control may also be needed if prescribed **burning this area** is not feasible.

The **southern** half should require less work as the **native hardwood tree** canopy cover increases. Planting appropriate native hardwood species will help improve its biodiversity and overall quality.

### Ecological Goals

1. Increase plant biodiversity on the entire site.
2. Maintain and increase pine rockland plant species on the north.
3. Maintain and increase hardwood hammock plants on the south.
4. Establish and maintain ecotone between habitats.
5. Remove and control exotic plants on the entire site.
6. Provide habitat for native wildlife.

### Management Goals

1. Eliminate invasive exotic plants to achieve less than 1% exotic cover.
2. Increase biodiversity with appropriate native plant species.
3. Control native ruderal plants and vines.
4. Allow natural regeneration of native plants.

DERM will periodically inspect property to ensure that management goals are achieved.

### Management Techniques and Schedule for Pine Rockland

(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 site is not allowed.

**Year 1-2:** Plant pine tublings and native shrubs (i.e. *Randia aculeate* and *Byrsonima lucida*) in pine rockland. Control invasive exotic and ruderal native plants. A large, fruiting bishopwood tree located on the western perimeter of the site must be removed within one month of the approval of this covenant by the Miami-Dade County Board of County Commissioners.

**Year 3-5:** Continue invasive exotic and ruderal plant control. Monitor plantings and natural recruitment. Additional plantings may be required depending on success of initial plantings and natural recruitment.

**Year 6-7:** Prescribe burn pine rockland (Florida Division of Forestry approval required). Continue invasive exotic control. Monitor plantings.

**Year 8-10:** Prescribe burn pine rockland (Florida Division of Forestry approval required) if not yet achieved. Continue invasive exotic control. Monitor plantings.

**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 an endangered 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**)

**GRAMINOIDS (Grasses, Sedges and Rushes)**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Andropogon spp.</i>	Bluestem	N
<i>Melinis repens</i>	Natal grass	E / EPPC(I)
<i>Stenotaphrum secundatum</i>	St. Augustine grass	E

**FORBS AND WOODY GROWDCOVERS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Acalypha chamaedrifolia</i>	bastard copperleaf	N
<i>Ambrosia artemisiifolia</i>	common ragweed	N
<i>Bidens alba var. radiata</i>	Spanish needles	N
<i>Crotalaria spectabilis</i>	showy rattlebox	E
<i>Galium hispidulum</i>	Bedstraw	N
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Sansevieria hyacinthoides</i>	bowstring hemp	E / EPPC (II)
<i>Spermacoce verticillata</i>	shrubby false <b>buttonweed</b>	E
<i>Stachytarpheta jamaicensis</i>	blue porter weed	N
<i>Zamia integrifolia</i>	<b>coontie</b>	N
<i>Zamia furfuraceae</i>	Cardboard palm	E

**VINES AND SCANDENT SHRUBS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Cassytha filiformis</i>	love vine	N
<i>Cissus verticillata</i>	Possum grape	N

<i>Galactia</i> spp.	Milkpea	?
<i>Jacquemontia curtisii</i>	Pineland clustervine	N / FL threatened
<i>Echites umbalata</i>	Devil's potato	N
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC(I)
<i>Morinda royoc</i>	cheese shrub	N
<i>Passiflora suberosa</i>	corkystem passionflower	N
<i>Smilax</i> spp.	Greenbrier	N
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Yitis rotundifolia</i>	muscadine	N

## TREES AND SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebeck</i>	woman's tongue	E / EPPC (I)
<i>Ardisia escallonioides</i>	marlberry	N
<i>Baccharis glomeruliflora</i>	silverling	N
<i>Bischofia javanica</i>	Bishopwood	E / EPPC (I)
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Callicarpa americana</i>	American beautyberry	N
<i>Coccothrinax argentata</i>	Florida silver palm	N I FL threatened
<i>Chrysophyllum oliviforme</i>	satinleaf	N I FL threatened
<i>Conocarpus erectus</i>	Green buttonwood	N
<i>Cordia sebestena</i>	Orange geiger	N
<i>Foresteria segregate</i>	Florida privet	N
<i>Guettarda scabra</i>	Rough veveltseed	N
<i>Hamelia patens</i>	Firebush	N
<i>Lysiloma latisiliquum</i>	Wild tamarind	N
<i>Myrcianthes fragrans</i>	Simpson's stopper	N / FL threatened
<i>Psychotria nervosa</i>	wild coffee	N
<i>Rapanea punctata</i>	myrsine	N
<i>Quercus virginiana</i>	live oak	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 bustic	N
<i>Simarouba glauca</i>	paradise tree	N
<i>Swietenia mahagoni</i>	West Indian mahogany	N / FL threatened
<i>Tetrazygia bicolor</i>	West Indian lilac	N / FL threatened
<i>Trema micranthum</i>	Florida trema	N

**EPIPHYTES**

<b>Scientific Name</b>	<b><u>Common Name</u></b>	<b><u>Origin/Status</u></b>
<i>Phlebodium aureum</i>	golden polypody	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, TODD HARDWICK hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

Todd Hardwick  
SIGNATURE

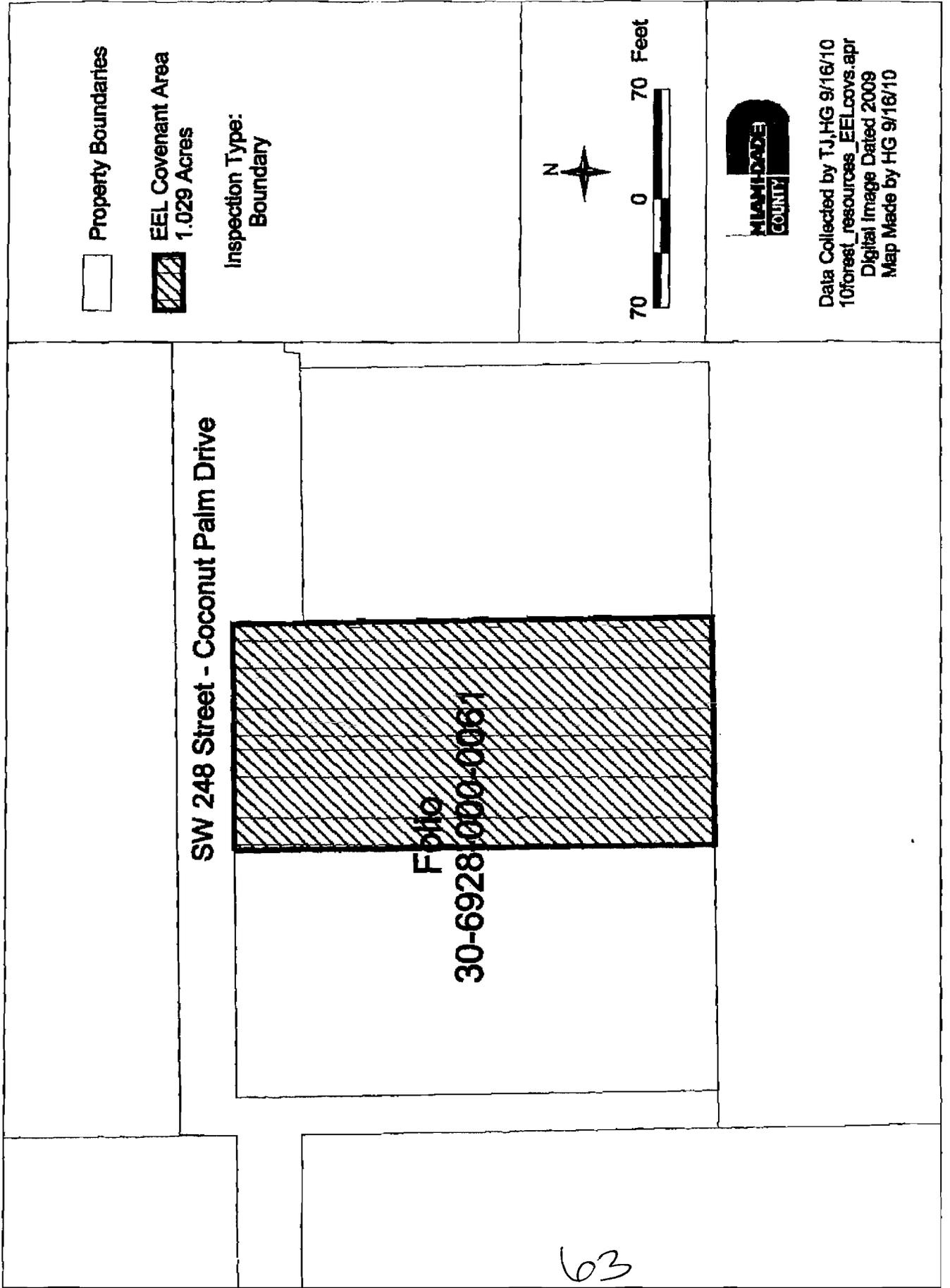
9-22-10  
DATE

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

Jill R Hardwick  
SIGNATURE

9/22/10  
DATE

# 30-6928-000-0061 Hardwick EEL Covenant



September 22,2010

RE: 30-6928-000-0061  
14940 Coconut Palm Drive, Miami-Dade County, Florida

To Whom It May Concern:

Our property referenced above, is free and clear of any mortgages or liens of any kind.  
If you have any additional questions, please feel free to contact us.

  
TODD HARDWICK

  
JILL HARDWICK

**COVENANT RUNNING WITH THE  
LAND OF JMC GROVES, LLC IN  
FAVOR OF THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED IN THE VICINITY OF  
SW 232<sup>ND</sup> STREET AND SW 151<sup>ST</sup>  
AVENUE, MIAMI-DADE COUNTY,  
FLORIDA 33170, FOLIO 30-6921-000-  
0100.**

**The undersigned, JMC Groves, LLC, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located in the vicinity of SW 232<sup>nd</sup> Street and SW 151<sup>st</sup> Avenue, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-6921-000-0100, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner(s)'s heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:**

- 1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.**
- 2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.**

65

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain *the* Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
  
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
  
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable ~~times~~ to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

66

covenant and the provisions contained herein may be enforced by the Director of the **Miami-Dade County Department** of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, **this** covenant may be renewed at the discretion of the **owner(s)** of the property for successive ten (10) year periods following **the termination of the** first ten (10) year period. Upon the owner's filing with **the Clerk of the Courts for recording** a written notification of the owner's intent to renew, **this covenant shall be renewed for** an additional ten (10) year period. **Said written** notification **shall** be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration **date** of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade **County** Department of Environmental **Resources** Management.
  
7. **After this Covenant is** accepted by the Board, the Covenant, together with a certified copy of **the** Board's resolution accepting **the Covenant, shall be** promptly **filed** with the Clerk of Court for recording in the **official** records of Miami-Dade County and a copy sent to the **Miami-Dade County** Property Appraiser.
  
8. After this **Covenant** is **executed by the owner(s)** of the **Property** and **accepted by the Board and during** the time this Covenant is in force and effect, the Property Appraiser **shall assess** the Property for ad valorem **tax** purposes in **conformance** with **Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.**

9. After this Covenant is *executed* by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner(s)'s knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida
10. The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.

WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 27<sup>th</sup> day of September, 2010.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print COY LUZARRAGA  
sign [Signature]  
print John P Whelan

OWNER(S):

sign [Signature] James M Case Ex Julie Gross  
print 14925 SW 232<sup>nd</sup> ST  
Address Fort Lauderdale, Florida 33170

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of September 2010, by James M. Case, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC:



sign [Signature]  
print APRIL C. SLATER  
State of Florida at Large (Seal)  
My Commission Expires: March 24, 2013

THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

609

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6921-000-0100

**Property Address:** Vicinity of SW 232<sup>nd</sup> Street and SW 151<sup>st</sup> Avenue,  
Miami-Dade County, Florida.

**Legal description:** 21 56 39 9.42 AC  
E308FT OF W1/2 OF NW1/4 & NE1/4  
LOT SIZE IRREGULAR  
OR 20597-1297 052002 4  
COC 22957-4863 11 2004 4  
OR 22957-4863 1 104 01

**Exhibit B**  
**Tropical Hardwood Hammock Management Plan**  
**for JMC Groves, LLC**

**Location:** Vicinity of SW 232<sup>nd</sup> Street and SW 151<sup>st</sup> Avenue,  
Miami-Dade County, Florida.

**Size:** 9.42 acre parcel  
8.753 acres qualify for an Environmentally Endangered Lands (EEL)  
covenant

**Folio #:** 30-6921-000-0100

Forest Type: Tropical hardwood hammock

**Location**

The property is located on the **south side of SW 232<sup>nd</sup> Street**, approximately at theoretical SW 151<sup>st</sup> Avenue. It is north of theoretical SW 236<sup>th</sup> Street. Its northwest corner is approximately 360 feet from SW 152<sup>nd</sup> Avenue (Kingman Road). The site is an undeveloped lot outside the **urban development boundary (UDB)** and is **surrounded** by agricultural properties and **single family** homes. There are properties containing county-designated Natural Forest Community (NFC) to the north. The property can be accessed via 232<sup>nd</sup> Street.

Distance from nearest EEL/county-owned site: -2,910 feet **Castellow Hammock**

Distance from nearest EEL Covenanted site: -32 feet from **Dunagan NFC**  
**(30-6916-001-0680)**

Distance from nearest county-designated **Natural** Forest Community (NFC): -32 feet.

**Property Information**

The property consists of **8.753** acres of tropical hardwood hammock which qualify for an EEL Covenant. The property is located **on** the Miami rock ridge. The **property was not designated** a natural forest **community** (NFC) by 1984 by **the** Miami-Dade County Board of County Commissioners resolution (No. R-1764-84), but it is adjacent and similar in habitat type to properties that were. See the **Miami-Dade** County Natural Forest **Community** Map 33, **T56 R39 S16** (parcels F and G).

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 current biological condition of the site can be classified as poor to average. This can be attributed mostly to perimeter impacts to the site resulting from the surrounding agricultural activities. The interior of the site contains the best biodiversity and several rare and endangered species, such as coontie, West Indian Lilac and Shrub eupatorium, were observed. The perimeter is dominated by invasive exotic species, which are mainly Brazilian pepper and exotic vines and trees. Several piles of fill and vegetation were observed around the perimeter of the site but mostly on the north and south.

The site appears to be a remnant pine rockland that has experienced significant disturbance and is now transitioning into a hardwood hammock. Some of the surrounding exotic vegetation is well established, however, coontie, saw palmetto and other native were observed growing in the perimeter understory. An abundance of birds and butterflies were observed during the inspection and the site appears to be providing very good wildlife habitat.

A large Cypress tree was observed in the interior of the site. This is of notable interest due to the fact that this habitat type does not typically harbor this species and no known populations of Cypress trees are located within close proximity to the site.

### Conclusion

The sites main biological significance is currently its wildlife habitat value. With extensive proper management the site may be saved from further degradation and the higher quality portions may be allowed to expand. The owner's verbal commitment and the attached covenant's contractual agreement to manage the site free of exotic vegetation will allow this to happen. Given that the site has no development restrictions and is susceptible to development it is very important that the covenant and this management plan be approved and implemented in order to preserve this remnant of Miami-Dade County's biological heritage.

### Ecological Goals

1. Maintain the present extent of the hardwood hammock.
2. Maintain and create a diverse canopy and understory and to preserve rare hammock species.
3. Promote regeneration and growth of native hardwoods and rare plants.
4. Provide suitable habitat for native wildlife.
5. Eliminate invasive exotic species.

## Management Goals

1. Eliminate invasive exotic plant species from interior of **hammock** to achieve less than 2% exotic cover.
2. **Completely** remove all invasive exotic plant species **from** perimeter **of** the **hammock and** prevent exotic re-colonization. **Ensure** that no more than 50 square feet of any exotic cover remains.
3. Prevent reproduction of exotic seeds **within** the site.
4. Expand native hammock species into cleared perimeters.
5. Prevent **further** impacts **from** surrounding agriculture.

DERM will periodically inspect property to ensure that management goals are achieved.

## Management Techniques and Schedule for Hardwood Hammock

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

**Year 1-2:** **Removal** and herbicide treatment of all invasive exotics **plant** species is required by DERM. Perimeter exotics **should** be treated **first** and then **work may** be extended **into the** interior of the site. All **exotic** seedlings should be hand pulled if possible. Multiple herbicide **treatments may** be needed. Heavy machinery is **not to be** used **within** any portion of the property that is **covered** under this covenant without prior approval from DERM. The planting of DERM approved **hardwood specks** will be required around the perimeter of the site in areas where extensive exotic removal has **occurred**. Removal of **all** fill and vegetative piles must be **completed** within 6 months of the covenant's approval. Monitor site for impacts from neighboring properties. Correct any impacts **found**. Monitor **natural** recruitment.

**Year 3-5:** Continue to eradicate exotic and invasive plants and ruderal vines around the perimeter. Retreat any re-sprouting or **re-colonizing invasive** exotic plants. **Monitor new plantings**. Begin exotic control on **interior**. **Plant** additional native DERM approved species where feasible. Monitor site for impacts **from** neighboring **properties**. Correct any **impacts** found. Monitor **natural** recruitment.

**Year 6-7:** Continue to eradicate exotic **and** invasive plants and vines throughout the entire site. Monitor new **plantings** and **natural recruitment**. Monitor site for impacts **from neighboring properties**. **Correct any** impacts found. Monitor **natural recruitment**.

**Year 8-10:** Continue invasive exotic eradication and **monitor** rare hardwood **hammock** species.

73

### PLANT SPECIES LIST\*

*(this plant species list encompasses this property, 330-6921-000-0100, and the adjacent property, 30-6921-000-0132, which is under the same property owner and is going to be covenanted and managed as a single natural area)*

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 an endangered 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)

#### **GRAMINOIDS (Grasses, Sedges and Rushes)**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)

#### **FORBS AND WOODY GROUNDCOVERS**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Bidens alba</i>	Spanish needles	R
<i>Chiococca alba</i>	snowberry	N
<i>Cnidioscolus stimulosus</i>	tread-softly	N
<i>Nephrolepis exalta</i>	wild Boston fern	N
<i>Ruellia simplex</i>	Mexican bluebells	E / EPPC (IIj)
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Pteridium aquilinum var. caudatum</i>	Bracken fern	N
<i>Sansevieria hyacinthoides</i>	bowstring hemp	E / EPPC (II)
<i>Spathodea campanulata</i>	African tulip	E
<i>Tradescantia spathacea</i>	oyster plant	E / EPPC (II)
<i>Zamia pumila</i>	coontie	N

#### **VINES AND SCANDENT SHRUBS**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Cissus verticillata</i>	possum grape	N
<i>Dioscorea bulbifera</i>	air potato	E / EPPC (I)
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC (I)
<i>Merremia tuberosa</i>	wood rose	E / EPPC (II)
<i>Momordica charantia</i>	balsam pear	E
<i>Morinda royoc</i>	cheese shrub	N
<i>Mucuna pruriens</i>	cow itch vine	E
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corkystem passionflower	N
<i>Smilax spp.</i>	greenbrier	N
<i>Syngonium angustatum</i>	arrowhead vine	E

<i>Tetrazygia bicolor</i>	Florida clover ash	N / FL threatened
<i>Trema micrantha</i>	nettletree	N

**EPIPHYTES**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Phlebodium aureum</i>	golden polypody	N
<i>Psilotum nudum</i>	whisk fern	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.

---

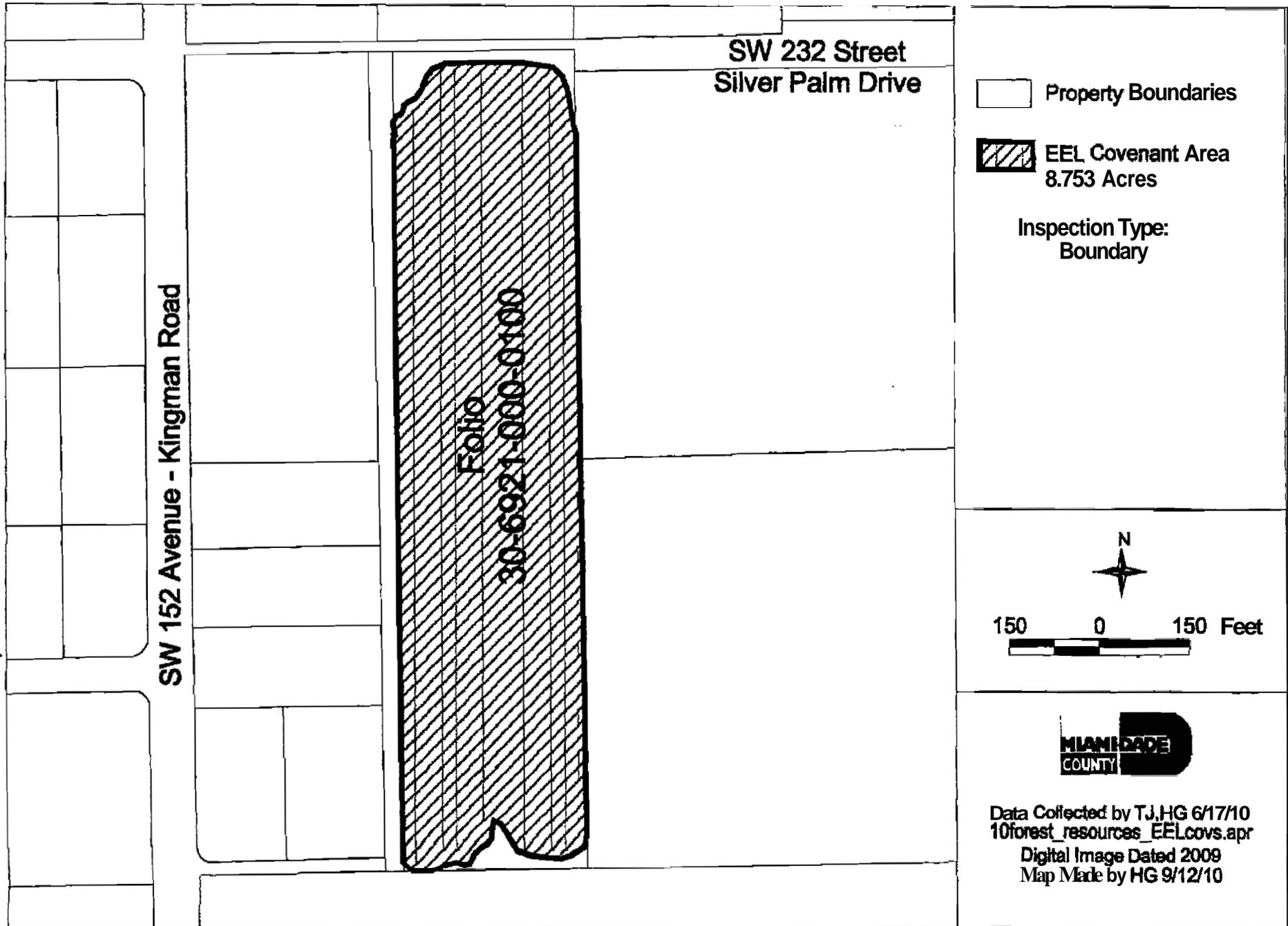
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, Janet M. Case for JMC Groves LLC hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

Janet M. Case  
SIGNATURE

9-27-10  
DATE

# 30-6921-000-0100 JMC Groves, LLC EEL Covenant



30-6921-020-0100

### AFFIDAVIT OF MEMBERS, MANAGING MEMBERS, AND MANAGERS OF FLORIDA LIMITED LIABILITY COMPANY

WE, (Print full name(s) and all title(s) of person(s) or entity(s) in the following spaces; if more space needed print additional names and title(s) on separate paper marked as Exhibit A and attach Exhibit A to this Affidavit; the list of names and titles shall include all names on the list required by Section 608.4101(1)(a), Fla. Stat. (2004), as same may be amended from time to time)

<u>Full name</u>	<u>Title(s)</u>
JHC GROVE, LLC	
JANET M. CASE	LIQUIDITY PARTNER
GRADY G. CASE	PARTNER
BRADLEY G. CASE	PARTNER
CUMBERLAND, CHARLES	PARTNER

hereby swear or affirm that :

- The foregoing persons or entities set forth above and on Exhibit A, if applicable, which Exhibit A is attached hereto and incorporated herein by reference hereto, constitute and are all of the Members, Managing Members, and Managers, as these terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, of the Florida Limited Liability Company known as JHC Grove LLC (Print name of the Florida Limited Liability Company as the name appears in the Articles of Organization currently filed with the Secretary of State of the State of Florida);
- There are no Members, Managing Members or Managers of the aforesaid Florida Limited Liability Company other than the persons or entities set forth above and on Exhibit A, if applicable.
- There are no provisions in any Articles of Organization of the aforesaid Florida Limited Liability Company or in any operating agreement, written or oral, of the aforesaid Florida Limited Liability Company, as these terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, which prohibit, restrict or limit in any way or in any manner the execution of the instrument or document attached hereto and incorporated herein by reference hereto, to wit, NONE EEL CURRENT (Print the title of the instrument or document) by any of the foregoing persons or entities set forth above and on Exhibit A, if applicable, for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability as set forth in the foregoing instrument or document.

77

8k



(Add additional Notary Public areas for all other LLC Members, Managing Members, and Managers, as needed)

(Print, type or stamp name of notary public)

Judith E. Dawkins

(Signature of Notary Public)

Judith E. Dawkins

(Print name legibly, who is personally known to me or who has produced (type of identification))

known to me or who has produced

Sworn to and subscribed before me this 9 day of September, 2010

(Type(s)) Majority Partner

Signature Janet W. Cole

- 4. All of the foregoing persons or entities set forth above and on Exhibit A, if applicable, are authorized by the foregoing Florida Limited Liability Company, to execute the instrument or document attached hereto and incorporated herein by reference hereto, to wit, SOLE MEMORANDUM (Print the title of the instrument or document) for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability Company as set forth in the foregoing instrument or document.
- 5. All of the provisions of this Affidavit shall be construed in accordance with the laws of the State of Florida.

9-9-10

TO MIAMI-Dade County  
Dept Environmental Resources M6M

From  
JMC EIKONE LLC

Property (30-6921-000-0100) HAS NO  
Mortgage as of this date.

Ant M. Case  
PROPERTY OWNER

**COVENANT RUNNING WITH THE  
LAND OF JMC GROVES, LLC IN  
FAVOR OF THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED IN THE VICINITY OF  
SW 232<sup>ND</sup> STREET AND SW 151<sup>ST</sup>  
AVENUE, MIAMI-DADE COUNTY,  
FLORIDA 33170, FOLIO 30-6921-000-  
0132.**

The undersigned, JMC Groves, LLC, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located in the vicinity of SW 232<sup>nd</sup> Street and SW 151<sup>st</sup> Avenue, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-6921-000-0132, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner(s)(s') heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501, and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant **with** the Board that **the** Property shall **be** and the same is hereby **subject** to **the** conservation **restriction(s)** **necessary** to maintain the Property in such present state, as set forth **in the management** recommendations included in Exhibit B attached hereto and incorporated herein by reference.
  
4. The undersigned owner(s) **covenant(s)** and **represent(s)** that the undersigned **owner(s)** **is/are** the owner(s) in fee of the Property and that no other person or other legal entity of **any** kind whatsoever has any fee interest **in** the Property.
  
5. The undersigned **owner(s)** **covenant(s)** and **agree(s)** that the Board of County Commissioners of **Miami-Dade** County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the **Property**, to inspect the Property at reasonable times to determine whether the Property **is** being used **and** maintained in **the** manner promised by the undersigned **owner(s)** in **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 **owner(s)** in writing by Certified Mail, **return receipt** requested at the last known mailing address of record, of the **particular curative** action to **be** taken by **the** owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the **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 therefore. The undersigned **owner(s)** **covenant(s)** and **agree(s)** that **this**

covenant and the provisions contained herein may be enforced by the Director of the Miami-Dade County Department of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, this covenant may be renewed at the discretion of the owner(s) of the property for successive ten (10) year periods following the termination of the first ten (10) year period. Upon the owner's filing with the Clerk of the Courts for recording a written notification of the owner's intent to renew, this covenant shall be renewed for an additional ten (10) year period. Said written notification shall be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade County Department of Environmental Resources Management.
7. After this Covenant is accepted by the Board, the Covenant, together with a certified copy of the Board's resolution accepting the Covenant, shall *be* promptly filed with the Clerk of Court for recording in the official records of Miami-Dade County and a copy sent to the Miami-Dade County Property Appraiser.
8. After this Covenant is executed by the owner(s) of the Property and accepted by the Board and during the time this Covenant is in force and effect, the Property Appraiser shall assess the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.

9. After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner('s)(s') knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida
  
10. The owner(s) of the Property may be released from *this* Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 27<sup>th</sup> day of September, 2010.

INDIVIDUAL

WITNESSES:

sign [Signature]  
print CORY LAARRAGA  
sign [Signature]  
print JOHN P. Whelan

OWNER(S):

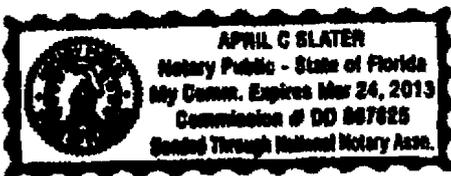
DR JMC GROUP LLC

sign Janet M. Case  
print JANET M. CASE  
Address 14925 SW 232<sup>ND</sup> ST  
GAINES, Florida 33170

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of September, 2010, by Janet M. Case, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC:



sign April C Slater  
print APRIL C. SLATER  
State of Florida at Large (Seal)  
My Commission Expires: March 24, 2013

THIS INSTRUMENT PREPARED BY :

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6921-000-0132

**Property Address:** Vicinity of SW 232<sup>nd</sup> Street and SW 151<sup>st</sup> Avenue,  
Miami-Dade County, Florida.

**Legal description:** 21 56 39 .67 AC  
E1/2 OF W1/2 QF NW1/4 OF NE1/4  
LESS E308FT  
LOT SIZE IRREGULAR  
OR 20597-1298 052002 4  
COC 22957-4861 11 2004 4  
OR 22957-4861 1104 01

**Exhibit B**  
**Tropical Hardwood Hammock Management Plan**  
**for JMC Groves, LLC**

**Location:** Vicinity of SW 232<sup>nd</sup> Street and SW 151<sup>st</sup> Avenue,  
Miami-Dade County, Florida.

**Size:** 0.67 acre parcel  
0.532 acres qualify for an Environmentally Endangered Lands (EEL)  
covenant

**Folio #:** 30-6921-000-0132

**Forest Type:** Tropical hardwood hammock (buffer)

**Location**

The property is located on the south side of SW 232<sup>nd</sup> Street, approximately at theoretical SW 151<sup>st</sup> Avenue. It is north of theoretical SW 236<sup>th</sup> Street. Its northwest corner is approximately 320 feet from SW 152<sup>nd</sup> Avenue (Kingman Road). The site is an undeveloped lot outside the urban development boundary (UDB) and is surrounded by agricultural properties and single family homes. There are properties containing county-designated Natural Forest Community (NFC) to the north. The property can be accessed via 232<sup>nd</sup> Street.

Distance from nearest EEL/county-owned site: -2,890 feet Castellow Hammock  
Distance from nearest EEL covenanted site: -30 feet from Dunagan's Fruit  
Groves NFC (30-6916-001-0701)  
Distance from nearest county-designated Natural Forest Community (NFC): -30 feet.

**Property Information**

The property consists of 0.532 acres buffering a tropical hardwood hammock which qualify for an EEL covenant. The property is located on the Miami rock ridge. The property was not designated as a natural forest community (NFC) by 1984 by the Miami-Dade County Board of County Commissioners via resolution (No. R-1764-84), but it is adjacent and similar in habitat type to properties that were. See the Miami-Dade County Natural Forest Community Map 33, T56 R39 S16 (parcels F and G).

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 property is a strip of land approximately 1,200 feet long and 30 feet wide **buffering** the west side of a transitional hardwood **hammock**. The **dominant** vegetation is mostly exotic and native ruderal species. A **portion** of the **strip** has been used for growing native slash pines and several are still present on the site. The property is current in need of aggressive invasive **exotic** plant removal **and control**.

### Conclusion

In order to facilitate management of the adjacent hardwood hammock, which is recommended for EEL covenant approval, this area must **also be managed**. The removal of exotic plants and the planting of native hardwood hammock species within the strip will not only eliminate **an** invasive exotic plant seed source it will **also** augment and **enhance** the adjacent hammock. If allowed to remain **unmanaged**, **this** area will complicate management of the adjacent site and as **well** as other EEL covenant and county designated natural forest communities located in close proximity to the site.

### Ecological Goals

1. Remove **and** prevent re-generation of **all** invasive exotic **plants**.
2. Plant native hardwood hammock species to facilitate exotic control **and** expand adjacent hammock.
3. Create and maintain native hardwood hammock canopy.
4. Promote regeneration and growth of native hardwoods **and** rare plants.
5. Provide suitable habitat for native wildlife.

### Management Goals

1. Eradicate all invasive exotic plant species **from** the entire hammock buffer and prevent exotic re-colonization. **Ensure** that no more than 50 **square** feet of any exotic cover remains.
2. Prevent reproduction of exotic seeds within **the site**.
3. **Plant** fast growing native hardwood trees, such as *Ficus aurea* (**strangler fig**) and *Busera simaruba* (gumbo limbo) to establish canopy cover.

DERM will periodically inspect property to ensure that management goals are achieved.

### Management Techniques and Schedule for Hardwood Hammock

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

**Year 1-2:** Removal and herbicide treatment of all invasive species **and** exotics is required by DERM within the first 6 months of covenant approval by the **Miami-Dade** County Board of County Commissioners. Use of equipment to remove large exotic **trees and** extensive **exotic** coverage may be **allowed** with **prior DERM approval**. All exotic **seedlings** should be hand pulled if

possible. Multiple herbicide treatments may be needed. Plant ten (10) strangler fig and twenty (20) gumbo limbo trees at a minimum spacing of 40 feet on center running north to south along the hammock buffer. Alternative species may also be planted with prior DERM approval. Trees must be at least 10 feet tall at time of planting. All trees that die within one year of planting must be replaced.

- Year 3-5:** Continue to eradicate exotic and invasive plants and vines. Retreat any re-sprouting or re-colonizing invasive exotic plants. Monitor new planting~ and natural recruitment of native hardwood species.
- Year 6-7:** Continue to eradicate exotic and invasive plants and vines. Monitor plantings and natural recruitment of native hardwood species.
- Year 8-10:** Continue invasive exotic eradication and monitor rare hardwood hammock species.

**PLANT SPECIES LIST\***

*(this plant species list encompasses this property, 30-6921-000-0132, and the adjacent property, 30-6921-000-0100, which is under the same property owner and is going to be covenanted and managed as a single natural area)*

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 an endangered 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)

**GRAMINOIDS (Grasses, Sedges and Rushes)**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)

**FORBS AND WOODY GROWDCOVERS**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Bidens alba</i>	Spanish needles	R
<i>Chiococca alba</i>	snowberry	N
<i>Cnidocolus stimulosus</i>	tread-softly	N
<i>Nephrolepis exalta</i>	wild Boston fern	N
<i>Ruellia simplex</i>	Mexican bluebells	E / EPPC (II)
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Pteridium aquillinum var. caudatum</i>	Bracken fern	N
<i>Sansevieria hyacinthoides</i>	bowstring hemp	E / EPPC (II)

<i>Spathodea campanulata</i>	African tulip	E
<i>Tradescantia spathacea</i>	oyster plant	E / EPPC (II)
<i>Zamia pumila</i>	coontie	N

#### VINES AND SCANDENT SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Cissus verticillata</i>	possum grape	N
<i>Dioscorea bulbifera</i>	air potato	E / EPPC (I)
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC (I)
<i>Merremia tuberosa</i>	wood rose	E / EPPC (II)
<i>Momordica charantia</i>	balsam pear	E
<i>Morinda royoc</i>	cheese shrub	N
<i>Mucuna pruriens</i>	cow itch vine	E
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corksystem passionflower	N
<i>Smilax spp.</i>	greenbrier	N
<i>Syngonium angustatum</i>	arrowhead vine	E
<i>Toxicodendron radicans</i>	poison ivy	N
<i>Vitis rotundifolia</i>	muscadine	N

#### TREES AND SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebeck</i>	woman's tongue	E / EPPC(I)
<i>Ardisia elliptica</i>	shoebutton	E / EPPC (I)
<i>Ardisia escallonioides</i>	marlberry	N
<i>Bischofia javanica</i>	Japanese bishopwood	E / EPPC (I)
<i>Casuarina spp.</i>	Australian pine	E / EPPC (I)
<i>Delonix regia</i>	Royal Poinciana	E
<i>Ficus aurea</i>	strangler fig	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Koanophyllon villosum</i>	FL shrub thoroughwort	N / FL endangered
<i>Lantana camara</i>	shrub verbena	E / EPPC (I)
<i>Lysiloma latisiliquum</i>	Wild tamarind	N
<i>Psidium guajava</i>	guava	E / EPPC (I)
<i>Psychotria nervosa</i>	wild coffee	N
<i>Rapanea punctata</i>	myrsine	N
<i>Quercus pumila</i>	running oak	N
<i>Quercus virginiana</i>	live oak	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 bustic	N
<i>Simarouba glauca</i>	paradise tree	N
<i>Taxodium distichum</i>	bald Cypress	N

<i>Toxicodendron radicans</i>	poision ivy	N
<i>Vitis rotundifolia</i>	muscadine	N

**TREES AND SHRUBS**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Albizia lebeck</i>	woman's tongue	E / EPPC (I)
<i>Ardisia elliptica</i>	shoebutton	E / EPPC (I)
<i>Ardisia escallonioides</i>	martberry	N
<i>Bischofia javanica</i>	Japanese bishopwood	E / EPPC (I)
<i>Casuarina spp.</i>	Australian pine	E / EPPC (I)
<i>Delonix regia</i>	Royal Poinciana	E
<i>Ficus aurea</i>	strangler fig	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Koanophyllon villosum</i>	FL shrub thoroughwort	N / FL endangered
<i>Lantana camara</i>	shrub verbena	E / EPPC (I)
<i>Lysiloma latisiliquum</i>	Wild tamarind	N
<i>Psidium guajava</i>	guava	E / EPPC (I)
<i>Psychotria nervosa</i>	wild coffee	N
<i>Rapanea punctata</i>	myrsine	N
<i>Quercus pumila</i>	running oak	N
<i>Quercus virginiana</i>	live oak	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 bustic	N
<i>Simarouba glauca</i>	paradise tree	N
<i>Taxodium distichum</i>	bald Cypress	N
<i>Tetrazygia bicolor</i>	Florida clover ash	N / FL threatened
<i>Trema micrantha</i>	nettletree	N

**EPIPHYTES**

		<u>Origin/Status</u>
<i>Phlebodium aureum</i>	golden polypody	N
<i>Psilotum nudum</i>	whisk fern	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.

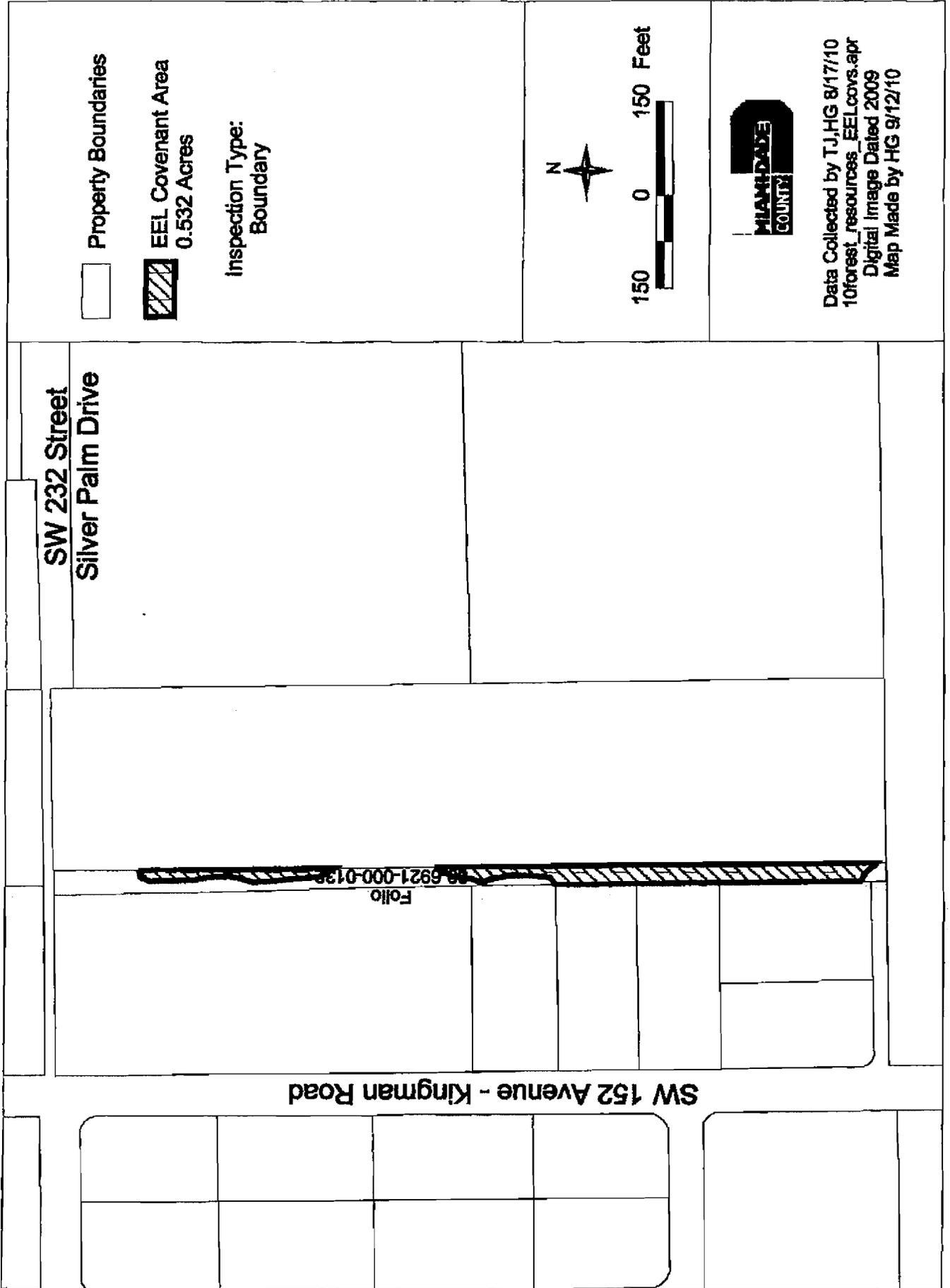
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, Janet M. Case <sup>Br/MC Green LLC</sup> hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

Janet M. Case  
SIGNATURE

9-27-10  
DATE

# 30-6921-000-0132 JMC Groves, LLC EEL Covenant



**AFFIDAVIT OF MEMBERS, MANAGING MEMBERS,  
AND MANAGERS OF FLORIDA LIMITED LIABILITY COMPANY**

WE, (Print full name(s) and all title(s) of person(s) or entity(s) in the following spaces; if more space needed print additional names and title(s) on separate paper marked as Exhibit A and attach Exhibit A to this Affidavit; the list of names and titles shall include all names on the list required by Section 608.4101(1)(a), Fla. Stat. (2004), as same may be amended from time to time)

<u>Full name</u>	<u>Title(s)</u>
JHC Grove, LLC	
JAMES M. CASE	MANAGING PARTNER
STEPHEN G. CASE	PARTNER
BRYAN G. CASE	PARTNER
CHRISTOPHER L. HANCOCK	PARTNER

hereby swear or affirm that :

- The foregoing persons or entities set forth above and on Exhibit A, if applicable, which Exhibit A is attached hereto and incorporated herein by reference hereto, constitute and are all of the Members, Managing Members, and Managers, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, of the Florida Limited Liability Company known as JHC Grove, LLC (Print name of the Florida Limited Liability Company as the name appears in the Articles of Organization currently filed with the Secretary of State of the State of Florida);
- There are no Members, Managing Members or Managers of the aforesaid Florida Limited Liability Company other than the persons or entities set forth above and on Exhibit A, if applicable.
- There are no provisions in any Articles of Organization of the aforesaid Florida Limited Liability Company or in any operating agreement, written or oral, of the aforesaid Florida Limited Liability Company, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, which prohibit, restrict or limit in any way or in any manner the execution of the instrument or document attached hereto and incorporated herein by reference hereto, to wit, NOTE PER AGREEMENT (Print the title of the instrument or document) by any of the foregoing persons or entities set forth above and on Exhibit A, if applicable, for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability as set forth in the foregoing instrument or document.

4. All of the foregoing persons or entities set forth above and on Exhibit A, if applicable, are authorized by the foregoing Florida Limited Liability Company, to execute the instrument or document attached hereto and incorporated herein by reference hereto, to wit, NONE EEL COMPANY (Print the title of the instrument or document) for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability Company as set forth in the foregoing instrument or document.
5. All of the provisions of this Affidavit shall be construed in accordance with the laws of the State of Florida.

Jacob M. Case  
Signature

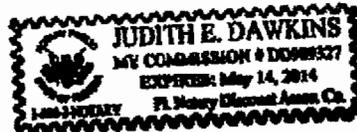
Managing Partner  
Title(s)

Sworn to and subscribed before me this 9<sup>th</sup> day of September, 2010 (year) by \_\_\_\_\_ (print name legibly), who is personally known to me or who has produced \_\_\_\_\_ (type of identification).

Judith E. Dawkins (Signature of Notary Public)

Judith E. Dawkins (Print, type or stamp name of notary public)

(Add additional Notary Public areas for all other LLC Members, Managing Members, and Managers, as needed)



TB  
/ MIAMI - Dade County  
Dept Environmental Resources Miami

from  
/ JMC Grove LLC

Property (30-6921-00-0132) has no  
mortgage as of this date.

Geert M. Case  
Majority Owner

COVENANT RUNNING WITH THE  
LAND OF NESBITT GOULDS, LLC IN  
FAVOR OF THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 22000 SW 157<sup>TH</sup>  
AVENUE, MIAMI-DADE COUNTY,  
FLORIDA 33170, FOLIO 30-6917-000-  
0031.

The undersigned, Nesbitt Goulds, LLC, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located at 22000 SW 157<sup>th</sup> Avenue, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-6917-000-0031, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner(s)'s heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

covenant and the provisions contained herein may be enforced by the Director of the Miami-Dade County Department of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, this covenant may be renewed at the discretion of the owner(s) of the property for successive ten (10) year periods following the termination of the first ten (10) year period. Upon the owner's filing with the Clerk of the Courts for recording a written notification of the owner's intent to renew, this covenant shall be renewed for an additional ten (10) year period. Said written notification shall be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade County Department of Environmental Resources Management.
7. After this Covenant is accepted by the Board, the Covenant, together with a certified copy of the Board's resolution accepting the Covenant, shall be promptly filed with the Clerk of Court for recording in the official records of Miami-Dade County and a copy sent to the Miami-Dade County Property Appraiser.
8. After this Covenant is executed by the owner(s) of the Property and accepted by the Board and during the time this Covenant is in force and effect, the Property Appraiser shall assess the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.

9. After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner('s)(s) knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.
  
10. The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 23 day of September, 2010.

INDIVIDUAL

WITNESSES:

sign Wilhelmenia Smith

print Wilhelmenia Smith

sign Bradley T. Lipps

print Bradley T. Lipps

James H. Cook

James H. Bruce

Anna Maria Prieto

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

OWNER(S):

sign Janet Nesbitt

print Janet Nesbitt

Address 8234 SW 85TH AVE.  
Miami, FL 33143

James Nesbitt

James Nesbitt  
8132 SW 82 Place  
Miami, FL 33155

The foregoing instrument was acknowledged before me this 23 day of September 2010, by Janet Nesbitt/James Nesbitt, who is personally known to me or who has produced Identification and who did take an oath.

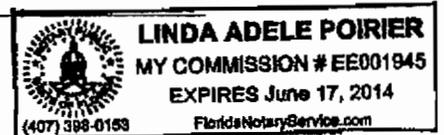
NOTARY PUBLIC:

sign Linda Adele Poirier

print Linda Adele Poirier

State of Florida at Large (Seal)

My Commission Expires: \_\_\_\_\_



THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6917-000-0031

**Property Address:** 22000 SW 157 Avenue,  
Miami-Dade County, Florida.

**Legal description:** 17 56 39 3 AC  
N1/2 OF N1/2 OF SE1/4 OF  
NE1/4 LESS W924FT M/L  
SUBJECT TO NFC REST ON 2.61 AC  
COC 22982-4679 01 2005 4  
OR 22982-4679 0105 01

**Exhibit B**  
**Tropical Hardwood Hammock Management Plan**  
**for Nesbitt Goulds, LLC**

**Location:** 22000 SW 157 Avenue, Miami-Dade County, Florida.

**Size:** 3 acre parcel  
2.763 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6917-000-0031

**Forest Type:** Tropical hardwood hammock (currently containing 2.90 acres of county-designated Natural Forest Community (NFC))

**Location**

The property is located on the west side of SW 157<sup>th</sup> Avenue (Newton Road) at theoretical SW 220<sup>th</sup> Street. The site is a developed residential lot outside the urban development boundary (UDB) and is surrounded on all sides by natural areas, some with single family homes. It is completely surrounded by properties which share its status as a county-designated Natural Forest Community (NFC). The property can be accessed via SW 157<sup>th</sup> Avenue (Newton Road).

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

Distance from nearest EEL covenant site: ~0 feet from Patch of Heaven, LLC  
NFC (30-6917-000-0011)

Distance from nearest county-designated Natural Forest Community (NFC): ~0 feet.

**Property Information**

The property consists of 2.763 acres of Tropical hardwood hammock which qualify for an EEL covenant. The property is located on the Miami rock ridge. 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 33, T56 R39 S17, parcel A. The property is contiguous to Castellow Hammock Park.

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 rare fern species found in geologically significant solution holes.

### **Present Condition**

The current biological condition of the site can be classified as fair to good. The main reason being the invasion of the site by invasive exotic plants, which are predominately exotic vines and trees that have spread onto the site, most likely from single family homes and plant nurseries in the area. Large bishopwood trees and aroid vines are the biggest problem and are currently being removed by the owner. The surrounding properties are all NFC's which are currently being managed. The most significant biological features observed are the multiple solution holes, the largest of which are located west and south of the existing single family home. Rare ferns were observed, including maidenhair and halberd ferns. According to the owner, the University of Miami used to study a crayfish species that was found in the sink hole just west of the house. With the exception of the developed area and the minimal pathways in the hammock the substrate is relatively undisturbed and is in very good condition.

The large native mastic and strangler fig trees as well as the bishopwoods within the site have significant vine coverage. Exotic vines have also spread over the substrate and into solution holes. Native plant cover is good but is being displaced and smothered by vines and exotic trees.

### **Conclusion**

The inclusion of this property into the EEL covenant program represents a unique opportunity to fill in a missing piece of a biological puzzle. The surrounding NFC hardwood hammock properties which are being managed by Miami-Dade County and by private land owners, with the aid of EEL covenant tax breaks, will benefit greatly from active management of the site, which will be required by the pending covenant. The site is essentially a minimally managed hammock in the middle of high quality tropical hardwood hammocks. Aggressive management of the site will fill in a biological gap and bring a desired connection to the managed hammocks. The initial work required to bring the site up to par with the surrounding hammocks is labor intensive and the owner has already shown good faith by committing to routine management of the site without any incentive from Miami-Dade County. The site should recover quickly with the help of natural recruitment from seed sources on the surrounding properties.

The county will benefit from the active management of the site by realizing reduced management costs on county-owned sites and by gaining improved and increased wildlife habitat. It is important to note that the preservation of this site, as well as other natural areas in the EEL Covenant Program, provides other environmental benefits such as carbon sequestration, ground water recharging and storm water runoff reduction.

### **Ecological Goals**

1. Maintain the present extent of the hardwood hammock.
2. Encourage and maintain a diverse understory and preserve rare hammock species.
3. Promote regeneration and growth of native hardwoods and rare plants.
4. Provide suitable habitat for native wildlife.
5. Eliminate invasive exotic species.
6. Maintain sinkholes and rare fern populations.

### **Management Goals**

1. Eliminate exotic plant species from interior of hammock to achieve less than 2% exotic plant species cover.
2. Eradicate all invasive exotic plant species from perimeter and interior of hammock and prevent exotic re-colonization. Ensure that no more than 50 square feet cover of any exotic plant species remains.
3. Prevent reproduction of exotic seeds within the site.

DERM will periodically inspect property to ensure that management goals are achieved.

### **Management Techniques and Schedule for Hardwood Hammock**

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

- Year 1-2:** Hand removal and herbicide treatment of all invasive species and exotics is required by DERM. Interior exotics should be treated first and work extended out to the perimeters. All exotic seedlings should be hand pulled if possible. Multiple herbicide treatments may be needed. Heavy machinery is not, under any circumstances or purposes, to be used within any portion of the property that is covered under this covenant. The eradication of large exotic trees may be achieved by wholesale removal or by killing and leaving in place. The light gaps created by the removal of exotics shall be monitored to ensure that native regeneration is out competing exotic regeneration. Extreme care must be taken to maintain intact substrate and solution holes.
- Year 3-5:** Continue to eradicate exotic and invasive hardwoods and vines. Retreat any re-sprouting or re-colonizing invasive exotic plants. Monitor native plant recruitment.
- Year 6-7:** Continue to eradicate exotic and invasive plants and vines and maintain diverse understory and rare species.
- Year 8-10:** Continue invasive exotic eradication and maintain diverse understory and rare species.

**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 an endangered 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)

**FORBS AND WOODY GROWDCOVERS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Monstera deliciosa</i>	swiss-cheese plant	E
<i>Epipremnum spp.</i>	pothos	E
<i>Heliconia spp.</i>	a false bird-of-paradise	E
<i>Pteris vittata</i>	Chinese ladder brake	E / EPPC (II)
<i>Syngonium podophyllum</i>	American evergreen	E / EPPC (I)
<i>Tectaria heracleifolia</i>	broad halberd fern	N / FL threatened
<i>Thelypteris kunthii</i>	Southern shield fern	N
<i>Tradescantia spathacea</i>	oyster plant	E / EPPC (II)

**VINES AND SCANDENT SHRUBS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Cissus verticillata</i>	possum grape	N
<i>Dioscorea bulbifera</i>	air potato	E / EPPC (I)
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC (I)
<i>Momordica charantia</i>	balsam pear	E
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corkystem passionflower	N
<i>Smilax spp.</i>	a greenbrier	N

**TREES AND SHRUBS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Ardisia escallonioides</i>	marlberry	N
<i>Bischofia javanica</i>	Japanese bishopwood	E / EPPC (I)
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Chrysophyllum oliviforme</i>	satinleaf	N / FL threatened
<i>Coccoloba diversifolia</i>	pigeon plum	N
<i>Eugenia axillaris</i>	white stopper	N
<i>Ficus aurea</i>	strangler fig	N
<i>Hamelia patens</i>	firebush	N
<i>Lysiloma latisiliquum</i>	false tamarind	N
<i>Ocotea coriacea</i>	lancewood	N
<i>Pisonia aculeata</i>	devil's claws	N

<i>Prunus myrtifolia</i>	West Indian cherry	N / FL threatened
<i>Ptychosperma elegans</i>	Alexander palm	E / EPPC (II)
<i>Psychotria nervosa</i>	wild coffee	N
<i>Quercus virginiana</i>	live oak	N
<i>Rivina humilis</i>	rougeplant	N
<i>Schefflera actinophylla</i>	Queensland umbrella tree	E / EPPC (I)
<i>Schinus terebinthifolia</i>	Brazilian pepper	E / EPPC (I)
<i>Sideroxylon foetidissimum</i>	false mastic	N
<i>Sideroxylon salicifolium</i>	willow bustic	N
<i>Simarouba glauca</i>	paradise tree	N
<i>Solanum spp.</i>	a nightshade	N
unidentified	a ginger species	unknown
unidentified	different palm species	E

**EPIPHYTES**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Phlebodium aureum</i>	golden polypody	N
<i>Tillandsia spp.</i>	airplant	N
unidentified	different aroid plants	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.**

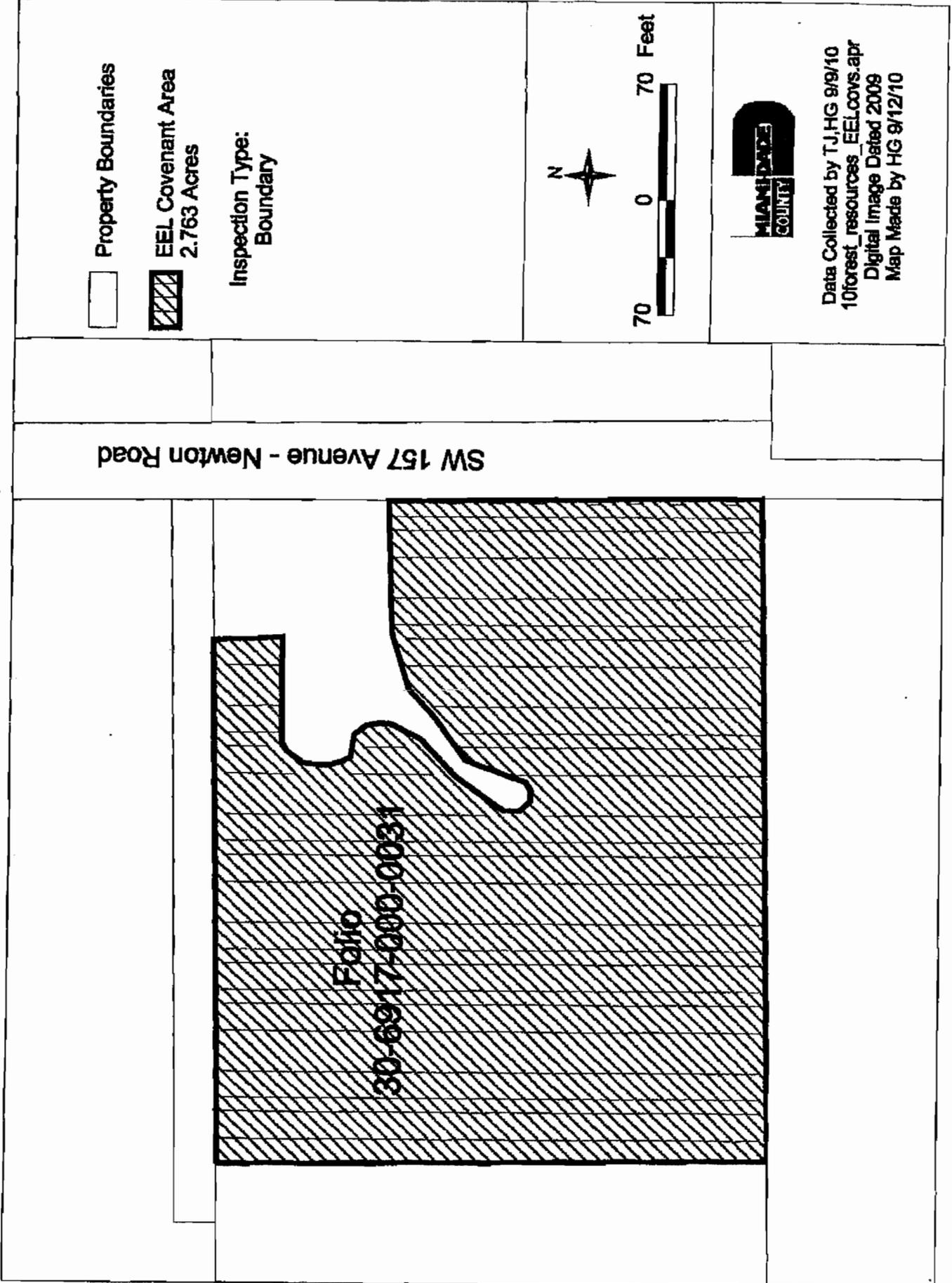
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

I, Janet Nesbitt / James Blout hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

Janet Nesbitt  
SIGNATURE

9/23/10  
DATE

# 30-6917-000-0031 Nesbitt Goulds, LLC EEL Covenant



**AFFIDAVIT OF MEMBERS, MANAGING MEMBERS,  
AND MANAGERS OF FLORIDA LIMITED LIABILITY COMPANY**

WE, (Print full name(s) and all title(s) of person(s) or entity(s) in the following spaces; if more space needed print additional names and title(s) on separate paper marked as Exhibit A and attach Exhibit A to this Affidavit; the list of names and titles shall include all names on the list required by Section 608.4101(1)(a), Fla. Stat. (2004), as same may be amended from time to time)

<u>Full name</u>	<u>Title(s)</u>
<u>Janet Nesbitt</u>	<u>Registered agent</u>
<u>James Nesbitt</u>	<u>Manager</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

hereby swear or affirm that :

1. The foregoing persons or entities set forth above and on Exhibit A, if applicable, which Exhibit A is attached hereto and incorporated herein by reference hereto, constitute and are all of the Members, Managing Members, and Managers, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, of the Florida Limited Liability Company known as Nesbitt Gould LLC (Print name of the Florida Limited Liability Company as the name appears in the Articles of Organization currently filed with the Secretary of State of the State of Florida);
2. There are no Members, Managing Members or Managers of the aforesaid Florida Limited Liability Company other than the persons or entities set forth above and on Exhibit A, if applicable.
3. There are no provisions in any Articles of Organization of the aforesaid Florida Limited Liability Company or in any operating agreement, written or oral, of the aforesaid Florida Limited Liability Company, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, which prohibit, restrict or limit in any way or in any manner the execution of the instrument or document attached hereto and incorporated herein by reference hereto, to wit, EEL COVENANT (Print the title of the instrument or document) by any of the foregoing persons or entities set forth above and on Exhibit A, if applicable, for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability as set forth in the foregoing instrument or document.

107

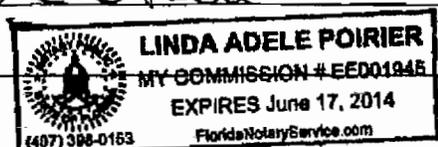
4. All of the foregoing persons or entities set forth above and on Exhibit A, if applicable, are authorized by the foregoing Florida Limited Liability Company, to execute the instrument or document attached hereto and incorporated herein by reference hereto, to wit, BEL COVENANT (Print the title of the instrument or document) for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability Company as set forth in the foregoing instrument or document.
5. All of the provisions of this Affidavit shall be construed in accordance with the laws of the State of Florida.

[Handwritten Signature]  
Signature

Registered agent  
Title(s)

Sworn to and subscribed before me this 10 day of September 2010 (year) by Janet Nesbitt (print name legibly), who is personally known to me or who has produced personally known (type of identification).

[Handwritten Signature] (Signature of Notary Public)



(Print, type or stamp name of notary public)

(Add additional Notary Public areas for all other LLC Members, Managing Members, and Managers, as needed)

4/15/10

To Whomever it may concern;  
There are no liens,  
encumbrances, mortgages, restrictions,  
or leases on property  
of NesbittGoulds LLC at  
22,600 SW 157 Ave.  
Goulds, Florida  
33170.

James  
J. Hest

COVENANT RUNNING WITH THE  
LAND OF JASON & CHARLOTTE  
SPRINGER IN FAVOR OF THE BOARD  
OF COUNTY COMMISSIONERS OF  
MIAMI-DADE COUNTY, FLORIDA,  
CONCERNING ENVIRONMENTALLY  
ENDANGERED LAND LOCATED AT  
26363 SW 152<sup>ND</sup> AVENUE, MIAMI-  
DADE COUNTY, FLORIDA 33032,  
FOLIO 30-6928-000-0500.

The undersigned, Jason & Charlotte Springer, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located at 26363 SW 152<sup>nd</sup> Avenue, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-6928-000-0500, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner('s)(s') heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
  
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
  
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

covenant and the provisions contained herein may be enforced by the Director of the Miami-Dade County Department of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, this covenant may be renewed at the discretion of the owner(s) of the property for successive ten (10) year periods following the termination of the first ten (10) year period. Upon the owner's filing with the Clerk of the Courts for recording a written notification of the owner's intent to renew, this covenant shall be renewed for an additional ten (10) year period. Said written notification shall be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade County Department of Environmental Resources Management.
7. After this Covenant is accepted by the Board, the Covenant, together with a certified copy of the Board's resolution accepting the Covenant, shall be promptly filed with the Clerk of Court for recording in the official records of Miami-Dade County and a copy sent to the Miami-Dade County Property Appraiser.
8. After this Covenant is executed by the owner(s) of the Property and accepted by the Board and during the time this Covenant is in force and effect, the Property Appraiser shall assess the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.

9. After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner('s)(s') knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.
  
10. The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

INDIVIDUAL

WITNESSES:

sign *Allen W. Gooding*  
print Allen W. Gooding  
sign *Carolyn Silver*  
print Carolyn Silver

OWNER(S):

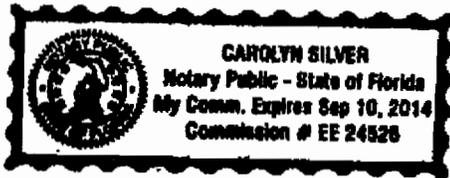
sign *Jason Springer*  
print JASON Springer  
Address 26363 SW 152 Ave Homestead  
FL 33022

sign *Allen W. Gooding*  
print Allen W. Gooding  
sign *Carolyn Silver*  
print Carolyn Silver

sign *Charlotte Springer*  
print Charlotte Springer  
Address 26363 SW 152 Ave  
Homestead, FL 33032

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of September, 2010, by JASON & CHARLOTTE SPRINGER, who is personally known to me or who has produced N/A as identification and who did take an oath. NOT



NOTARY PUBLIC:

sign *Carolyn Silver*  
print CAROLYN SILVER  
State of Florida at Large (Seal)  
My Commission Expires: 09/10/2014

THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6928-000-0500

**Property Address:** 26363 SW 152 Avenue,  
Miami-Dade County, Florida.

**Legal description:** 28 56 39 4.42 AC M/L  
R-1146-00  
SUBJ TO EEL 3.178 AC  
R-1146-00 EXP 11/14/10  
SUBJ TO EEL REST ON 3.158 AC  
S1/2 OF SW1/4 OF SW1/4 OF SE1/4  
LESS S35FT & LESS W35FT FO R/W  
OR 21108-2900/24571-3762 0303 1 &  
OR 22459-1671 0604 5 &  
OR 22459-1671-0604 & 24063-3058-1105

## **Exhibit B**

### **Pine Rockland Management Plan for Jason & Charlotte Springer**

**Location:** 26363 SW 152<sup>nd</sup> Avenue, Miami-Dade County, Florida.

**Size:** 4.42 acre parcel  
4.104 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6928-000-0500

**Forest Type:** Pine Rockland (currently containing 4.40 acres of County designated Natural Forest Community (NFC))

#### **Location**

The property is located on the north side of SW 264<sup>th</sup> Street (Bauer Drive) and on the east side of SW 152<sup>nd</sup> Avenue (Kingman Road). The site is a developed residential lot outside the urban development boundary (UDB) and it is surrounded by agricultural properties and single family homes. There is property containing county-designated Natural Forest Community (NFC) directly to the north and to the east. The property can be accessed via SW 152<sup>nd</sup> Avenue.

Distance from nearest EEL/county-owned site: ~2,200 feet from Hattie Bauer Hammock

Distance from nearest EEL covenant site: ~1,800 feet from Kiat NFC

(30-6933-000-0304)

Distance from nearest county-designated Natural Forest Community (NFC): ~0 feet.

#### **Property Information**

The property consists of 4.104 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 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 34, T56 R39 S28, parcels N and O.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres on 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, and shrubs of temperate and tropical origin. 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 plant species. Pine rocklands are South Florida's most floristically diverse plant community, including several endemic species found only in this habitat. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled.

### **Present Condition**

Ongoing active management of the site by the owner, required by the current EEL covenant, is evident. Large areas of exotic infestation, observed during previous inspections of the site by DERM staff, have been eradicated. This was achieved through physical removal, a wildfire and follow-up herbiciding. The results appear to be mostly positive though a lack of many expected native herbaceous species was observed during the most recent site inspection. This may be attributed to the intensity of the wildfire and possible over application of herbicide. Native and exotic grasses are now dominating most of the ground cover. Rose natal grass cover was substantial. Substrate quality is very good.

Pine rockland habitat covers most of the site and is located on the eastern 2/3 of the site. The western 1/3 is hardwood hammock and is where the single-family home is located. The hammock portion is in good shape with less than 2% exotic cover. Pine trees have been planted but more are needed. The fuel load in the pine rockland is currently low.

### **Conclusion**

The overall biological condition of the site has improved under the management of the current owner and incentives provided by the active EEL covenant. Renewal of the covenant will help ensure that the site continues to improve. It is important to note that the NFC property to the north is not being managed and its NFC quality is most likely degraded. The subject site can continue to improve through management activities that focus on selective exotic control, pine tubling planting and the monitoring of rare herbaceous plant species. The extent of the hammock should be maintained and should not be allowed to encroach into the pine rockland.

### Ecological Goals

1. Increase plant biodiversity on the entire site.
2. Maintain and increase pine rockland plant species on the eastern 2/3.
3. Maintain hardwood hammock on the western 1/3.
4. Establish and maintain ecotone between habitats.
5. Remove and control exotic plants on the entire site.
6. Provide habitat for native wildlife.

### Management Goals

1. Eliminate all invasive exotic plants to achieve less than 1% exotic plant cover.
2. Increase biodiversity with appropriate native plant species.
3. Control native ruderal plants and vines.
4. Allow natural regeneration of native plants.

DERM will periodically inspect property to ensure that management goals are achieved.

### Management Techniques and Schedule for Hardwood Hammocks

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

- Year 1-2:** Continue exotic control throughout entire site. Hand removal of exotics is preferred. Initial herbicide treatments and follow up shall be the minimal necessary. To the greatest extent possible rose natalgrass control shall be achieved by hand pulling and/or removal and off site disposal of grass flowers. Plant slash pine tublings in pine rockland. Monitor herbaceous layer for natural recruitment of rare pine rockland species.
- Year 3-5:** Continue exotic control throughout entire site. Monitor herbaceous layer for natural recruitment of rare pine rockland species. Monitor slash pine plantings.
- Year 6-7:** Continue exotic control throughout entire site. Monitor herbaceous layer for natural recruitment of rare pine rockland species. Monitor slash pine plantings. Prescribe burn pine rockland if needed. (Florida Division of Forestry approval required). Plant additional pines.
- Year 8-10:** Continue exotic control throughout entire site. Monitor herbaceous layer for natural recruitment of rare pine rockland species. Monitor slash pine plantings and herbaceous layer. Prescribe burn pine rockland if not yet achieved. (Florida Division of Forestry approval required).

## 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 an endangered 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)

### GRAMINOIDS (Grasses, Sedges and Rushes)

Scientific Name	Common Name	Origin/Status
<i>Andropogon spp.</i>	a bluestem	N
<i>Dichanthelium spp.</i>	a panicgrass	N
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)

### FORBS AND WOODY GROUNDCOVERS

Scientific Name	Common Name	Origin/Status
<i>Acalypha chamaedrifolia</i>	bastard copperleaf	N
<i>Agave sisalana</i>	sisal hemp	E / EPPC (II)
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland golden trumpet	N / FL threatened
<i>Bidens alba</i>	beggarticks	R
<i>Chamaecrista fasciculata</i> var. <i>deeringiana</i>	Deering's partridge pea	N
<i>Chiococca alba</i> var. <i>parvifolia</i>	pineland snowberry	N
<i>Chromolaena odorata</i>	jack-in-the-bush	N
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Galactia spp.</i>	a milkpea	N
<i>Galium hispidulum</i>	coastal bedstraw	N
<i>Jacquemontia curtisii</i>	pineland clustervine	N / FL threatened
<i>Lantana camara</i>	shrub verbena	E / EPPC (I)
<i>Lantana depressa</i>	rockland shrubverbena	N / FL endangered
<i>Morinda royoc</i>	cheese shrub	N
<i>Oeceoclades maculata</i>	monk orchid	E
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy braken	N
<i>Rhynchosia reniformis</i>	dollarleaf	N
<i>Spermacoce verticillata</i>	shrubby false buttonweed	E
<i>Stachytarpheta jamaicensis</i>	blue porter weed	N
<i>Tragia saxicola</i>	Florida Keys noseburn	N / FL threatened
<i>Wedelia trilobata</i>	creeping oxeye	E
<i>Zamia pumila</i>	coontie	N

**VINES AND SCANDENT SHRUBS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Cassytha filiflormis</i>	love vine	N
<i>Cissus verticillata</i>	possum grape	N
<i>Echites umbellatus</i>	devil's potato	N
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Momordica charantia</i>	balsam pear	E
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corkystem passionflower	N
<i>Smilax spp.</i>	a greenbrier	N
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Vitis rotundifolia</i>	muscadine	N

**TREES AND SHRUBS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Albizia lebeck</i>	woman's tongue	E / EPPC (I)
<i>Ardisia elliptica</i>	shoebuttton	E / EPPC (I)
<i>Ardisia escallonioides</i>	marlberry	N
<i>Baccharis spp.</i>	a groundsel	N
<i>Bischofia javanica</i>	Japanese bishopwood	E / EPPC (I)
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Byrsonima lucida</i>	locust berry	N / FL threatened
<i>Callicarpa americana</i>	American beautyberry	N
<i>Chiococca alba</i>	snowberry	N
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Eugenia axillaris</i>	white stopper	N
<i>Exothea paniculata</i>	inkwood	N
<i>Ficus aurea</i>	strangler fig	N
<i>Ficus citrifolia</i>	wild banyan tree	N
<i>Guettarda scabra</i>	rough velvetseed	N
<i>Hamelia patens</i>	firebush	N
<i>Ilex krugiana</i>	Krug's holly	N / FL threatened
<i>Mangifera indica</i>	mango	E
<i>Metopium toxiferum</i>	poisonwood	N
<i>Myrica cerifera</i>	wax myrtle	N
<i>Myrsine cubana</i>	myrsine	N
<i>Persea borbonia</i>	red bay	N
<i>Pinus elliottii var. densa</i>	South Florida slash pine	N
<i>Psidium cattleianum</i>	strawberry guava	E / EPPC (I)
<i>Psychotria nervosa</i>	wild coffee	N
<i>Randia aculeata</i>	white indigoberry	N
<i>Quercuspumila</i>	running oak	N
<i>Quercus virginiana</i>	live oak	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 bustic	N
<i>Sideroxylon foetidissimum</i>	false mastic	N
<i>Simarouba glauca</i>	paradise tree	N
<i>Swietenia mahagoni</i>	West Indian mahogany	N / FL threatened
<i>Tetrazygia bicolor</i>	Florida clover ash	N / FL threatened
<i>Trema micrantha</i>	nettletree	N

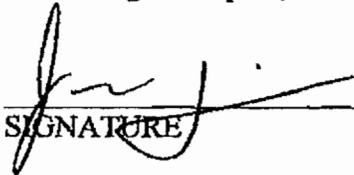
**EPIPHYTES**

Scientific Name	Common Name	Origin/Status
<i>Phlebodium aureum</i>	golden polypody	N
<i>Pleopeltis polypodioides</i> var. <i>michauxiana</i>	resurrection fern	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.

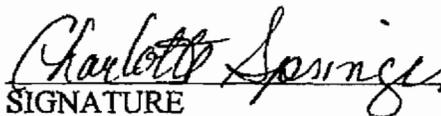
**MANAGEMENT PLAN AGREEMENT (must be signed by all owners)**

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

  
SIGNATURE

09/23/10  
DATE

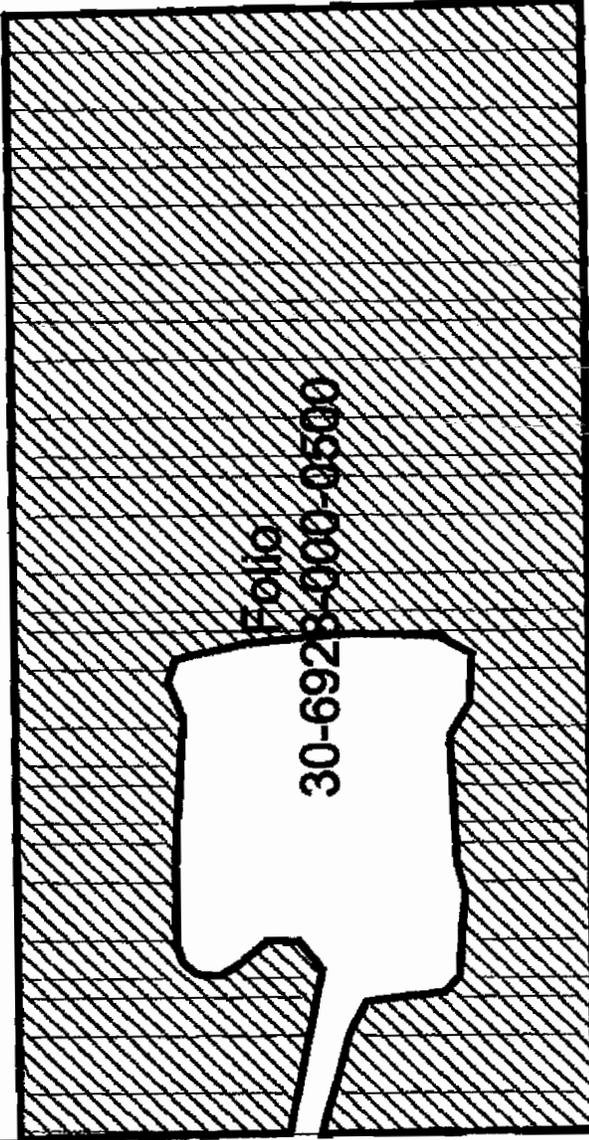
I, Charlotte Springer hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

  
SIGNATURE

9-23-10  
DATE

# 30-6928-000-0500 Springer EEL Covenant

SW 152 Avenue - Kingman Road



SW 264 Street - Bauer Drive

Property Boundaries

EEL Covenant Area  
4.104 Acres

Inspection Type:  
Boundary



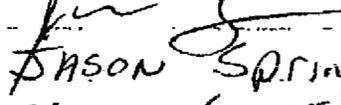
Data Collected by T.J.HG 9/2/10  
10forest\_resources\_EELcovs.apr  
Digital Image Dated 2009  
Map Made by HG 9/12/10

09/24/2010

TO WHOM IT MAY CONCERN,

AS Requested I'm writing this letter  
to inform The DERM office and  
The County Comm. office That I  
DO NOT have a mortgage ON  
my Property located at 26363 SW 152 AVE  
Homestead FL 33032 - 30 - 6928-000-0500  
So there should NOT Be any Problems  
with An EEL covenant OR An NFC  
Tax Issue

Thank YOU

  
JASON SPRINGER  
26363 SW 152 AVE  
Homestead FL 33032  
(305) 282-3351

COVENANT RUNNING WITH THE  
LAND OF COLLEEN H. TIETIG IN  
FAVOR OF THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE  
COUNTY, FLORIDA, CONCERNING  
ENVIRONMENTALLY ENDANGERED  
LAND LOCATED AT 16300 SW 184<sup>TH</sup>  
STREET, MIAMI-DADE COUNTY,  
FLORIDA 33187, FOLIO 30-6905-000-  
0200.

The undersigned, Colleen H. Tietig, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located at 16300 SW 184<sup>th</sup> Street, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 30-6905-000-0200, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner(s)(s') heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

covenant and the provisions contained herein may be enforced by the Director of the Miami-Dade County Department of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, this covenant may be renewed at the discretion of the owner(s) of the property for successive ten (10) year periods following the termination of the first ten (10) year period. Upon the owner's filing with the Clerk of the Courts for recording a written notification of the owner's intent to renew, this covenant shall be renewed for an additional ten (10) year period. Said written notification shall be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade County Department of Environmental Resources Management.
7. After this Covenant is accepted by the Board, the Covenant, together with a certified copy of the Board's resolution accepting the Covenant, shall be promptly filed with the Clerk of Court for recording in the official records of Miami-Dade County and a copy sent to the Miami-Dade County Property Appraiser.
8. After this Covenant is executed by the owner(s) of the Property and accepted by the Board and during the time this Covenant is in force and effect, the Property Appraiser shall assess the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.

9. After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner('s)(s') knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.
  
10. The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 4th day of October, 2010.

INDIVIDUAL

WITNESSES:

sign April C Slater

print APRIL C. SLATER

sign \_\_\_\_\_

print \_\_\_\_\_

OWNER(S):

sign Colleen H. Boggs

print Colleen H. Boggs

Address 14300 SW 184 ST.

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 4th day of October, 2010, by Colleen H. Boggs, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.



NOTARY PUBLIC:

sign April C Slater  
print APRIL C. SLATER

State of Florida at Large (Seal)  
My Commission Expires: March 24, 2013

THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I  
Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 30-6905-000-0200

**Property Address:** 16300 SW 184 Street,  
Miami-Dade County, Florida.

**Legal description:** 5 56 39 38.75 AC M/L R-114600  
SUBJ TO EEL COV ON 21.25 AC  
SUBJ TO EEL REST ON 14.40 AC  
S1/2 OF SW1/4 OF NW1/4 LESS  
W55FT & SW1/4 OF SE1/4 OF NW1/4 &  
N1/4 OF NW1/4 OF SW1/4 LESS W55FT  
OR 11382-1312 0382 4

**Exhibit B**  
**Pine Rockland Management Plan**  
**for Colleen H. Tietig**

**Location:** 16300 SW 184 Street, Miami-Dade County, Florida

**Size:** 38.75 acre parcel  
15.863 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 30-6905-000-0200

**Forest Type:** Pine rockland (currently containing 18.00 acres of County designated Natural Forest Community (NFC))

**Location**

The property is located 2000 feet south of SW 184 Street (Eureka Drive) and 600 feet north of the C-102 canal. It is east of theoretical SW 167 Avenue (Tennessee Road) and west of theoretical 163 Avenue. The property is developed, lies outside the urban development boundary (UDB), and it is bordered by agriculture on all sides. The property can be accessed via theoretical SW 163 Avenue on the east.

Distance from nearest EEL/county-owned site: ~2,000feet from Wilkins Pierson Pineland  
Distance from nearest EEL Covenanted site: ~2,900feet from Kern  
Distance from nearest county-designated Natural Forest Community (NFC): ~1,000feet

**Property Information**

The property consists of 15.863 acres of pine rockland and transitional hammock which qualify for an EEL covenant. The property is located on the Miami rock ridge. 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 NFC Map 33, T56 R39 S05, parcel D.

Pine rocklands were once South Florida's dominant plant community, occupying about 186,000 acres in 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, and shrubs of temperate

and tropical origin. 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 plant species. Pine rocklands are South Florida's most floristically diverse plant community, including several endemic species found only in this habitat. For this reason, the Florida Natural Areas Inventory (FNAI) classifies pine rocklands as globally imperiled.

### **Present Condition**

The parcel currently contains groves, a nursery/agricultural business, and a single-family home. The business and the agriculture surround the natural area, and the single family home is nestled within the pine rockland.

The southern half of the natural area has good native biodiversity, but invasive and exotic vines and shrubs have caused it to become overgrown. There are pine trees of varying age classes on this portion of the site, as well as listed species of trees, ferns and shrubs. A recent fire on this portion of the site has helped control exotics and hardwoods; however, the area is still in need of hardwood reduction. The southeastern and southern edges are choked by a thin edge of invasive vines and exotic invasive plant species.

The northern edge of the southern half of the natural area (south of the house) has a patch of trees planted on turf grass – the grass is encroaching into the edges of the natural area, and it is presently being mowed. The turf must be prevented from further encroachment and this portion of the site must be managed so as to allow it to return to a natural condition.

The northern half of the natural area is far more overgrown and suffers from thick exotic-infested edges, especially on the northwest. The interior substrate however, is relatively undisturbed, and there are native species therein. The property owner is currently doing management on site as part of a previous ten year EEL covenant management plan. The southern half of the natural area is in better condition than the north. Fortunately, the natural area has no adjacent exotic seed sources. Extensive exotic control efforts will be needed on the edges and on the northern half of the natural area. There are extensive invasive exotic plant species scattered throughout the site, and the eradication of these should be the focus of management in this natural area.

### **Conclusion**

The NFC pine rockland on this property is in relatively good condition, but work focusing on the northern portion and the edges of the natural area is needed. Future management of this property will center on opening up the NFC and maintaining it free of invasive exotics. A prescribed fire should be done on the southern portion of the

natural area. Otherwise, hand removal of invasive species and pioneering hardwoods will be necessary in order to maintain the existing plant community. The site can improve with future management efforts encouraged and supported by the EEL covenant. Future management of this property must center on eliminating exotic plant species and controlling vines and hardwood plant species.

### **Ecological Goals**

1. Prevent exotics, vines, and hardwoods from further encroaching into natural area so as to prevent undesirable succession.
2. Eliminate invasive exotic species and encroaching native hardwoods throughout pineland.
3. Maintain open canopy to promote and preserve herbaceous pine rockland plant species.
4. Promote regeneration and growth of native pineland species to maintain the site's biodiversity.
5. Provide suitable habitat for native wildlife.

### **Management Goals**

1. Eliminate all invasive exotic plant species from interior of natural area to achieve less than 5% exotic cover and prevent re-colonization
2. Eradicate all invasive exotic plant species from perimeter of natural area. Ensure that no more than 50 square feet of any exotic cover remains.
3. Prevent reproduction of exotic seeds on site within five (5) years.
4. Selectively thin the canopy and understory of the pineland and control pioneering hardwoods to promote and preserve herbaceous pine rockland plant species.
5. Prescribed burn all natural areas where feasible.

DERM will periodically inspect property to ensure that management goals are achieved.

### **Management Techniques and Schedule for Pine Rockland**

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

**Year 1-3:** Hand removal and herbicide treatment of all invasive and exotic plant species is required by DERM. The interior portion of natural areas should be treated first, and work should then extend to the perimeters. All exotic seedlings should be hand pulled if possible. Invasive vines should be cut and pulled from the canopy. Multiple herbicide treatments may be needed. Special attention should also be paid to treating highly invasive

exotic species and ruderal vines in the perimeters of the natural area. Monitor for natural recruitment and regeneration of native species. Plant slash pine tublings in open areas if natural recruitment is not occurring.

- Year 4-5:** Re-treat and continue to eradicate invasive exotic vines and other plant species. Selectively thin out any hardwoods shading out herbaceous pine rockland understory species and pine seedlings / saplings. Continue to monitor natural recruitment. Perform prescribe burn in all feasible areas (pending Florida Division of Forestry (DOF) approval). Monitor slash pine tublings if planted.
- Year 6-7:** Perform a prescribed burn in the pine rockland (Florida Division of Forestry approval required). Continue to eradicate exotic and invasive plants and vines. Maintain open understory. Monitor slash pine plantings and recruitment as well as native herbaceous re-colonization.
- Year 8-10:** Perform a prescribed burn in the pine rockland (Florida Division of Forestry approval required) if not yet achieved. Continue exotic and invasive eradication and monitor slash pine and native species regeneration and health.

#### 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 an endangered 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)

#### **GRAMINOIDS (Grasses, Sedges and Rushes)**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Melinis repens</i>	rose natalgrass	E / EPPC (I)
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Pennisetum purpureum</i>	napier grass	E / EPPC (I)

#### **FORBS AND WOODY GROWDCOVERS**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Ambrosia artemisiifolia</i>	common ragweed	N
<i>Berlandiera subacaulis</i>	Florida greeneyes	N
<i>Chamaesyce spp.</i>	sandmat	N
<i>Chiococca alba</i>	snowberry	N
<i>Chiococca parvifolia</i>	pineland snowberry	N
<i>Desmodium spp.</i>	beggarticks	N

<i>Galium hispidulum</i>	coastal bedstraw	N
<i>Nephrolepis biserrata</i>	giant sword fern	N / FL threatened
<i>Nephrolepis exalta</i>	wild Boston fern	N
<i>Pectis glaucescens</i>	tea blinkum	N
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Solidago stricta</i>	wand goldenrod	N
<i>Spermacoce verticillata</i>	shrubby false buttonweed	E
<i>Stachytarpheta jamaicensis</i>	blue porter weed	N
<i>Thelypteris kunthii</i>	southern shield fern	N
<i>Urena lobata</i>	Ceasarweed	E / EPPC (II)

#### VINES AND SCANDENT SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Dioscorea bulbifera</i>	air potato	E / EPPC (I)
<i>Ipomoea alba</i>	moonflower	N
<i>Ipomoea tenuissima</i>	rockland morning glory	N / FL endangered
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC (I)
<i>Mikania scandens</i>	climbing hempvine	N
<i>Momordica charantia</i>	balsam pear	E
<i>Morinda royoc</i>	cheese shrub	N
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corkystem passionflower	N
<i>Smilax spp.</i>	greenbrier	N
<i>Syngonium podophyllum</i>	American evergreen	E / EPPC (I)
<i>Toxicodendron radicans</i>	poision ivy	N
<i>Vitis rotundifolia</i>	muscadine	N

#### TREES AND SHRUBS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Acer rubrum</i>	red maple	N
<i>Albizia lebbek</i>	woman's tongue	E / EPPC (I)
<i>Ardisia elliptica</i>	shoebutton	E / EPPC (I)
<i>Ardisia escallonioides</i>	marlberry	N
<i>Bischofia javanica</i>	Japanese bishopwood	E / EPPC (I)
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Callicarpa americana</i>	American beautyberry	N
<i>Calophyllum inophyllum</i>	Alexandrian laurel	E
<i>Carica papaya</i>	papaya	E
<i>Cestrum nocturnum</i>	night-flowering jessamine	E
<i>Coccoloba uvifera</i>	sea grape	N
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Chrysophyllum oliviforme</i>	satinleaf	N / FL threatened
<i>Ficus altissima</i>	council tree	E / EPPC (II)
<i>Ficus aurea</i>	strangler fig	N
<i>Ficus citrifolia</i>	wild banyan fig	N

<i>Guettarda scabra</i>	rough velvetseed	N
<i>Hamelia patens</i>	firebush	N
<i>Lantana camara</i>	shrub verbena	E / EPPC (I)
<i>Lantana involucrata</i>	buttonsage	N
<i>Mangifera indica</i>	mango	E
<i>Manihot esculenta</i>	cassava	E
<i>Metopium toxiferum</i>	poisonwood	N
<i>Morus rubra</i>	red mulberry	N
<i>Phytolacca americana</i>	American pokeweed	N
<i>Pinus elliottii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Psidium guajava</i>	guava	E / EPPC (I)
<i>Psychotria sulzneri</i>	short-leaf wild coffee	N
<i>Rapanea punctata</i>	myrsine	N
<i>Quercus virginiana</i>	live oak	N
<i>Randia aculeata</i>	white indigoberry	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 bustic	N
<i>Solanum</i> spp.	nightshade	N
<i>Syzygium cumini</i>	java plum	E / EPPC (I)
<i>Tabebuia heterophylla</i>	white cedar	E
<i>Terminalia catappa</i>	West Indian almond	E / EPPC (II)
<i>Tetrazygia bicolor</i>	Florida clover ash	N / FL threatened
<i>Thrinax radiata</i>	Florida thatch palm	N / FL endangered
<i>Trema micrantha</i>	nettletree	N

#### EPIPHYTES

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Phlebodium aureum</i>	golden polypody	N
<i>Psilotum nudum</i>	whisk fern	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.

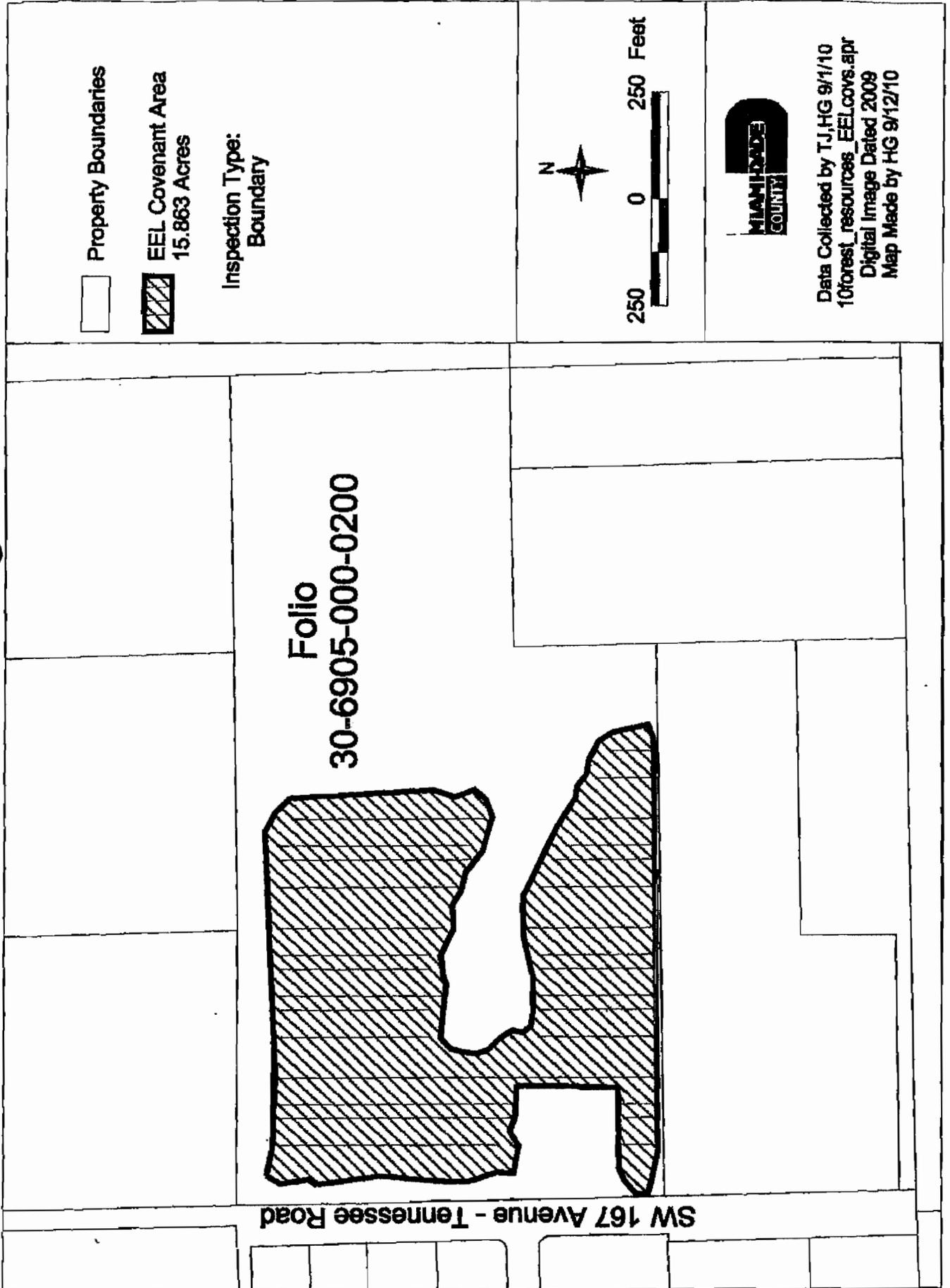
#### MANAGEMENT PLAN AGREEMENT (must be signed by all owners)

I, Colleen H. Boyce hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

Colleen H. Boyce  
SIGNATURE

10/4/2010  
DATE

# 30-6905-000-0200 Tietig EEL Covenant



JOINDER/CORPORATE LIENHOLDER

NAME OF PROPERTY OWNER(S):

*Colleen K. Tietig Boggs*

ADDRESS OF PROPERTY:

*14300 SW 184 CT.  
MIAMI, FL 33187*

NAME OF INTEREST-HOLDER MORTGAGEE:

*COMMUNITY BANK FLORIDA*

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:

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
DATE

*10/4/10*

Community Bank of Florida  
CORPORATION

\_\_\_\_\_  
PRESIDENT

*R.R. Eger*

(AFFIX CORPORATE SEAL)

COVENANT RUNNING WITH THE  
LAND OF L.A. AND MARTA S. WEEKS  
IN FAVOR OF THE BOARD OF  
COUNTY COMMISSIONERS OF MIAMI-  
DADE COUNTY, FLORIDA,  
CONCERNING ENVIRONMENTALLY  
ENDANGERED LAND LOCATED AT  
7350 SW 162<sup>ND</sup> STREET, MIAMI-DADE  
COUNTY, FLORIDA 33157, FOLIO 33-  
5026-000-0230.

The undersigned, L.A. and Marta S. Weeks, being owner(s) of a parcel of real property legally described as set forth in Exhibit A, attached hereto and incorporated herein by reference, and located at 7350 SW 162<sup>nd</sup> Street, Miami-Dade County, Florida, and furthermore identified for ad valorem tax purposes by all or part of Folio Number 33-5026-000-0230, (hereinafter referred to as the "property") which property contains the items set forth in Exhibit B, attached hereto and incorporated herein by reference, hereby create(s) a covenant, on behalf of the undersigned owner(s)'s heirs, successors, assigns and grantees, running with the land to and in favor of the Board of County Commissioners of Miami-Dade County, Florida (hereinafter referred to as the "Board"), their successors and assigns, with respect to the Property, as follows:

1. The covenant created hereby is created pursuant to F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.
2. The undersigned owner(s) covenant with the Board that the Property shall be maintained in its present natural state.

3. The undersigned owner(s) covenant with the Board that the Property shall be and the same is hereby subject to the conservation restriction(s) necessary to maintain the Property in such present state, as set forth in the management recommendations included in Exhibit B attached hereto and incorporated herein by reference.
4. The undersigned owner(s) covenant(s) and represent(s) that the undersigned owner(s) is/are the owner(s) in fee of the Property and that no other person or other legal entity of any kind whatsoever has any fee interest in the Property.
5. The undersigned owner(s) covenant(s) and agree(s) that the Board of County Commissioners of Miami-Dade County, Florida, through its authorized agents shall have the right, upon written notification to the owner(s) of the Property, to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the undersigned owner(s) in 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 owner(s) in writing by Certified Mail, return receipt requested at the last known mailing address of record, of the particular curative action to be taken by the owner(s) of the Property and the reasons therefore. The owner(s) shall take such curative action within a reasonable time, provided however, the 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 therefore. The undersigned owner(s) covenant(s) and agree(s) that this

covenant and the provisions contained herein may be enforced by the Director of the Miami-Dade County Department of Environmental Resources Management by preliminary and permanent, prohibitory and mandatory injunctions as well as otherwise provided for by law or ordinance.

6. As provided herein, this covenant may be renewed at the discretion of the owner(s) of the property for successive ten (10) year periods following the termination of the first ten (10) year period. Upon the owner's filing with the Clerk of the Courts for recording a written notification of the owner's intent to renew, this covenant shall be renewed for an additional ten (10) year period. Said written notification shall be made to the Clerk of the Courts not later than thirty (30) days prior to the expiration date of the covenant. Contemporaneous to the written notification above, a copy of the owner's notification letter shall be provided to the Miami-Dade County Department of Environmental Resources Management.
  
7. After this Covenant is accepted by the Board, the Covenant, together with a certified copy of the Board's resolution accepting the Covenant, shall be promptly filed with the Clerk of Court for recording in the official records of Miami-Dade County and a copy sent to the Miami-Dade County Property Appraiser.
  
8. After this Covenant is executed by the owner(s) of the Property and accepted by the Board and during the time this Covenant is in force and effect, the Property Appraiser shall assess the Property for ad valorem tax purposes in conformance with Chapter 25B, Code of Miami-Dade County, Florida, and Section 193.501, Florida Statutes.

9. After this Covenant is executed by the owner(s) of the Property and accepted by the Board, neither the owner(s) of the Property nor anyone with the owner('s)(s') knowledge or consent shall use the Property or modify the present state of the Property in any manner inconsistent with this Covenant without first obtaining a written release from the Board as required by Chapter 25B of the Code of Miami-Dade County, Florida.
  
10. The owner(s) of the Property may be released from this Covenant for the reasons and in accordance with the procedures and conditions set forth in F.S. 193.501 and Chapter 25B of the Code of Miami-Dade County, Florida.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 27<sup>th</sup> day of September, 2010.

INDIVIDUAL

WITNESSES:

sign [Signature]

print Daniel Fernandez

sign [Signature]

print JESSICA BROOKS

sign \_\_\_\_\_

print \_\_\_\_\_

sign \_\_\_\_\_

print \_\_\_\_\_

OWNER(S):

sign Marta S. Weeks

print MARTA S. WEEKS

Address 7350 SW 162 ST.  
PALMETTO BAY, FL 33157

sign \_\_\_\_\_

print \_\_\_\_\_

Address \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of September, 2010, by Marta S Weeks, who is personally known to me or who has produced Florida Drivers License as identification and who did take an oath.

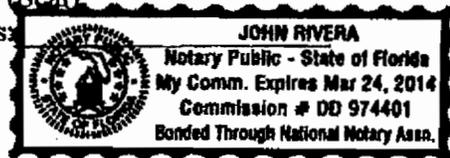
NOTARY PUBLIC:

sign [Signature]

print John Rivera

State of Florida at Large (Seal)

My Commission Expires:



THIS INSTRUMENT PREPARED BY:

Helena C. Giannini, Biologist I

Miami-Dade County Department of Environmental Resources Management  
701 NW 1<sup>st</sup> Court,  
Miami, Florida 33136

**EXHIBIT A  
LEGAL DESCRIPTION**

**Folio Number:** 33-5026-000-0230

**Property Address:** 7350 SW 162 Street,  
Miami-Dade County, Florida.

**Legal description:** 26 55 40 8.76 AC R-1147-00  
SUBJ TO EEL COV ON 6.53AC  
SW1/4 OF NE1/4 OF SW1/4 LESS E  
S35FT & W25 FT  
PER R-1653-93  
F/A/U 30-5026-000-0230

**Exhibit B**  
**Tropical Hardwood Hammock Management Plan**  
**for L.A. and Marta S. Weeks**

**Location:** 7350 SW 162 Street, Miami-Dade County, Florida.

**Size:** 8.76 acre parcel  
7.162 acres qualify for an Environmentally Endangered Lands (EEL) covenant

**Folio #:** 33-5026-000-0230

**Forest Type:** Tropical hardwood hammock (currently containing 7.162 acres of County designated Natural Forest Community (NFC))

**Location**

The property is located south of SW 162<sup>nd</sup> Street and north of SW 164<sup>th</sup> Street. It is west of Old Cutler Road and east of SW 74<sup>th</sup> Avenue. The site is a developed residential lot inside the urban development boundary (UDB). It is surrounded by residential properties to the north, west and south. The property to the east is the Deering Estate, a county-owned park and county-designated Natural Forest Community (NFC). The property can be accessed via SW 162<sup>nd</sup> Street.

Distance from nearest EEL/county-owned site: ~70 feet from the Deering Estate  
Distance from nearest EEL Covenanted site: ~2,500 feet from Eliot (33-5034-000-0173)  
Distance from nearest county-designated Natural Forest Community (NFC): ~70 feet.

**Property Information**

The property consists of 7.162 acres of Tropical hardwood hammock which qualify for an EEL Covenant. The property is located on the Miami rock ridge. 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 25, T50 R40 S26, parcel G.

Tropical hardwood hammocks contain primarily broadleaf and mostly hardwood evergreen trees growing on outcrops of limestone. The closed canopy conditions typically found in hammocks create 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.

This property is located across the street from the Deering Estate, a 444 acre county-owned and managed preserve, with hammock and pine rockland habitat. Like this property, the natural area of the Deering Estate is also designated as a natural forest community (NFC). This site's proximity to the preserve makes it function as a wildlife corridor, and the preserve itself serves as a native plant material seed source. In turn, management of this site will help keep exotics from seeding into the preserve and will enhance its function as a wildlife refuge within an urban setting.

### Present Condition

There is a single family home on the northwest corner of the parcel with an access driveway leading to the SW 162 St. The remainder of the parcel is natural area surrounded by a chain-link fence. This natural area is a rockland hammock. The soil on site is Matecumbe muck, and the substrate is sandy with some rock outcroppings.

There is a trail just south of the house leading from the west side to the east side of the property. There is a second trail just east of the house that leads from the north side to the south side of the property. These trails intersect and are open and clear, except for the western portion of the east-west trail that is slightly overgrown.

This site is dominated by cabbage palms (*Sabal palmetto*) but also contains saw palmetto (*Serenoa repens*), silver palm (*Coccothrinax argentata*), live oaks (*Quercus virginiana*) and slash pine trees (*Pinus elliottii* var. *densa*) of various ages. On the northern and eastern portions of the natural area pines, oak trees and palms dominate the canopy and, the understory is mostly clear. There are abundant native epiphytes on the oak trees throughout the site. Several native ferns, such as *Phlebodium aureum*, are on site. There is also a diversity of understory herbaceous species (including several rare and listed species throughout).

The northeast and central portions of the natural area are dominated by hammock species, characteristic of an area that is in transition, and representative of a rockland hammock. Both have relatively undisturbed substrate and are dominated by native plant species. The northeast portion is relatively open and the central portion is slightly overgrown.

The northwest portion of the natural area has more mature slash pine trees in the canopy compared to the rest of the site. This part of the site is slightly overgrown and in need of selective hardwood control.

The southeast corner of the site is slightly more overgrown and has a few exotic plant species, such as *Leucaena leucocephala*. However, the area is still dominated by natives. Property owners have planted slash pine trees on this portion of the site.

The southwestern portion of natural area has several invasive exotic plant species such as *Leucaena leucocephala*, *Catharanthus roseus*, *Flacourtia indica*, *Ardisia elliptica* and *Urena lobata*. Many of these exotics, such as the *Ardisia elliptica*, have been treated by the property owners as part of the management plan under the property's current EEL

covenant. Exotics are re-sprouting and coming up from the seed bank and will need additional treatment. The *Urena lobata* is establishing a considerable population on the southwest and west of the property which will need to be treated.

The chain-link fence on the west and south edges of the property is overgrown with invasive exotic vines (such as *Jasmine spp.*). These prohibited pest plants are highly invasive, and can do a lot of damage in the natural area, and must be removed.

Biologists documented approximately 100 bee boxes (recently placed) in the central southern part of the site. Boxes have active colonies and bees are swarming around the natural area and potentially displacing natural pollinators. This type of use is incompatible with the site's current EEL covenant and NFC designation, and therefore the boxes must be removed.

### **Conclusion**

This natural area is a designated Natural Forest community, and being adjacent to the Deering Estate is acting as a significant extension of the preserve – it is likely that there is an exchange of seeds between the areas, and wildlife can traverse between the areas. These natural areas are bordered by a fully developed residential area, making them all the more valuable. The site has good substrate and high biodiversity. The property owners have been managing the site in substantial accordance with the management plan included in the current EEL covenant on site, and have made progress in maintaining the natural area healthy. Future management must focus on eradicating exotic plants and clearing and maintaining an open understory to maintain and promote a diverse herbaceous plant layer where currently present.

### **Ecological Goals**

1. Eliminate invasive exotic species.
2. Maintain the present extent of the hardwood hammock.
3. Maintain and create a diverse canopy and understory and to preserve rare hammock species.
4. Promote regeneration and growth of native hardwoods and rare plants.
5. Provide suitable habitat for native wildlife.

### **Management Goals**

1. Eliminate invasive exotic plant species from the hammock interior to achieve less than 2% exotic cover.
2. Completely remove all invasive exotic plant species from perimeter of the site and prevent exotic re-colonization. Ensure that no more than 50 square feet of any exotic cover remains.
3. Prevent reproduction of exotic seeds within the site.

DERM will periodically inspect property to ensure that management goals are achieved.

## Management Techniques and Schedule for Hardwood Hammock

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

- Year 1-2:** Removal and herbicide treatment of all invasive exotics plant species is required by DERM. Perimeter exotics should be treated first and then work may be extended into the interior of the site. Invasive exotic vines must be removed from the fence surrounding the property. All exotic seedlings should be hand pulled if possible. Multiple herbicide treatments may be needed. *Removal of bee boxes on site must be completed within 6 months of the approval of this covenant – please notify DERM once this has been completed.*
- Year 3-5:** Continue to eradicate exotic and invasive plants and ruderal vines around the edges and within the site. Retreat any re-sprouting or re-colonizing invasive exotic plants. Maintain open understory. Monitor natural recruitment.
- Year 6-7:** Continue to eradicate exotic and invasive plants and vines throughout the entire site. Maintain open diverse understory and rare species. Monitor natural recruitment.
- Year 8-10:** Continue invasive exotic eradication and monitor rare species.

### 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 an endangered 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)

#### **GRAMINOIDS (Grasses, Sedges and Rushes)**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Cyperus croceus</i>	Baldwin's flatsedge	N
<i>Cyperus ligularis</i>	swamp flatsedge	N
<i>Dichanthelium aciculare</i>	needleleaf witchgrass	N
<i>Dichanthelium commutatum</i>	variable witchgrass	N
<i>Dichanthelium dichotomum</i>	cypress witchgrass	N
<i>Eustachys petraea</i>	pinewoods fingergrass	N
<i>Oplismenus hirtellus</i>	woodsgrass	N
<i>Neyraudia reynaudiana</i>	Burma reed	E / EPPC (I)
<i>Scleria lithosperma</i>	Florida Keys nutrush	N / FL endangered

<i>Sporobolus indicus</i> var. <i>pyramidalis</i>	West Indian dropseed	E
<i>Setaria parviflora</i>	yellow bristlegrass	N
<i>Stenotaphrum secundatum</i>	St. Augustine grass	N
<i>Zoysia matrella</i>	Manila templegrass	E

#### FORBS AND WOODY GROUNDCOVERS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Acalypha chamaedrifolia</i>	bastard copperleaf	N
<i>Ambrosia artemisiifolia</i>	common ragweed	N
<i>Anemia adiantifolia</i>	maidenhair pineland fern	N
<i>Angadenia berteroi</i>	pineland golden trumpet	N / FL threatened
<i>Ayenia euphrasiifolia</i>	eyebright ayenia	N
<i>Bidens pilosa</i>	Spanish needles	E
<i>Catharanthus roseus</i>	Madagascar periwinkle	E
<i>Chamaecrista fasciculata</i>	partridge pea	N
<i>Chamaecrista nictitans</i> var. <i>aspera</i>	sensitive pea	N
<i>Chamaesyce hirta</i>	pillpod sandmat	N
<i>Chaptalia albicans</i>	white sunbonnets	N / FL threatened
<i>Chiococca parvifolia</i>	pineland snowberry	N
<i>Commelina erecta</i>	whitemouth dayflower	N
<i>Crossopetalum ilicifolium</i>	Christmasberry	N / FL threatened
<i>Crotalaria pumila</i>	low rattlebox	N
<i>Crotalaria spectabilis</i>	showy rattlebox	E
<i>Croton linearis</i>	pineland croton	N
<i>Desmodium incanum</i>	Zarabacoa Comun	E
<i>Desmodium tortuosum</i>	Dixie ticktrefoil	E
<i>Melanthera nivea</i>	snow squarestem	N
<i>Mosiera longipes</i>	mangroveberry	N / FL threatened
<i>Nephrolepis exalta</i>	sword fern	N
<i>Neptunia pubescens</i>	tropical puff	N
<i>Oeceoclades maculata</i>	monk orchid	E
<i>Phyllanthus pentaphyllus</i>	fivepetal leafflower	N
<i>Physalis walteri</i>	Walter's groundcherry	N
<i>Pilea micrphylla</i>	artillery plant	N
<i>Poinsettia cyathophora</i>	painted leaf	N
<i>Polypremum procumbens</i>	rustweed	N
<i>Pteridium aquilinum</i> var. <i>caudatum</i>	lacy braken	N
<i>Russelia equisetiformis</i>	firecracker plant	E
<i>Sansevieria hyacinthoides</i>	bowstring hemp	E / EPPC (II)
<i>Spermacoce verticillata</i>	shrubby false buttonweed	E
<i>Stachytarpheta jamaicensis</i>	blue porter weed	N
<i>Tragia saxicola</i>	Florida Keys noseburn	N / FL threatened
<i>Trichostema dichotomum</i>	forked blue curls	N
<i>Urena lobata</i>	Cesarweed	E / EPPC (II)
<i>Zamia integrifolia</i>	coontie	N

**VINES AND SCANDENT SHRUBS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Abrus precatorius</i>	rosary pea	E / EPPC (I)
<i>Cassytha filiformis</i>	love vine	N
<i>Centrosema virginianum</i>	spurred butterfly pea	N
<i>Dichondra carolinensis</i>	Carolina ponysfoot	N
<i>Galactia volubilis</i>	downy milkpea	N
<i>Galactia striata</i>	Florida hammock milkpea	N
<i>Ipomoea hederifolia</i>	scarlet creeper	N
<i>Ipomoea indica</i>	oceanblue morning glory	N
<i>Jasminum dichotomum</i>	gold coast jasmine	E / EPPC (I)
<i>Jasminum fluminense</i>	Brazilian jasmine	E / EPPC (I)
<i>Merremia dissecta</i>	Noyau vine	E
<i>Morinda royoc</i>	cheese shrub	N
<i>Parthenocissus quinquefolia</i>	Virginia creeper	N
<i>Passiflora suberosa</i>	corkstem passionflower	N
<i>Smilax auriculata</i>	earleaf greenbrier	N
<i>Smilax bona-nox</i>	saw greenbrier	N
<i>Smilax havanensis</i>	Everglades greenbrier	N / FL threatened
<i>Toxicodendron radicans</i>	poison ivy	N
<i>Vitis rotundifolia</i>	muscadine	N

**TREES AND SHRUBS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Origin/Status</b>
<i>Acacia auriculiformis</i>	earleaf acacia	E / EPPC (I)
<i>Acacia pinetorum</i>	pineland acacia	N
<i>Agave sisalana</i>	sisal hemp	E / EPPC (II)
<i>Albizia lebbek</i>	woman's tongue	E / EPPC (I)
<i>Ardisia elliptica</i>	shoebutton	E / EPPC (I)
<i>Ardisia escallonioides</i>	marlberry	N
<i>Baccharis glomeruliflora</i>	silverling	N
<i>Bursera simaruba</i>	gumbo limbo	N
<i>Callicarpa americana</i>	American beautyberry	N
<i>Clerodendrum speciosissimum</i>	Javanese glorybower	E
<i>Coccothrinax argentata</i>	Florida silver palm	N / FL threatened
<i>Chrysophyllum oliviforme</i>	satinleaf	N / FL threatened
<i>Dyopsis lutescens</i>	areca palm	E
<i>Eugenia axillaris</i>	white stopper	N
<i>Eugenia uniflora</i>	Surinam cherry	E / EPPC (I)
<i>Ficus aurea</i>	strangler fig	N
<i>Flacourtia indica</i>	governor's plum	E / EPPC (II)
<i>Lantana involucrata</i>	button sage	N
<i>Leucaena leucocephala</i>	white leadtree	E / EPPC (II)
<i>Livistona chinensis</i>	Chinese fan palm	E / EPPC (II)
<i>Mangifera indica</i>	mango	E
<i>Metopium toxiferum</i>	poisonwood	N

<i>Ocotea coriacea</i>	lancewood	N
<i>Pinus elliottii</i> var. <i>densa</i>	South Florida slash pine	N
<i>Psychotria nervosa</i>	wild coffee	N
<i>Ptychosperma elegans</i>	Alexander palm	E / EPPC (II)
<i>Rapanea punctata</i>	myrsine	N
<i>Quercus virginiana</i>	live oak	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 bustic	N
<i>Sideroxylon foetidissimum</i>	false mastic	N
<i>Simarouba glauca</i>	paradise tree	N
<i>Swietenia mahagoni</i>	West Indian mahogany	N / FL threatened
<i>Syagrus romanzoffiana</i>	queen palm	E / EPPC (I)

**EPIPHYTES**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Origin/Status</u>
<i>Phlebodium aureum</i>	golden polypody	N
<i>Pleopeltis polypodioides</i> var. <i>michauxiana</i>	resurrection fern	N
<i>Tillandsia utriculata</i>	giant airplant	N / FL endangered

\*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, MARTA S. WEEKS hereby certify that I have read and understood this management plan, and agree to follow its management recommendations.

Marta S. Weeks  
SIGNATURE

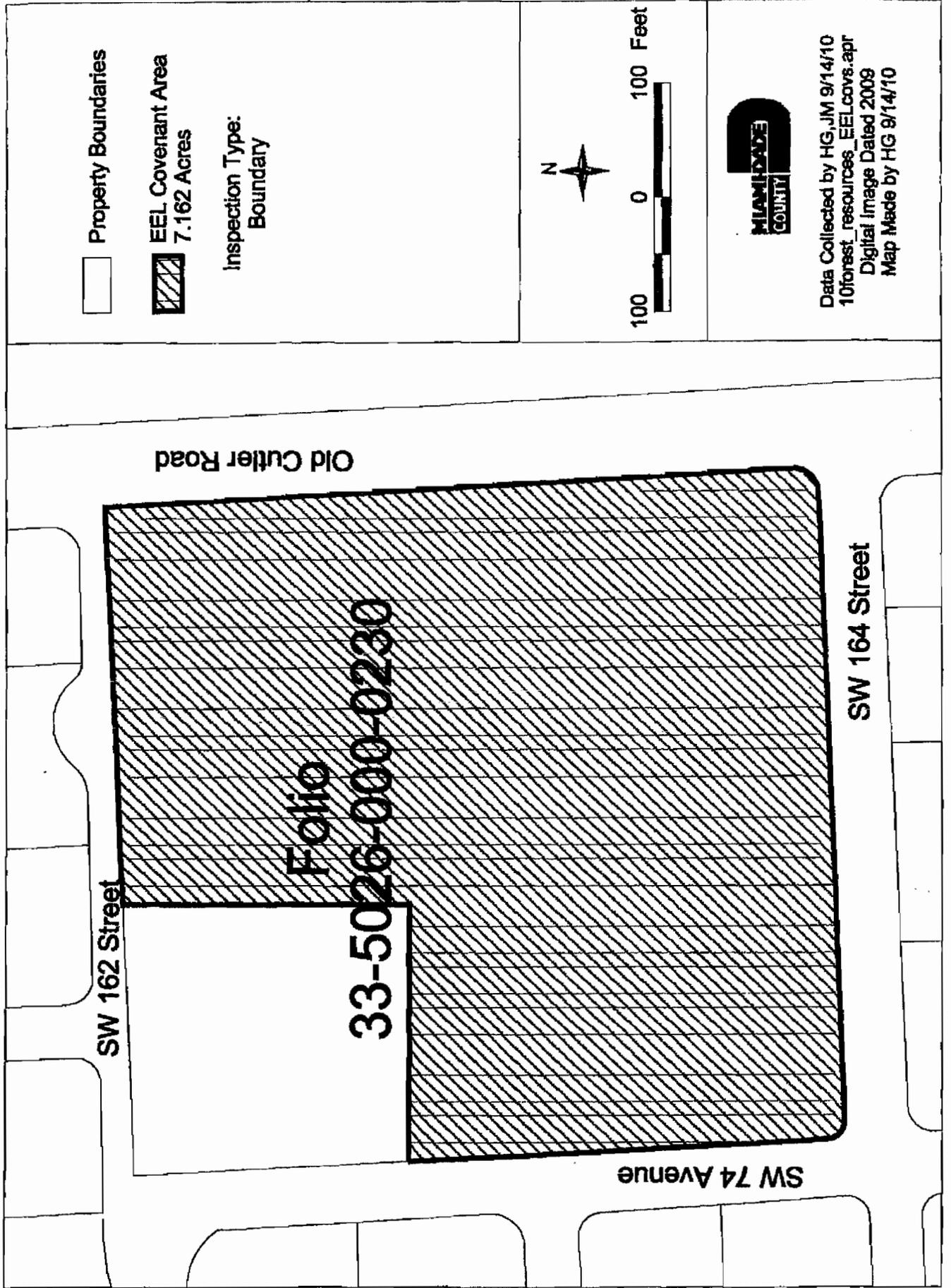
9-27-10  
DATE

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

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

# 33-5026-000-0230 Weeks EEL Covenant



Property Boundaries

EEL Covenant Area  
7.162 Acres

Inspection Type:  
Boundary



100 0 100 Feet



Data Collected by HG, JM 9/14/10  
10forest\_resources\_EELcovs.apr  
Digital Image Dated 2009  
Map Made by HG 9/14/10

SW 162 Street

Old Cutler Road

Folio

33-5026-000-0230

SW 74 Avenue

SW 164 Street

151

*Marta S. Weeks*

7350 S.W. 162nd Street  
Village of Palmetto Bay, FL 33157  
(305) 238-8128

September 27, 2010

Ms. Helena Giannini  
Dept. of Environmental Resources Management  
Natural Resources Planning Section  
701 NW 1<sup>st</sup> Court – 5<sup>th</sup> Floor  
Miami, Florida 33136-3912

Dear Ms. Giannini,

This letter is to confirm that I am the sole owner of the property at 7350 SW 162<sup>nd</sup> St. in Palmetto Bay and that there is no mortgage on the property at present. (Folio No. 33-5026-000-0230)

The previous agreement (as listed under Exhibit A) was for 6.53 AC of land. The new agreement says 7.162 now. I trust in future the taxes will take into account the 7.162 now listed.

It's not clear to me if I am supposed to return both these copies to you. Or may I keep one? If not, I'll try to get a copy before mailing this off. I did leave a message for you earlier today.

Very sincerely,

*Marta S. Weeks*

Marta S. Weeks

Enclosed:

Check # 1192 — \$163.00  
check # 1193 — 460.00

152