

Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. History–New 7-2-87, Amended 7-2-90, 3-1-92, 6-1-94, 10-4-95, Formerly 46-24.001, Amended_____.

68B-24.002 Definitions.

(1) through (12) No change.

~~(13) “Slipper lobster,” also known as Spanish, sand, shovelnose, and bulldozer lobster, means any crustacean of the species Scyllarides nodifer, or any part thereof. Scyllarides nodifer, or any part thereof.~~

~~(13)(14)~~ “Spiny lobster” or “crawfish” means any crustacean of the species *Panulirus argus*, or any part thereof.

~~(14)(15)~~ “Untreated pine” means raw pine wood that has not been treated with any preservative or pine wood that has been pressure treated with no more than 0.40 pounds of chromated copper arsenate (CCA) compounds per cubic foot of wood.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-2-87, Amended 7-2-90, 3-1-92, 6-1-94, 10-4-95, Formerly 46-24.002, Amended 7-7-03, 4-1-04, _____.

68B-24.006 Gear: Traps, Buoys, Identification Requirements, Prohibited Devices.

(1) through (10) No change.

(11) Except as provided in subsection (7) of this rule, no more than two spiny lobster (trap) endorsement numbers (C-numbers) shall be used on a single vessel.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-2-87, Amended 7-2-90, 3-1-92, 7-1-92, 6-1-94, 10-4-95, 9-30-96, 6-1-99, Formerly 46-24.006, Amended 7-1-01, 7-9-02, 7-7-03, 4-1-04, _____.

68B-24.007 Other Prohibitions.

(1) The harvest or possession of eggbearing spiny lobster, or any other species of lobster belonging to the families Palinuridae (spiny lobsters), Scyllaridae (slipper lobsters), or Synaxidae (furry lobsters) is prohibited. Eggbearing spiny lobster, or any other species of lobster in the families listed in this paragraph, found in traps shall be immediately returned to the water free, alive, and unharmed. The practice of stripping or otherwise molesting eggbearing spiny lobster, or any other species of lobster in the families listed in this subsection, in order to remove the eggs is prohibited and the possession of spiny lobster or spiny lobster tails from which eggs, swimmerettes, or pleopods have been removed or stripped is prohibited.

(2) through (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-2-87, Amended 7-2-90, 10-4-95, Formerly 46-24.007, Amended_____.

68B-24.008 Slipper Lobster; Prohibitions Relating to Eggbearing Slipper Lobster.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-2-87, Amended 7-2-90, Formerly 46-24.008, Repealed_____.

68B-24.009 Trap Reduction Schedule.

(1) through (3) No change.

(4) Notwithstanding the provisions of subsections (1)-(3) of this rule, no trap reductions shall take place in the license years beginning with the 2004-2005 license year and continuing through the 2008-2009 ~~2007-2008~~ license year.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 3-1-92, Amended 6-1-94, 6-3-96, 3-5-97, Formerly 46-24.009, Amended 6-29-00, 7-1-01, 4-1-04, _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: RULE TITLE:

5B-3.0038 Quarantine Action

PURPOSE AND EFFECT: The purpose of this chapter is to prevent the introduction and subsequent dissemination of plant pests into Florida through the movement of nursery stock and other plants and plant products. This chapter provides for the regulation of nursery stock and other plants and plant products moving into Florida and establishes provisions under which such nursery stock and other plants and plant products can enter the state.

SUMMARY: Quarantine of the fungal pathogen *Septoria citri*.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 570.07(23), 581.031(4), 581.101 FS.

LAW IMPLEMENTED: 581.031(7), 581.083, 581.101 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Connie Riherd, Assistant Director, Division of Plant Industry, Department of Agriculture and Consumer Services, P. O. Box 147100, Gainesville, FL 32614-7100

THE FULL TEXT OF THE PROPOSED RULE IS:

5B-3.0038 Quarantine Action.

(1) Plant pests not known to occur in the state of Florida. Plants and plant products which do not meet Florida regulations or are found to be infested or infected with, or exposed to a plant pest not known to be established in the state shall be subject to being refused entry, returned to the owner, quarantined, treated, or destroyed as specified by the department, or destroyed or treated by an authorized representative of the department. The destruction, quarantine, treatment, or return of a shipment shall be under the direction of an authorized representative of the department and at the expense of the owner. Payment to the department for such expense shall be required before shipping can resume. Shippers shall be immediately suspended from shipping into Florida when shipments of plants and plant products are found to be infested or infected with a plant pest not known to be established in the state, and the pest is determined to be potentially damaging to Florida agriculture. This suspension shall remain in effect until the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, and the state of origin department of agriculture agree the problem has been resolved and that shipping may resume. An Agreement for Treatment, Destruction, Forfeiture, or Return of Plants and/or Plant Parts, DACS-08029, revised 3/05 ~~8/02~~, will be completed on all shipments requiring regulatory action. An Agreement for Treatment, Destruction, Forfeiture, or Return of Plants and/or Plant Parts form, DACS-08029, revised 3/05 ~~8/02~~, is supplied by the division for this purpose and is incorporated herein by reference. Copies of DACS-08003, revised 2/04 ~~3/05~~, Report of Plant and Plant Material in Transit, and DACS-08029, revised 3/05 ~~3/05~~, Agreement for Treatment, Destruction, Forfeiture, or Return of Plants and/or Plant Parts, may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, Florida 32614-7100. The following are examples of plant pests that would require immediate quarantine action:

(a) Insects.

1. *Aceria litchii* (currently in Hawaii (Litchi mite)).
2. *Anoplophora* spp. (Asian longhorned beetles).
3. *Biprorulus bibax* (spined orange bug).
4. *Bostrichidae* (Bostrichid beetles).
5. *Brevipalpus chilensis* (Chilean false red mite).
6. *Ceratovacuna lanigera* (sugarcane woolly aphid).
7. *Eutetranychus orinetalis* (Oriental red mite).

8. *Exophthalmus* spp. (Caribbean citrus weevils).
 9. *Liriomyza huidobrensis* (pea leaf miner).
 10. *Liriomyza langei* (pea leaf miner).
 - ~~11.10.~~ *Maconellicoccus hirsutus* (pink mealybug).
 - ~~12.11.~~ *Metamasius* spp. (Neotropical palm and bromeliad weevils).
 - ~~13.12.~~ *Musgraveia sulciventris* (bronze orange bug).
 - ~~14.13.~~ *Myllocerus* spp. (Asian weevils).
 15. *Nasonovia ribisnigri* (currant-lettuce aphid).
 - ~~16.14.~~ *Nephotettix* spp. (Green leafhoppers on rice).
 - ~~17.15.~~ *Nilaparvata lugens* (brown plant hopper).
 - ~~18.16.~~ *Oxycarenus hyalinipennis* (dusky cottonseed bug).
 - ~~19.17.~~ *Prymnotrypes* spp. (Andean potato weevils).
 20. *Rhagoletis mendax* (blueberry maggot fly).
 21. *Rhynchophorus ferrugineus* (red palm weevil).
 22. *Rhynchophorus palmarum* (giant palm weevil).
 - ~~23.18.~~ *Russelliana solanicola* (a potato psyllid).
 - ~~24.19.~~ *Siphoninus pilyllyleae* (Ash whitefly).
 - ~~25.20.~~ *Trioza anceps* (avocado psyllid).
 - ~~26.21.~~ *Trioza perseae* (avocado psyllid).
 - ~~27.22.~~ *Trioza erytrae* (African citrus psyllid).
 - ~~28.23.~~ *Tropilaelaps clareae* (Tropilaelaps mite).
- (b) Diseases.
1. Chilli leaf curl virus.
 - ~~2.1.~~ Citrus chlorotic dwarf.
 - ~~3.2.~~ Citrus leprosis virus.
 - ~~4.3.~~ Citrus variegated chlorosis.
 - ~~5.4.~~ Citrus yellow mosaic virus.
 - ~~6.5.~~ Huanglongbing (citrus greening disease).
 7. Phytophthora alni.
 8. Phytophthora europea.
 9. Phytophthora foliorum.
 10. Phytophthora hedriandra.
 11. Phytophthora kernoviae.
 12. Phytophthora nemarosa.
 13. Phytophthora pseudosyringae.
 14. Phytophthora siskyouensis.
 - ~~15.6.~~ *Phytophthora ramorum* (sudden oak death).
 - ~~16.7.~~ *Puccinia horiana* (chrysanthemum white rust).
 - ~~17.8.~~ Septoria citri.
 - ~~18.9.~~ Sugarcane bacilliform badnavirus.
 - ~~19.10.~~ Sugarcane yellowleaf syndrome.
 20. Tomato chlorosis virus.
 21. Tomato infectious chlorosis virus.
 22. Tomato leaf curl New Delhi virus.
 23. Tomato marchitez virus.
 24. Tomato severe leaf curl virus.
 25. Tomato torrado virus.
 26. Tomato yellow leaf curl virus-China, Seychelles, & Indonesia strains.

27. Tomato yellow vein streak.~~28.11.~~ Xanthomonas axonopodis pv. citri (citrus canker).

(c) Mollusks.

1. *Achatina* spp. (giant African snail and others).
2. *Archachatina marginata* (banana rasp snail).
3. *Cryptomphalus* spp. (brown garden snail and others).
4. *Megalobulimus oblongus* (giant South American snail).
5. *Theba pisana* (white garden snail).

(d) Nematodes.

1. *Anguina tritici* (wheat gall nematode).
2. *Bursaphelenchus cocophilus* (red ring nematode).
3. *Ditylenchus destructor* (potato rot nematode).
4. *Ditylenchus dispaci* (bud and stem nematode).
5. *Globodera rostochiensis* and *G. Pallida* (potato cyst nematode).
6. *Hemicycliophora arenaria* (citrus sheath nematode).
7. *Heterodera carotae* (carrot cyst nematode).
8. *Heterodera cruciferae* (cabbage cyst nematode).
9. *Heterodera goettingiana* (pea cyst nematode).
10. *Heterodera zea* (corn cyst nematode).
11. *Hoplolaimus columbus* (Columbia lance nematode).
12. *Longidorus africanus* (a needle nematode).
13. *Longidorus belondriodes* (a needle nematode).
14. *Meloidogyne chitwoodi* (Columbia root-knot nematode).
15. *Meloidogyne citri* (a citrus root-knot nematode).
16. *Meloidogyne fujianensis* (citrus root-knot nematode).
17. *Meloidogyne naasi* (cereal root-knot nematode).
18. *Nacobbus aberrans* (false root-knot nematode).
19. *Pratylenchus convallariae* (a lesion nematode).
20. *Pratylenchus crenatus* (a lesion nematode).
21. *Pratylenchus goodeyi* (a lesion nematode).
22. *Xiphinema brevicolle* (a dagger nematode).
23. *Xiphinema bricolensis* (a dagger nematode).
24. *Xiphinema californicum* (a dagger nematode).
25. *Xiphinema diversicaudatum* (a dagger nematode).
26. *Xiphinema index* (California dagger nematode).
27. *Xiphinema insigne* (a dagger nematode).
28. *Xiphinema vuittenezi* (a dagger nematode).
29. *Zygotylenchus* spp. (a lesion nematode).

(2) Plant pests of limited distribution in the state of Florida. Plants and plant products found infested or infected with or exposed to a plant pest of limited distribution in the state shall be subject to immediate quarantine action and will not be eligible for certification until treated as prescribed by the department and released from quarantine. An agreement for Chemical Treatment, DACS-08081, revised 10/04 ~~6/03~~, may be required for plants and plant products requiring treatment. Agreement for Chemical Treatment form, DACS-08081, revised 10/04 ~~6/03~~, is supplied by the division for this purpose and is incorporated herein by reference. Copies of

DACS-08081, revised 10/04, Agreement for Chemical Treatment, may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, Florida 32614-7100. The following are examples of plant pests that would require immediate quarantine action:

(a) Insects.

1. *Aulacaspis yasumatsui* (Asian cycad scale).~~2.1.~~ *Diaphorina citri* (Asian citrus psyllid).~~3.2.~~ *Diaprepes abbreviatus* (diaprepes root weevil).~~4.3.~~ *Macronellicoccus hirsutus* (pink mealybug).~~5.4.~~ *Metamasius callizona* (bromeliad weevil).~~6.5.~~ *Metamasius hemipterus* (palm and sugarcane weevil).~~7.6.~~ *Morganella longispina* (scale insect) (plumose scale).~~8.7.~~ *Myllocerus undatus* (weevil).9. *Oligonychus persae* (avocado mite).~~10.8.~~ *Opuntiaspis* spp. (scale insect).~~11.9.~~ *Paratachardina lobata* (lobate lac scale).~~12.10.~~ *Parlatoria ziziphi* (black parlatoria scale).~~13.11.~~ *Philephedra* sp. (scale insect).~~14.12.~~ *Phoenicococcus marlatti* (red date scale).15. *Raoiella indica* (red palm mite).16. *Singhiella simplex* (ficus whitefly).~~17.13.~~ *Vinsonia stellifera* (stellate scale).18. *Xyleborus glabratus* (red bay ambrosia beetle).

(b) Diseases.

1. *Agrobacterium tumefaciens* (crown gall).2. *Cucumber green mottle mosaic virus.*3. *Cucurbit leaf crumple begemovirus.*4. *Cucurbit yellow stunting disorder crinivirus.*~~5.2.~~ Lethal yellowing of palms.6. *Pepino mosaic virus.*~~7.3.~~ *Phomopsis gardeniae* (gardenia canker).8. *Phytophthora tropicalis.*~~9.4.~~ *Puccinia pelargonii* – *zonalis* (geranium rust).~~10.5.~~ *Sphaceloma poinsettiae* (poinsettia scab).11. *Texas phoenix palm decline phytoplasma.*~~12.6.~~ Tomato yellow leaf curl virus.

(c) Mollusks (snails).

1. *Otala lactea* (milk snail).2. *Zachrysis provisoria* (Cuban land snail).

(d) Nematodes.

1. *Meloidogyne mayaguensis*.

(3) Common Plant Pests. All nursery stock and other plants and plant products found infested or infected with a common plant pest shall be subject to immediate quarantine action when the population of the plant pest is adversely affecting the plant or plant product. The plant or plant product will not be eligible for certification until treated as prescribed by the department and released from quarantine. An

Agreement for Chemical Treatment, DACS-08081, revised 10/04 ~~6/03~~, may be required for plants and plant products requiring treatment.

Specific Authority 570.07(23), 581.031(4), 581.101 FS. Law Implemented 581.031(7), 581.083, 581.101 FS. History--New 4-1-97, Amended 6-12-00, 10-8-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Gaskalla, Director, Division of Plant Industry, Department of Agriculture and Consumer Services, P. O. Box 147100, Gainesville, FL 32614-7100

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Craig Meyer, Deputy Commissioner, Florida Department of Agriculture and Consumer Services, The Capitol, 400 South Monroe Street, Tallahassee, Florida 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 28, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Tourism, Trade and Economic Development

RULE NOS.:	RULE TITLES:
27M-3.001	Definition and Forms
27M-3.002	Competitive Application Process
27M-3.003	Certification Decision and Allocation Policy

PURPOSE AND EFFECT: This rule implements the Black Business Loan Program established in the Office of Tourism, Trade, and Economic Development by Section 288.7102, F.S.

SUMMARY: This rule establishes (1) an open and competitive application and annual certification process for eligible recipients who seek funds to provide loans, loan guarantees, or investments in black business enterprises and (2) the process governing the management and requirements of the contracts under which the funds appropriated are disbursed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 288.7102(6)(a) FS.

LAW IMPLEMENTED: 288.7094(2), 288.7102 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michelle Ramsey, The Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399-0001, (850)487-2568

THE FULL TEXT OF THE PROPOSED RULE SIS:

27M-3.001 Definitions and Forms.

As used in this Rule Chapter 27M-3, F.A.C., the following capitalized terms have the meanings indicated. All referenced forms are available on the internet at http://www.flgov.com/ottd_home or may be obtained from the Office.

(1) "Act" means the Florida Black Business Investment Act, Sections 288.7065 to 288.714, F.S.

(2) "Agreement" means the standard "Black Business Loan Program Recipient Agreement" form OTTED 7102-5 (4/08), which is hereby incorporated by reference.

(3) "Applicant" means a corporation that seeks certification under Section 288.7102, F.S., as a Recipient of funds to provide loans, loan guarantees, or investments in black business enterprises pursuant to the Act.

(4) "Application" means the standard "Application for Certification as Eligible Recipient of Funds under the Black Business Loan Program" form OTTED 7102-1 (4/08), which is hereby incorporated by reference.

(5) "Application Evaluation Form" means the standard "Black Business Loan Program Application Evaluation" form OTTED 7102-2 (4/08), which is hereby incorporated by reference.

(6) "Application Period" means the annual period during which Applicants may submit Applications, which shall be July 1 through July 31 (or the next business day) of each year in which there is a legislative appropriation to fund the Program.

(7) "Board" means the Florida Black Business Investment Board, Inc., created by Section 288.707, F.S., whose address is 2019 Centre Pointe Boulevard, Suite 101, Tallahassee, Florida 32308.

(8) "Certification and Allocation Decision Form" means the standard "Black Business Loan Program Certification and Allocation Decision" form OTTED 7102-4 (4/08), which is hereby incorporated by reference.

(9) "Eligible" means that an Applicant has demonstrated satisfaction of each of the requirements specified in Section 288.7102(3), F.S.

(10) "Office" means the Office of Tourism, Trade and Economic Development, whose address is Suite 1902, The Capitol, 402 S. Monroe Street, Tallahassee, Florida 32399.

(11) "Program" means the Black Business Loan Program established by Section 288.7102, F.S.

(12) "Recipient" means an Applicant that, after a competitive certification process, the Office certifies to receive Program funds and that enters into an Agreement with the Office.

(13) "Summary Ranking and Recommendation Form" means standard "Black Business Loan Program Summary Ranking" form OTTED 7102-3 (4/08), which is hereby incorporated by reference.

Specific Authority 288.7102(6)(a) FS. Law Implemented 288.7094(2), 288.7102 FS. History–New _____.

27M-3.002 Competitive Application Process.

(1) An Applicant shall submit the original and three copies of its completed Application to the Board during the Application Period.

(2) The Board shall date and time stamp all Applications upon receipt, and thereafter take reasonable steps to preserve the integrity of the Application and any revisions.

(3) Upon the close of the Application Period, the Board shall have ten (10) business days to review each Application for completeness and to notify any Applicant in writing if the Board determines that its Application is incomplete. The Board's notice shall specify the reasons for its determination, and the Applicant shall have ten (10) business days after receipt of such notice to submit a revised Application to the Board. If the Applicant fails to submit a revised Application within the required time, the Board shall notify the Applicant in writing that it is removed from further consideration and send a copy of the notice to the Office.

(4) The Board shall evaluate each complete Application and document its evaluation using the Application Evaluation Form. To conduct the evaluation, the Board shall assign a person or persons who individually or collectively have experience in the following areas: financing small or minority business; economic development; community development; and business management. No officer, director, employee, or agent of any Applicant shall participate in the evaluation process.

(5) Within thirty (30) days after the close of the Application Period, the Board shall deliver to the Office the completed Summary Ranking and Recommendation Form along with (a) the original and one copy of each Application and its related Application Evaluation Form and (b) the names and organizational affiliations of all persons who participated in the evaluation process.

Specific Authority 288.7102(6)(a) FS. Law Implemented 288.7094(2), 288.7102 FS. History–New _____.

27M-3.003 Certification Decision and Allocation Policy.

(1) Within ten (10) business days after receiving the Summary Ranking and Recommendation Form and supporting materials, the Office shall decide which Applicants to certify as Recipients and how to allocate Program funds. The Office shall consider the following factors: the Board's competitive rankings and recommendations, which shall not be binding; the amount of funds requested in each Application; the amount of documented match raised; an Applicant's past performance; and the equitable disbursement of services provided under the Act in accordance with the allocation policy outlined in subsection 27M-3.003(2), F.A.C. The Office shall document application of this allocation policy on the Certification and Allocation Decision Form, along with its application of the competitive factors the Office considers.

(2) To ensure that services provided under the Act are disbursed equitably throughout the state, in deciding how to allocate Program funds the Office shall consider the number of Eligible Applicants and the distribution of Florida's black population among Applicants' proposed service areas, as reported at www.fedstats.gov.

(3) The Office shall transmit its completed Certification Decision Form to the Board, and explain any differences with the Board's recommendations. The Office shall also issue a letter to each Applicant certified as a Recipient of program funds. Receipt of Program funds shall be conditioned upon their appropriation and availability, and upon the Recipient's execution of the Agreement. The Office shall notify in writing each Applicant whose Application is denied. The Office's certification and allocation decisions shall be subject to review under Chapter 120 of the Florida Statutes.

Specific Authority 288.7102(6)(a) FS. Law Implemented 288.7094(2), 288.7102 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Ramsey, The Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399-0001, (850)487-2568

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dale A. Brill, Ph.D., Director, The Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399-0001, (850)487-2568

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 20, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.101 Care of Inmates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide consistency regarding inmate uniforms.

SUMMARY: The proposed rule identifies what constitutes class A, B, and C uniforms for inmates; when inmates shall wear class A uniforms; when inmates are permitted to wear class B and C uniforms; which items may be worn when weather dictates. The proposed amendment will allow for the transfer of jackets with an inmate when weather dictates and requires that all inmates, male and female, maintain a clean shaven appearance. The rule is also amended for clarity.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 944.09, 945.215 FS.

LAW IMPLEMENTED: 944.09, 945.215 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jamie Leigh Jordan, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.001 Care of Inmates.

(1) No change.

(2) Inmates shall at all times wear the regulation clothing and identification card in accordance with Department rules, procedures, and institution policy.

(a) Class Uniforms will be as follows:

1. The male Class A uniform shall require the following:

a. The ID card shall be worn as required in paragraph (2)(j).

b. State issued outer shirt.

c. State issued pants.

d. T-shirt under outer shirt (permissible but not required to be worn underneath buttoned state issued outer shirt).

e. Under shorts.

f. State issued web belt (except for state issued pants with elastic waistband not requiring a belt).

g. Socks, and

h. Footwear (including state issued canvas shoes, work boots, or approved medically necessary footwear).

2. The female Class A uniform shall require the following:

a. Either,

i. State issued outer shirt, T-shirt under outer shirt (permissible but not required to be worn underneath buttoned state issued outer shirt), state issued pants, and state issued web belt (except for state issued pants with elastic waistband not requiring a belt);

ii. State issued dress, fully buttoned, with slip (dress shall not be worn in visitation or for work squad assignments including food service), T-shirt under dress (permissible but not required to be worn underneath buttoned state issued dress); or

iii. Pregnant inmates may wear maternity dresses.

b. Bra or athletic bra.

c. Panties.

d. Socks.

e. Footwear (including state issued canvas shoes, work boots, or approved medically necessary footwear).

3. The Class B uniform shall be the same as the Class "A" uniform with the following modifications:

a. State issued outer shirt is not required.

b. Footwear (includes authorized athletic shoes, state issued canvas shoes, work boots, or approved medically necessary footwear).

4. The Class C uniform shall require the following:

a. T-shirt.

b. Pants or authorized athletic shorts.

c. Under shorts (for male inmates) or panties and bra or athletic bra (for female inmates).

d. Socks.

e. Foot wear (including authorized athletic shoes, state issued canvas shoes, work boots, or approved medically necessary footwear).

5. The following items are authorized to be worn with the Class A, B, or C uniforms when weather conditions dictate:

a. Sweatshirt under the state issued outer shirt.

b. Jacket, raincoat, or poncho.

c. Thermal underwear (except under authorized athletic shorts), or

d. Either a state issued hat or hat available from the canteen may be worn when outdoors.

(b) General Clothing Regulations: The following general clothing regulations will not supersede the clothing or uniform requirements or allowances for inmates in Close Management, Disciplinary Confinement, Administrative Confinement, Work Release or Community Release inmates contained in other rules. Work release inmates shall wear civilian clothing as required by Rule 33-601.602, F.A.C.

1. The Class A uniform for males and females shall be worn as follows:

a. Monday through Friday during the hours of 8:00 A.M. and 5:00 P.M. while the inmate is on duty.

b. While on work detail, except as work supervisors authorize as needed for a particular work detail in subparagraph (2)(b)10.

c. When at the library.

d. When at medical.

e. When at food service.

f. All call-outs.

g. For special programs.

h. For visitation, and

i. At any other time when a class B or C uniform or other clothing is not specifically allowed by this or other rule.

2. The class B uniform for males and females may be worn as follows:

a. Off-duty hours.

b. While in the dormitory off-duty.

c. While participating in authorized recreational activities.

d. While on the recreational field.

e. To and from the recreational field.

3. The class C uniform for males and females may be worn as follows:

a. While in the dormitory off-duty.

b. While participating in authorized recreational activities.

c. While on the recreation yard and movement to and from the recreation yard, and

d. Inmates shall be allowed to wear athletic shorts to the inmate canteen only in those cases where inmates are allowed to go to the inmate canteen directly from the recreation yard.

4. All items of clothing shall be worn as issued and designed to be worn and shall not be altered or defaced in any manner, except for a small (less than 1/2") DC number patch for identification.

5. Shirts shall be buttoned at all times, except for the collar, which is optional. Shirts shall be tucked into the inmate's pants at all times. Pregnant inmates are not required to tuck in their shirts where doing so would be impracticable or impossible. Dresses must be fully buttoned.

6. Inmates shall wear either shorts, pants, (or females may wear a dress or pajamas with a robe fully buttoned) any time inmates are not in their beds. Pants shall be completely buttoned before exiting the dormitory. The waist of pants and shorts shall be worn above the buttocks, around the natural waist.

7. Male inmates shall wear, at minimum, underwear while sleeping. Female inmates shall wear, at minimum, either pajamas or shorts and a t-shirt while sleeping.

8. Inmates shall wear shoes when they are outside their cells unless they are going to or from the showers. Shower slides shall not be worn outside an inmate's dormitory except as medically approved.

9. No hats shall be worn inside, except as stated for religious reasons and shall be removed from the head when passing through any gate area. Skull caps of any kind are prohibited.

10. The departmental supervisor is authorized to specify that certain type clothing be issued as conditions dictate. For safety purposes, work supervisors are authorized to allow modifications to the inmate Class A uniform to perform a specific task; when the task is completed, inmates must return to proper Class A uniforms.

(a) through (b) renumbered (c) through (d) No change.

~~(e)~~(e) A transferring inmate may, when transferred, take one issue of state clothing, to include a jacket when weather conditions indicate the need, and all personal clothing. Transfers to contract work release facilities, contract drug facilities, and female community correctional centers via public transportation shall be made with personal clothing. An inmate's personal clothing, for purposes of transfer or upon release, may be supplied by the inmate, the inmate's family, or from available surplus clothing.

~~(f)~~(d) No change.

~~(g)~~(e) Civilian clothing, when available from family members or from surplus clothes closets, may be used by the inmate for court appearances, furloughs, funerals, and other circumstances, including release, as authorized by the warden. Civilian clothing is required for inmates at work release centers and shall be worn as designated by Rule 33-601.602, F.A.C.

(f) though (g) renumbered (h) through (i) No change.

~~(j)~~(h) The ID card shall be displayed on the tab designed for identification card display located on the right side of the shirt (male) or on the collar of the blouse (female). In those circumstances in which an inmate is not wearing an upper garment, the inmate is responsible for securing the ID card on his or her person. Once the special circumstance is over, the ID card shall again be displayed on his or her ~~the shirt or blouse~~.

~~(k)~~(i) Once an ID card has been issued to an inmate, the inmate shall be held responsible for the proper handling of the ID card.

~~(j) Inmates shall not wear athletic shorts authorized for possession and purchase through the institutional canteen outside their assigned housing units except as authorized below:~~

~~1. Inmates shall be allowed to wear athletic shorts on the recreation yard and for movement to and from the recreation yard;~~

~~2. Inmates shall be allowed to wear athletic shorts to the inmate canteen only in those cases where inmates are allowed to go to the inmate canteen directly from the recreation yard.~~

(3) No change.

(4) For security and identification purposes, no inmate shall be permitted to have his or her hair, to include eyebrows and facial hair, dyed, cut, shaved or styled according to fads or extremes that would call attention to the inmate or separate

inmates into groups based upon style. This would include, for example, tails, woven braids, cutting, sculpting, clipping or etching numbers, letters, words, symbols or other designs into the hair. Male inmates shall have their hair cut short to medium uniform length at all times with no part of the ear or collar covered. Male inmates shall be permitted to shave their entire heads in a uniform manner unless the inmate is using his hairstyle or lack thereof to demonstrate gang affiliation or otherwise pose a threat to institutional security. Partial shaving of the head in a Mohawk or other distinctive style shall not be permitted. Sideburns shall not extend beyond the bottom of the earlobes and will have straight lines with no flare at the base. All ~~male~~ inmates shall be clean shaven, provided, however, that an exemption from this requirement shall be granted on the basis of a medical diagnosis when it is determined by the staff physician that shaving would be detrimental to the inmate's health. Inmates granted a medical exemption from the shaving requirement may be required to keep their facial hair closely trimmed with scissors or clippers. For the purposes of this rule, "closely trimmed" means trimmed so that no part of the facial hair exceeds the length prescribed by the physician as necessary to prevent the appearance or reappearance of skin disorders. If no specific length is prescribed, then facial hair shall be kept trimmed to within one-quarter inch. An inmate who has been granted a shaving exemption shall maintain the written exemption on his person at all times when outside the assigned housing unit.

(5) No change.

(6) through (11) No change.

Specific Authority 944.09, 945.215 FS. Law Implemented 944.09, 945.215 FS. History—New 10-8-76, Amended 4-19-79, 4-24-80, 10-14-84, 1-9-85, Formerly 33-3.02, Amended 11-3-87, 10-6-88, 7-23-89, 8-27-91, 3-30-94, 11-13-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, 1-19-03, 9-23-03, 3-5-06, 10-23-06, 1-18-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Upchurch, Chief, Security Operations

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 1, 2008

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.:	RULE TITLE:
40C-4.091	Publications Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to delete the requirement that mitigation banks include property tax costs as part of the

financial responsibility mechanism covering mitigation bank costs, due to the amendment of Section 704.04(6), F.S., in the 2007 legislative session.

SUMMARY: The proposed rule amendment would delete the requirement in Section 12.4.8(j) of the Applicant's Handbook: Management and Storage of Surface Waters, that the financial responsibility cost estimate for mitigation banks include property taxes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.4136, 373.414 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.4136, 373.414, 373.416, 373.429 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 8, 2008, Following the regularly scheduled Regulatory/Governing Board Meeting, which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177-2529

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sandra Bertram, Assistant District Clerk, (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, email address nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I "Policy and Procedures," Part II "Criteria for Evaluation," subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K "Legal Description Upper St. Johns River Hydrologic Basin," "Legal Description Ocklawaha River Hydrologic Basin," "Legal Description of the Wekiva River Hydrologic Basin," "Legal Description of the Wekiva

Recharge Protection Basin,” “Legal Description of the Wekiva Recharge Protection Basin,”: “Legal Description of the Econlockhatchee River Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Alachua County,” “Legal Description Tomoka River Hydrologic Basin,” “Legal Description Spruce Creek Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Marion County,” and “Legal Description of the Lake Apopka Hydrologic Basin,” and Appendix M “Regional Watersheds for Mitigation Banking,” of the document entitled “Applicant’s Handbook: Management and Storage of Surface Waters,” effective (*effective date*) July 1, 2007.

(b) through (d) No change.

(2) No change.

Specific Authority 369.318, 373.044, 373.046(4), 373.113, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421, 373.461 FS. Law Implemented 120.60, 369.316, 369.318, 373.016(2), 373.042, 373.0421, 373.046, 373.085, 373.086, 373.103, 373.109, 373.146(1), 373.406, 373.413, 373.4135, 373.4136, 373.414, 373.4141, 373.415, 373.416, 373.417, 373.418, 373.421(2)-(6), 373.423, 373.426, 373.461(3), 380.06(9), 403.813(2) FS. History—New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00, 7-8-01, 10-11-01, 4-10-02, 9-26-02, 3-7-03, 11-11-03, 2-1-05, 12-3-06, 7-1-07,_____.

APPLICANT’S HANDBOOK SECTION

12.4.7 Land Use Restrictions on Mitigation Banks

(a) through (e) No change.

(f) The District shall require additional documentation or actions from the grantor of the conservation easement or fee interest if such additional documentation or actions are necessary to adequately protect the District’s interest in, or the integrity of, the mitigation bank.

(g) through (j) No change.

12.4.8 Financial Responsibility.

(a) through (i) No change.

(j) Cost estimates.

1. For the purposes of determining the amount of financial responsibility that is required in this section, the banker shall submit a detailed written estimate, in current dollars, of the total cost of construction and implementation, and of the cost of perpetual management of the mitigation bank. The written cost estimate shall be certified by a licensed professional whose license authority in the State of Florida includes the ability to provide such certified written estimates.

2. The cost estimate for construction and implementation shall include all costs associated with completing construction and implementation of the mitigation bank, or phase thereof, including, as applicable, earthmoving, planting,

exotic/nuisance vegetation removal, land surveying, structure installation, consultant fees, and ~~taxes~~, monitoring activities and reports.

3. The cost estimate for the perpetual management of the mitigation bank shall be based on the costs of maintaining, operating, and replacing any structures, controlling nuisance or exotic species, fire management, consultant fees, monitoring activities and reports, ~~taxes~~ and any other costs associated with perpetual management. The amount of financial responsibility shall equal the cost of perpetual management for the bank, or, for banks constructed in phases for all phases for which credits have been released.

4. through 5. No change.

(k) through (l) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE: Thomas I. Mayton, Sr. Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108, suncom 860-4108

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-400.443	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation

40C-400.447	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements
-------------	---

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to: (1) clarify the scope of the noticed general permit authorized by Rule 40C-400.443, F.A.C., (for minor bridge activities by the Florida Department of Transportation (FDOT), counties, and municipalities), and (2) clarify the 0.25 acre wetlands and other surface waters impact area limitation in the noticed general permit authorized by Rule 40C-400.447, F.A.C., (for minor activities by FDOT, counties, and municipalities within existing rights-of-way or easements).

SUMMARY: This proposed rule amendment would clarify that: (1) the scope of the noticed general permit authorized by Rule 40C-400.443, F.A.C., includes bridge maintenance activities and that the authorized replacement or modification of a bridge includes changes in bridge configuration or fill due to changes in materials, construction techniques, or to meet current construction codes or safety standards, and (2) the 0.25 wetlands and other surface waters impact area limitation in the noticed general permit authorized by Rule 40C-400.447, F.A.C., applies to each culverted crossing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.414, 373.418 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 8, 2008, Following the regularly scheduled Regulatory/Governing Board Meeting, which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177-2529

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sandra Bertram, Assistant District Clerk, (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, email address nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULES IS:

40C-400.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation.

(1) A general permit is hereby granted to the Florida Department of Transportation, counties and municipalities to conduct the activities described below:

(a) The replacement, ~~or~~ modification, or maintenance of bridges and approaches where the combined total of dredging and filling, both temporary and permanent, in wetlands and other surface waters does not exceed 0.5 acres.

(b) No change.

(2) This general permit shall be subject to the following specific conditions:

(a) through (k) No change.

(l) This general permit authorizes dredging and filling for the replacement or modification of a bridge and approaches for a specific crossing of a wetland or other surface water. Replacement of a bridge or modification of a bridge that includes changes in the configuration of the bridge or fill areas due to changes in materials, construction techniques, or meeting current construction codes or safety standards are authorized under this permit. Any connecting road expansion or alteration associated with such replacement or modification must be authorized by a separate general or individual permit under Chapter 40C-4, 40C-40, 40C-42 or 40C-400, F.A.C., as applicable, before the start of construction; and

(m) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 10-3-95, Amended _____.

40C-400.447 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements.

(1) A general permit is hereby granted to the Florida Department of Transportation, counties and municipalities to conduct the activities described below:

(a) The extension of existing culverts and crossing approaches to accommodate widening of the roadway where excavation or deposition of material shall not exceed 1000 cubic yards in wetlands and other surface waters and the area from which material is excavated or to which material is deposited shall not exceed a total of 0.25 acres at any one culverted crossing location ~~(project site)~~. The 1000 cubic yardage limitation shall be separately applied to excavation and deposition of material.

(b) through (g) No change.

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.118, 373.414, 373.418 FS. Law Implemented 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 FS. History—New 10-3-95, Amended 1-11-99, 10-11-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Thomas Mayton, Sr. Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108, suncom 860-4108

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River water Management District
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.659
 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: The proposed revision will adopt a new Section K of the Joint Application For: Environmental Resource Permit/Authorization to use State Owned Submerged Lands/Federal Dredge and Fill Permit, Form 547.27/ERP (9/07). The purpose of the new section is to require an applicant to specify the location within the draft homeowners' or property owners' association documents of certain information required by District rules. The effect will be to streamline and expedite the District's review of the relevant documents during the application process.

SUMMARY: Section 2.6.2 of the Basis of Review (BOR) for Environmental Resource Permitting Information Manual details the requirements for homeowners' association, property owners' association or master association documents when such an entity will become the surface water system operation and maintenance entity. The association documents consist of Articles of Incorporation and Declaration of Covenants. Often these documents are voluminous. The new Section K requires applicants to identify the location within the association documents of language that ensures compliance with the requirements of Section 2.6.2 of the BOR.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (25) No change.

SURFACE WATER

(1) JOINT APPLICATION FOR: ENVIRONMENTAL RESOURCE PERMIT/AUTHORIZATION TO USE STATE OWNED SUBMERGED LANDS/FEDERAL DREDGE AND FILL PERMIT FORM 547.27/ERP (____9/07).

(2) through (14) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History--New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 2-26-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen E. West, Deputy General Counsel, Office of Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 8, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-4.091
 RULE TITLE: Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The proposed revision provides a reference to an additional section of the Environmental Resource Permit (ERP) application form in the relevant sections of the ERP Basis of Review. The effect will be to require that applicants proposing a homeowners' or property owners' association as the operation and maintenance entity for a surface water management system are required to submit the new form.

SUMMARY: Section 2.6.2 of the Basis of Review (BOR) for Environmental Resource Permitting Information Manual details the requirements for homeowners' association, property owners' association or master association documents when such an entity will become the surface water system operation and maintenance entity. The proposed amendments provide a reference to Section K of the Joint Application For: Environmental Resource Permit/Authorization to use State Owned Submerged Lands/Federal Dredge and Fill Permit which is concurrently being adopted in Rule 40D-1.659, F.A.C. The new form provides the means by which applicants will be required to identify the location in association documents of language that ensures compliance with the requirements of Section 2.6.2 of the BOR. The BOR is adopted by reference in Rule 40D-4.091, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-4.091 Publications and Agreements Incorporated by Reference.

The following documents are hereby incorporated into this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) Environmental Resource Permitting Information Manual Part B, Basis of Review, Environmental Resource Permit Applications within the Southwest Florida Water Management District, ~~September 25, 2007~~. This document is available from the District upon request.

(2) through (4) No change.

Specific Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 373.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 FS. History—New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-23-03, 8-3-03, 3-11-04, 6-7-04, 2-1-05, 6-30-05, 10-19-05, 2-8-06, 5-2-06, 7-1-07, 9-25-07, 11-26-07, _____.

ERP Information Manual
Part B, Basis of Review
Chapter Two – Administrative Criteria

2.0-2.4 No change.

2.6 Legal Operation and Maintenance Entity Requirements

2.6.1 No change.

2.6.2 Operation and Maintenance Entity Documentation Requirements

2.6.2.1 No change.

2.6.2.2 Requirements for Associations

2.6.2.2.1 If a homeowners' association, property owners' association or master association is proposed, the applicant shall submit, with the permit application, Section K, Supplemental Information for Homeowner or Property Owner Associations Documents, draft copies of the articles of incorporation for the association, the declaration of protective covenants or deed restrictions, and a reference map or plat if referred to in the documents. Copies of these documents in their final form shall be submitted either: (1) within 180 days after beginning construction or with the Statement of Completion and as-built construction plans if construction is completed prior to 180 days, or (2) prior to lot or parcel sales, whichever occurs first. Where there will be a delayed transfer to the association, a copy of the association's articles of incorporation in final form shall be submitted to the District prior to transfer of operation and maintenance responsibility to the association. "Final form" as applied to the articles of incorporation for the association means the document as filed with the Florida Department of State, Division of Corporations, including the certificate of incorporation. "Final form" as applied to the declaration of protective covenants or deed restrictions means the document as recorded in the official records for the county where the project is located, including the clerk of court's official record book and page numbers. The final documents shall be the same as the draft documents approved by the District during the permit application review process with respect to the provisions required pursuant to sections 2.6.2.2.4, 2.6.2.2.5, and 2.6.2.2.6. The District's approval of any proposed changes to the final documents regarding these provisions must be obtained in writing prior to their inclusion in the final documents.

2.6.2.2.2 If a condominium association is proposed, the applicant shall submit, with the permit application, Section K, Supplemental Information for Homeowner or Property Owner Associations

Documents, draft copies of the articles of incorporation for the association and the declaration of condominium. The applicant shall also submit a copy of the acceptance letter from the Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, stating that the documents are proper for filing. Copies of these documents in their final form shall be submitted either: (1) within 180 days after beginning construction or with the Statement of Completion and as-built construction plans if construction is completed prior to 180 days, or (2) prior to unit sales, whichever occurs first. Where there will be a delayed transfer to the association, a copy of the association’s articles of incorporation in final form shall be submitted prior to transfer of operation and maintenance responsibility to the association. “Final form” as applied to the articles of incorporation for the association means the document as filed with the Florida Department of State, Division of Corporations, including the certificate of incorporation. “Final form” as applied to the declaration of condominium means the document as recorded in the official records for the county where the project is located, including the clerk of court’s official record book and page numbers. The final documents shall be the same as the draft documents approved by the District during the permit application review process with respect to the provisions required pursuant to sections 2.6.2.2.4, 2.6.2.2.5, and 2.6.2.2.6. The District’s approval of any proposed changes to the final documents regarding these provisions must be obtained in writing prior to their inclusion in the final documents.

2.6.2.2.3 – 2.6.2.2.7 No change.

2.6.2.3 Requirements for Small Subdivisions with the Lot Owners as the Operation and Maintenance Entity – The declaration of protective covenants or deed restrictions for residential subdivisions consisting of 10 lots or less and for which the lot owners are proposed as the operation and maintenance entity shall contain the provisions in subsections 2.6.2.2.5 “a,” “c,” “h,” and “i,” and the following additional provisions:

- a. The surface water management system facilities are located on land that is designated common property on the plat or are located on land that is subject to an easement in favor of all of the lot owners within the subdivision.

- b. The permittee shall be responsible for operation and maintenance of the surface water management system facilities until the first successful reinspection conducted pursuant to the Environmental Resource Permit. The transfer of responsibility to the lot owners will not be effective until the District approves the transfer in writing.

- c. The lot owners shall be jointly and severally responsible for operation and maintenance of the surface water management system facilities after the first successful reinspection.

- d. Operation and maintenance, and reinspection reporting shall be performed in accordance with the terms and conditions of the Environmental Resource Permit.

- e. The District has the right to take enforcement measures, including a civil action for injunction and/or penalties, against any lot owner(s) to compel such lot owner(s) to correct any outstanding maintenance problems with the surface water management system facilities.

The applicant shall submit, with the permit application, Section K, Supplemental Information for Homeowner or Property Owner Association Documents, a draft copy of the declaration of protective covenants or deed restrictions, and a reference map or plat if referred to in the document. A copy of the declaration of protective covenants or deed restrictions in its final form shall be submitted, either: (1) within 180 days after beginning construction or with the Statement of Completion and as-built construction plans if construction is completed prior to 180 days or (2) prior to lot sales, whichever occurs first. “Final form” as applied to the declaration of protective covenants or deed restrictions means the document as recorded in the official records for the county where the project is located, including the clerk of court’s official record book and page numbers. The final documents shall be the same as the draft documents approved by the District during the permit application review process with respect to the provisions required pursuant to this section. The District’s approval of any proposed changes to the final documents regarding these provisions must be obtained in writing prior to their inclusion in the final documents.

2.6.3 No change.

2.7-2.8 No change.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.624
 RULE TITLE: Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: To amend Chapter 40D-8, Florida Administrative Code, to establish minimum levels for the next set of priority lakes pursuant to Section 373.042, Florida Statutes and to establish guidance levels for those lakes.

SUMMARY: The proposed amendments establish minimum lake levels and guidance levels for Lake Iola, Jessamine Lake, Pasco Lake, Pierce Lake and Unnamed Lake Number 22 (a.k.a. Loyce Lake) in Pasco County, Florida, based on the District's current minimum lake level establishment methodology described in Rule 40D-8.624, F.A.C. The proposed amendments also repeal guidance levels previously adopted for these lakes. These lakes were previously noticed for adoption, but the notice expired and the lakes are now being renoticed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.
 LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.086 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

- 40D-8.624 Guidance and Minimum Levels for Lakes.
 - (1) through (11) No change.
 - (12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.					
Location by County and Basin	Name of Lake and Section, Township and Range Information	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(a) through (p) No change.					
(q) In Pasco County Within the Coastal Rivers Basin	Big Fish, Lake S-21, T-24, R-19	76.05'	75.65' (CAT 3)	73.05' (CAT 3)	71.75'
	Green, Lake S-16, T-26, R-18	74.4'	74.2' (CAT 2)	71.9' (CAT 2)	70.0'
	Moon, Lake S-28, T-25, R-17	39.9'	39.9' (CAT 3)	38.3' (CAT 3)	36.2'
	<u>Pasco, Lake</u> <u>S-22, T-24S, R-18E</u>	<u>66.1'</u>	<u>65.3'</u> (CAT 3)	<u>61.8'</u> (CAT 3)	<u>59.7'</u>
	<u>Pierce, Lake</u> <u>S-9, T-25S, R-18E</u>	<u>72.7'</u>	<u>72.2'</u> (CAT 3)	<u>70.5'</u> (CAT 3)	<u>68.9'</u>
	<u>Unnamed Lake No. 22</u> <u>S-27, T-24S, R-18E</u>	<u>60.1'</u>	<u>59.3'</u> (CAT 3)	<u>55.8'</u> (CAT 3)	<u>53.7'</u>
(r) No change.					
(s) In Pasco County Within the Hillsborough County Basin	Bell, Lake S-13, T-26, R-18	71.6'	70.8' (CAT 1)	69.4' (CAT 1)	69.2'
	Bird, Lake S-36, T-26, R-18	66.8'	66.6' (CAT 1)	65.2' (CAT 1)	64.3'
	Buddy, Lake S-17, T-25S, R-21E	93.7'	93.7' (CAT 3)	87.3' (CAT 3)	83.9'
	Hancock, Lake S-5, T-24S, R-20E	102.5'	102.5' (CAT 3)	100.2' (CAT 3)	97.7'
	<u>Iola, Lake</u> <u>S-15, T-24S, R-20E</u>	<u>147.3'</u>	<u>146.5'</u> (CAT 3)	<u>141.9'</u> (CAT 3)	<u>138.6'</u>

	Jessamine, Lake S-11, T-24S, R-20E	141.1'	140.3' (CAT 3)	133.3' (CAT 3)	127.1'
	King Lake S-7, T-26S, R-19E	73.1'	72.4' (CAT 1)	70.8' (CAT 1)	69.7'
	King Lake (East) S-22, T-25S, R-20E	105.7'	105.1' (CAT 3)	102.7' (CAT 3)	101.4'
	Middle, Lake S-4, T-24S, R-20E	103.1'	102.5' (CAT 3)	100.2' (CAT 3)	99.2'
	Padgett, Lake S-24, T-26, R-18	70.5'	70.5' (CAT 1)	69.5' (CAT 1)	68.4'
	Pasadena, Lake S-16, T-25S, R-21E	93.7'	93.7' (CAT 3)	87.3' (CAT 3)	83.9'
(t) through (cc) No change.					

(13) Guidance Levels established for lakes prior to August 7, 2000, are set forth in the following table:

Table 8-3 Guidance Water Levels adopted prior to August 7, 2000

Location of Impoundment by County and Basin	High Level in Feet Above Mean Sea Level (msl)	Low Level in Feet Above Mean Sea Level (msl)	Extreme Low Level in Feet Above Mean Sea Level (msl)
(a) through (p) No change.			
(q) In Pasco County Within the Coastal Rivers Basin LAKES			
Crews, Lake S16, 24S, R18E	55.00'	52.00'	50.00'
Garden, Lake S16, T25S, R16E	19.00'	16.25'	15.75'
Paseo, Lake S22, T24S, R18E	67.00'	64.00'	62.00'
Pieree, Lake S9, T25S, R18E	73.00'	70.00'	68.00'
Richey, Lake S3, T26S, R16E	13.00'	10.00'	8.00'
Unnamed Lake No. 22 S27, T24S, R18E	62.50'	59.50'	57.50'
Worrell, Lake (Bass Lake) S26, T25S, R16E	19.00'	16.25'	15.75'
(r) No change.			
(s) In Pasco County Within the Hillsborough River Basin LAKES			
Cattfish, Lake S30, T25, R19	68.00'	65.50'	63.50'
Cow (East), Lake S19, T26S, R19E	78.50'	76.00'	75.00'
Floyd, Lake S36, T26, R19	68.50'	66.00'	64.00'
Gooseneck, Lake S29, T26, R19	73.50'	71.00'	69.00'
Hog (Joyce), Lake S19, T26S, R19E	76.50'	73.50'	72.50'
Iola, Lake S15, T24S, R20E	147.50'	145.00'	142.50'

Jessamine, Lake S11, T24S, R20E	142.00'	138.00'	136.00'
JoAnn, Lake S30, T26, R19	68.00'	65.50'	63.50'
Moody, Lake S10, T24S, R20E	110.00'	107.50'	105.50'
Myrtle, Lake S30, T26, R19	68.00'	65.50'	63.50'
Saxon, Lake S30, T26S, R19E	71.25'	69.00'	67.50'
Tampa (Turtle), Lake S32, T26, R19	65.50'	63.00'	61.00'
Toni, Lake S30, T26, R19	68.00'	65.50'	63.50'
Twin, Lake S28, T26, R19	67.50'	65.00'	63.00'
Unnamed Lake #26 S25, T26, R18	68.00'	65.50'	63.50'
(t) - (cc) No change.			

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.086 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04 (13), 12-21-04 (13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

LAND AND WATER ADJUDICATORY COMMISSION

Capital Region Community Development District

RULE NO.: 42CC-1.002
RULE TITLE: Boundary

PURPOSE AND EFFECT: The petition, as revised, was filed by the Capital Region Community Development District (the "District") with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The petition proposes to modify the land area presently serviced by the District by amending its boundary to remove approximately 1,081.55 acres from the District located within the City of Tallahassee and unincorporated Leon County, Florida. The

District currently covers approximately 3,286.94 acres of land and after amendment the District will encompass approximately 2,205.39 acres. There are 2 parcels of land located within the proposed contracted boundaries of the District that are to be excluded from the District. The parcels are owned by the Board of Trustees Internal Improvement Trust Fund, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property located within the contraction parcel.

SUMMARY: The petition, as revised, was filed by the Capital Region Community Development District (the "District") with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The petition proposes to modify the land area presently serviced by the District by amending its boundary to remove approximately 1,081.55 acres from the District located within the City of Tallahassee and unincorporated Leon County, Florida. The District currently covers approximately 3,286.94 acres of land and after amendment the District will encompass approximately 2,205.39 acres. There are 2 parcels of land located within the proposed contracted boundaries of the District that are to be excluded from the District. The parcels are owned by the Board of Trustees Internal Improvement Trust Fund, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property located within the contraction parcel.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition, as revised, to establish the District. The complete text of the SERC is contained as Exhibit 10 to the petition, as revised. The requirements for a SERC are found in Section 120.541(2), F.S.

A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, the State of Florida, the City of Tallahassee, and Leon County are principal entities that are likely to be required to comply with the rule. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur administrative costs. The City of Tallahassee and Leon County will incur costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to the City of Tallahassee and Leon County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition, as revised, to establish the District will have no impact or a positive impact on small businesses. The petition, as revised, to establish the District will not have an impact on small cities or small counties as defined by Section 120.52(17), F.S., as the City of Tallahassee and Leon County are not defined as a small city or small county. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, March 26, 2008, 10:00 a.m.

PLACE: The Capitol, Room 2103, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42CC-1.002 Boundary.

The boundaries of the district are as follows:

The following descriptions include all or part of Sections 2, 3, 9, 10, 11, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28 and 29, Township 1 South, Range 1 East, Leon County, Florida.

Portions of Sections 2, 11, 14, 23 and 26, Township 1 South, Range 1 East, more particularly described as follows:

BEGIN at the Northwest corner of Section 26, Township 1 South, Range 1 East; thence run South along the West line of said Section 26 for 451.73 feet more or less to the Northerly right-of-way line of State Road 261-A (Tram Road); thence run South 77 degrees 00 minutes 41 seconds East 191.64 feet; thence run North 495.02 feet more or less to the North line of said Section 26; thence continue North 2829.68 feet more or less to the beginning of a curve concave to the East; thence Northeasterly along said curve having a radius of 3444.00 feet through a central angle of 20 degrees 02 minutes 36 seconds for an arc distance of 1204.80 feet to the end of the curve; thence run North 20 degrees 02 minutes 37 seconds East for 635.00 feet to the beginning of a compound curve concave to the West; thence Northeasterly along said curve having a radius of 1956.02 feet, through a central angle of 19 degrees 57 minutes 51 seconds for an arc distance of 681.56 feet to the

point of compound curvature; thence continue Northerly and Northwesterly along said curve having a radius of 1956.02 feet; through a central angle of 23 degrees 44 minutes 04 seconds for an arc distance of 810.27 feet to a point of reverse curve concave to the East; thence Northerly along said curve having a radius of 3144.08 feet, through a central angle of 21 degrees 38 minutes 15 seconds for an arc distance of 1187.35 feet to the beginning of a curve concave to the East; thence Northerly along said curve having a radius of 4983.90 feet through a central angle of 12 degrees 57 minutes 37 seconds for an arc distance of 1127.35 feet; thence run North 00 degrees 09 minutes 48 seconds East for 610.30 feet to the beginning of a curve concave to the West; thence Northerly along said curve having a radius of 10852.98 feet through a central angle of 04 degrees 30 minutes 46 seconds for an arc distance of 854.79 feet, thence run North 12 degrees 23 minutes 29 seconds West 425.58 feet to the beginning of a curve concave to the Southwest, thence Northwesterly along said curve having a radius of 3342.64 feet through a central angle of 07 degrees 08 minutes 57 seconds for an arc distance of 417.09 feet to the beginning of a curve concave to the Southwest, thence Northwesterly along said curve having a radius of 3342.64 feet through a central angle of 01 degrees 25 minutes 18 seconds for an arc distance of 82.93 feet; thence run North 06 degrees 51 minutes 48 seconds East for 945.08 feet to the beginning of a curve concave to the West, thence along said curve having a radius of 2700.04 feet through a central angle of 03 degrees 50 minutes 52 seconds for an arc distance of 181.33 feet; thence run North 03 degrees 00 minutes 57 seconds East for 4071.36 feet; thence continue North 03 degrees 00 minutes 57 seconds East for 1320.00 feet, more or less, to the North line of the South Half of the South Half of Section 2, Township 1 South, Range 1 East; thence run West along said North line of the South Half of the South Half of Section 2 to its intersection with the West line of said Section 2; thence run South along the West section lines of Sections 2, 11, 14 and 23, Township 1 South, Range 1 East to the Northwest corner of Section 26, Township 1 South, Range 1 East and the POINT OF BEGINNING.

LESS AND EXCEPT;

The rights of way for Southwood Plantation Road and Old St. Augustine Road.

ALSO, LESS AND EXCEPT;

That portion of the following description lying within Section 11, Township 1 South, Range 1 East.

COMMENCE at the intersection of the South right-of-way line of State Road No. 364 (Old St. Augustine Road) and the West boundary of the East Half of the Northeast Quarter of Section 10, Township 1 South, Range 1 East, Leon County, Florida; thence run South 76 degrees 57 minutes East along the South right-of-way line of said State Road No. 364 a distance of 670.59 feet to the POINT OF BEGINNING; thence run South 00 degrees 34 minutes 40 seconds East 1399.27 feet to a

concrete monument; thence run South 89 degrees 13 minutes 20 seconds East 648.44 feet to a St. Joe Paper Company concrete monument on the West right-of-way line of Southwood Plantation Road; thence run North 03 degrees 33 minutes 20 seconds East along said West right of way line of Southwood Plantation Road a distance of 1251.37 feet, more or less, to a concrete monument marking the intersection of the West right-of-way line of Southwood Plantation Road with the South right-of-way line of Old St. Augustine Road; thence run North 76 degrees 57 minutes West along said South right-of-way line of Old St. Augustine Road a distance of 758 feet, more or less, to the POINT OF BEGINNING.

SECTION 3

Commence at the Southwest corner of Section 3, Township 1 South, Range 1 East, and run thence North along the Section line 1336.6 feet, thence East 880.0 feet to a point which is the POINT OF BEGINNING. From said POINT OF BEGINNING run thence East 1250.0 feet more or less to a point 500 feet West of a point 1336.6 North of the Southeast corner of the Southwest Quarter of said Section 3, thence South 1336.6 feet more or less to the South line of said Section 3, thence West along said South line of Section 3 to a point due South of the point of beginning, thence North 1336.6 feet more or less to the POINT OF BEGINNING.

AND ALSO;

Begin at the Southwest corner of Section 3, Township 1 South, Range 1 East, thence run North 162.4 feet along the Section line to the South boundary of Old St. Augustine Road, thence southeasterly 845.19 along the South boundary of said road to its intersection with the South Line of said Section 3, thence West along said South line to the POINT OF BEGINNING.

AND ALSO;

Commence at the Northwest corner of the Northwest quarter of the Southeast quarter of Section 3, Township 1 South, Range 1 East, and run thence South 00 degrees 30 minutes West 1266.8 feet along the quarter-section line, thence South 89 degrees 30 minutes East 647.3 feet, thence South 00 degrees 30 minutes West 13.6 feet, thence South 89 degrees 30 minutes East 336.35 feet to a point which is the POINT OF BEGINNING. From said POINT OF BEGINNING, run thence South 89 degrees 30 minutes East 336.35 feet, thence North 00 degrees 30 minutes East 1081.3 feet along the East boundary of the Northwest quarter of the Southeast quarter of said Section 3, to a point 207.7 feet South 00 degrees 30 minutes West of the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 3, thence North 89 degrees 30 minutes West 336.35 feet, thence South 00 degrees 30 minutes West 1081.3 feet to the POINT OF BEGINNING.

AND ALSO;

Begin at the Southeast corner of Section 3, Township 1 South, Range 1 East, and thence run North 1495.0 feet along the East boundary of said Section 3, thence West 701.0 feet, thence North 1158.0 feet to a point on the North boundary of the

Southeast Quarter of said Section 3, thence West 639.3 feet to the Northwest corner of the East 1/2 of the Southeast quarter of said Section 3, thence South 1289.0 feet, thence West 672.7 feet, thence North 13.6 feet, thence West 323.15 feet, thence South 537.53 feet, thence West 324.15 feet to a point on the West boundary of the Southeast quarter of said Section 3, which said point is 1804.33 feet South of the Northwest corner of the Southeast quarter of said Section 3, thence run South 867.4 feet more or less to the South line of said Section 3, thence East along said South line 2640.0 feet more or less to the POINT OF BEGINNING.

AND ALSO;

Commence at the Southwest corner of the East half of the Northeast quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, marked by a one inch iron pipe and run thence South 89 degrees 17 minutes 39 seconds East 429.17 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run thence South 89 degrees 17 minutes 38 seconds East 142.0 feet to the West boundary of that property described in Official Records Book 1410, Page 1913 of the Public Records of Leon County, Florida, thence North 00 degrees 49 minutes 21 seconds East along said boundary 322.92 feet to the southerly right of way boundary of State Road No. 20 (Apalachee Parkway), thence South 85 degrees 40 minutes 30 seconds West along said boundary 200.81 feet, thence leaving said boundary South 00 degrees 58 minutes 17 seconds West 218.30 feet, thence South 32 degrees 54 minutes 08 seconds East 104.47 feet to the POINT OF BEGINNING.

LESS AND EXCEPT;

Begin at the Southwest corner of the East half of the Northeast quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, marked by a one inch iron pipe and run thence North 00 degrees 36 minutes 43 seconds East along the West boundary of that property described in Official Records Book 1306, Page 2238 of the Public Records of Leon County, Florida, 272.53 feet to the Southern right of way boundary of State Road 20 (Apalachee Parkway), thence along said right of way boundary North 83 degrees 40 minutes 30 seconds East 292.77 feet, thence leaving said right of way boundary run South 03 degrees 41 minutes 54 seconds East along the East boundary of said property in Official Records Book 1306, Page 2238 for a distance of 299.09 feet, thence South 89 degrees 17 minutes 38 seconds East 115.01 feet, thence South 32 degrees 53 minutes 35 seconds East 17.31 feet, thence South 00 degrees 35 minutes 30 seconds West 1171.25 feet, thence South 87 degrees 54 minutes 45 seconds West 777.95 feet to the East boundary of that property described in Official Records Book 610, Page 165 of the Public Records of Leon County, Florida, thence North 00 degrees 41 minutes 14 seconds East along said boundary 1012.36 feet to the South boundary of that property described in Official Records Book 1257, Page 614 of the Public Records of Leon County, Florida, thence South 89 degrees 11 minutes 08 seconds East along said

boundary 336.62 feet, thence North 00 degrees 36 minutes 43 seconds East along the East boundary of said property 211.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

The rights of way for Southwood Plantation Road, Old St. Augustine Road and the 100 foot power line right of way conveyed to the City of Tallahassee.

SECTION 9

The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 9, Township 1 South, Range 1 East, less the right-of-way of State Road No. 363 (Capital Circle).

AND ALSO;

That part of the West Half of the Northeast Quarter lying South and East of State Road No. 363 (Capital Circle).

AND ALSO;

The Southeast Quarter of the Northeast Quarter less the North 66 feet thereof.

AND ALSO;

BEGIN at a point 66 feet South of the Southwest corner of the Northeast Quarter of the Northeast Quarter, thence run North 210 feet; thence East 210 feet; thence run South 210 feet; thence run West 210 feet to the POINT OF BEGINNING.

LESS AND EXCEPT;

The 100 foot Power Line right-of-way conveyed to the City of Tallahassee and the right-of-way for State Road No. 363 (Capital Circle).

SECTION 10

All of Section 10, Township 1 South, Range 1 East.

LESS AND EXCEPT;

COMMENCE at the intersection of the South right-of-way line of State Road No. 364 (Old St. Augustine Road) and the West boundary of the East Half of the Northeast Quarter of Section 10, Township 1 South, Range 1 East, Leon County, Florida; thence run South 76 degrees 57 minutes East along the South right-of-way line of said State Road No. 364 a distance of 670.59 feet to the POINT OF BEGINNING; thence run South 00 degrees 34 minutes 40 seconds East 1399.27 feet to a concrete monument; thence run South 89 degrees 13 minutes 20 seconds East 648.44 feet to a St. Joe Paper Company concrete monument on the West right-of-way line of Southwood Plantation Road; thence run North 03 degrees 33 minutes 20 seconds East along said West right of way line of Southwood Plantation Road a distance of 1251.37 feet, more or less, to a concrete monument marking the intersection of the West right-of-way line of Southwood Plantation Road with the South right-of-way line of Old St. Augustine Road; thence run North 76 degrees 57 minutes West along said South right-of-way line of Old St. Augustine Road a distance of 758 feet, more or less, to the POINT OF BEGINNING.

BEGIN at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 10, Township 1 South, Range 1 East, and run thence North 200 feet, thence East 500 feet, thence South 185 feet, thence East 820 feet to the East line of said Section 10, thence South 15 feet to the South line of said Section 10, thence West 1320 feet, more or less, to the POINT OF BEGINNING, containing 2.57 acres, more or less.

ALSO, LESS AND EXCEPT;

BEGIN at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 10, Township 1 South, Range 1 East, thence run East 362 feet, thence run North 385 feet to a point in the center of the St. Augustine Road, thence run in a Northwesterly direction 398 feet to a point on the West boundary of the Northeast Quarter of said Section 10, said point being 579 feet North of the POINT OF BEGINNING, thence run South 579 feet to the POINT OF BEGINNING, except the portion thereof included in the right-of-way of the Old St. Augustine Road.

ALSO, LESS AND EXCEPT;

COMMENCE at the Southeast corner of Section 10, Township 1 South, Range 1 East, Leon County, Florida, and run thence West along the section line a distance of 20 feet, or to the West boundary of Southwood Road, thence North along the West boundary of said Southwood Road, a distance of 40 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue thence North along said West boundary 100 feet, thence West parallel to the South line of said Section 10 a distance of 435.6 feet, thence South 100 feet, thence East 435.6 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

BEGIN at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 10, Township 1 South, Range 1 East and run West along the North line of said Section 10 for 500 feet; thence run south 456 feet, more or less, to the Northerly right-of-way line of Old St. Augustine Road; thence Southeasterly along the North right-of-way line of Old St. Augustine Road 589 feet, more or less, to the East boundary of the Northwest Quarter of said Section 10; thence North 678.6 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

The rights of way for Old St. Augustine Road, Southwood Plantation Road and the 100 foot power line right of way are conveyed to the City of Tallahassee.

SECTION 15

All of Section 15, Township 1 South, Range 1 East, Leon County, Florida.

LESS AND EXCEPT;

That part of the following described parcel lying in Section 15, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the

centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47

feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING,

SECTION 16

All of Section 16, Township 1 South, Range 1 East lying East of State Road 261 (Capital Circle).

AND ALSO;

The North 34.99 chains of the East half of the Northwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida, lying West of State Road 261 (Capital Circle).

AND ALSO;

The West half of the Southwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida.

AND ALSO;

All that part of the South 26.66 chains of the East half of the Southwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida, lying West of State Road 261 (Capital Circle).

LESS AND EXCEPT;

The right of way for State Road 261 (Capital Circle), the 100 foot power line right of way conveyed to the City of Tallahassee and the right of way conveyed as the Blair Stone Road Extension recorded in Leon County Official Records Book 2080, Page 1542.

ALSO, LESS AND EXCEPT;

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of

curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast (State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.97 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 05 degrees 31 minutes 26 seconds for an arc length of 368.25 feet (chord of 368.10 feet bears North 09 degrees 14 minutes 44 seconds East), thence leaving said centerline run North 82 degrees 45 minutes 59 seconds West 125.01 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 82 degrees 45 minutes 59 seconds West along the northerly right of way of a proposed road (100 foot right of way) a distance of 407.94 feet to set iron rebar and cap marking a point of curve to the left, thence along said curve with a radius of 4425.00 feet through a central angle of 06 degrees 47 minutes 31 seconds for an arc length of 524.55 feet (chord of 524.25 feet bears North 86 degrees 09 minutes 44 seconds West) to a set iron rebar and cap, thence North 89 degrees 33 minutes 30 seconds West 254.27 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 00 seconds for an arc length of 47.12 feet (chord of 42.43 feet bears North 44 degrees 33 minutes 30 seconds West) to a set iron rebar and cap on the easterly right of way of a proposed roadway (100 foot right of way), thence North 00 degrees 26 minutes 30 seconds East along said right of way 992.45 feet to a set iron rebar and cap marking a point of curve to the right, thence along said right of way curve with a radius of 750.00 feet through a central angle of 92 degrees 45 minutes 19 seconds for an arc length of 1214.16 feet (chord of 1085.85 feet bears North 46 degrees 49 minutes 10 seconds East) to a set iron rebar and cap thence South 86 degrees 48 minutes 11 seconds East along said right of way 444.13 feet to a set iron rebar and cap, thence leaving said right of way run South 00 degrees 18 minutes 28 seconds West 1433.65 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 3694.66 feet through a central angle of 06 degrees 09 minutes 02 seconds for an arc length of 396.61 feet (chord of 396.42 feet bears South 03 degrees 22 minutes 59 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37

seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument,

thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast (State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.96 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 11 degrees 41 minutes 59 seconds for an arc length of 779.97 feet (chord of 778.61 feet bears North 06 degrees 09 minutes 27 seconds East), thence North 00 degrees 18 minutes 28 seconds East 2903.59 feet, thence leaving said centerline run South 89 degrees 57 minutes 06 seconds East 125.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 18 minutes 28 seconds East 812.00 feet to a set iron rebar and cap, thence South 89 degrees 41 minutes 32 seconds East 778.83 feet to a set iron rebar and cap on the westerly right of way of a proposed roadway (65 foot right of way), thence South along said westerly right of way 176.04 feet to a

set iron rebar and cap marking a point of curve to the left, thence along said right of way curve with a radius of 2550.10 feet through a central angle of 13 degrees 38 minutes 55 seconds for an arc length of 607.47 feet (chord of 606.03 feet bears South 06 degrees 49 minutes 28 seconds East) to a set iron rebar and cap, thence South 13 degrees 38 minutes 58 seconds East 31.65 feet to a set iron rebar and cap, thence leaving said proposed right of way run North 89 degrees 57 minutes 06 seconds West 867.59 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 East, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way

boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

SECTION 20

The East Half of Section 20, Township 1 South, Range 1 East LESS AND EXCEPT;

That part of the North Half of the North Half of said Section 20 lying North of State Road 261-A (Tram Road).

The right of way for State Road 261-A (Tram Road) and the 100 foot power line right of way conveyed to the City of Tallahassee.

SECTION 21

All of Section 21, Township 1 South, Range 1 East, lying North of State Road 261-A (Tram Road) and the following portion of said Section 21 lying South of Tram Road and West of Capital Circle:

BEGIN at the Southwest corner of Section 21, Township 1 South, Range 1 East, thence run North along the West line of said Section 21 to its intersection with the Southerly right-of-way line of State Road 261-A (Tram Road); thence run Southeasterly along said right-of-way line to the West boundary of that property described as Parcel No. Three in Official Records Book 2006, Page 2252 of the Public Records of Leon County, Florida; thence run South along said boundary and continuation thereof for 1002.3, more or less, to the North boundary of that property described in Official Records Book 1225, Page 2379 of the Public Records of Leon County, Florida; thence run South along the West boundary of said property described in Official Records Book 1225, Page 2379 and a continuation thereof to the South line of said Section 21; thence run West for 660 feet, more or less, to the Southwest corner of said Section 21 and the POINT OF BEGINNING.

AND ALSO;

The following described parcel lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence

run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector, thence run South 13 degrees 01 minutes 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue North 21 degrees 57 minutes 48 seconds East 95.89 feet to a concrete monument, thence run North 10 degrees 53 minutes 34 seconds East 219.79 feet to a concrete monument, thence run North 02 degrees 57 minutes 51 seconds East 603.14 feet to a concrete monument, thence run North 07 degrees 58 minutes 29 seconds East 112.07 feet to a point on the southerly right of way boundary of Shumard Oak Boulevard and a curve concave southwesterly, thence run southeasterly along said right of way curve with a radius of 666.67 feet through a central angle of 24 degrees 05 minutes 36 seconds for an arc distance of 280.34 feet (chord of 278.28 feet bears South 76 degrees 41 minutes 39 seconds East) to a point of reverse curve to the left, thence run southeasterly along said curve with a radius of 1293.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc distance of 528.55 feet (chord of 524.87 feet bears South 76 degrees 21 minutes 29 seconds East), thence run South 88 degrees 04 minutes 07 seconds East 297.07 feet to a point of curve to the right, thence run southeasterly along said curve with a radius of 30.00 feet through a central angle of 90 degrees 54 minutes 41 seconds for an arc distance of 47.60 feet (chord of 42.76 feet bears South 42 degrees 36 minutes 47 seconds East) to a point of curve to the right and the westerly right of way boundary of Tram Road Connector, thence run southwestly along said right of way curve with a radius of 1168.00 feet through a central angle of 17 degrees 26 minutes 30 seconds for an arc distance of 355.56 feet (chord of 354.19 feet bears South 11 degrees 33 minutes 49 seconds West), thence run South 20 degrees 17 minutes 04 seconds West 816.47 feet, thence

leaving said westerly right of way boundary run North 69 degrees 42 minutes 56 seconds West 934.79 feet to the POINT OF BEGINNING.

AND ALSO;

The existing St. Joe Corp. property lying in the Southeast Quarter of Section 21, Township 1 South, Range 1 East, Leon County, Florida lying south of Tram Road (know as Tax ID parcel 31-21-20-002-000.0).

LESS AND EXCEPT;

The right-of-way of State Road No. 263 (Capital Circle), the right-of-way of State Road No. 261-A (Tram Road), and the 100 foot Power Line right-of-way deeded to the City of Tallahassee.

ALSO, LESS AND EXCEPT;

BEGIN at a point on the West line of Section 21, Township 1 South, Range 1 East, said point being 1326.2 feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 21, and run thence East 100 feet, thence North 01 degrees 58 minutes West for 390.25 feet to a point on the South boundary of the right-of-way of the public road, thence Northwesterly along said right-of-way boundary for 100 feet to a point on the West line of said Section 21, thence South along the Section line for 440 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying in Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85

feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run Easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida. Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast (State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.97 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 05 degrees 31 minutes 26 seconds for an arc length of 368.25 feet (chord of 368.10 feet bears North 09 degrees 14 minutes 44 seconds East), thence leaving said centerline run North 82 degrees 45 minutes 59 seconds West 125.01 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 82 degrees 45 minutes 59 seconds West along the northerly right of way of a proposed road (100 foot right of way) a distance of 407.94 feet to set iron rebar and cap marking a point of curve to the left, thence along said curve with a radius of 4425.00 feet through a central angle of 06 degrees 47 minutes 31 seconds for an arc length of 524.55 feet (chord of 524.25 feet bears North 86 degrees 09 minutes 44 seconds West) to a set iron rebar and cap, thence North 89 degrees 33 minutes 30 seconds West 254.27 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 00 seconds for an arc length of 47.12 feet (chord of 42.43 feet bears North 44 degrees 33 minutes 30 seconds West) to a set iron rebar and cap on the Easterly right of way of a proposed roadway (100 foot right of way), thence North 00 degrees 26 minutes 30 seconds East along said right of way 992.45 feet to a set iron rebar and cap marking a point of curve to the right, thence along said right of way curve with a radius of 750.00 feet through a central angle of 92 degrees 45 minutes 19 seconds for an arc length of 1214.16 feet (chord of 1085.85 feet bears North 46 degrees 49 minutes 10 seconds East) to a set iron rebar and cap thence South 86 degrees 48 minutes 11 seconds East along said right of way 444.13 feet to a set iron rebar and cap, thence leaving said right of way run South 00 degrees 18 minutes 28 seconds West 1433.65 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 3694.66 feet through a central angle of

06 degrees 09 minutes 02 seconds for an arc length of 396.61 feet (chord of 396.42 feet bears South 03 degrees 22 minutes 59 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING thence run South 13 degrees 01 minutes 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap; thence leaving said easterly boundary of the existing Capital Circle Office Center run South 69 degrees 42 minutes 56 seconds East 739.36 feet; thence run southwestwardly along a non-tangent curve to the right with a radius of 140.00 feet through a central angle of 40 degrees 16 minutes 49 seconds for an arc distance 98.42 feet (chord bears South 14 degrees 04 minutes 23 seconds West 96.41 feet) to a point of reverse curve to the left; thence run southeasterly along said curve with a radius of 110.00 feet through a central angle of 101 degrees 55 minutes 47 seconds for an arc distance of 195.69 feet (chord bears South 16 degrees 42 minutes 26 seconds East 170.89 feet); thence run South 67 degrees 43 minutes 00 seconds East 81.70 feet to the westerly right-of-way boundary of said Tram Road Connector; thence run southwestwardly along said westerly right-of-way along a curve to the right with a radius of 690.00

feet through a central angle of 14 degrees 01 minutes 10 seconds for an arc distance of 168.83 feet (chord bears South 29 degrees 17 minutes 35 seconds West 168.41 feet) to a concrete monument; thence run South 36 degrees 18 minutes 10 seconds West along said westerly right of way 873.23 feet to a concrete monument marking a point of curve to the right, thence run southwestwardly along said right of way curve with a radius of 810.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc distance of 329.11 feet (chord bears South 24 degrees 39 minutes 46 seconds West 326.85 feet) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 East, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes

West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described right of way of Satellite Boulevard, Shumard Oak Boulevard, and Tram Road Connector lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 East, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said

curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259-66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 575.14 feet to the easterly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said easterly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 690.00 feet, through a central angle of 23 degrees 16 minutes 48 seconds, an arc distance of 280.36 feet (chord of 278.43 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 182.52 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING, continue North 36 degrees 20 minutes 50 seconds East, along said easterly right-of-way boundary, a distance of 341.40 feet; thence South 53 degrees 39 minutes 10 seconds East, leaving said easterly right-of-way boundary, a distance of 80.41 feet; thence South 24 degrees 32 minutes 39 seconds East a distance of 102.95 feet; South 22 degrees 38 minutes 05 seconds West a distance of 140.69 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 125.00 feet, through a central angle of 103 degrees 42 minutes 45 seconds, an arc distance of 226.27 feet (chord of 196.62 feet bears South 74 degrees 29 minutes 27 seconds West) to a point of tangency; thence North 53 degrees 39 minutes 10 seconds West a distance of 82.27 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259-66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 1461.36 feet to a point of curve to the right; thence Northwesterly, along said northerly right-of-way curve, on a radius of 3173.42 feet, through a central angle of 06 degrees 02 minutes 35 seconds, an arc distance of 334.71 feet (chord of 334.55 feet bears North 73 degrees 54 minutes 41 seconds West) to the easterly boundary of the Capital Circle Office Center; thence along said easterly boundary as follows: North 35 degrees 45 minutes 00 seconds East a distance of 1562.75 feet; thence North 27 degrees 54 minutes 38 seconds East a distance of 214.56 feet; thence North 22 degrees 00 minutes 33 seconds East a distance of 117.90 feet; thence North 10 degrees 57 minutes 24 seconds East a distance of 219.90 feet; thence North 03 degrees 00 minutes 34 seconds East a distance of 403.26 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING, thence continue North 03 degrees 00 minutes 34 seconds East, along said easterly right-of-way boundary of Capital Circle Office Center, a distance of 200.00 feet; thence North 07 degrees 59 minutes 51 seconds East a distance of 111.96 feet to a point on a curve concave to the south for the southerly right-of-way boundary of Shumard Oak Boulevard (proposed 140' Right-of-way extension); thence Easterly, leaving said easterly boundary of Capital Circle Office Center, along said curve, on a radius of 666.68 feet, through a central angle of 24 degrees 07 minutes 25 seconds, an arc distance of 280.70 feet (chord of 278.63 feet bears South 75 degrees 39 minutes 54 seconds East); thence South 23 degrees 59 minutes 03 seconds West, leaving said southern right-of-way boundary of Shumard Oak Boulevard, a distance of 48.29 feet to a point of curve to the left; thence Southwesterly, along said curve, on a radius of 140.00 feet, through a central angle of 52 degrees 35 minutes 41 seconds, an arc distance of 128.51 feet (chord of 124.05 feet bears South 02 degrees 18 minutes 47 seconds West) to a point of reverse curve; thence Southeasterly, along said curve, on a radius of 140.00 feet, through a central angle of 42 degrees 21 minutes 34 seconds, an arc distance of 103.50 feet (chord of 101.16 feet bears South 07 degrees 25 minutes 51 seconds East); thence South 13 degrees 44 minutes 56 seconds West a distance of 101.60 feet; thence South 76 degrees 08 minutes 21 seconds West a distance of 73.52 feet to a point on a curve concave to the northeast; thence Northwesterly, along said curve, on a radius of 320.00 feet, through a central angle of 33 degrees 52 minutes 27 seconds, an arc distance of 189.19 feet (chord of 186.45 feet bears North 43 degrees 46 minutes 53 seconds West) to a point on a line; thence North 86 degrees 59 minutes 26 seconds West a distance of 71.22 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING, thence North 67 degrees 40 minutes 20 seconds West a distance of 81.70 feet to a point of curve to the right; thence Northwesterly, along said curve, on a radius of 110.00 feet, an arc distance of 195.69 feet (chord of 170.89 feet bears North 16 degrees 42 minutes 26 seconds West) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 140.00 feet; through a central angle of 41 degrees 09 minutes 41 seconds, an arc distance of 100.58 feet (chord of 98.43 feet bears North 13 degrees 40 minutes 37 seconds East) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 150.00 feet, through a central angle of 65 degrees 22 minutes 28 seconds, an arc distance of 171.15 feet (chord of 162.02 feet bears North 25 degrees 47 minutes 01 seconds East) to a point of tangency; thence North 58 degrees 28 minutes 15 seconds East a distance of 108.90 feet; thence South 69 degrees 40 minutes 16 seconds East a distance of 113.74 feet to the westerly right-of-way boundary of said Tram Connector; thence South 20 degrees 19 minutes 44 seconds West a distance of 459.89 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 690.00 feet, through a central angle of 01 degrees 59 minutes 56 seconds, an arc distance of 24.07 feet (chord of 24.07 feet bears South 21 degrees 19 minutes 42 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259-66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 1461.36 feet to a point of curve to the right; thence Northwesterly, along said northerly right-of-way curve, on a radius of 3173.42 feet, through a central angle of 06 degrees 02 minutes 35 seconds, an arc distance of 334.71 feet (chord of 334.55 feet bears North 73 degrees 54 minutes 41 seconds West) to the easterly boundary of the Capital Circle Office Center; thence along said easterly boundary as follows: North 35 degrees 45 minutes 00 seconds East a distance of 1562.75 feet; thence North 27 degrees 54 minutes 38 seconds East a distance of 214.56 feet; thence North 22 degrees 00 minutes 33 seconds East a distance of 117.90 feet; thence North 10 degrees 57 minutes 24 seconds East a distance of 219.90 feet; thence North 03 degrees 00 minutes 34 seconds East a distance of 403.26 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING, thence continue North 03 degrees 00 minutes 34 seconds East, along said easterly right-of-way boundary of Capital Circle Office Center, a distance of 200.00 feet; thence North 07 degrees 59 minutes 51 seconds East a distance of 111.96 feet to a point on a curve concave to the south for the southerly right-of-way boundary of Shumard Oak Boulevard (proposed 140' Right-of-way extension); thence Easterly, leaving said easterly boundary of Capital Circle Office Center, along said curve, on a radius of 666.68 feet, through a central angle of 24 degrees 07 minutes 25 seconds, an arc distance of 280.70 feet (chord of 278.63 feet bears South 75 degrees 39 minutes 54 seconds East); thence South 23 degrees 59 minutes 03 seconds West, leaving said southern right-of-way boundary of Shumard Oak Boulevard, a distance of 48.29 feet to a point of curve to the left; thence Southwesterly, along said curve, on a radius of 140.00 feet, through a central angle of 52 degrees 35 minutes 41 seconds, an arc distance of 128.51 feet (chord of 124.05 feet bears South 02 degrees 18 minutes 47 seconds West) to a point of reverse curve; thence Southeasterly, along said curve, on a radius of 140.00 feet, through a central angle of 42 degrees 21 minutes 34 seconds, an arc distance of 103.50 feet (chord of 101.16 feet bears South 07 degrees 25 minutes 51 seconds East); thence South 13 degrees 44 minutes 56 seconds West a distance of 101.60 feet; thence South 76 degrees 08 minutes 21 seconds West a distance of 73.52 feet to a point on a curve concave to the northeast; thence Northwesterly, along said curve, on a radius of 320.00 feet, through a central angle of 33 degrees 52 minutes 27 seconds, an arc distance of 189.19 feet (chord of 186.45 feet bears North 43 degrees 46 minutes 53 seconds West) to a point on a line; thence North 86 degrees 59 minutes 26 seconds West a distance of 71.22 feet to the POINT OF BEGINNING.

SECTION 22

All of Section 22, Township 1 South, Range 1 East, Leon County, lying North of State Road 261-A (Tram Road).

LESS AND EXCEPT;

That part of the following described parcel lying Section 22, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet

through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING, containing 45.938 acres more or less.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING thence run South 13 degrees 01 minutes 22

seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap; thence leaving said easterly boundary of the existing Capital Circle Office Center run South 69 degrees 42 minutes 56 seconds East 739.36 feet; thence run southwesterly along a non-tangent curve to the right with a radius of 140.00 feet through a central angle of 40 degrees 16 minutes 49 seconds for an arc distance of 98.42 feet (chord bears South 14 degrees 04 minutes 23 seconds West 96.41 feet) to a point of reverse curve to the left; thence run southeasterly along said curve with a radius of 110.00 feet through a central angle of 101 degrees 55 minutes 47 seconds for an arc distance of 195.69 feet (chord bears South 16 degrees 42 minutes 26 seconds East 170.89 feet); thence run South 67 degrees 43 minutes 00 seconds East 81.70 feet to the westerly right-of-way boundary of said Tram Road Connector; thence run southwesterly along said westerly right-of-way along a curve to the right with a radius of 690.00 feet through a central angle of 14 degrees 01 minutes 10 seconds for an arc distance of 168.83 feet (chord bears South 29 degrees 17 minutes 35 seconds West 168.41 feet) to a concrete monument; thence run South 36 degrees 18 minutes 10 seconds West along said westerly right of way 873.23 feet to a concrete monument marking a point of curve to the right, thence run southwesterly along said right of way curve with a radius of 810.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc distance of 329.11 feet (chord bears South 24 degrees 39 minutes 46 seconds West 326.85 feet) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described right of way of Satellite Boulevard, Shumard Oak Boulevard, and Tram Road Connector lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 East, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said

POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the

northerly right-of-way boundary of Tram Road (County Road 259 - 66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 695.14 feet to the westerly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said westerly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 810.00 feet, through a central angle of 23 degrees 16 minutes 48 seconds, an arc distance of 329.11 feet (chord of 326.86 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 908.41 feet to a point of curve to left; thence Northeasterly, along said curve, on a radius of 690.00 feet, through a central angle of 14 degrees 01 minutes 10 seconds, an arc distance of 168.83 feet (chord of 168.41 feet bears North 29 degrees 20 minutes 15 seconds East) to the POINT OF BEGINNING.

From said POINT OF BEGINNING, thence North 67 degrees 40 minutes 20 seconds West a distance of 81.70 feet to a point of curve to the right; thence Northwesterly, along said curve, on a radius of 110.00 feet, an arc distance of 195.69 feet (chord of 170.89 feet bears North 16 degrees 42 minutes 26 seconds West) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 140.00 feet; through a central angle of 41 degrees 09 minutes 41 seconds, an arc distance of 100.58 feet (chord of 98.43 feet bears North 13 degrees 40 minutes 37 seconds East) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 150.00 feet, through a central angle of 65 degrees 22 minutes 28 seconds, an arc distance of 171.15 feet (chord of 162.02 feet bears North 25 degrees 47 minutes 01 seconds East) to a point of tangency; thence North 58 degrees 28 minutes 15 seconds East a distance of 108.90 feet; thence South 69 degrees 40 minutes 16 seconds East a distance of 113.74 feet to the westerly right-of-way boundary of said Tram Connector; thence South 20 degrees 19 minutes 44 seconds West a distance of 459.89 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 690.00 feet, through a central angle of 01 degrees 59 minutes 56 seconds, an arc distance of 24.07 feet (chord of 24.07 feet bears South 21 degrees 19 minutes 42 seconds West) to the POINT OF BEGINNING.

SECTION 27

That portion of Section 27, Township 1 South, Range 1 East, lying North of the right of way of State Road 261-A (Tram Road).

SECTIONS 28 and 29

Any portions of the North Half of Sections 28 and 29, Township 1 South, Range 1 East, which may be found to lie North of State Road 261 (Capital Circle).

AND ALSO

A 45.94-acre parcel lying in Sections 15, 16, 21 and 22 of Township 1 South, Range 1 South, Leon County, Florida and being recorded in Official Records Book 2245, Page 40 of the Public Records of Leon County, Florida as follows:

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the centerline of Four Oaks Boulevard (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a iron rod and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a iron rod and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a iron rod and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a iron rod and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a iron rod and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a iron rod and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a iron rod and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oak Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23

minutes 43 seconds West), thence North 45 degrees 02 minutes 49 seconds West 17.81 feet to a point on the easterly right of way boundary of Bald Cypress Way (right of way varies), thence along said easterly right of way boundary run North 01 degrees 59 minutes 19 seconds West 113.27 feet to a point of curve to the right, thence run northeasterly along said curve with a radius of 1357.00 feet through a central angle of 08 degrees 56 minutes 38 seconds for an arc distance of 211.83 feet (chord of 211.62 feet bears North 02 degrees 29 minutes 00 seconds East), thence run North 06 degrees 57 minutes 19 seconds East 105.16 feet, thence run North 83 degrees 02 minutes 41 seconds West 10.00 feet, thence run North 06 degrees 57 minutes 19 seconds East 1536.52 feet to a point on the southerly right of way boundary of Merchants Row Boulevard (right of way varies), thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 501.22 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING. The above-described parcel contains 45.94 acres more or less.

LESS AND EXCEPT the following described 1,081.55 acres more or less including all or part of Sections 2, 3, 9, 10, 11, 14, 15, and 16 Township 1 South, Range 1 East, Leon County, Florida.

A 38.37 Acre Parcel in Section 3 and 10, Township 1 South, range 1 East, Leon County Florida, more particularly described as follows:

Commence at a found 3/4" iron pipe marking the Southwest corner of Section 3, Township 1 South, Range 1 East, Leon County, Florida; thence along the Westerly boundary of Section 3 run North 00°27'17" West, a distance of 177.44 feet to the approximate centerline of Old St. Augustine Road (a Leon County, Florida maintained right of way); thence along said centerline run South 79°50'29" East, a distance of 994.58 feet, thence leaving said centerline run North 00°12'53" West, a distance of 17.95 feet to a point on the maintained right of way of said Old St. Augustine Road and the POINT OF BEGINNING. From said POINT OF BEGINNING thence along the easterly boundary of a 100 foot City of Tallahassee Utility Right of Way run North 00°12'53" West, a distance of

1,316.49 feet to a point on the southerly boundary of Paradise Village East, Unit 2 (a subdivision as per map or plat recorded in Plat Book 6, Page 1 of the Public Records of Leon County, Florida); thence along said southerly boundary run North 89°14'24" East, a distance of 821.87 feet to a found 4" x 4" concrete monument, flat top; thence North 89°26'38" East, a distance of 200.27 feet to a found iron pipe; thence North 89°21'13" East, a distance of 131.76 feet to a found 3/4" iron pipe and SJPC guard monument; thence along the westerly boundary of that property recorded in Official Records Book 1528, page 1751 run South 00°13'43" West, a distance of 1,687.99 feet to a point on the northerly right of way boundary of said Old St. Augustine Road; thence along said maintained right of way run North 58°29'23" West, a distance of 193.63 feet; thence North 60°47'12" West, a distance of 103.39 feet; thence North 67°03'52" West, a distance of 103.19 feet; thence North 72°58'14" West, a distance of 99.98 feet; thence North 77°44'32" West, a distance of 111.58 feet; thence North 79°39'27" West, a distance of 217.22 feet; thence North 78°24'57" West, a distance of 213.86 feet; thence North 81°19'22" West, a distance of 98.63 feet; thence North 76°55'43" West, a distance of 68.24 feet to the POINT OF BEGINNING. The above-described parcel contains 1,671,449.70 square feet or 38.37 acres, more or less.

AND ALSO

A 176.80-Acre Parcel in Sections 3, 10 and 11, Township 1 South, Range 1 East, Leon County, Florida, more particularly described as follows:

BEGIN at a found pinched iron pipe marking the Southwest corner of the Southeast Quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, thence along the easterly boundary of that property recorded in Official Records Book 1528, Page 1751 run North 00°11'54" East, a distance of 864.83 feet to a found iron pipe and SJPC guard monument; thence along the southerly boundary of that property recorded in Official Records Book 845, Page 729 run South 89°20'40" East, a distance of 323.66 feet to a found pinched iron pipe; thence along the easterly boundary of said property run North 00°14'32" East, a distance of 537.65 feet to a found 1" iron pipe; thence South 89°29'00" East, a distance of 322.81 feet to a found 6" x 6" SJPC concrete monument; thence South 00°48'39" West, a distance of 13.55 feet to a found 6" x 6" SJPC concrete monument; thence South 89°20'53" East, a distance of 167.41 feet to a found iron rod and cap, LB#6745; thence along the southerly boundary of the Wal-Mart Super Center (a subdivision as per map or plat recorded in Plat Book 12, Page 8 of the Public Records of Leon County, Florida) run South 89°28'59" East, a distance of 168.17 feet to a found iron rod and cap, LB#6246; thence North 00°38'19" East, a distance of 71.43 feet to a found iron rod and cap, LB#6246; thence North 87°50'52" East, a distance of 778.25 feet to a found iron rod and cap, LB#6246; thence along the easterly boundary of said Wal-Mart Super Center run North 00°31'30" East, a

distance of 1,171.19 feet to a found iron and cap, LB# 6745; thence North 32°56'29" West, a distance of 121.96 feet to a found iron rod and cap, LB#6745; thence North 00°45'41" East, a distance of 218.75 feet to the southerly right of way boundary of Appalachian Parkway (State Road 20); thence along said southerly right of way boundary run North 85°34'35" East, a distance of 200.77 feet; thence leaving said southerly right of way boundary along the westerly boundary of that property recorded in Official Records Book 2317, Page 788 run South 00°36'45" West, a distance of 322.86 feet; thence along the southerly boundary of said property run South 89°41'02" East, a distance of 66.54 feet to a found pinched iron pipe; thence along the westerly boundary of those properties recorded in Official Records Book 1623, Page 739 and Official Records Book 133, Page 389 run South 00°33'01" West, a distance of 1,157.48 feet to a found 1-1/4" iron rod; thence along the southerly boundary of said property recorded in Official Records Book 133, Page 389 run South 89°25'54" East, a distance of 646.13 feet to a point on the westerly maintained right of way boundary of Southwood Plantation Road (a Leon County, Florida maintained right of way); thence along said westerly maintained right of way run South 00°16'14" West, a distance of 5.39 feet; thence South 01°14'59" West, a distance of 377.99 feet; thence South 00°17'47" West, a distance of 485.66 feet; thence South 01°05'15" West, a distance of 307.47 feet; thence South 00°08'19" East, a distance of 105.02 feet; thence South 00°41'21" East, a distance of 67.66 feet; thence South 03°46'52" East, a distance of 72.89 feet; thence South 01°56'57" East, a distance of 62.01 feet; thence South 04°25'57" East, a distance of 63.83 feet; thence South 04°10'13" East, a distance of 61.89 feet; thence South 07°47'37" East, a distance of 62.60 feet; thence South 10°47'55" East, a distance of 61.46 feet; thence South 17°02'15" East, a distance of 64.74 feet; thence South 16°47'27" East, a distance of 59.13 feet; thence South 21°33'22" East, a distance of 62.50 feet; thence South 19°35'59" East, a distance of 108.30 feet; thence South 15°31'45" East, a distance of 66.10 feet; thence South 14°48'33" East, a distance of 61.60 feet; thence South 12°18'18" East, a distance of 58.84 feet; thence South 05°59'07" East, a distance of 58.06 feet; thence South 03°04'19" East, a distance of 60.47 feet; thence South 03°09'07" West, a distance of 60.44 feet; thence South 03°32'44" West, a distance of 68.32 feet; thence South 01°17'33" West, a distance of 151.12 feet; thence South 04°16'10" West, a distance of 153.69 feet; thence South 02°47'24" West, a distance of 220.92 feet; thence South 03°07'53" West, a distance of 305.65 feet; thence South 42°22'36" West, a distance of 36.68 feet to a point on the northerly maintained right of way boundary of Old St Augustine Road (a Leon County, Florida, maintained right of way); thence along said northerly maintained right of way boundary run North 87°25'23" West, a distance of 101.08 feet;

thence North 77°26'22" West, a distance of 151.23 feet; thence North 78°16'36" West, a distance of 137.90 feet; thence North 78°31'10" West, a distance of 325.77 feet; thence North 77°40'43" West, a distance of 151.37 feet; thence North 78°04'42" West, a distance of 130.55 feet; thence North 78°22'42" West, a distance of 264.02 feet; thence North 74°13'57" West, a distance of 135.72 feet; thence North 68°20'13" West, a distance of 172.86 feet; thence North 58°57'37" West, a distance of 51.13 feet; thence North 57°18'14" West, a distance of 298.31 feet; thence North 55°53'57" West, a distance of 149.20 feet; thence North 56°56'17" West, a distance of 150.16 feet; thence North 57°34'22" West, a distance of 305.49 feet; thence North 57°11'09" West, a distance of 254.03 feet; thence North 56°33'32" West, a distance of 195.77 feet; thence leaving said northerly maintained right of way boundary run North 00°03'21" West along the easterly boundary of said property recorded in Official Records Book 1528, Page 1751, a distance of 688.72 feet to the POINT OF BEGINNING. The above-described parcel contains 7,701,214.91 square feet or 176.80 acres, more or less.

AND ALSO

The above described parcel being subject to a City of Tallahassee Utility Easement as recorded in Official Records Book 1511, Page 109 and also a City of Tallahassee Utility Easement as recorded in Official Records Book 1951, Page 801 of the Public Records of Leon County, Florida.

A 26.59-Acre Parcel in Sections 2 and 11, Township 1 South, Range 1 East, Leon County, Florida, more particularly described as follows:

Commence at a concrete monument, LB#3293 marking the Southwest corner of Section 2, Township 1 South, Range 1 East, Leon County, Florida, thence along the South boundary of said Section 2 run South 89°33'23" East, a distance of 401.70 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence South 03°00'57" West, a distance of 1,884.82 feet to a point on the northerly maintained right of way boundary of Old St Augustine Road (a Leon County, Florida maintained right of way); thence along said northerly maintained right of way run North 77°20'37" West, a distance of 23.36 feet; thence North 78°59'50" West, a distance of 97.61 feet; thence North 75°10'21" West, a distance of 40.67 feet; thence North 75°09'17" West, a distance of 76.34 feet to a point on the easterly maintained right of way boundary of Southwood Plantation Road (a Leon County, Florida maintained right of way); thence along said easterly maintained right of way boundary run North 02°19'12" East, a distance of 46.74 feet; thence North 03°36'00" East, a distance of 305.64 feet; thence North 03°39'29" East, a distance of 220.91 feet; thence North 03°57'13" East, a distance of 153.68 feet; thence North 03°14'09" East, a distance of 151.00 feet; thence North 03°27'10" East, a distance of 68.32 feet; thence North 01°43'15" East, a distance of 63.49 feet; thence North

00°47'36" West, a distance of 64.38 feet; thence North 06°56'30" West, a distance of 61.87 feet; thence North 10°08'20" West, a distance of 62.73 feet; thence North 15°03'48" West, a distance of 65.77 feet; thence North 17°45'08" West, a distance of 68.93 feet; thence North 23°33'56" West, a distance of 108.43 feet; thence North 14°02'16" West, a distance of 60.34 feet; thence North 20°47'22" West, a distance of 57.40 feet; thence North 14°23'40" West, a distance of 62.12 feet; thence North 11°45'14" West, a distance of 59.01 feet; thence North 08°42'24" West, a distance of 60.96 feet; thence North 06°00'01" West, a distance of 60.08 feet; thence North 03°57'56" West, a distance of 62.18 feet; thence North 04°17'08" West, a distance of 60.83 feet; thence North 00°13'34" West, a distance of 71.97 feet; thence North 00°15'43" West, a distance of 66.90 feet; thence North 00°08'23" West, a distance of 104.57 feet; thence North 00°26'07" East, a distance of 307.44 feet; thence North 00°03'26" East, a distance of 485.08 feet; thence North 01°12'53" East, a distance of 198.13 feet; thence leaving said easterly maintained right of way run North 89°50'19" East along the southerly boundary of that property recorded in Official Records Book 1890, Page 1175, a distance of 520.78 feet; thence South 03°00'57" West, a distance of 1,305.69 feet to the POINT OF BEGINNING. The above-described parcel contains 1,158,279.37 square feet or 26.59 acres, more or less.

AND ALSO

A 793.22-Acre parcel in Sections 3, 9, 10, 11, 14, 15, 16, 21, 22, 23, 26, and 27, Township 1 South, Range 1 East, Leon County, Florida, more particularly described as follows:

BEGIN at a found 3/4" iron pipe marking the Southwest corner of Section 3, Township 1 South, Range 1 East, Leon County, Florida, thence along the westerly boundary of said Section 3 run North 00°27'17" West, a distance of 154.44 feet to a point on the southerly maintained right of way of Old St. Augustine Road; thence along said southerly maintained right of way run South 80°30'42" East, a distance of 105.57 feet; thence South 81°09'37" East, a distance of 199.64 feet; thence South 79°56'18" East, a distance of 188.58 feet; thence South 78°33'10" East, a distance of 73.47 feet; thence South 79°57'32" East, a distance of 147.21 feet; thence South 78°22'23" East, a distance of 100.71 feet; thence South 79°09'51" East, a distance of 77.52 feet to a point on the westerly boundary of a 100 foot City of Tallahassee utility right of way as recorded in Official Records Book 152, Page 128 of the Public records of Leon County, Florida; thence along said right of way run South 00°12'53" East, a distance of 46.15 feet; thence run South 33°37'19" West, a distance of 3144.51 feet; thence run South 89°06'28" East, a distance of 118.87 feet to a point on the easterly boundary of said 100 foot utility right of way; thence along said easterly right of way boundary run North 33° 37' 19" East, a distance of 3110.66 feet; thence run North 00°12'53" West, a distance of 58.04 feet to a

point on the southerly maintained right of way of said Old St. Augustine Road; thence along said southerly maintained right of way run South 81°34'29" East, a distance of 61.55 feet; thence South 79°29'20" East, a distance of 527.69 feet; thence South 76°49'05" East, a distance of 108.23 feet; thence South 73°20'10" East, a distance of 97.35 feet; thence South 66°37'08" East, a distance of 101.55 feet; thence South 61°33'30" East, a distance of 104.58 feet; thence South 56°53'17" East, a distance of 232.32 feet; thence South 57°14'20" East, a distance of 202.97 feet; thence South 57°03'35" East, a distance of 227.63 feet; thence South 56°14'10" East, a distance of 99.46 feet; thence South 57°41'48" East, a distance of 48.03 feet; thence leaving said southerly maintained right of way boundary run South 00°45'50" West, a distance of 591.82 feet to a found 1" iron pipe; thence South 88°44'41" East, a distance of 361.06 feet to a found 1" iron pipe; thence North 00°50'42" East, a distance of 372.43 feet to a point on the southerly maintained right of way boundary of said Old St Augustine Road; thence along said southerly maintained right of way run South 56°45'39" East, a distance of 161.73 feet; thence South 57°45'47" East, a distance of 148.31 feet; thence South 56°43'39" East, a distance of 154.67 feet; thence South 58°02'32" East, a distance of 167.40 feet; thence South 56°36'42" East, a distance of 228.78 feet; thence South 58°11'05" East, a distance of 101.62 feet; thence South 64°07'41" East, a distance of 181.67 feet; thence South 76°10'54" East, a distance of 137.29 feet; thence South 78°18'21" East, a distance of 134.58 feet; thence South 77°17'09" East, a distance of 133.90 feet; thence South 78°18'16" East, a distance of 124.13 feet; thence South 77°28'58" East, a distance of 145.86 feet; thence leaving said southerly maintained right of way boundary run South 00°40'55" East, a distance of 1,396.29 feet to a found 6" round terra-cotta monument; thence South 89°21'19" East, a distance of 650.26 feet to the westerly maintained right of way boundary of Southwood Plantation Road (a Leon County, Florida maintained right of way); thence along said westerly maintained right of way run South 03°27'00" West, a distance of 2,055.74 feet to a found SJPC concrete monument; thence South 03°27'00" West, a distance of 76.43 feet; thence South 02°05'35" West, a distance of 23.41 feet; thence South 00°44'23" East, a distance of 25.46 feet; thence South 03°05'10" East, a distance of 15.02 feet to a point on the southerly boundary of Section 10, Township 1 East, Range 1 South, Leon County, Florida; thence leaving said westerly maintained right of way boundary along the southerly boundary of said Section 10 run North 89°39'35" East, a distance of 38.08 feet to a point on the easterly maintained right of way boundary of said Southwood Plantation Road; thence along said easterly maintained right of way boundary run North 07°04'29" East, a distance of 61.33 feet; thence North 05°43'01" East, a distance of 75.84 feet; thence North 03°33'16" East, a distance of 123.04 feet; thence North

03°33'11" East, a distance of 414.42 feet; thence North 00°58'27" East, a distance of 71.59 feet; thence North 08°20'06" West, a distance of 29.91 feet; thence North 03°26'50" East, a distance of 53.09 feet; thence North 03°29'10" East, a distance of 271.66 feet; thence North 03°27'09" East, a distance of 554.25 feet; thence North 03°26'40" East, a distance of 538.52 feet; thence North 02°33'12" East, a distance of 128.63 feet; thence North 04°25'53" East, a distance of 58.06 feet; thence North 03°33'19" East, a distance of 172.58 feet; thence North 03°29'20" East, a distance of 146.13 feet; thence North 03°23'09" East, a distance of 292.88 feet; thence North 03°41'47" East, a distance of 250.34 feet; thence North 03°00'17" East, a distance of 112.07 feet; thence North 03°18'24" East, a distance of 73.28 feet; thence North 55°51'48" East, a distance of 15.18 feet to a point on the southerly maintained right of way boundary of said Old St Augustine Road; thence along said southerly maintained right of way boundary run South 83°43'49" East, a distance of 56.95 feet; thence South 80°39'06" East, a distance of 54.68 feet; thence South 77°29'03" East, a distance of 98.39 feet; thence South 77°34'21" East, a distance of 15.69 feet; thence leaving said southerly maintained right of way boundary run South 03°00'57" West, a distance of 2,197.60 feet to a point of curve to the right; thence run southerly along said curve with a radius of 2,700.39 feet through a central angle of 03°50'50" for an arc distance of 181.32 feet (chord of 181.29 feet bears South 04°56'22" West); thence South 06°51'48" West, a distance of 945.08 feet to a point on a non tangent curve concave west; thence run southerly along said curve with a radius of 3,342.64 feet through a central angle of 08°34'15" for an arc distance of 500.02 feet (chord of 499.56 feet bears South 16°40'37" East); thence South 76°00'03" West, a distance of 64.09 feet to a point on the easterly right of way boundary of Biltmore Avenue (a 68 foot right of way) as dedicated in Southwood Unit 25, a subdivision as recorded in Plat Book 16, Pages 86-88 of the Public Records of Leon County, Florida; thence along said easterly right of way boundary run South 13°59'57" East, a distance of 5.22 feet; thence leaving said easterly right of way boundary run South 76°00'03" West, a distance of 68.00 feet to a found 4" x 4" concrete monument, LB#3293, marking the intersection of westerly right of way boundary of said Biltmore Avenue with the northerly right of way boundary of Duxbury Lane (a 50 foot right of way) as dedicated in said Southwood Unit 25; thence along the northerly right of way of said Duxbury Lane continue South 76°00'03" West, a distance of 116.56 feet to a point of curve to the left; thence run southwesterly along said right of way curve with a radius of 702.00 feet through a central angle of 38°10'46" for an arc distance of 467.78 feet (chord of 459.18 feet bears South 56°54'40" West) to a point on the northeasterly right of way boundary of Strolling Way (a 50 foot right of way) as dedicated in said Southwood Unit 25; thence along the northeasterly right of way of said Strolling Way run North 52°10'43" West, a

distance of 3.00 feet; thence leaving said northeasterly right of way boundary run South 37°49'17" West, a distance of 50.00 feet to a point on the southwesterly right of way of said Strolling Way; thence along the southwesterly right of way of said Strolling Way run South 52°10'43" East, a distance of 247.79 feet to a point of curve to the left; thence run southeasterly along said right of way curve with a radius of 325.00 feet through a central angle of 25°05'13" for an arc distance of 142.30 feet (chord of 141.17 feet bears South 64°43'19" East) to a point on a curve concave easterly and the westerly right of way boundary of Longfellow Road (a 54 foot right of way) as dedicated in said Southwood Unit 25; thence run southwesterly along the westerly right of way boundary of said Longfellow Road and curve with a radius of 407.00 feet through a central angle of 09°41'30" for an arc distance of 68.84 feet (chord of 68.76 feet bears South 01°27'47" West); thence South 03°22'58" East, a distance of 133.29 feet to found 4" x 4" concrete monument, LB#3293, and the northerly boundary of Lot 5, Southwood Golf Course, as per map or plat recorded in Plat Book 13, Pages 59-64 of the Public Records of Leon County, Florida; thence along the northerly boundary of said Southwood Golf Course, Lot 5, North 52°10'43" West, a distance of 951.22 feet; thence North 00°28'00" West, a distance of 735.02 feet; thence South 89°39'35" West, a distance of 285.68 feet; thence South 10°32'05" East, a distance of 160.66 feet; thence South 09°27'52" West, a distance of 82.37 feet; thence South 54°28'32" West, a distance of 116.57 feet; thence South 26°10'33" West, a distance of 71.41 feet; thence South 08°21'09" East, a distance of 126.58 feet; thence South 17°03'42" West, a distance of 88.44 feet; thence South 55°49'54" West, a distance of 88.93 feet; thence leaving said northerly boundary run South 15°14'02" East, a distance of 185.57 feet; thence run North 62°42'15" East, a distance of 92.19 feet; thence run South 29°00'09" East, a distance of 134.11 feet; thence run South 57°37'06" East, a distance of 533.88 feet; thence run South 63°45'53" East, a distance of 273.80 feet; thence run South 18°04'117" East, a distance of 414.68 feet; thence run South 36°22'45" West, a distance 268.09 feet; thence run South 48°51'04" West, a distance of 794.98 feet; thence run South 09°45'40" East, a distance of 436.81 feet; thence run South 34°09'29" West, a distance of 645.54 feet; thence run South 70°06'07" West, a distance of 716.14 feet to a point on a curve concave easterly and the easterly boundary of Mossy Creel Lane (a 48-foot right of way) as per Southwood Unit 4, Phase 3, a subdivision as per map or plat recorded in Plat Book 13, Page 1 of the Public Records of Leon County, Florida; thence run northeasterly along said right of way curve with a radius of 926.00 feet through a central angle of 09°55'36" for an arc distance of 160.43 feet (chord of 160.23 feet bears North 06°50'59" East); thence run North 11 degrees 48 minutes 47 seconds East, a distance of 510.64 feet; thence leaving said easterly right of way boundary and along the easterly boundary of said Southwood Unit 4, Phase 3, run South 78°11'13" East, a

distance of 129.00 feet to a found 4" x 4" concrete monument, LB#3293; thence run North 16°13'22" East, a distance of 311.92 feet to a found 4"x 4" concrete monument, LB#3293; thence run North 34°08'29" East, a distance of 258.83 feet to a found 4"x 4" concrete monument, LB#3293; thence run North 02°20'35" East, a distance of 698.48 feet to a found 4" x 4" concrete monument, LB#3293; thence run North 13°38'19" East, a distance of 494.96 feet to a found 4" x 4" concrete monument, LB#3293; thence run North 02°29'52" West, a distance of 427.40 feet to a found 4" x 4" concrete monument, LB#3293; thence leaving said easterly boundary run North 62°42'15" East, a distance of 94.40 feet; thence run North 15°14'02" West, a distance of 177.81 feet to a point on the northerly boundary of said Southwood Golf Course Lot 5; thence along said northerly boundary run South 55°49'54" West, a distance of 59.12 feet; thence North 80°18'16" West, a distance of 84.81 feet; thence North 48°09'59" West, a distance of 71.31 feet; thence North 63°13'39" West, a distance of 105.17 feet; thence North 32°37'47" West, a distance of 147.72 feet; thence North 10°22'35" West, a distance of 87.39 feet; thence North 20°04'27" West, a distance of 91.69 feet; thence North 10°31'34" West, a distance of 113.96 feet; thence North 18°47'15" West, a distance of 82.89 feet; thence North 18°47'15" West, a distance of 84.24 feet; thence North 29°50'20" West, a distance of 99.13 feet; thence North 68°26'44" West, a distance of 82.14 feet; thence North 10°15'22" West, a distance of 63.03 feet; thence North 13°07'12" East, a distance of 163.19 feet; thence North 44°49'43" West, a distance of 130.49 feet; thence North 44°12'28" West, a distance of 164.22 feet; thence North 24°27'15" West, a distance of 105.94 feet; thence North 38°00'44" East, a distance of 93.30 feet; thence run North 62°23'33" East, a distance of 144.16 feet; thence run North 73°30'52" East, a distance of 85.52 feet; thence North 89°17'07" East, a distance of 116.01 feet; thence North 16°27'15" East, a distance of 121.96 feet; thence North 36°16'13" West, a distance of 53.07 feet; thence North 89°03'54" West, a distance of 564.76 feet; thence North 73°32'43" West, a distance of 205.82 feet; thence South 04°56'32" East, a distance of 53.70 feet to a found 5/8" iron rod and cap, LB#3293, marking the Northeast corner of Mossy Creek Lane (a 48 foot right of way) as dedicated in Southwood Unit 9, a subdivision as per map or plat recorded in Plat Book 13, Page 36 of the Public Records of Leon County, Florida; thence along the northerly boundary of said Southwood Unit 9 run North 73°32'43" West, a distance of 51.55 feet to a found 4"x 4" concrete monument, LB#3293 marking the Northwest corner of said Mossy Creek Lane and the Southeast corner of Lot 4 of said Southwood Golf Course; thence along the easterly boundary of said Southwood Golf Course run North 04°56'32" West, a distance of 231.94 feet; thence along the northerly boundary of said Southwood Golf Course Lot 4 run North 78°15'27" West, a distance of 452.86 feet; thence North 11°31'58" East, a distance of 180.44 feet; thence North

68°49'43" West, a distance of 56.81 feet to a point of curve to the left; thence run northwesterly along said curve with a radius of 1175.00 feet through a central angle of 19°52'06" for an arc distance of 407.45 feet (chord of 405.41 feet bears North 78°45'46" West); thence South 01°47'27" West, a distance of 194.49 feet; thence South 81°21'10" West, a distance of 582.89 feet to a found 4"x 4" concrete monument, LB#3293, and the easterly right of way boundary of Four Oaks Boulevard (a 121 foot right of way) as dedicated in Southwood Unit 17, a subdivision as recorded in Plat Book 15, Pages 56-60 of the Public Records of Leon County, Florida; thence run northeasterly along said easterly right of way and a curve concave northwesterly with a radius of 6600.50 feet through a central angle of 00°35'35" for an arc distance of 68.31 feet (chord of 68.31 feet bears North 00°30'40" East) to a found 4"x 4" concrete monument, LB#3293, marking the Northeast corner of said Four Oaks Boulevard; thence along the northerly boundary of said Southwood Unit 17 run North 89°47'08" West, a distance of 121.00 feet to a found 4"x 4" concrete monument, LB#3293, marking the Northwest corner of said Four Oaks Boulevard; thence continuing along the northerly boundary of said Southwood Unit 17 run South 89°58'05" West, a distance of 201.80 feet; thence South 40°54'27" West, a distance of 162.47 feet; thence South 00°50'38" East, a distance of 22.07 feet to a found 4"x 4" concrete monument, LB#3293, and the northerly boundary of Southwood Unit 18, a subdivision as per map or plat recorded in Plat Book 15, Page 75-77 of the Public Records of Leon County, Florida; thence along the northerly boundary of said Southwood Unit 18 run South 61°49'45" West, a distance of 104.17 feet; thence South 71°56'10" West, a distance of 280.66 feet; thence South 79°39'09" West, a distance of 259.02 feet; thence South 35°20'40" East, a distance of 260.59 feet; thence South 08°47'44" West, a distance of 133.24 feet; thence South 27°43'31" West, a distance of 137.91 feet; thence South 48°28'21" West, a distance of 228.85 feet; thence South 87°15'54" West, a distance of 116.85 feet to a found 4"x 4" concrete monument, LB#3293, and the northerly boundary of Lot 1 of said Southwood Golf Course; thence along the northerly boundary of said Southwood Golf Course Lot 1 run South 59°41'38" East, a distance of 90.06 feet to a found 4"x 4" concrete monument, LB#3293; thence run South 58°28'11" East, a distance of 123.26 feet to a found 4"x 4" concrete monument, LB#3293; thence run South 60°04'19" East, a distance of 398.96 feet to a found 4"x 4" concrete monument, LB#3293; thence run South 59°41'38" East, a distance of 498.10 feet to a point on a curve concave northwesterly and the easterly right of way boundary of said Four Oaks Boulevard; thence run southwesterly along said curve with a radius of 6479.50 feet through a central angle of 00°32'09" for an arc distance of 60.60 feet (chord of 60.60 feet bears South 13°58'45" West) to a point of compound curve to the right; thence run southwesterly along said right of way curve with a radius of 665.50 feet through a central angle of 46°27'54" for

an arc distance of 539.70 feet (chord of 525.03 feet bears South 37°28'47" West) to a point on the southerly boundary of said Southwood Golf Course, Lot 1; thence continue along said right of way curve with a radius of 665.50 feet through a central angle of 16°58'13" for an arc distance of 197.11 feet (chord of 196.39 feet bears South 69°11'51" West) to a point on the northerly right of way boundary of Blair Stone Road (a 121-foot roadway) as recorded in said Southwood Unit 17; thence along said northerly right of way boundary run South 77°40'57" West, a distance of 148.82 feet to a point of curve to the right; thence run southwesterly along said right of way curve with a radius of 1339.50 feet through a central angle of 22°05'26" for an arc distance of 516.45 feet (chord of 513.26 feet bears South 88°43'40" West); thence run North 80°13'36" West, a distance of 147.85 feet to a point on the southerly boundary of said Southwood Golf Course, Lot 1; thence continue along said northerly right of way boundary North 80°13'36" West, a distance of 52.12 feet to a point of curve to the left; thence run southwesterly along said right of way curve with a radius of 1560.50 feet through a central angle of 31°39'55" for an arc distance of 862.43 feet (chord of 851.49 feet bears South 83°56'26" West); thence run South 68°06'29" West, a distance of 216.19 feet to a point on the westerly boundary of said Southwood Golf Course, Lot 1; thence along said northerly right of way boundary continue South 68°06'29" West, a distance of 59.74 feet to a point of curve to the right; thence run southwesterly along said right of way curve with a radius of 1214.80 feet through a central angle of 20°26'09" for an arc distance of 433.28 feet (chord of 430.99 feet bears South 78°19'35" West); thence leaving said northerly right of way boundary along the westerly boundary of Lot 2 of Southwood Unit 24, a subdivision as per map or plat recorded in Plat Book 16, Page 65 of the Public Records of Leon County, Florida run North 03°40'38" West, a distance of 240.85 feet to a point on the southerly boundary of Southwood Unit 20, Phases 1 & 2, a subdivision as per map or plat recorded in Plat Book 16, Page 58 of the Public Records of Leon County, Florida; thence along said southerly boundary run North 89°49'59" East, a distance of 196.46 feet; thence North 78°28'33" East, a distance of 50.00 feet to a point on a curve concave northeasterly and the westerly right of way boundary of Esplanade Way (right of way varies) as dedicated in said Southwood Unit 20, Phases 1 & 2; thence run northeasterly along said right of way curve with a radius of 2002.82 feet through a central angle of 27°42'05" for an arc distance of 968.32 feet (chord of 958.52 feet bears North 02°19'35" East); thence North 16°10'38" East, a distance of 104.52 feet to terminus of said Esplanade Way; thence along the easterly boundary of said Southwood Unit 20, Phases 1 & 2 continue North 16°10'38" East, a distance of 279.07 feet to a point of curve to the left; thence northeasterly along said curve with a radius of 817.50 feet through a central angle of 30°31'34" for an arc distance of 435.55 feet (chord of 430.42 feet bears North 00°54'51" East); thence along the northerly boundary of said Southwood Unit 20, Phases 1 & 2

run South 75°39'04" West, a distance of 50.00 feet; thence North 89°58'19" West, a distance of 572.39 feet to a found 4"x 4" concrete monument, LB#3293; thence continue North 89°58'19" West, a distance of 150.00 feet to the easterly right of way boundary of Capital Circle SE (State Road 261); thence along said easterly right run North 00°01'41" East, a distance of 422.60 feet; thence North 89°58'19" West, a distance of 5.00 feet; thence North 00°01'41" East, a distance of 854.62 feet; thence North 00°53'29" East, a distance of 444.58 feet; thence South 89°06'31" East, a distance of 15.00 feet; thence North 00°53'29" East, a distance of 533.70 feet to a point of curve to the right; thence run northerly along said curve with a radius of 1,844.78 feet through a central angle of 26°00'07" for an arc distance of 837.19 feet (chord of 830.03 feet bears North 13°53'32" East); thence North 63°06'25" West, a distance of 15.00 feet to a point on a non tangent curve concave southeast; thence run northeasterly along said curve with a radius of 1,859.78 feet through a central angle of 26°57'30" for an arc distance of 875.05 feet (chord of 867.00 feet bears North 40°22'20" East); thence North 53°51'06" East, a distance of 577.38 feet; thence leaving said easterly right of way boundary run South 00°09'17" West along the westerly boundary of the Plat of Alice Hill Property (unrecorded), a distance of 992.07 feet a found 1" iron pipe; thence North 87°42'40" East, a distance of 209.98 feet to a found iron rod and cap, LB#3732, and SJPC guard monument; thence South 00°20'38" West, a distance of 209.74 feet to a found 1" pinched iron pipe and SJPC guard monument; thence along the southerly boundary of said Plat of Alice Hill Property run North 87°47'14" East, a distance of 1,111.11 feet a SJPC concrete monument; thence along the easterly boundary of said Plat of Alice Hill Property run North 00°01'12" East, a distance of 1,356.16 feet to the POINT OF BEGINNING. The above-described parcel contains 34,705,184.45 square feet or 796.72 acres, more or less.

LESS AND EXCEPT

A 1.0-acre parcel recorded in Official Records Book 923, Page 1378 of the Public Records of Leon County, Florida and being more particularly described as follows:

COMMENCE at the Southeast corner of Section 10, Township 1 South, Range 1 East, Leon County, Florida thence North 89°19'08" West, a distance of 143.31 feet to a point on the westerly maintained right of way boundary of Southwood Plantation Road; thence along said westerly maintained right of way boundary run North 03°05'10" West, a distance of 15.02 feet; thence North 00°44'23" West, a distance of 25.46 to the POINT OF BEGINNING. From said POINT OF BEGINNING thence South 89°53'09" West, a distance of 433.49 feet to a found SJPC concrete monument; thence North 02°53'38" East, a distance of 99.81 feet to a found SJPC concrete monument; thence North 89°53'09" East, a distance of 433.91 feet to a found SJPC concrete monument and the maintained westerly boundary of said Southwood Plantation Road; thence along said maintained westerly right of way boundary run South

03°27'00" West, a distance of 76.43 feet; thence South 02°05'35" West, a distance of 23.41 feet to the POINT OF BEGINNING. The above-described property contains 0.99 acres more or less.

LESS AND EXCEPT

A 2.57-acre parcel recorded in Official Records Book 1446, Page 1291 of the Public Records of Leon County, Florida and being more particularly described as follows:

BEGIN at a found 6" round terra-cotta monument marking the Southwest corner of the Southeast quarter of Section 10, Township 1 South, Range 1 East, Leon County, Florida and thence run North 00°20'25" West, a distance of 200.00 feet; thence run South 89°39'35" East, a distance of 500.00 feet; thence South 00°20'25" East, a distance of 185.00 feet; thence North 89°39'35" East, a distance of 630.68 feet to a point on the maintained westerly right of way boundary of Southwood Plantation Road; thence along said maintained westerly right of way boundary run South 03°05'10" East, a distance of 15.02 feet; thence South 89°39'35" West, a distance of 1131.40 feet to the POINT OF BEGINNING. The above-described parcel contains 2.51 acres more or less.

AND ALSO

A 46.57 Acre Parcel in Section 21, Township 1 South, Range 1 East, Leon County, Florida, recorded in Official Records Book 2245, Page 40 of the Public Records of Leon County, Florida, being more particularly described as follows:

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1101.78 feet to a nail and cap marking a point of curve to the right having a radius of 3205.07 feet; thence continue along said centerline curve 957.24 feet (chord bears North 68 degrees 25 minutes 19 seconds West 953.69 feet) to a nail and cap; thence run North 59 degrees 51 minutes 57 seconds West along said centerline 1469.04 feet to the centerline of Capital Circle (State Road No. 261); thence continue along the centerline of said Tram Road, North 59 degrees 59 minutes 41 seconds West 131.43 feet; thence leaving said centerline run North 12 degrees 00 minutes 27 seconds East 34.47 feet to a concrete monument on the northerly right-of-way of said Tram Road marking the POINT OF BEGINNING. From said POINT OF BEGINNING thence run North 59 degrees 59 minutes 41 seconds West along the right-of-way boundary of Tram Road 1302.84 feet to a concrete monument marking the easterly right-of-way boundary of a proposed 120 foot roadway; thence run North 30 degrees 00 minutes 19 seconds East along said easterly right-of-way 253.21 feet to a point of curve to the left having a radius of 1575.00 feet; thence run northeasterly along said right-of-way curve 812.67 feet (chord bears North 15 degrees

13 minutes 25 seconds East 803.69 feet); thence run North 00 degrees 26 minutes 30 seconds East 396.20 feet to a point of curve to the right having a radius of 30.00 feet; thence run northeasterly along said curve 47.12 feet (chord bears North 58 degrees 20 minutes 27 seconds East 68.51 feet) to the southerly right-of-way boundary of Shumard Oak Blvd.; thence run South 89 degrees 33 minutes 30 seconds East along said south right-of-way 254.27 feet to a point of curve to the right having a radius of 4325.00 feet; thence run southeasterly along said curve 512.70 feet (chord bears South 86 degrees 09 minutes 44 seconds East 512.40 feet); thence run South 82 degrees 45 minutes 59 seconds East 407.94 feet to a point lying 150 feet west of the centerline of said Capital Circle; thence run southerly along a line lying 150 feet west of and parallel to the centerline of said Capital Circle along a curve to the right having a radius of 3694.66 feet for an arc distance of 257.83 feet (chord bears South 10 degrees 00 minutes 30 seconds West 257.78 feet); thence run South 12 degrees 00 minutes 27 seconds West along said parallel line 1769.49 feet to the POINT OF BEGINNING; containing 46.57 acres, more or less.

The above-described parcels contain an aggregate area of 2,205.39 ~~3,286.94~~ acres more or less.

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New 2-28-00, Amended 11-1-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lisa Saliba, Florida Land and Water Adjudicatory Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lisa Saliba, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2007

**LAND AND WATER ADJUDICATORY COMMISSION
 Southeastern Community Development District**

RULE NOS.:	RULE TITLES:
42III-1.001	Establishment
42III-1.002	Boundary
42III-1.003	Supervisors

PURPOSE AND EFFECT: The petition, as revised, filed by The St. Joe Company requests the Commission establish a community development district located entirely within the City of Tallahassee, and unincorporated Leon County, Florida. The land area proposed to be served by the District comprises approximately 1,034.98 acres. A general location map is contained as Exhibit 1 to the petition, as revised, to establish the District. The proposed land area is generally located north of Tram Road, east of Capital Circle S.E. and south of Apalachee Parkway. There are two out-parcels located within the external boundaries of the proposed District to be excluded

from the District. The current owners' names and addresses of the two out-parcels are contained in the petition, as revised. The Petitioner either owns or has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The current plans within the District boundaries envision approximately 1,184 single family homes, 222 townhomes, 28 villas, 451 apartments and 200,000 square feet of commercial and office space. The District plans to finance certain master infrastructure improvements within the District boundaries. These improvements include roadways, entrance features, recreation improvements and storm water management facilities.

SUMMARY: The petition, as revised, filed by The St. Joe Company requests the Commission establish a community development district located entirely within the City of Tallahassee, and unincorporated Leon County, Florida. The land area proposed to be served by the District comprises approximately 1,034.98 acres. A general location map is contained as Exhibit 1 to the petition, as revised, to establish the District. The proposed land area is generally located north of Tram Road, east of Capital Circle S.E. and south of Apalachee Parkway. There are two out-parcels located within the external boundaries of the proposed District to be excluded from the District. The current owners' names and addresses of the two out-parcels are contained in the petition, as revised. The Petitioner either owns or has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The current plans within the District boundaries envision approximately 1,184 single family homes, 222 townhomes, 28 villas, 451 apartments and 200,000 square feet of commercial and office space. The District plans to finance certain master infrastructure improvements within the District boundaries. These improvements include roadways, entrance features, recreation improvements and storm water management facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition, as revised, to establish the District. The complete text of the SERC is contained as Exhibit 8 to the petition, as revised. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by

Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, the State of Florida, the City of Tallahassee, and Leon County are principal entities that are likely to be required to comply with the rule. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur administrative costs. The City of Tallahassee and Leon County will incur costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to the City of Tallahassee and Leon County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition, as revised, to establish the District will have no impact or a positive impact on small businesses. The petition, as revised, to establish the District will not have an impact on small cities or small counties as defined by Section 120.52(17), F.S., as the City of Tallahassee and Leon County are not defined as a small city or small county. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, March 26, 2008, 10:00 a.m.

PLACE: The Capitol, Room 2103, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

SOUTHEASTERN COMMUNITY DEVELOPMENT
DISTRICT

42III-1.001 Establishment.

The Southeastern Community Development District is hereby established.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History--New _____.

42III-1.002 Boundary.

The boundaries of the district are as follows:

1.034. 98 acres more or less including all or part of Section 2, 3, 9, 10, 11, 14, 15, and 16 Township 1 South, Range 1 East, Leon County, Florida

A 38.37 Acre Parcel in Section 3 and 10, Township 1 South, range 1 East, Leon County Florida, more particularly described as follows:

Commence at a found 3/4" iron pipe marking the Southwest corner of Section 3, Township 1 South, Range 1 East, Leon County, Florida; thence along the Westerly boundary of Section 3 run North 00°27'17" West, a distance of 177.44 feet to the approximate centerline of Old St. Augustine Road (a Leon County, Florida maintained right of way); thence along said centerline run South 79°50'29" East, a distance of 994.58 feet, thence leaving said centerline run North 00°12'53" West, a distance of 17.95 feet to a point on the maintained right of way of said Old St Augustine Road and the POINT OF BEGINNING. From said POINT OF BEGINNING thence along the easterly boundary of a 100 foot City of Tallahassee Utility Right of Way run North 00°12'53" West, a distance of 1,316.49 feet to a point on the southerly boundary of Paradise Village East, Unit 2 (a subdivision as per map or plat recorded in Plat Book 6, Page 1 of the Public Records of Leon County, Florida); thence along said southerly boundary run North 89°14'24" East, a distance of 821.87 feet to a found 4"x 4" concrete monument, flat top; thence North 89°26'38" East, a

distance of 200.27 feet to a found iron pipe; thence North 89°21'13" East, a distance of 131.76 feet to a found 3/4" iron pipe and SJPC guard monument; thence along the westerly boundary of that property recorded in Official Records Book 1528, page 1751 run South 00°13'43" West, a distance of 1,687.99 feet to a point on the northerly right of way boundary of said Old St Augustine Road; thence along said maintained right of way run North 58°29'23" West, a distance of 193.63 feet; thence North 60°47'12" West, a distance of 103.39 feet; thence North 67°03'52" West, a distance of 103.19 feet; thence North 72°58'14" West, a distance of 99.98 feet; thence North 77°44'32" West, a distance of 111.58 feet; thence North 79°39'27" West, a distance of 217.22 feet; thence North 78°24'57" West, a distance of 213.86 feet; thence North 81°19'22" West, a distance of 98.63 feet; thence North 76°55'43" West, a distance of 68.24 feet to the POINT OF BEGINNING. The above-described parcel contains 1,671,449.70 square feet or 38.37 acres, more or less.

AND ALSO

A 176.80-Acre Parcel in Sections 3, 10 and 11, Township 1 South, Range 1 East, Leon County, Florida, more particularly described as follows:

BEGIN at a found pinched iron pipe marking the Southwest corner of the Southeast Quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, thence along the easterly boundary of that property recorded in Official Records Book 1528, Page 1751 run North 00°11'54" East, a distance of 864.83 feet to a found iron pipe and SJPC guard monument; thence along the southerly boundary of that property recorded in Official Records Book 845, Page 729 run South 89°20'40" East, a distance of 323.66 feet to a found pinched iron pipe; thence along the easterly boundary of said property run North 00°14'32" East, a distance of 537.65 feet to a found 1" iron pipe; thence South 89°29'00" East, a distance of 322.81 feet to a found 6"x 6" SJPC concrete monument; thence South 00°48'39" West, a distance of 13.55 feet to a found 6"x 6" SJPC concrete monument; thence South 89°20'53" East, a distance of 167.41 feet to a found iron rod and cap, LB#6745; thence along the southerly boundary of the Wal-Mart Super Center (a subdivision as per map or plat recorded in Plat Book 12, Page 8 of the Public Records of Leon County, Florida) run South 89°28'59" East, a distance of 168.17 feet to a found iron rod and cap, LB#6246; thence North 00°38'19" East, a distance of 71.43 feet to a found iron rod and cap, LB#6246; thence North 87°50'52" East, a distance of 778.25 feet to a found iron rod and cap, LB#6246; thence along the easterly boundary of said Wal-Mart Super Center run North 00°31'30" East, a distance of 1,171.19 feet to a found iron and cap, LB# 6745; thence North 32°56'29" West, a distance of 121.96 feet to a found iron rod and cap, LB#6745; thence North 00°45'41" East, a distance of 218.75 feet to the southerly right of way boundary of Appalachee Parkway (State Road 20); thence along said southerly right of way boundary run North

85°34'35" East, a distance of 200.77 feet; thence leaving said southerly right of way boundary along the westerly boundary of that property recorded in Official Records Book 2317, Page 788 run South 00°36'45" West, a distance of 322.86 feet; thence along the southerly boundary of said property run South 89°41'02" East, a distance of 66.54 feet to a found pinched iron pipe; thence along the westerly boundary of those properties recorded in Official Records Book 1623, Page 739 and Official Records Book 133, Page 389 run South 00°33'01" West, a distance of 1,157.48 feet to a found 1-1/4" iron rod; thence along the southerly boundary of said property recorded in Official Records Book 133, Page 389 run South 89°25'54" East, a distance of 646.13 feet to a point on the westerly maintained right of way boundary of Southwood Plantation Road (a Leon County, Florida maintained right of way); thence along said westerly maintained right of way run South 00°16'14" West, a distance of 5.39 feet; thence South 01°14'59" West, a distance of 377.99 feet; thence South 00°17'47" West, a distance of 485.66 feet; thence South 01°05'15" West, a distance of 307.47 feet; thence South 00°08'19" East, a distance of 105.02 feet; thence South 00°41'21" East, a distance of 67.66 feet; thence South 03°46'52" East, a distance of 72.89 feet; thence South 01°56'57" East, a distance of 62.01 feet; thence South 04°25'57" East, a distance of 63.83 feet; thence South 04°10'13" East, a distance of 61.89 feet; thence South 07°47'37" East, a distance of 62.60 feet; thence South 10°47'55" East, a distance of 61.46 feet; thence South 17°02'15" East, a distance of 64.74 feet; thence South 16°47'27" East, a distance of 59.13 feet; thence South 21°33'22" East, a distance of 62.50 feet; thence South 19°35'59" East, a distance of 108.30 feet; thence South 15°31'45" East, a distance of 66.10 feet; thence South 14°48'33" East, a distance of 61.60 feet; thence South 12°18'18" East, a distance of 58.84 feet; thence South 05°59'07" East, a distance of 58.06 feet; thence South 03°04'19" East, a distance of 60.47 feet; thence South 03°09'07" West, a distance of 60.44 feet; thence South 03°32'44" West, a distance of 68.32 feet; thence South 01°17'33" West, a distance of 151.12 feet; thence South 04°16'10" West, a distance of 153.69 feet; thence South 02°47'24" West, a distance of 220.92 feet; thence South 03°07'53" West, a distance of 305.65 feet; thence South 42°22'36" West, a distance of 36.68 feet to a point on the northerly maintained right of way boundary of Old St Augustine Road (a Leon County, Florida, maintained right of way); thence along said northerly maintained right of way boundary run North 87°25'23" West, a distance of 101.08 feet; thence North 77°26'22" West, a distance of 151.23 feet; thence North 78°16'36" West, a distance of 137.90 feet; thence North 78°31'10" West, a distance of 325.77 feet; thence North 77°40'43" West, a distance of 151.37 feet; thence North 78°04'42" West, a distance of 130.55 feet; thence North 78°22'42" West, a distance of 264.02 feet; thence North

74°13'57" West, a distance of 135.72 feet; thence North 68°20'13" West, a distance of 172.86 feet; thence North 58°57'37" West, a distance of 51.13 feet; thence North 57°18'14" West, a distance of 298.31 feet; thence North 55°53'57" West, a distance of 149.20 feet; thence North 56°56'17" West, a distance of 150.16 feet; thence North 57°34'22" West, a distance of 305.49 feet; thence North 57°11'09" West, a distance of 254.03 feet; thence North 56°33'32" West, a distance of 195.77 feet; thence leaving said northerly maintained right of way boundary run North 00°03'21" West along the easterly boundary of said property recorded in Official Records Book 1528, Page 1751, a distance of 688.72 feet to the POINT OF BEGINNING. The above-described parcel contains 7,701,214.91 square feet or 176.80 acres, more or less.

The above described parcel being subject to a City of Tallahassee Utility Easement as recorded in Official Records Book 1511, Page 109 and also a City of Tallahassee Utility Easement as recorded in Official Records Book 1951, Page 801 of the Public Records of Leon County, Florida.

AND ALSO

A 26.59-Acre Parcel in Sections 2 and 11, Township 1 South, Range 1 East, Leon County, Florida, more particularly described as follows:

AND ALSO Commence at a concrete monument, LB#3293 marking the Southwest corner of Section 2, Township 1 South, Range 1 East, Leon County, Florida, thence along the South boundary of said Section 2 run South 89°33'23" East, a distance of 401.70 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence South 03°00'57" West, a distance of 1,884.82 feet to a point on the northerly maintained right of way boundary of Old St Augustine Road (a Leon County, Florida maintained right of way); thence along said northerly maintained right of way run North 77°20'37" West, a distance of 23.36 feet; thence North 78°59'50" West, a distance of 97.61 feet; thence North 75°10'21" West, a distance of 40.67 feet; thence North 75°09'17" West, a distance of 76.34 feet to a point on the easterly maintained right of way boundary of Southwood Plantation Road (a Leon County, Florida maintained right of way); thence along said easterly maintained right of way boundary run North 02°19'12" East, a distance of 46.74 feet; thence North 03°36'00" East, a distance of 305.64 feet; thence North 03°39'29" East, a distance of 220.91 feet; thence North 03°57'13" East, a distance of 153.68 feet; thence North 03°14'09" East, a distance of 151.00 feet; thence North 03°27'10" East, a distance of 68.32 feet; thence North 01°43'15" East, a distance of 63.49 feet; thence North 00°47'36" West, a distance of 64.38 feet; thence North 06°56'30" West, a distance of 61.87 feet; thence North 10°08'20" West, a distance of 62.73 feet; thence North 15°03'48" West, a distance of 65.77 feet; thence North 17°45'08" West, a distance of 68.93 feet; thence North 23°33'56" West, a distance of 108.43 feet; thence North

14°02'16" West, a distance of 60.34 feet; thence North 20°47'22" West, a distance of 57.40 feet; thence North 14°23'40" West, a distance of 62.12 feet; thence North 11°45'14" West, a distance of 59.01 feet; thence North 08°42'24" West, a distance of 60.96 feet; thence North 06°00'01" West, a distance of 60.08 feet; thence North 03°57'56" West, a distance of 62.18 feet; thence North 04°17'08" West, a distance of 60.83 feet; thence North 00°13'34" West, a distance of 71.97 feet; thence North 00°15'43" West, a distance of 66.90 feet; thence North 00°08'23" West, a distance of 104.57 feet; thence North 00°26'07" East, a distance of 307.44 feet; thence North 00°03'26" East, a distance of 485.08 feet; thence North 01°12'53" East, a distance of 198.13 feet; thence leaving said easterly maintained right of way run North 89°50'19" East along the southerly boundary of that property recorded in Official Records Book 1890, Page 1175, a distance of 520.78 feet; thence South 03°00'57" West, a distance of 1,305.69 feet to the POINT OF BEGINNING. The above-described parcel contains 1,158,279.37 square feet or 26.59 acres, more or less. A 793.22-Acre parcel in Sections 3, 9, 10, 11, 14, 15, 16, 21, 22, 23, 26, and 27, Township 1 South, Range 1 East, Leon County, Florida, more particularly described as follows:
LESS AND EXCEPT BEGIN at a found 3/4" iron pipe marking the Southwest corner of Section 3, Township 1 South, Range 1 East, Leon County, Florida, thence along the westerly boundary of said Section 3 run North 00°27'17" West, a distance of 154.44 feet to a point on the southerly maintained right of way of Old St. Augustine Road; thence along said southerly maintained right of way run South 80°30'42" East, a distance of 105.57 feet; thence South 81°09'37" East, a distance of 199.64 feet; thence South 79°56'18" East, a distance of 188.58 feet; thence South 78°33'10" East, a distance of 73.47 feet; thence South 79°57'32" East, a distance of 147.21 feet; thence South 78°22'23" East, a distance of 100.71 feet; thence South 79°09'51" East, a distance of 77.52 feet to a point on the westerly boundary of a 100 foot City of Tallahassee utility right of way as recorded in Official Records Book 152, Page 128 of the Public records of Leon County, Florida; thence along said right of way run South 00°12'53" East, a distance of 46.15 feet; thence run South 33°37'19" West, a distance of 3144.51 feet; thence run South 89°06'28" East, a distance of 118.87 feet to a point on the easterly boundary of said 100 foot utility right of way; thence along said easterly right of way boundary run North 33° 37'19" East, a distance of 3110.66 feet; thence run North 00°12'53" West, a distance of 58.04 feet to a point on the southerly maintained right of way of said Old St. Augustine Road; thence along said southerly maintained right of way run South 81°34'29" East, a distance of 61.55 feet; thence South 79°29'20" East, a distance of 527.69 feet; thence South 76°49'05" East, a distance of 108.23 feet; thence South 73°20'10" East, a distance of 97.35 feet; thence South 66°37'08" East, a distance of 101.55 feet; thence South 61°33'30" East, a distance of 104.58 feet; thence

South 56°53'17" East, a distance of 232.32 feet; thence South 57°14'20" East, a distance of 202.97 feet; thence South 57°03'35" East, a distance of 227.63 feet; thence South 56°14'10" East, a distance of 99.46 feet; thence South 57°41'48" East, a distance of 48.03 feet; thence leaving said southerly maintained right of way boundary run South 00°45'50" West, a distance of 591.82 feet to a found 1" iron pipe; thence South 88°44'41" East, a distance of 361.06 feet to a found 1" iron pipe; thence North 00°50'42" East, a distance of 372.43 feet to a point on the southerly maintained right of way boundary of said Old St Augustine Road; thence along said southerly maintained right of way run South 56°45'39" East, a distance of 161.73 feet; thence South 57°45'47" East, a distance of 148.31 feet; thence South 56°43'39" East, a distance of 154.67 feet; thence South 58°02'32" East, a distance of 167.40 feet; thence South 56°36'42" East, a distance of 228.78 feet; thence South 58°11'05" East, a distance of 101.62 feet; thence South 64°07'41" East, a distance of 181.67 feet; thence South 76°10'54" East, a distance of 137.29 feet; thence South 78°18'21" East, a distance of 134.58 feet; thence South 77°17'09" East, a distance of 133.90 feet; thence South 78°18'16" East, a distance of 124.13 feet; thence South 77°28'58" East, a distance of 145.86 feet; thence leaving said southerly maintained right of way boundary run South 00°40'55" East, a distance of 1,396.29 feet to a found 6" round terra-cotta monument; thence South 89°21'19" East, a distance of 650.26 feet to the westerly maintained right of way boundary of Southwood Plantation Road (a Leon County, Florida maintained right of way); thence along said westerly maintained right of way run South 03°27'00" West, a distance of 2,055.74 feet to a found SJPC concrete monument; thence South 03°27'00" West, a distance of 76.43 feet; thence South 02°05'35" West, a distance of 23.41 feet; thence South 00°44'23" East, a distance of 25.46 feet; thence South 03°05'10" East, a distance of 15.02 feet to a point on the southerly boundary of Section 10, Township 1 East, Range 1 South, Leon County, Florida; thence leaving said westerly maintained right of way boundary along the southerly boundary of said Section 10 run North 89°39'35" East, a distance of 38.08 feet to a point on the easterly maintained right of way boundary of said Southwood Plantation Road; thence along said easterly maintained right of way boundary run North 07°04'29" East, a distance of 61.33 feet; thence North 05°43'01" East, a distance of 75.84 feet; thence North 03°33'16" East, a distance of 123.04 feet; thence North 03°33'11" East, a distance of 414.42 feet; thence North 00°58'27" East, a distance of 71.59 feet; thence North 08°20'06" West, a distance of 29.91 feet; thence North 03°26'50" East, a distance of 53.09 feet; thence North 03°29'10" East, a distance of 271.66 feet; thence North 03°27'09" East, a distance of 554.25 feet; thence North 03°26'40" East, a distance of 538.52 feet; thence North 02°33'12" East, a distance of 128.63 feet; thence North

04°25'53" East, a distance of 58.06 feet; thence North 03°33'19" East, a distance of 172.58 feet; thence North 03°29'20" East, a distance of 146.13 feet; thence North 03°23'09" East, a distance of 292.88 feet; thence North 03°41'47" East, a distance of 250.34 feet; thence North 03°00'17" East, a distance of 112.07 feet; thence North 03°18'24" East, a distance of 73.28 feet; thence North 55°51'48" East, a distance of 15.18 feet to a point on the southerly maintained right of way boundary of said Old St Augustine Road; thence along said southerly maintained right of way boundary run South 83°43'49" East, a distance of 56.95 feet; thence South 80°39'06" East, a distance of 54.68 feet; thence South 77°29'03" East, a distance of 98.39 feet; thence South 77°34'21" East, a distance of 15.69 feet; thence leaving said southerly maintained right of way boundary run South 03°00'57" West, a distance of 2,197.60 feet to a point of curve to the right; thence run southerly along said curve with a radius of 2,700.39 feet through a central angle of 03°50'50" for an arc distance of 181.32 feet (chord of 181.29 feet bears South 04°56'22" West); thence South 06°51'48" West, a distance of 945.08 feet to a point on a non tangent curve concave west; thence run southerly along said curve with a radius of 3,342.64 feet through a central angle of 08°34'15" for an arc distance of 500.02 feet (chord of 499.56 feet bears South 16°40'37" East); thence South 76°00'03" West, a distance of 64.09 feet to a point on the easterly right of way boundary of Biltmore Avenue (a 68 foot right of way) as dedicated in Southwood Unit 25, a subdivision as recorded in Plat Book 16, Pages 86-88 of the Public Records of Leon County, Florida; thence along said easterly right of way boundary run South 13°59'57" East, a distance of 5.22 feet; thence leaving said easterly right of way boundary run South 76°00'03" West, a distance of 68.00 feet to a found 4" x 4" concrete monument, LB#3293, marking the intersection of westerly right of way boundary of said Biltmore Avenue with the northerly right of way boundary of Duxbury Lane (a 50 foot right of way) as dedicated in said Southwood Unit 25; thence along the northerly right of way of said Duxbury Lane continue South 76°00'03" West, a distance of 116.56 feet to a point of curve to the left; thence run southwesterly along said right of way curve with a radius of 702.00 feet through a central angle of 38°10'46" for an arc distance of 467.78 feet (chord of 459.18 feet bears South 56°54'40" West) to a point on the northeasterly right of way boundary of Strolling Way (a 50 foot right of way) as dedicated in said Southwood Unit 25; thence along the northeasterly right of way of said Strolling Way run North 52°10'43" West, a distance of 3.00 feet; thence leaving said northeasterly right of way boundary run South 37°49'17" West, a distance of 50.00 feet to a point on the southwesterly right of way of said Strolling Way; thence along the southwesterly right of way of said Strolling Way run South 52°10'43" East, a distance of 247.79 feet to a point of curve to the left; thence run southeasterly along said right of way curve with a radius of 325.00 feet through a central angle of 25°05'13" for an arc

distance of 142.30 feet (chord of 141.17 feet bears South 64°43'19" East) to a point on a curve concave easterly and the westerly right of way boundary of Longfellow Road (a 54 foot right of way) as dedicated in said Southwood Unit 25; thence run southwesterly along the westerly right of way boundary of said Longfellow Road and curve with a radius of 407.00 feet through a central angle of 09°41'30" for an arc distance of 68.84 feet (chord of 68.76 feet bears South 01°27'47" West); thence South 03°22'58" East, a distance of 133.29 feet to found 4" x 4" concrete monument, LB#3293, and the northerly boundary of Lot 5, Southwood Golf Course, as per map or plat recorded in Plat Book 13, Pages 59-64 of the Public Records of Leon County, Florida; thence along the northerly boundary of said Southwood Golf Course, Lot 5, North 52°10'43" West, a distance of 951.22 feet; thence North 00°28'00" West, a distance of 735.02 feet; thence South 89°39'35" West, a distance of 285.68 feet; thence South 10°32'05" East, a distance of 160.66 feet; thence South 09°27'52" West, a distance of 82.37 feet; thence South 54°28'32" West, a distance of 116.57 feet; thence South 26°10'33" West, a distance of 71.41 feet; thence South 08°21'09" East, a distance of 126.58 feet; thence South 17°03'42" West, a distance of 88.44 feet; thence South 55°49'54" West, a distance of 88.93 feet; thence leaving said northerly boundary run South 15°14'02" East, a distance of 185.57 feet; thence run North 62°42'15" East, a distance of 92.19 feet; thence run South 29°00'09" East, a distance of 134.11 feet; thence run South 57°37'06" East, a distance of 533.88 feet; thence run South 63°45'53" East, a distance of 273.80 feet; thence run South 18°04'117" East, a distance of 414.68 feet; thence run South 36°22'45" West, a distance 268.09 feet; thence run South 48°51'04" West, a distance of 794.98 feet; thence run South 09°45'40" East, a distance of 436.81 feet; thence run South 34°09'29" West, a distance of 645.54 feet; thence run South 70°06'07" West, a distance of 716.14 feet to a point on a curve concave easterly and the easterly boundary of Mossy Creel Lane (a 48-foot right of way) as per Southwood Unit 4, Phase 3, a subdivision as per map or plat recorded in Plat Book 13, Page 1 of the Public Records of Leon County, Florida; thence run northeasterly along said right of way curve with a radius of 926.00 feet through a central angle of 09°55'36" for an arc distance of 160.43 feet (chord of 160.23 feet bears North 06°50'59" East); thence run North 11 degrees 48 minutes 47 seconds East, a distance of 510.64 feet; thence leaving said easterly right of way boundary and along the easterly boundary of said Southwood Unit 4, Phase 3, run South 78°11'13" East, a distance of 129.00 feet to a found 4" x 4" concrete monument, LB#3293; thence run North 16°13'22" East, a distance of 311.92 feet to a found 4" x 4" concrete monument, LB#3293; thence run North 34°08'29" East, a distance of 258.83 feet to a found 4" x 4" concrete monument, LB#3293; thence run North 02°20'35" East, a distance of 698.48 feet to a found 4" x 4" concrete monument, LB#3293; thence run North 13°38'19" East, a distance of 494.96 feet to a found 4" x 4" concrete

monument, LB#3293; thence run North 02°29'52" West, a distance of 427.40 feet to a found 4" x 4" concrete monument, LB#3293; thence leaving said easterly boundary run North 62°42'15" East, a distance of 94.40 feet; thence run North 15°14'02" West, a distance of 177.81 feet to a point on the northerly boundary of said Southwood Golf Course Lot 5; thence along said northerly boundary run South 55°49'54" West, a distance of 59.12 feet; thence North 80°18'16" West, a distance of 84.81 feet; thence North 48°09'59" West, a distance of 71.31 feet; thence North 63°13'39" West, a distance of 105.17 feet; thence North 32°37'47" West, a distance of 147.72 feet; thence North 10°22'35" West, a distance of 87.39 feet; thence North 20°04'27" West, a distance of 91.69 feet; thence North 10°31'34" West, a distance of 113.96 feet; thence North 18°47'15" West, a distance of 82.89 feet; thence North 18°47'15" West, a distance of 84.24 feet; thence North 29°50'20" West, a distance of 99.13 feet; thence North 68°26'44" West, a distance of 82.14 feet; thence North 10°15'22" West, a distance of 63.03 feet; thence North 13°07'12" East, a distance of 163.19 feet; thence North 44°49'43" West, a distance of 130.49 feet; thence North 44°12'28" West, a distance of 164.22 feet; thence North 24°27'15" West, a distance of 105.94 feet; thence North 38°00'44" East, a distance of 93.30 feet; thence run North 62°23'33" East, a distance of 144.16 feet; thence run North 73°30'52" East, a distance of 85.52 feet; thence North 89°17'07" East, a distance of 116.01 feet; thence North 16°27'15" East, a distance of 121.96 feet; thence North 36°16'13" West, a distance of 53.07 feet; thence North 89°03'54" West, a distance of 564.76 feet; thence North 73°32'43" West, a distance of 205.82 feet; thence South 04°56'32" East, a distance of 53.70 feet to a found 5/8" iron rod and cap, LB#3293, marking the Northeast corner of Mossy Creek Lane (a 48 foot right of way) as dedicated in Southwood Unit 9, a subdivision as per map or plat recorded in Plat Book 13, Page 36 of the Public Records of Leon County, Florida; thence along the northerly boundary of said Southwood Unit 9 run North 73°32'43" West, a distance of 51.55 feet to a found 4" x 4" concrete monument, LB#3293 marking the Northwest corner of said Mossy Creek Lane and the Southeast corner of Lot 4 of said Southwood Golf Course; thence along the easterly boundary of said Southwood Golf Course run North 04°56'32" West, a distance of 231.94 feet; thence along the northerly boundary of said Southwood Golf Course Lot 4 run North 78°15'27" West, a distance of 452.86 feet; thence North 11°31'58" East, a distance of 180.44 feet; thence North 68°49'43" West, a distance of 56.81 feet to a point of curve to the left; thence run northwesterly along said curve with a radius of 1175.00 feet through a central angle of 19°52'06" for an arc distance of 407.45 feet (chord of 405.41 feet bears North 78°45'46" West); thence South 01°47'27" West, a distance of 194.49 feet; thence South 81°21'10" West, a distance of 582.89 feet to a found 4" x 4" concrete monument, LB#3293, and the easterly right of way boundary of Four Oaks Boulevard (a 121

foot right of way) as dedicated in Southwood Unit 17, a subdivision as recorded in Plat Book 15, Pages 56-60 of the Public Records of Leon County, Florida; thence run northeasterly along said easterly right of way and a curve concave northwesterly with a radius of 6600.50 feet through a central angle of 00°35'35" for an arc distance of 68.31 feet (chord of 68.31 feet bears North 00°30'40" East) to a found 4" x 4" concrete monument, LB#3293, marking the Northeast corner of said Four Oaks Boulevard; thence along the northerly boundary of said Southwood Unit 17 run North 89°47'08" West, a distance of 121.00 feet to a found 4" x 4" concrete monument, LB#3293, marking the Northwest corner of said Four Oaks Boulevard; thence continuing along the northerly boundary of said Southwood Unit 17 run South 89°58'05" West, a distance of 201.80 feet; thence South 40°54'27" West, a distance of 162.47 feet; thence South 00°50'38" East, a distance of 22.07 feet to a found 4" x 4" concrete monument, LB#3293, and the northerly boundary of Southwood Unit 18, a subdivision as per map or plat recorded in Plat Book 15, Page 75-77 of the Public Records of Leon County, Florida; thence along the northerly boundary of said Southwood Unit 18 run South 61°49'45" West, a distance of 104.17 feet; thence South 71°56'10" West, a distance of 280.66 feet; thence South 79°39'09" West, a distance of 259.02 feet; thence South 35°20'40" East, a distance of 260.59 feet; thence South 08°47'44" West, a distance of 133.24 feet; thence South 27°43'31" West, a distance of 137.91 feet; thence South 48°28'21" West, a distance of 228.85 feet; thence South 87°15'54" West, a distance of 116.85 feet to a found 4" x 4" concrete monument, LB#3293, and the northerly boundary of Lot 1 of said Southwood Golf Course; thence along the northerly boundary of said Southwood Golf Course Lot 1 run South 59°41'38" East, a distance of 90.06 feet to a found 4"x4" concrete monument, LB#3293; thence run South 58°28'11" East, a distance of 123.26 feet to a found 4" x 4" concrete monument, LB#3293; thence run South 60°04'19" East, a distance of 398.96 feet to a found 4" x 4" concrete monument, LB#3293; thence run South 59°41'38" East, a distance of 498.10 feet to a point on a curve concave northwesterly and the easterly right of way boundary of said Four Oaks Boulevard; thence run southwesterly along said curve with a radius of 6479.50 feet through a central angle of 00°32'09" for an arc distance of 60.60 feet (chord of 60.60 feet bears South 13°58'45" West) to a point of compound curve to the right; thence run southwesterly along said right of way curve with a radius of 665.50 feet through a central angle of 46°27'54" for an arc distance of 539.70 feet (chord of 525.03 feet bears South 37°28'47" West) to a point on the southerly boundary of said Southwood Golf Course, Lot 1; thence continue along said right of way curve with a radius of 665.50 feet through a central angle of 16°58'13" for an arc distance of 197.11 feet (chord of 196.39 feet bears South 69°11'51" West) to a point on the northerly right of way boundary of Blair Stone Road (a 121-foot roadway) as recorded in said Southwood Unit 17;

thence along said northerly right of way boundary run South 77°40'57" West, a distance of 148.82 feet to a point of curve to the right; thence run southwesterly along said right of way curve with a radius of 1339.50 feet through a central angle of 22°05'26" for an arc distance of 516.45 feet (chord of 513.26 feet bears South 88°43'40" West); thence run North 80°13'36" West, a distance of 147.85 feet to a point on the southerly boundary of said Southwood Golf Course, Lot 1; thence continue along said northerly right of way boundary North 80°13'36" West, a distance of 52.12 feet to a point of curve to the left; thence run southwesterly along said right of way curve with a radius of 1560.50 feet through a central angle of 31°39'55" for an arc distance of 862.43 feet (chord of 851.49 feet bears South 83°56'26" West); thence run South 68°06'29" West, a distance of 216.19 feet to a point on the westerly boundary of said Southwood Golf Course, Lot 1; thence along said northerly right of way boundary continue South 68°06'29" West, a distance of 59.74 feet to a point of curve to the right; thence run southwesterly along said right of way curve with a radius of 1214.80 feet through a central angle of 20°26'09" for an arc distance of 433.28 feet (chord of 430.99 feet bears South 78°19'35" West); thence leaving said northerly right of way boundary along the westerly boundary of Lot 2 of Southwood Unit 24, a subdivision as per map or plat recorded in Plat Book 16, Page 65 of the Public Records of Leon County, Florida run North 03°40'38" West, a distance of 240.85 feet to a point on the southerly boundary of Southwood Unit 20, Phases 1 & 2, a subdivision as per map or plat recorded in Plat Book 16, Page 58 of the Public Records of Leon County, Florida; thence along said southerly boundary run North 89°49'59" East, a distance of 196.46 feet; thence North 78°28'33" East, a distance of 50.00 feet to a point on a curve concave northeasterly and the westerly right of way boundary of Esplanade Way (right of way varies) as dedicated in said Southwood Unit 20, Phases 1 & 2; thence run northeasterly along said right of way curve with a radius of 2002.82 feet through a central angle of 27°42'05" for an arc distance of 968.32 feet (chord of 958.52 feet bears North 02°19'35" East); thence North 16°10'38" East, a distance of 104.52 feet to terminus of said Esplanade Way; thence along the easterly boundary of said Southwood Unit 20, Phases 1 & 2 continue North 16°10'38" East, a distance of 279.07 feet to a point of curve to the left; thence northeasterly along said curve with a radius of 817.50 feet through a central angle of 30°31'34" for an arc distance of 435.55 feet (chord of 430.42 feet bears North 00°54'51" East); thence along the northerly boundary of said Southwood Unit 20, Phases 1 & 2 run South 75°39'04" West, a distance of 50.00 feet; thence North 89°58'19" West, a distance of 572.39 feet to a found 4"x 4" concrete monument, LB#3293; thence continue North 89°58'19" West, a distance of 150.00 feet to the easterly right of way boundary of Capital Circle SE (State Road 261); thence along said easterly right run North 00°01'41" East, a distance of 422.60 feet; thence North 89°58'19" West, a distance of 5.00 feet; thence North 00°01'41" East, a distance of 854.62 feet;

thence North 00°53'29" East, a distance of 444.58 feet; thence South 89°06'31" East, a distance of 15.00 feet; thence North 00°53'29" East, a distance of 533.70 feet to a point of curve to the right; thence run northerly along said curve with a radius of 1,844.78 feet through a central angle of 26°00'07" for an arc distance of 837.19 feet (chord of 830.03 feet bears North 13°53'32" East); thence North 63°06'25" West, a distance of 15.00 feet to a point on a non tangent curve concave southeast; thence run northeasterly along said curve with a radius of 1,859.78 feet through a central angle of 26°57'30" for an arc distance of 875.05 feet (chord of 867.00 feet bears North 40°22'20" East); thence North 53°51'06" East, a distance of 577.38 feet; thence leaving said easterly right of way boundary run South 00°09'17" West along the westerly boundary of the Plat of Alice Hill Property (unrecorded), a distance of 992.07 feet a found 1" iron pipe; thence North 87°42'40" East, a distance of 209.98 feet to a found iron rod and cap, LB#3732, and SJPC guard monument; thence South 00°20'38" West, a distance of 209.74 feet to a found 1" pinched iron pipe and SJPC guard monument; thence along the southerly boundary of said Plat of Alice Hill Property run North 87°47'14" East, a distance of 1,111.11 feet a SJPC concrete monument; thence along the easterly boundary of said Plat of Alice Hill Property run North 00°01'12" East, a distance of 1,356.16 feet to the POINT OF BEGINNING. The above-described parcel contains 34,705,184.45 square feet or 796.72 acres, more or less.

A 1.0-acre parcel recorded in Official Records Book 923, Page 1378 of the Public Records of Leon County, Florida and being more particularly described as follows:

COMMENCE at the Southeast corner of Section 10, Township 1 South, Range 1 East, Leon County, Florida thence North 89°19'08" West, a distance of 143.31 feet to a point on the westerly maintained right of way boundary of Southwood Plantation Road; thence along said westerly maintained right of way boundary run North 03°05'10" West, a distance of 15.02 feet; thence North 00°44'23" West, a distance of 25.46 to the POINT OF BEGINNING. From said POINT OF BEGINNING thence South 89°53'09" West, a distance of 433.49 feet to a found SJPC concrete monument; thence North 02°53'38" East, a distance of 99.81 feet to a found SJPC concrete monument; thence North 89°53'09" East, a distance of 433.91 feet to a found SJPC concrete monument and the maintained westerly boundary of said Southwood Plantation Road; thence along said maintained westerly right of way boundary run South 03°27'00" West, a distance of 76.43 feet; thence South 02°05'35" West, a distance of 23.41 feet to the POINT OF BEGINNING. The above-described property contains 0.99 acres more or less.

AND ALSO LESS AND EXCEPT

A 2.57-acre parcel recorded in Official Records Book 1446, Page 1291 of the Public Records of Leon County, Florida and being more particularly described as follows:

BEGIN at a found 6" round terra-cotta monument marking the Southwest corner of the Southeast quarter of Section 10, Township 1 South, Range 1 East, Leon County, Florida and thence run North 00°20'25" West, a distance of 200.00 feet; thence run South 89°39'35" East, a distance of 500.00 feet; thence South 00°20'25" East, a distance of 185.00 feet; thence North 89°39'35" East, a distance of 630.68 feet to a point on the maintained westerly right of way boundary of Southwood Plantation Road; thence along said maintained westerly right of way boundary run South 03°05'10" East, a distance of 15.02 feet; thence South 89°39'35" West, a distance of 1131.40 feet to the POINT OF BEGINNING. The above-described parcel contains 2.51 acres more or less.

The above described parcels contain an aggregate of 1.034.98 acres more or less.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New _____.

42III-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Clay Smallwood, Chris Gent, Shaw Flippen, Sean Fennelly, and Pat Groeniger.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lisa Saliba, Florida Land and Water Adjudicatory Commission
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Lisa Saliba, Florida Land and Water
Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 7, 2007

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:
60S-9.001 Approved Forms

PURPOSE AND EFFECT: The purpose of this rule development is to propose the adoption of three new Division forms, four revised Division forms, incorporate by reference five revised State Board of Administration forms and to newly incorporate by reference six State Board of Administration forms.

SUMMARY: The three new Division forms are:

1. FR-SUSORP, a Bureau of Retirement Calculations form. Developed to implement the provisions of Chapter 2007-92, Laws of Florida which provides a one-year window during calendar year 2008 for SUSORP participants to elect to transfer membership to the FRS Investment Plan on a prospective basis or retroactive membership in the Pension Plan for the period of their SUSORP participation.

2. DP-TEOC-2, a Bureau of Retired Payroll form. Developed for implementing the provisions of Section 121.053(1)(b)5., F.S., for elected officers terminating DROP whose DROP participation began July 1, 2002, or later.

3. DP-TEOC-3, a Bureau of Retired Payroll form. Developed to certify employment termination of an elected officer so that DROP and monthly benefits may be paid.

The four revised Division forms are:

1. SR-11, a Bureau of Retirement Calculations form. Reformatted to be consistent with the layout of other promulgated Division forms, the header of the form adds the Division address and telephone numbers, the bottom left of the form adds pagination and rule referencing to each page and the notary block format has been updated. Deleted the option selection section (now done by separate Division form, FST-11o) and deleted the separate check address section for directing benefit payments to a financial institution as this is done through the Department of Financial Services on form DFS-A1-26R.

2. TR-11, a Bureau of Retirement Calculations form. Reformatted to be consistent with the layout of other promulgated Division forms, the header of the form adds Division address and telephone numbers, the bottom left of the form adds pagination and rule references to each page and the notary block format has been reformatted. Deleted from the form is the option selection section (done on separate Division form, FST-11o).

3. DP-EXT, a Bureau of Retirement Calculations form, deletes the word "annual" from the second sentence in the paragraph beginning, "Section 121.091(13), F.S.,..." as that section of Florida Statute does not stipulate annual contractual employment for each year of DROP extension participation, but rather only contractual employment for each year of DROP extension participation.

4. PRO-1, a Bureau of Retirement Calculations form. Deletes, in section II of the form, the parenthetical "excluding upgraded service" and the last sentence, "Rollovers cannot be made for upgrading current creditable service", as the 2006 Pension Protection Act removed the restriction that rollovers could not be used to pay for upgrading service.

The five revised State Board of Administration forms to be incorporated by reference are:

1. OCC-1 – Revised 07/07
2. OCC-2 – Revised 07/07
3. SMS-1 – Revised 07/07
4. SMS-3 – Revised 07/07
5. EOC-1 – Revised 07/07

The six State Board of Administration forms to be newly incorporated by reference are:

1. ELE-1 – Revised 07/07
2. ELE-1-EZ – Revised 07/07
3. ELE-2 – Revised 07/07

- 4. ELE-2-EZ – Revised 07/07
- 5. ORP-16 – Revised 07/07
- 6. SMS-4 – 11/05

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 1.01, 112.215, 112.361, 112.363, 120.55, 121.011, 121.015, 121.021, 121.031(2), 121.051, 121.0515, 121.053, 121.081, 121.091, 121.111, 121.1115, 121.1122, 121.121, 121.125, 121.35, 121.4501, 121.591, 122.08, 122.09, 215.28, 238.05, 238.06, 238.07, 689.21, 1012.01 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 1, 2008, 9:00 a.m., ET

PLACE: Division of Retirement, Conference Room 208, 1317 Winewood Blvd., Bldg 8, Tallahassee, FL 32399-1560

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Clifford at (850)488-5706, or Toll Free (877)377-1737. If you are hearing or speech impaired, please contact the agency by calling (800)877-1113. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee FL 32399-1560, (850)488 5706

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-9.001 Approved Forms.

The following is a list of the forms utilized by the Division of Retirement in its dealings with the public, which are hereby incorporated by reference into these rules. A copy of these forms may be obtained from the Division’s website (<http://frs.myflorida.com>) or by writing to the Division of Retirement, P. O. Box 9000, Tallahassee, Florida 32315-9000. You may also call the Division to request a copy of these forms by calling (850)488-5706. If calling from outside the Tallahassee calling area, you may call the Division toll-free at (877)377-1737.

(1)(a) Bureau of Enrollment and Contributions.

FORM NO./ REVISION	TITLE/DESCRIPTION
DATE	
1. - 10	No change.
11. FR-SUSORP (08/07)	<u>Florida Retirement System</u> <u>Verification of State University</u> <u>Optional Retirement System Service</u> <u>(SUSORP) Service Dates – a</u> <u>one-page form</u>

(b) State Board of Administration – Enrollment and Election forms.

FORM NO./ REVISION	TITLE/DESCRIPTION
DATE	
1. OCC-1 (Rev. 7/07 07/06)	Community College Optional Retirement Program (CCORP) <u>Enrollment Form, Retirement Plan Choice Form for Eligible Employees.</u>
2. OCC-2 (Rev. 7/07 07/06)	Retirement Plan Conversion Form <u>for Community College Optional Retirement Program (CCORP) Retirement Plan Conversion Form.</u>
3. SMS-1 (Rev. 7/07 07/06)	Members. State Senior Management Service Employees Retirement Plan Enrollment Form.
4. SMS-3 (Rev. 7/07 07/06)	Local Senior Management Service Employees Retirement Plan Enrollment Form.
5. EOC-1 (Rev. 7/07 07/06)	Elected Officers’ Class Employees Retirement Plan Enrollment Form.
6. ELE-1 (Rev. 7/07)	<u>GENERAL Retirement Plan Enrollment Form for Regular, Special Risk, and Special Risk Administrative Support Class Employees.</u>
7. ELE-1-EZ (Rev. 7/07)	<u>EZ Retirement Plan Enrollment Form for Regular, Special Risk, and Special Risk Administrative Support Class Employees.</u>
8. ELE-2 (Rev. 7/07)	<u>2nd Election Retirement Plan Enrollment Form.</u>
9. ELE-2-EZ (Rev. 7/07)	<u>2nd Election EZ Retirement Plan Enrollment Form.</u>
10. ORP-16 (Rev. 7/07)	<u>State University System Optional Retirement Program (SUSORP) Retirement Plan Enrollment Form.</u>
11. SMS-4 (11/05)	<u>Retirement Plan CONVERSION Form for Local Employer Senior Management Service Class (SMSC) Members.</u>

(2) Bureau of Retirement Calculations.

FORM NO./ REVISION	TITLE/DESCRIPTION
DATE	
(a) - (b) No change.	

- (c) SR-11 (Rev. 9/07)
(~~Rev. 5/87~~) State and County Officers' and Employees' Retirement System Application for Service Retirement – a two-page document consisting of one page of instruction and a one-page form.
- (d) TR-11 (Rev. 9/07)
(~~Rev. 7/99~~) Teachers' Retirement System Application for Service Retirement – a two-page document consisting of one page of instruction and a one-page form.
- (e) - (u) No change.
- (v) DP-EXT (Rev. 7/07)
(~~5/05~~) Florida Retirement System Pension Plan Extension of Deferred Retirement Option Program (DROP) for Specified K-12 Instructional Personnel – a one-page form.
- (w) PRO-1 (Rev. 10/07)
(~~Rev. 7/06~~) Florida Retirement System Pension Plan (401(a) Plan) Pretax Direct Rollover/ Transfer Form – a one-page form.

(x) - (z) No change.

(3) Bureau of Benefit Payments.

FORM NO./ REVISION TITLE/DESCRIPTION
DATE
(a) - (ss) No change.

- (tt) DP-TEOC-2 Florida Retirement System Pension Plan Deferred Retirement Option Program (DROP) Elected Officer DROP Termination Notification – a one page form.
- (uu) DP-TEOC-3 Florida Retirement System Pension Plan Deferred Retirement Option Program (DROP) Elected Officer Employment Termination Notification – a one page form.

(4) Administration.

FORM NO./ TITLE
REVISION DATE
(a) No change.

Specific Authority 121.031 FS. Law Implemented 1.01, 112.215, 112.361, 112.363, 120.55, 121.011, 121.015, 122.021, 121.031(2), 121.051, 121.0515, 121.053, 121.081, 121.091, 121.111, 121.115, 121.1122, 121.121, 121.125, 121.35, 121.4501, 121.591, 122.08, 122.09, 215.28, 238.05, 238.06, 238.07, 689.21, 1012.01 FS. History–New 9-9-82, Amended 2-6-84, 11-6-84, 4-17-85, Formerly 22B-9.01, Amended 6-4-86, 12-5-90, Formerly 22B-9.001, Amended 1-4-93, 1-18-94, 4-26-94, 1-10-95, 11-2-95, 12-28-95, 3-12-96, 12-16-97, 10-14-98, 4-26-99, 1-24-00, 12-19-00, 2-6-01, 3-18-02, 10-23-05, 9-18-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560, (850)488 5706

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sarabeth Snuggs, Division Director, Department of Management Service, Division of Retirement, 1317 Winewood Blvd., Bldg 8, Tallahassee, FL 32399-1560, (850)488-5706

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF MANAGEMENT SERVICES
Division of Retirement – Optional Retirement Program

RULE NO.: 60U-1.006
RULE TITLE: Approved Forms

PURPOSE AND EFFECT: The purpose of this rule development is to propose the adoption of one revised Division form and to incorporate by reference one revised State Board of Administration form.

SUMMARY: The one revised Division form is:

1. ORP-ETF – listed incorrectly in rule as the ORP-EFT, correction to form number in rule is made to coincide with that of the form. Adds “Employee Termination Form” to the title of the form and adds a clarifying “NOTE” below the title of the form to ensure proper form usage. Fax number has been added to the “Completed form should be mailed to:” section of the form and makes a corresponding change by re-titling that section to read “Completed form should be sent to”. The first two paragraphs of the form have been reworded to comply with the Governor’s Plain Language initiative. Deletes “Florida” from the Notary section of the form as it may be notarized in other states and adds a certification section for the Division of Retirement at the bottom of the form.

The one revised State Board of Administration form to incorporate by reference is:

1. ORP-16 – Revised 07/07

Any person who wishes to provide information regarding

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 121.051(1)(a), 121.35 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 1, 2008, 9:00 a.m.

PLACE: Division of Retirement, Conference Room 208, 1317 Winewood Blvd., Bldg 8, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Clifford at (850)488-5706, or Toll Free (877)377-1737. If you are hearing or speech impaired, please contact the agency by calling (800)877-1113. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee FL 32399-1560, (850)488 5706

THE FULL TEXT OF THE PROPOSED RULE IS:

60U-1.006 Approved Forms.

The following is a list of the forms utilized by the Division of Retirement in its dealings with the public in administering the State University System Optional Retirement Program, which are hereby incorporated by reference into these rules. A copy of these forms may be obtained through the Board of Governors and State University System Personnel Offices or by writing to the Division of Retirement, P. O. Box 9000, Tallahassee, FL 32315-9000. These forms may also be printed or downloaded from the Division's website (<http://frs.myflorida.com>) or from the cooperative website of the Division and the State Board of Administration (www.myfrs.com). A copy of these forms may also be obtained by calling the Division at (850)488-5706. If calling from outside the Tallahassee calling area you may call the Division toll-free at (877)377-1737.

(a) Division Forms.

FORM NO./REVISION DATE	TITLE
1. ORP-16A (Rev 12/02)	Florida Retirement System State University Optional Retirement Program (SUSORP) Change Form – a one-page form

2. ORP-ETF ~~EFT~~ Florida Retirement System State University System Optional Retirement Program (SUSORP) Employee Termination Form Supplemental Statement for Distributions – a one page form

(b) State Board of Administration Forms.

1. ORP-16 (Rev. 07/07) State University System Optional Retirement Program (SUSORP) Re-ORP-Eligible Employees Retirement Plan Enrollment Form – a four-page form.

Specific Authority 121.031 FS. Law Implemented 121.051(1)(a), 121.35 FS. History–New 2-28-84, Amended 9-5-84, Formerly 22U-1.06, Amended 12-5-90, Formerly 22U-1.006, Amended 1-4-93, 10-20-93, 1-10-95, 5-14-95, 9-18-96, 10-14-98, 1-24-00, 12-19-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560, (850)488 5706

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sarabeth Snuggs, Division Director, Department of Management Service, Division of Retirement, 1317 Winewood Blvd., Bldg 8, Tallahassee, FL 32399-1560, (850)488-5706

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF MANAGEMENT SERVICES

Senior Management Service Optional Annuity Program

RULE NO.: 60V-1.007 RULE TITLE: Approved Forms

PURPOSE AND EFFECT: The adoption of one revised Division form and the incorporation by reference of one revised State Board of Administration form.

SUMMARY: The one revised Division form is:

1. OAP-ETF — the form number listed in current rule reflects OAP-EFT and correction is made to have the form number in rule coincide with that of the form. Adds “Employee Termination Form” to the title of the form and adds a clarifying “NOTE” below the title of the form to ensure proper form usage. Fax number has been added to the “Completed form should be mailed to:” section of the form and re-titles that section to read “Completed form should be sent to”. The first two paragraphs of the form have been reworded to comply with the Governor’s Plain Language initiative. Deletes “Florida” from the Notary section of the form as it may be

notarized outside the State of Florida and adds a certification section for the Division of Retirement at the bottom of the form.

The one revised State Board of Administration form to be incorporated by reference is:

1. SMS-1 – Revised 07/07

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 121.051(1)(a), 121.35 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 1, 2008, 9:00 a.m.

PLACE: Division of Retirement, Conference Room 208, 1317 Winewood Blvd., Bldg 8, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee FL 32399-1560, (850)488-5706

THE FULL TEXT OF THE PROPOSED RULE IS:

60V-1.007 Approved Forms.

The following is a list of the forms utilized by the Division of Retirement in its dealings with the participants in the Senior Management Service Optional Annuity Program, which are hereby incorporated by reference into these rules. A copy of these forms may be obtained by calling the Division at (850)488-5706. If calling from outside the Tallahassee calling area, you may call the Division toll-free at (877)377-1737 or by writing to the Division of Retirement at, P. O. Box 9000, Tallahassee, FL 32315-9000. These forms may also be printed or downloaded from the Division's website (<http://frs.myflorida.com>) or from the cooperative website of the Division and the State Board of Administration (www.myfrs.com).

(1)(a) Division Forms

FORM NO./ REVISION DATE	TITLE/DESCRIPTION
1. OAP-ETF EFF (Rev. 07/07) (11/05)	Florida Retirement System State Senior Management Service <u>Optional Annuity Program (SMOAP) Employee Termination Form</u> – Class (SMSC) Supplemental Statement for Distributions – a one-page form

(b) State Board of Administration Forms.

FORM NO./REVISION DATE	TITLE
1. SMS-1 (Rev. 07/07) (Rev. 07/06)	State Senior Management Service Employees Retirement Plan Enrollment Form
2. Form SMS-4 (11/05)	Retirement Plan Conversion Form for Local Employer Senior Management Service Class (SMSC) Members

Specific Authority 121.031 FS. Law Implemented 121.055 FS. History–New 1-4-93, Amended 1-10-95, 5-14-95, 9-18-96, 10-14-98, 1-24-00, 12-19-00, 9-18-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560, (850)488-5706

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sarabeth Snuggs, Division Director, Department of Management Service, Division of Retirement, 1317 Winewood Blvd., Bldg 8, Tallahassee, FL 32399-1560, (850)488-5706

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-22.0105	Approval of Continuing Education Courses in Laws and Rules

PURPOSE AND EFFECT: Purpose and effect is to clarify the time that a continuing education course approval is valid.

SUMMARY: The time that a continuing education course approval is valid is clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.2123, 455.213, 455.2179, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.2123, 455.213, 455.2179, 471.017(3), 471.019 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-22.0105 Approval of Continuing Education Courses in Laws and Rules.

Each course provider approved by the Board to conduct courses in Florida Laws and Rules must meet the requirements of Rule 61G15-22.011, F.A.C., and shall submit an application for approval of a continuing education course in Laws and Rules. The application shall be submitted on the course approval application provided by the Board and shall include the following:

(1) through (5) No change.

(6) Continuing education course approval is valid for the biennium during which it was approved ~~two (2) years from date of issue, two (2) years from date of issue~~, provided no substantial change is made in the course and the approval status of the provider has not expired or been suspended or revoked. Substantial changes made in any course will require a new approval of that course. A provider must reapply for course approval ninety (90) days prior to the date of the end of the biennium which would be the expiration of course approval in order to prevent a lapse in course approval.

(7) No change.

Specific Authority 455.2123, 455.213, 455.2179, 471.017(3), 471.019 FS. Law Implemented 455.2123, 455.213, 455.2179, 471.017(3), 471.019 FS. History–New 4-8-07, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 18, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 8, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-3.004 RULE TITLE: Acupuncture Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to address a change to the name of the approved exam.

SUMMARY: The rule amendment will address a change to the name of the approved exam.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.017, 457.104 FS.

LAW IMPLEMENTED: 456.017, 457.104 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-3.004 Acupuncture Examination.

The Board currently approves as the Florida examination for licensure the NCCAOM examination, consisting of the Foundations of Oriental Medicine Module ~~and~~ the Acupuncture ~~with Module and the~~ Point Location Module.

Specific Authority 456.017, 457.104 FS. Law Implemented 456.017, 457.104 FS. History–New 8-13-84, Amended 10-2-84, Formerly 21AA-3.04, Amended 1-25-88, 9-3-89, 2-27-92, 5-6-92, Formerly 21AA-3.004, Amended 1-27-94, Formerly 61F1-3.004, Amended 11-21-95, Formerly 59M-3.004, Amended 10-15-97, 5-11-98, 4-20-99, 1-1-04, 7-19-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-10.0035 RULE TITLE: Disclosure of Licensure Status

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt a new rule regarding disclosure of licensure status.

SUMMARY: The new rule will clarify disclosure of licensure status.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 484.005, 484.007, 456.072(1)(t) FS.

LAW IMPLEMENTED: 456.072(1)(t) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-10.0035 Disclosure of Licensure Status.

All persons licensed pursuant to Section 484.007, F.S., and not exempt pursuant to Section 456.072(1)(t), F.S., shall identify the license under which he or she practices in one of the following manners:

(1) The wearing of a name tag which identifies the licensee as an optician;

(2) By orally disclosing to the patient, upon the licensee's initial in-person contact with the patient, that the licensee is an optician;

(3) By providing, upon the licensee's initial in-person contact with the patient, a business card or similar document which identifies the licensee as an optician; or

(4) By placing notification in the lobby or waiting area of the location where the licensee practices, which contains a photo of the licensee and which identifies the licensee as an optician.

Specific Authority 484.005, 484.007, 456.072(1)(t) FS. Law Implemented 456.072(1)(t) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-11.001 RULE TITLE: Application for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove language concerning the date of the administering of the PMLexis Examination.

SUMMARY: The date required for administering the PMLexis examination will be removed from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.033(6), 461.005 FS.

LAW IMPLEMENTED: 456.017(1)(c), 456.033, 461.006 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-11.001 Application for Licensure.

An application file for licensure is not complete unless and until it contains verification of a passing score from examination of the National Board of Podiatric Medical Examiners, including Part I, Part II, and the PMLexis Examination ~~administered after August of 1996~~. Such verification must be received by the Board office directly from the provider of the National Board of Podiatric Medical Examiners examination.

Specific Authority 456.033(6), 461.005 FS. Law Implemented 456.017(1)(c), 456.033, 461.006 FS. History--New 1-29-80, Amended 12-9-82, Formerly 21T-11.01, Amended 10-14-86, 1-26-88, 6-20-88, 7-3-89, 6-24-92, Formerly 21T-11.001, Amended 7-6-94, Formerly 61F12-11.001, Amended 1-1-96, 7-15-96, Formerly 59Z-11.001, Amended 9-3-98, 2-8-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-14.011 Mediation

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove language concerning updating profiling requirements.

SUMMARY: The requirement for updating profiling requirements will be removed from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.078, 461.005 FS.

LAW IMPLEMENTED: 456.078 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-14.011 Mediation.

The Board of Podiatric Medicine has determined that the following violations are defined as mediation offenses:

(1) Failure to supply copies of patient records in a timely manner when requested by a patient or a patient's representative;

(2) Failure to post the patient's bill of rights as required by Sections 381.026 and 381.0261, F.S.; and

~~(3) Failure to update profiling requirements on a timely basis; and~~

~~(3)(4)~~ Failure to provide proof of proper financial responsibility.

Specific Authority 456.078, 461.005 FS. Law Implemented 456.078 FS. History--New 3-26-95, Amended 6-17-97, Formerly 59Z-14.011, Amended 8-24-00, 7-26-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-1.002 Fingerprint Requirement and Waiver

PURPOSE AND EFFECT: Each applicant and entity seeking a license pursuant to Sections 497.263, 497.264, 497.281, 497.368, 497.369, 497.370, 497.373, 497.374, 497.380, 497.385, 497.453, 497.466, 497.550, 497.554, 497.602, 497.604, and 497.606, F.S., is required to submit fingerprints to the Department for a criminal history report. Section 497.142(12), F.S., authorizes the Department to adopt rules that establish forms, procedures, and fees for the submission and processing of fingerprints required to be submitted pursuant to Chapter 497, F.S. That section also authorizes the Department to waive the fingerprint submission requirement if the person has within the preceding 24 months submitted fingerprints to the Department and the Department obtained a criminal history report using those prior fingerprints.

SUMMARY: Proposed Rule 69K-1.002, F.A.C., specifies which persons are required to submit fingerprints on behalf of an entity seeking a license pursuant to Chapter 497, F.S.; exempts applicants who had previously submitted fingerprints within two years and the Department obtained a criminal history report; and authorizes fingerprints to be submitted either in an electronic format or by using a paper fingerprint card.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 497.103(5)(b), 497.141, 497.142(12) FS.

LAW IMPLEMENTED: 497.141, 497.142, 497.263, 497.264, 497.281, 497.368, 497.369, 497.370, 497.373, 497.374, 497.380, 497.385, 497.453, 497.466, 497.550, 497.554, 497.602, 497.604, 497.606 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: March 24, 2008, 2:00 p.m.

PLACE: Alexander Building, 2020 Capital Circle, S.E., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diana Marr, (850)413-3039 or diana.marr@

fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Marr, Director, Division of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S.E., Tallahassee, Florida 32399-0361, (850)413-3039

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-1.002 Fingerprint Requirement and Waiver.

(1) Each person and entity applying for a license under Chapter 497, F.S., shall submit fingerprints to the Department for a criminal history report as part of the license application process as follows:

(a) Where the applicant is a natural person, the fingerprints of the natural person making application:

(b) Where the applicant is a corporation, the fingerprints of the persons serving in the following capacities: chief executive officer and president, or both persons if the positions are filled by different persons; chief financial officer; chief of operations; general counsel if a corporation employee; and members of the board;

(c) Where the applicant is a limited liability company, the fingerprints of each manager and member of the limited liability company;

(d) Where the applicant is a partnership, the fingerprints of each partner;

(e) Where the applicant is a trust, the fingerprints of each trustee.

(2) Persons and entities already licensed under Chapter 497, F.S., as of 10-1-05 are not required to submit their fingerprints to renew or retain their existing licenses. However, if such person or entity applies for an additional license under Chapter 497, F.S., such person or entity shall be required to submit their fingerprints to the Department.

(3) Applicants are exempt from submitting fingerprints if, within two (2) years preceding their new application, they had previously submitted their fingerprints to the Department of Financial Services in relation to some other type of license application, and the Department obtained a criminal history report utilizing those prior fingerprints.

(4) Fingerprints may be submitted to the Department either in an electronic format or by using a paper fingerprint card.

(5) Information about submitting electronic fingerprints is on the Department's website: <http://myfloridacfo.com/FuneralCemetery/>.

(6)(a) The Department uses the fingerprint cards of the United States Department of Justice, Federal Bureau of Investigation, Form No. FD-258 (rev. 5-11-99), which is incorporated by reference in Rule 69K-1.001, F.A.C.

Applicants shall obtain this fingerprint card form from the Department with a pre-stamped ORI number to ensure that fingerprint results are sent to the correct agency. Fingerprint cards shall be obtained from the Department prior to submitting an application by calling (850)413-3039.

(b) The fingerprints shall be taken by a certified law enforcement officer, as defined in Chapter 943, F.S., or by an employee of a law enforcement agency whose duty it is to perform fingerprint services for the public.

(c) The completed fingerprint cards shall be mailed to the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, accompanied by a nonrefundable processing fee.

Specific Authority 497.103(5)(b), 497.141, 497.142(12) FS. Law Implemented 497.141, 497.142, 497.263, 497.264, 497.281, 497.368, 497.369, 497.370, 497.373, 497.374, 497.380, 497.385, 497.453, 497.466, 497.550, 497.554, 497.602, 497.604, 497.606 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diana Marr, Director, Division of Funeral, Cemetery, and Consumer Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Chandler, Deputy Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

**Section III
Notices of Changes, Corrections and
Withdrawals**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Dairy Industry

RULE NOS.:	RULE TITLES:
5D-1.012	Future Dairy Farms, Milk Plants, Manufacturing Milk Plants and Frozen Dessert Plants

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with paragraph 120.54(3)(d)1., F.S. published in Vol. 33, No. 51, December 21, 2007, issue of Florida Administrative Weekly.

The following language “or a method which has been approved by the regulatory agency and” is being deleted from the proposed rule as follows: