



**FLORIDA INLAND NAVIGATION DISTRICT
INTRACOASTAL WATERWAY
MAINTENANCE DREDGING
SOUTH OF PORT OF PALM BEACH
PALM BEACH COUNTY, FLORIDA**

**APPENDIX G
DIVER INVESTIGATION SURVEY OF POTENTIAL
BURIED UTILITIES**

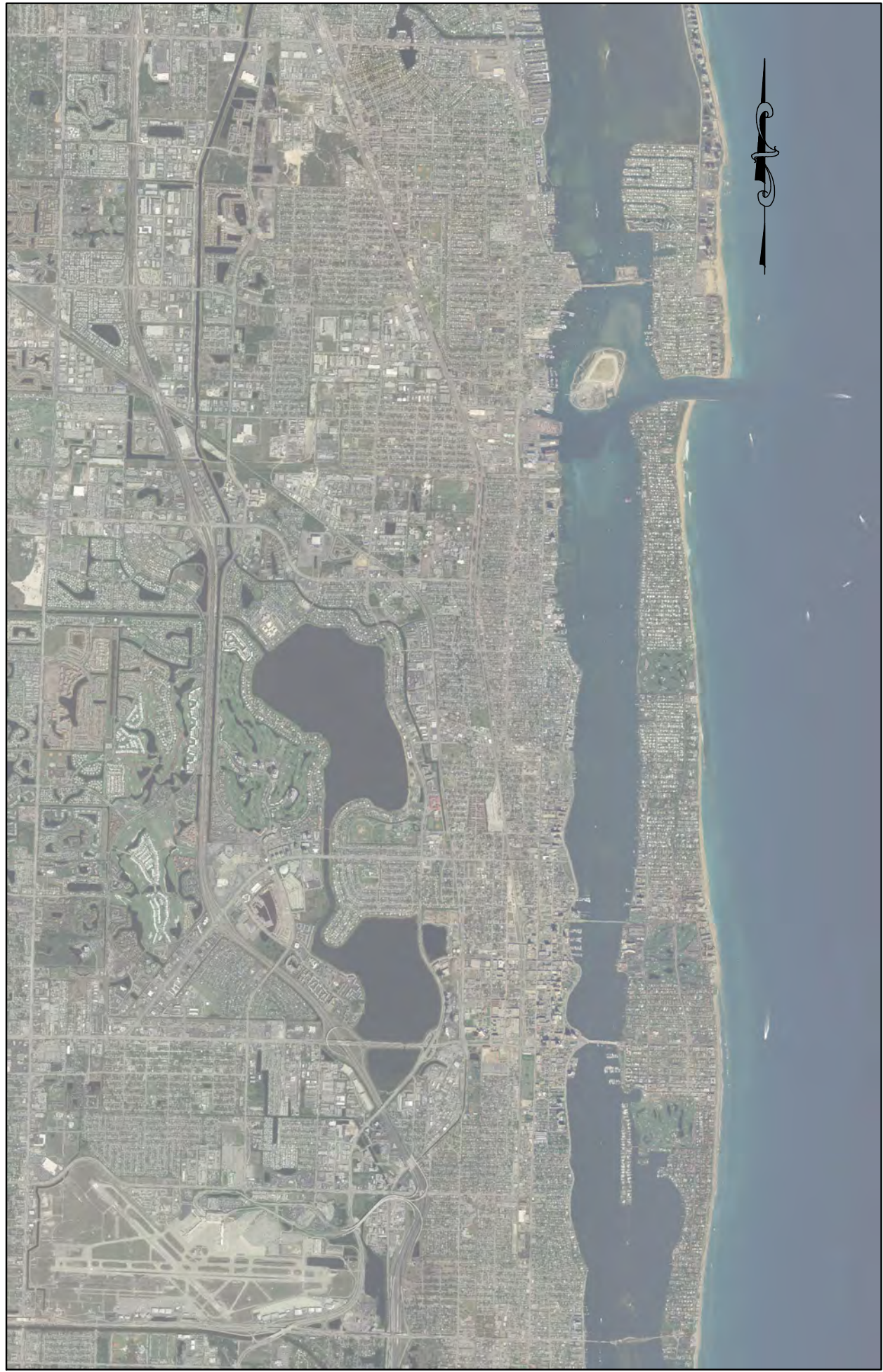
AND

**ICWW PALM BEACH SOUTH DEEPENING
PROJECT UTILITY CROSSING INVESTIGATION
AND REPORT OF FINDINGS**

DISCLAIMER

The information contained herein is for Contractor Information Only.

Per Part 1, SECTION 35 20 23 DREDGING AND DREDGED MATERIAL PLACEMENT, PARAGRAPH 1.3(O)(1), the Contractor is solely responsible for investigating the location of all utility crossings, via an independent and comprehensive pre-construction utility survey.



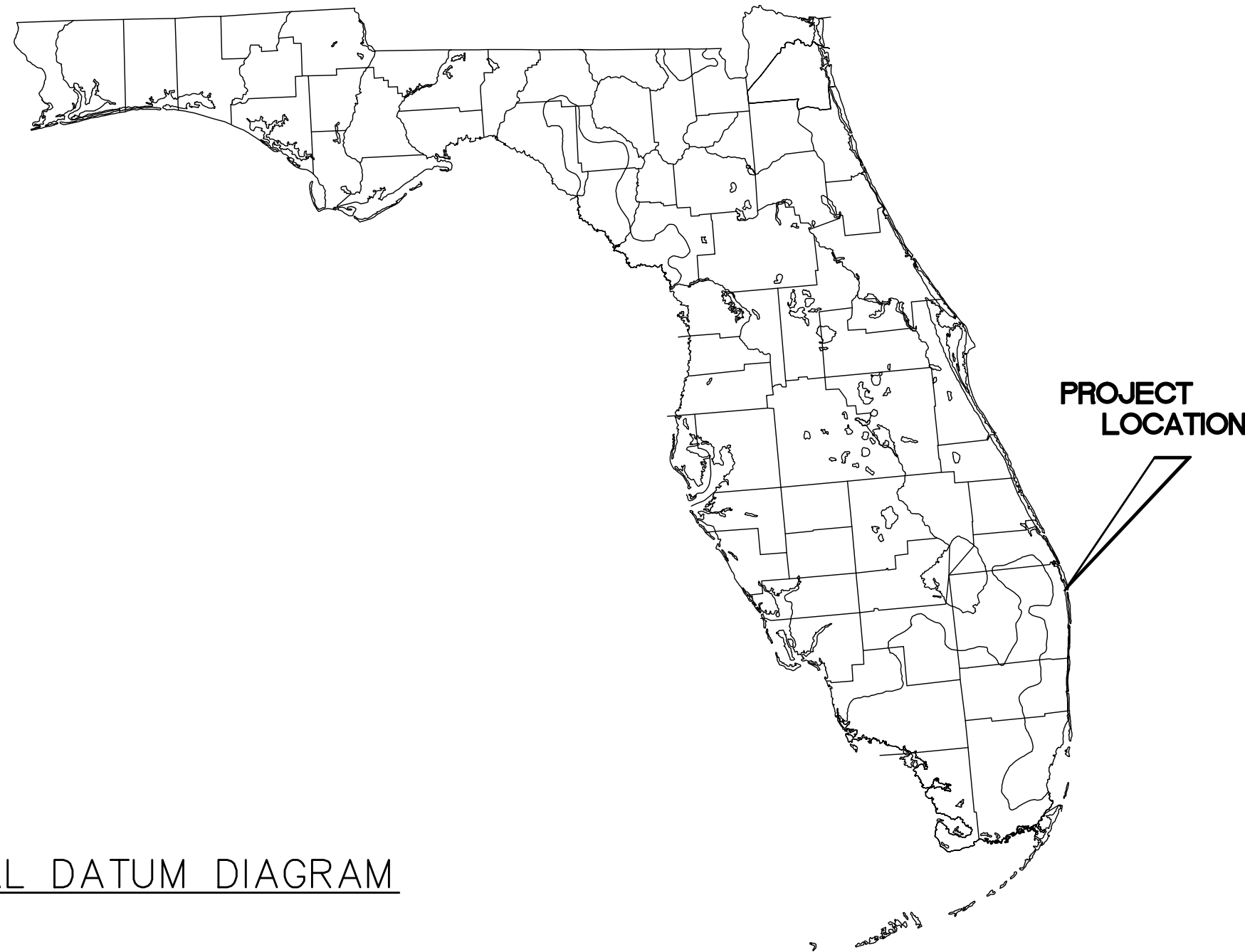
LOCATION MAP
1" INCH = 5,000 FEET

DIVER INVESTIGATION SURVEY OF POTENTIAL BURIED UTILITIES INTRACOASTAL WATERWAY, CUT PB-36 THROUGH CUT PB-41 PALM BEACH COUNTY, FLORIDA

—FOR—

TAYLOR ENGINEERING, INC.

DATE: FEBRUARY 15, 2018
COMMISSION NUMBER: 5303.16



- SURVEY NOTES:**
- COORDINATES SHOWN ARE IN U.S. SURVEY FEET, AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011 (NAD 83/2011).
 - ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER (SEE VERTICAL DATUM DIAGRAM).
 - ELEVATIONS SHOWN ARE IN FEET AND ARE REFERENCED TO MEAN LOWER LOW WATER. ELEVATION DATA WAS COLLECTED IN FEET RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AND CONVERTED TO MLLW USING THE LATEST VERSION OF VDATUM (VERTICAL DATUM TRANSFORMATION) PROVIDED BY NOAA, NATIONAL OCEAN SERVICE (NOS).
 - CAUTION:** THE DIFFERENCE BETWEEN NAVD 88 AND MEAN LOWER LOW WATER VARIES AND MAY NOT BE THE SAME AS THE DIFFERENCE USED FOR PREVIOUS ACOE SURVEYS. TO MAKE A DIRECT COMPARISON BETWEEN SURVEYS, THE USER NEEDS TO BE CAREFUL TO VERIFY THE VERTICAL DATUM TRANSFORMATION PARAMETERS FOR EACH PROJECT AREA.
 - COORDINATES AND ELEVATIONS ARE BASED UPON THE MONUMENTS SHOWN IN THE CONTROL TABLE.
 - ELEVATION DATA POINTS SHOWN HEREON WERE INTERPOLATED ALONG A GRIDDED SURFACE DERIVED FROM SOUNDING DATA AND ARE FOR DISPLAY PURPOSES ONLY.
 - BATHYMETRIC, MAGNETOMETER, SEISMIC RESULTS AND SIDE-SCAN SONAR INFORMATION DEPICTED ON THIS SURVEY REPRESENT THE EXISTING CONDITIONS ON THE DATE OF THE FIELD SURVEY. DATA WAS COLLECTED ON DEC 14-17 AND 21-23, 2015, JANUARY 6, 7, & 27, AND FEBRUARY 4, 2016.
 - AERIAL IMAGERY WAS TAKEN IN 2013 AND WAS PROVIDED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.
 - AERIAL IMAGERY IS DISPLAYED HEREON FOR INFORMATION PURPOSES ONLY, NO PHOTOGRAPHIC ACCURACY IS IMPLIED BY THIS MAP.
 - NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - HORIZONTAL POSITIONING UTILIZED A TRIMBLE SPS 852 REAL TIME REAL TIME KINEMATIC GPS RECEIVER WITH REAL TIME CORRECTIONS APPLIED FROM POINT 235.
 - SOUNDINGS WERE OBTAINED USING AN ODOM MB1 MULTI BEAM ECHO SOUNDER OPERATING AT 219KHZ.
 - WATER SURFACE ELEVATIONS WERE OBTAINED USING A TRIMBLE SPS 852 REAL TIME KINEMATIC (RTK) DUAL FREQUENCY GPS RECEIVER WITH REAL TIME CORRECTIONS APPLIED FROM A TRIMBLE 5700 DUAL FREQUENCY BASE STATION OCCUPYING POINTS SHOWN IN THE CONTROL TABLE AND WERE VERIFIED TO A TIDE STAFF ELEVATED FROM CONTROL POINT 234.
 - THE SIDE-SCAN SONAR DATA WAS COLLECTED USING THE EDGETECH DUAL FREQUENCY (600 KHZ AND 1600 KHZ) CHIRP SIDE-SCAN SONAR. THE MODEL USED WAS THE 4125. THE SIDE-SCAN SONAR IS CAPABLE OF PRODUCING SONIC IMAGES OF THE BOTTOM WITH THE RESOLUTION TO DISPLAY SMALL OBJECTS IF THEY ARE EXPOSED AND NOT COMPLETELY BURIED. THE LIMITATIONS OF THE SIDE-SCAN SONAR ARE THAT IT CANNOT PENETRATE THE BOTTOM AND DETECT A BURIED OBJECT.
 - MAGNETOMETER DATA WAS COLLECTED USING THE GEOMETRICS G-882 DIGITAL CESIUM MAGNETOMETER WITH ALTIMETER AND DEPTH SENSOR. THE MAGNETOMETER READS THE EARTH'S MAGNETIC FIELD AND MEASURES THE EFFECTS OF FERROUS OBJECTS UPON IT.
 - THE SUB-BOTTOM (SEISMIC) DATA WAS COLLECTED USING AN EDGETECH X-STAR CHIRP SUB-BOTTOM PROFILER.
 - ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PROHIBITED WITHOUT WRITTEN CONSENT.
 - DIVER INVESTIGATION WAS PERFORMED BY INDUSTRIAL DIVERS CORPORATION. ON JANUARY 22-26 AND 29-31, FEBRUARY 1-2, 5-9, AND 12-15, 2018.

PREPARED BY:

Morgan & Eklund Inc.
PROFESSIONAL SURVEY CONSULTANTS

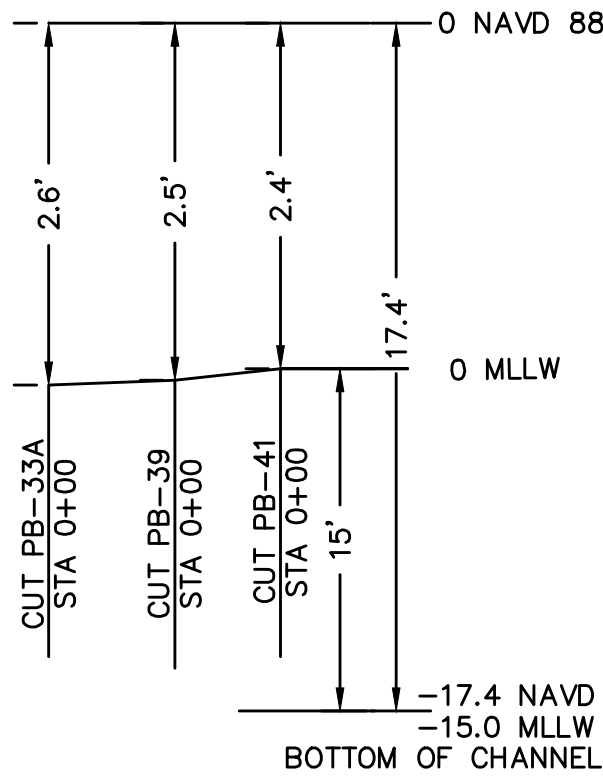


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VERTICAL DATUM DIAGRAM



RELATIONSHIP BETWEEN NAVD88 AND MLLW
(BASED UPON NOAA VDATUM CONVERSION)

LEGEND

- | | |
|-------|--|
| APM | ALUMINUM PIPE MONUMENT |
| CGS | COAST & GEODETIC SURVEY |
| CM | CONCRETE MONUMENT |
| DM ID | FDEP DOCUMENT IDENTIFICATION NUMBER |
| DRM | DEEP ROD MONUMENT |
| FDEP | FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION |
| ICWW | INTRACOASTAL WATERWAY |
| LT | LEFT |
| M&E | MORGAN & EKLUND, INC. |
| MLLW | MEAN LOWER LOW WATER |
| NGS | NATIONAL GEODETIC SURVEY |
| NOAA | NATIONAL OCEANIC AND ATMOSPHERIC ASSOCIATION |
| ORB | OFFICIAL RECORD BOOK |
| RT | RIGHT |
| USACE | UNITED STATES ARMY CORPS OF ENGINEERS |
| Ⓢ | CENTERLINE |
| Ⓢ | RED CHANNEL MARKER |
| Ⓢ | GREEN CHANNEL MARKER |

CONTROL TABULATION

DESIGNATION	NAD 83/11 NORTHING	SPCS 0901 EASTING	NAVD 88* ELEVATION	STAMPING	DESCRIPTION
282	892034.55	968102.57	5.11	LB 4298	5/8" IRC
225	891643.02	968059.34	4.76	LB 4298	5/8" IRC
W 309	891639.96	968062.79	8.88	W 309	FLORIDA SRD DISK
IWP 26			2.49	IWP 26 1957 JACKSONVILLE	USACE DISK
234	870009.90	966430.83	3.35	LB 4298	5/8" IRC
235	869928.48	966453.56	3.15	LB 4298	5/8" IRC
236	852476.42	969017.25	4.46	LB 4298	5/8" IRC
237	852483.15	969075.62	4.58	LB 4298	5/8" IRC
ZEIS	852327.16	967513.56		ZEIS	CGS DISK

* ALL ELEVATION DATA SHOWN ON THE FOLLOWING PAGES HAVE BEEN CONVERTED TO MEAN LOWER LOW WATER USING THE LATEST VERSION OF VDATUM (VERTICAL DATUM TRANSFORMATION) PROVIDED BY NOAA, NATIONAL OCEAN SERVICE (NOS).

CAUTION

THERE MAY BE OTHER UTILITY CROSSINGS
THAT WERE NOT DETECTED DURING THIS
SURVEY. CONTRACTOR IS TO VERIFY
UTILITY LOCATIONS PRIOR TO DREDGING.

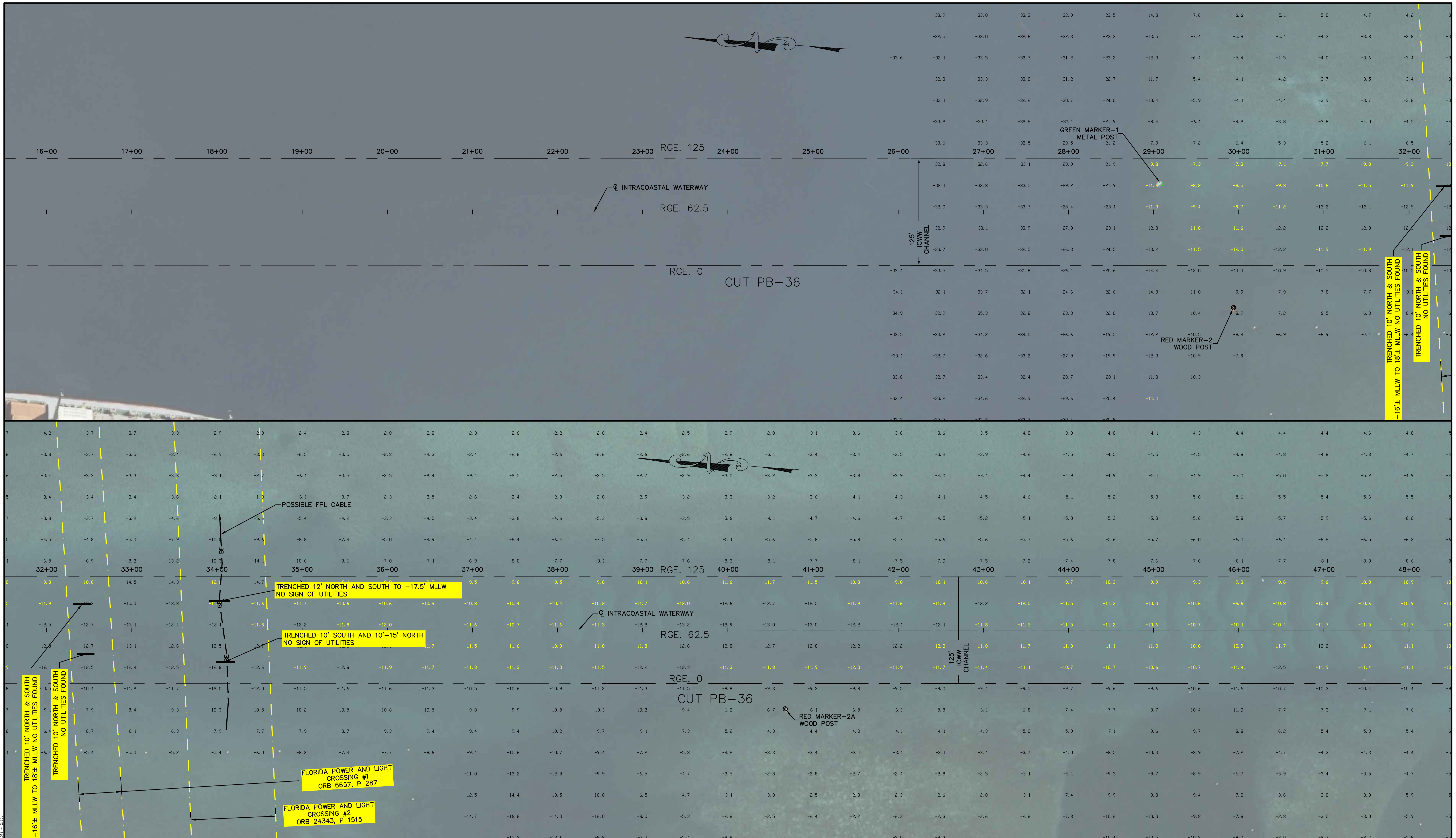
SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	KEY MAP
3-10	ELEVATION DATA
11-18	MAGNETOMETER, SEISMIC & SIDE-SCAN SONAR DATA
19-21	SURVEY REPORT
22	PROFILES

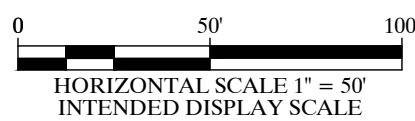
FIELD BOOK: PALM BEACH 64A, PAGES 1-24

REVISED 3/6/18: ADD DIVER DATA AND NOTES

SHEET 1 OF 22



11. Jan. 2018 - 2.27am



LEGEND

- TRENCHED TO -17.5 MLLW NO UTILITIES ENCOUNTERED
- FOUND UTILITY LINE
- NOT INVESTIGATED
- PWC-PROCEED WITH CAUTION



JOHN R. MORGAN II, PSM
FLORIDA CERTIFICATION #3520

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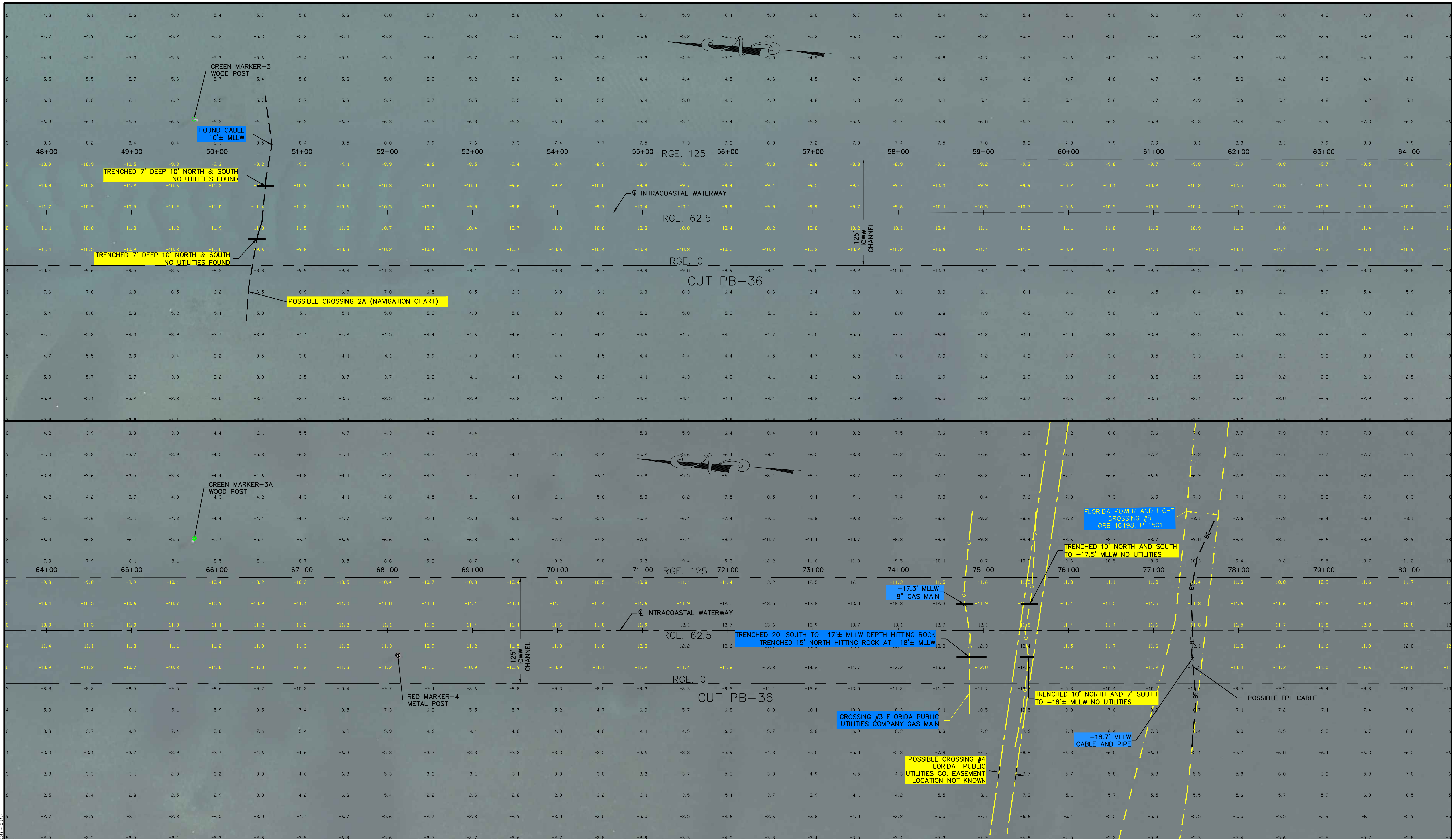
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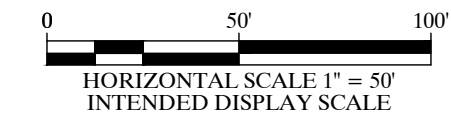
CERTIFICATE OF SURVEYOR - I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS IN ACCORDANCE WITH A RECENT FIELD SURVEY MADE UNDER MY DIRECTION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 34-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JOHN R. MORGAN II, PLS
PROFESSIONAL LAND SURVEYOR #3520
STATE OF FLORIDA

ELEVATION DATA (MLLW -10' PROJECT)				COMMISSION NO.	
DIVER INVESTIGATION SURVEY OF POTENTIAL BURIED UTILITIES				5303.16	
INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41				SCALE	
PALM BEACH COUNTY, FLORIDA				AS SHOWN	
FOR TAYLOR ENGINEERING, INC.				DATE	
				3/6/18	
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LFP	JRM	PAGE NO.	COVER	2/15/18	



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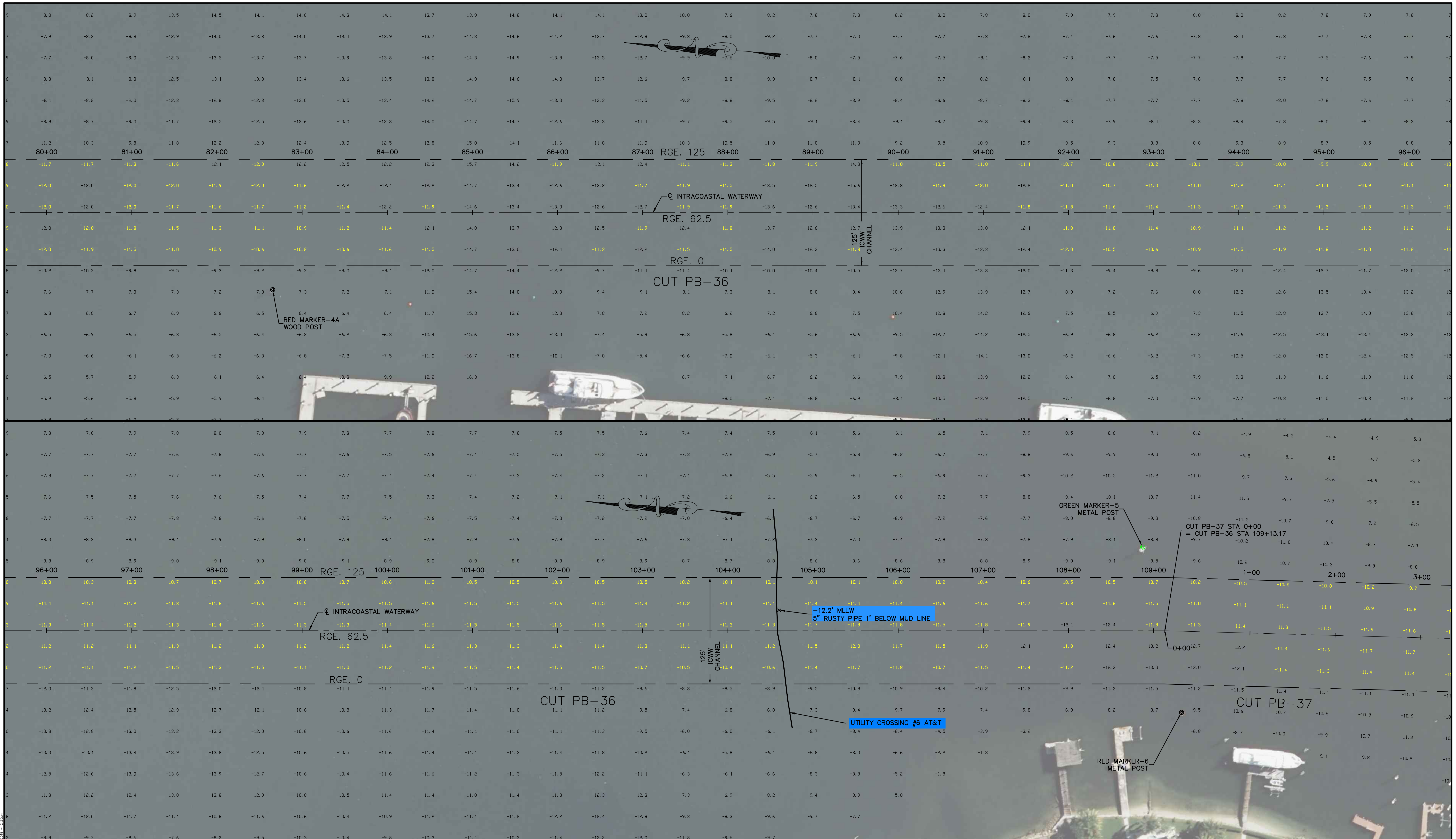
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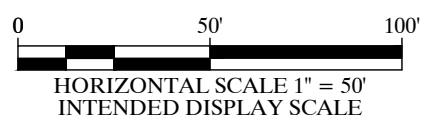
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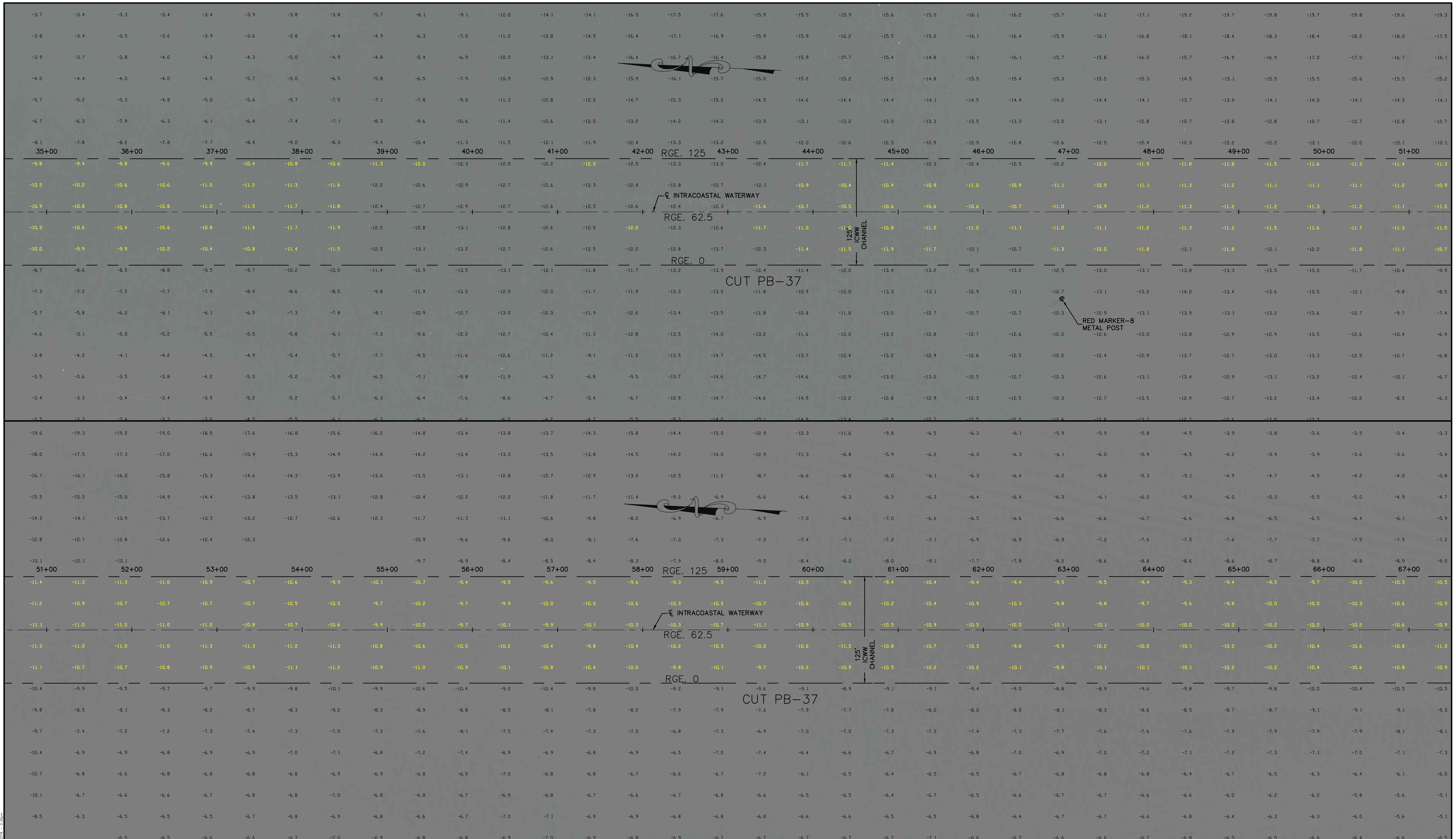
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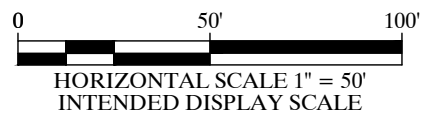
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INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41
PALM BEACH COUNTY, FLORIDA
FOR TAYLOR ENGINEERING, INC.

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COMMISSION NO.
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SHEET 7 OF 22

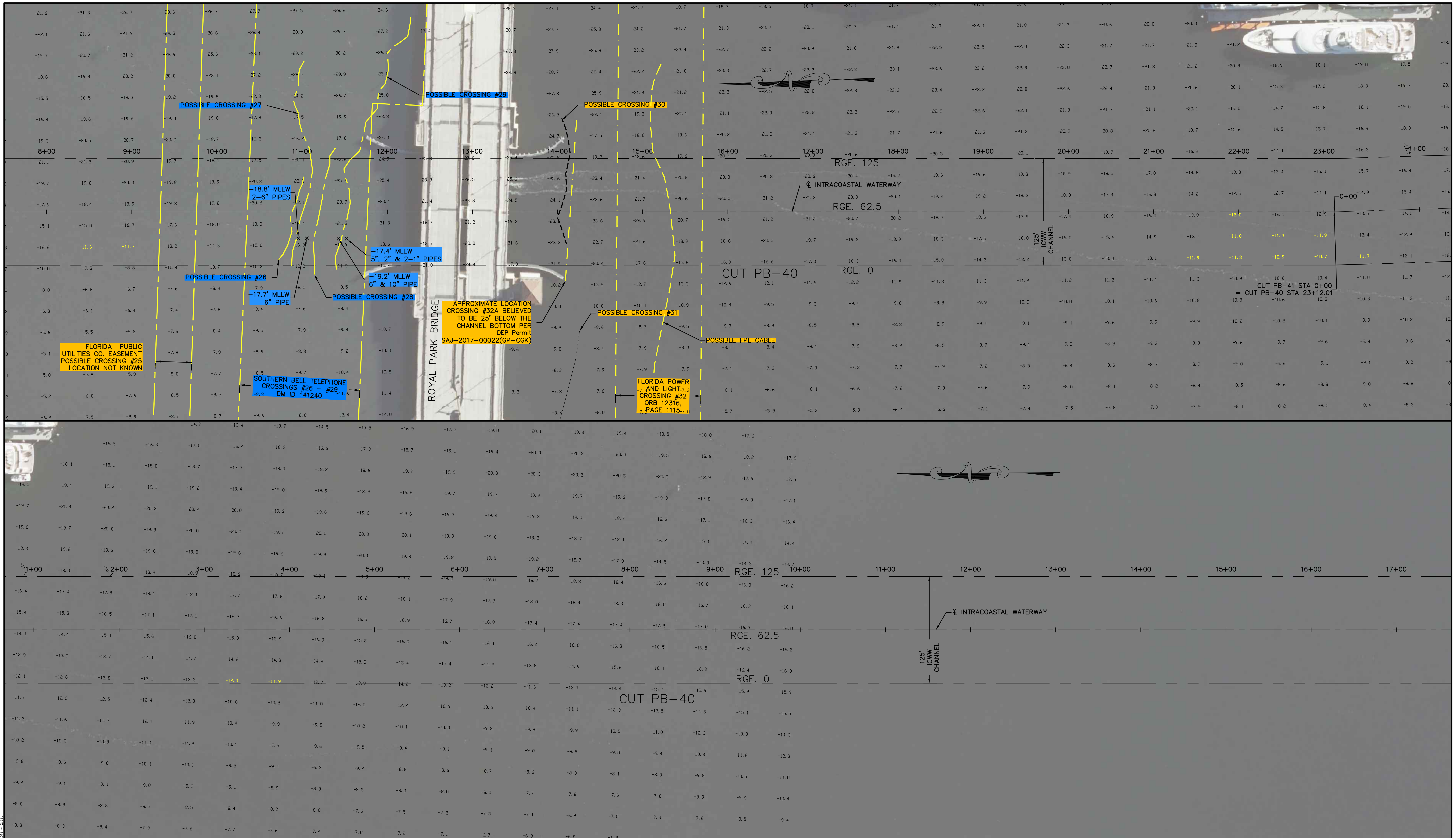
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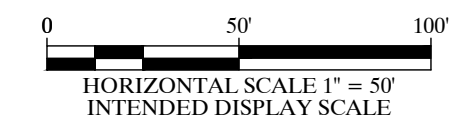
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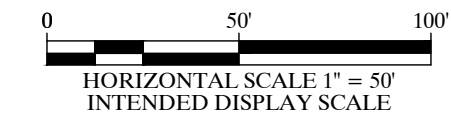
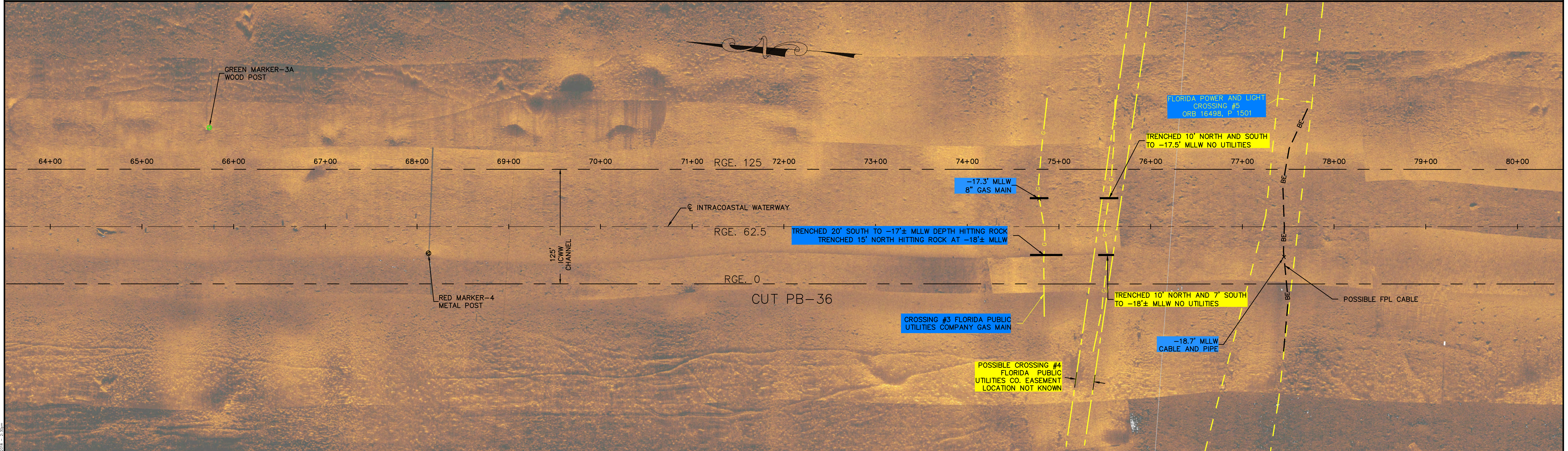
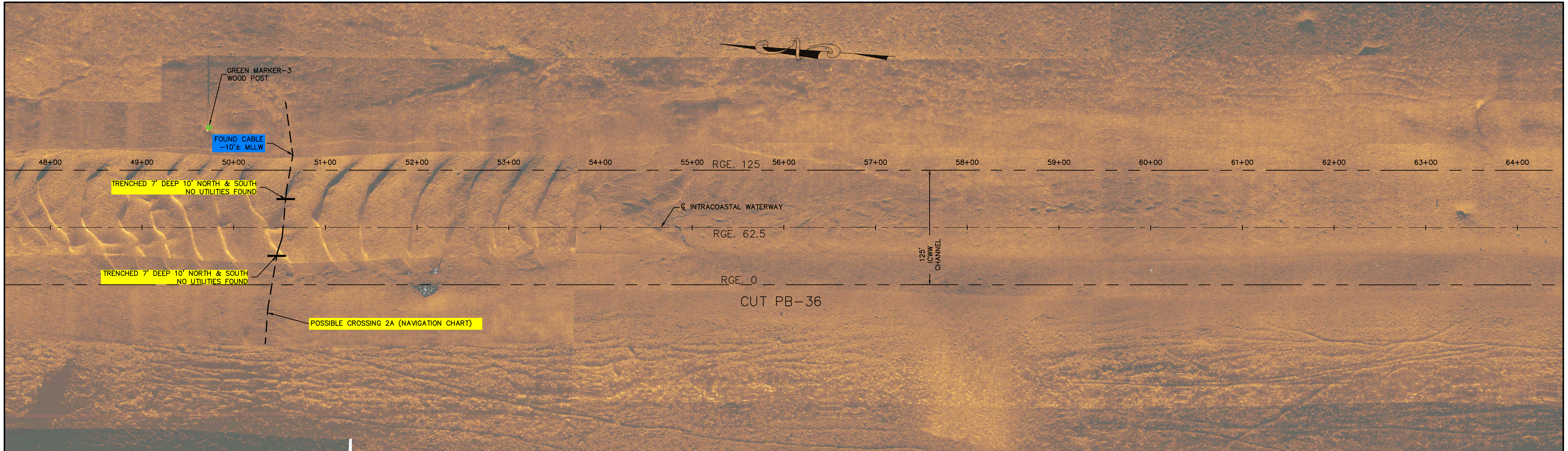
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INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41 PALM BEACH COUNTY, FLORIDA FOR TAYLOR ENGINEERING, INC.				DATE 3/6/18
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				SHEET 10 OF 22



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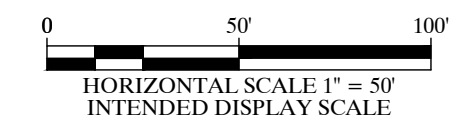
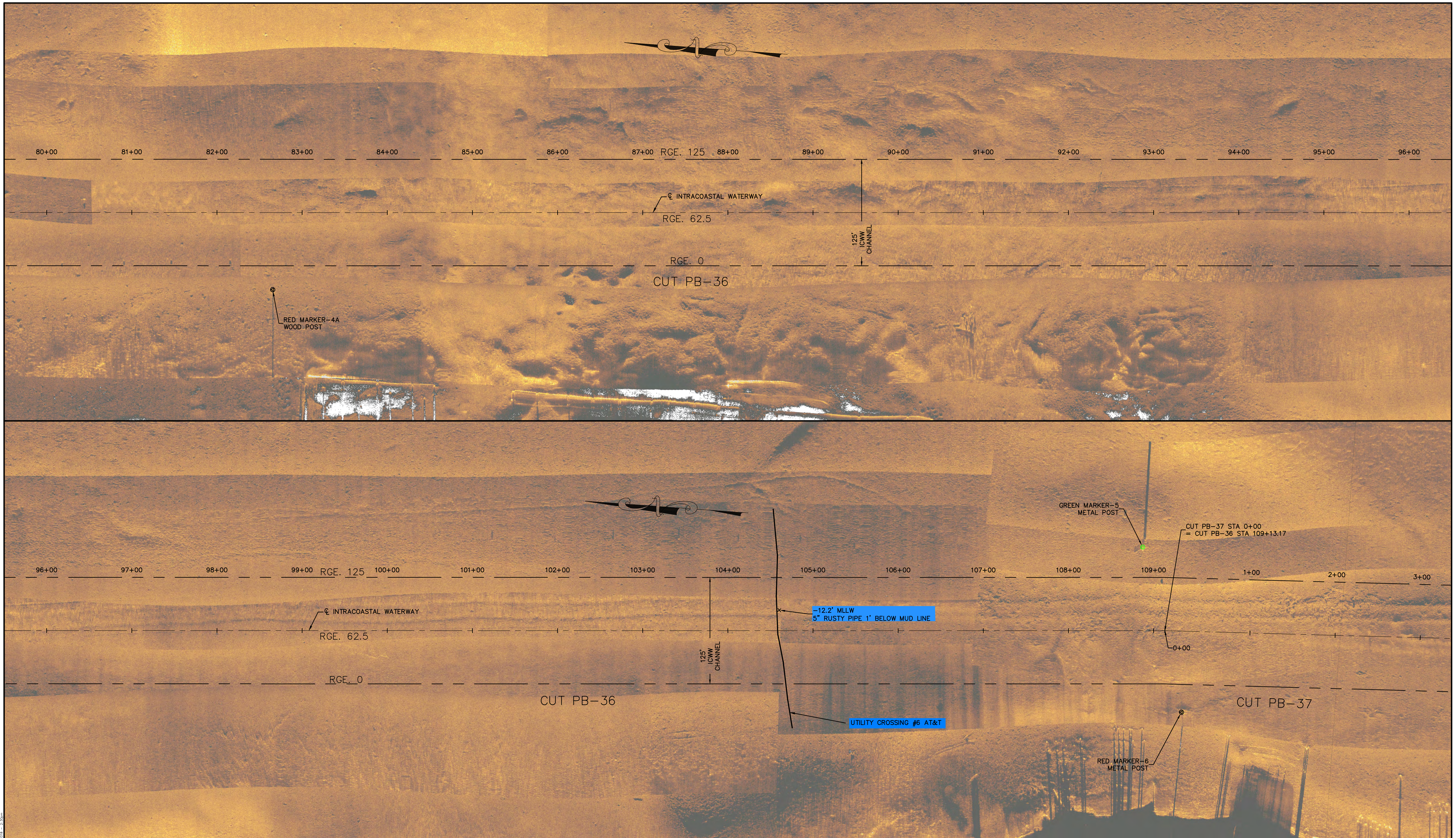
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SONAR MOSAICS					COMMISSION NO.
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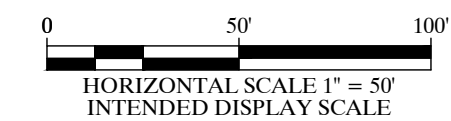
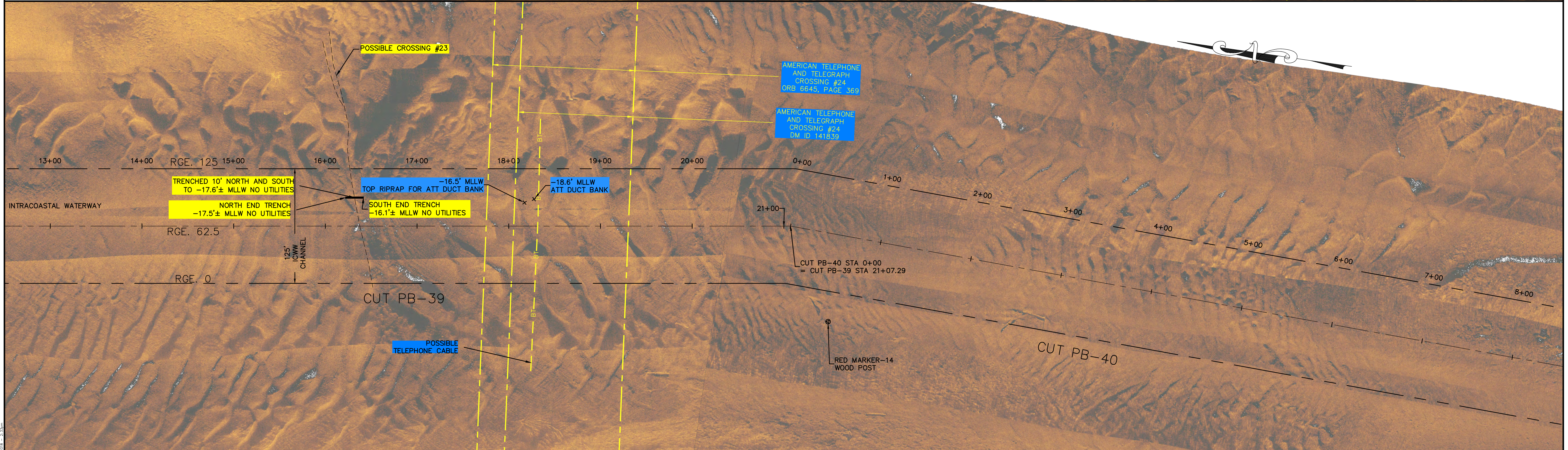
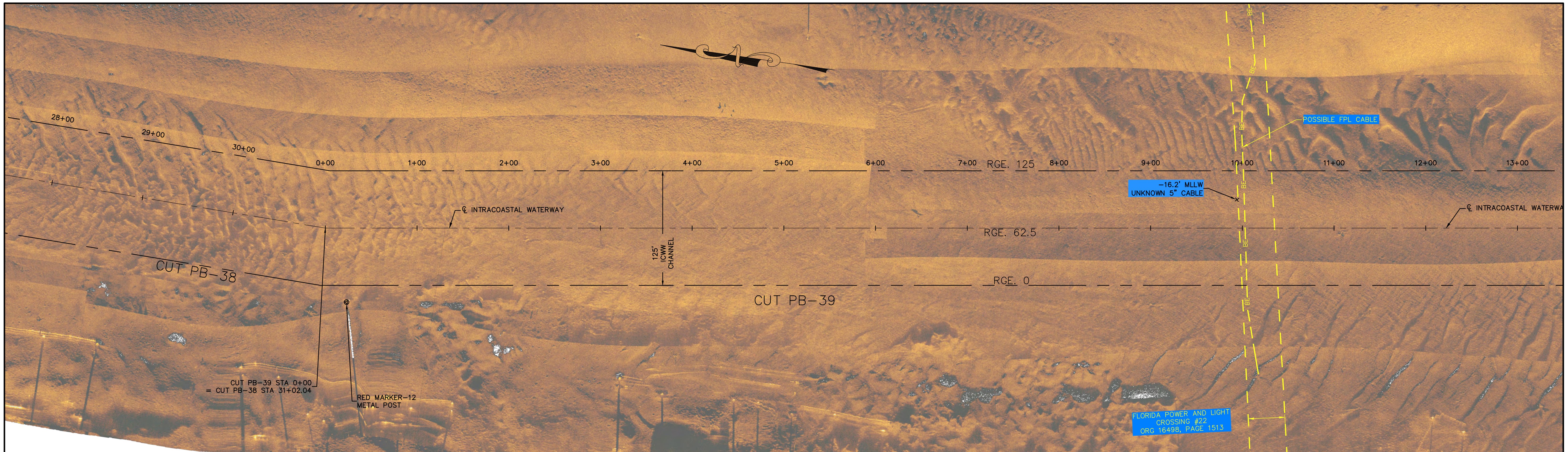
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- PWC-PROCEED WITH CAUTION



JOHN R. MORGAN II, PSM
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LB #4298

CERTIFICATE OF SURVEYOR - I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS IN ACCORDANCE WITH A RECENT FIELD SURVEY MADE UNDER MY DIRECTION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 64-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JOHN R. MORGAN II, PLS
PROFESSIONAL LAND SURVEYOR #3520
STATE OF FLORIDA

SONAR MOSAICS
DIVER INVESTIGATION SURVEY OF POTENTIAL BURIED
UTILITIES
INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41
PALM BEACH COUNTY, FLORIDA
FOR TAYLOR ENGINEERING, INC.

DRAWN BY
LFP

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JRM

FIELD BOOK
PAGE NO.
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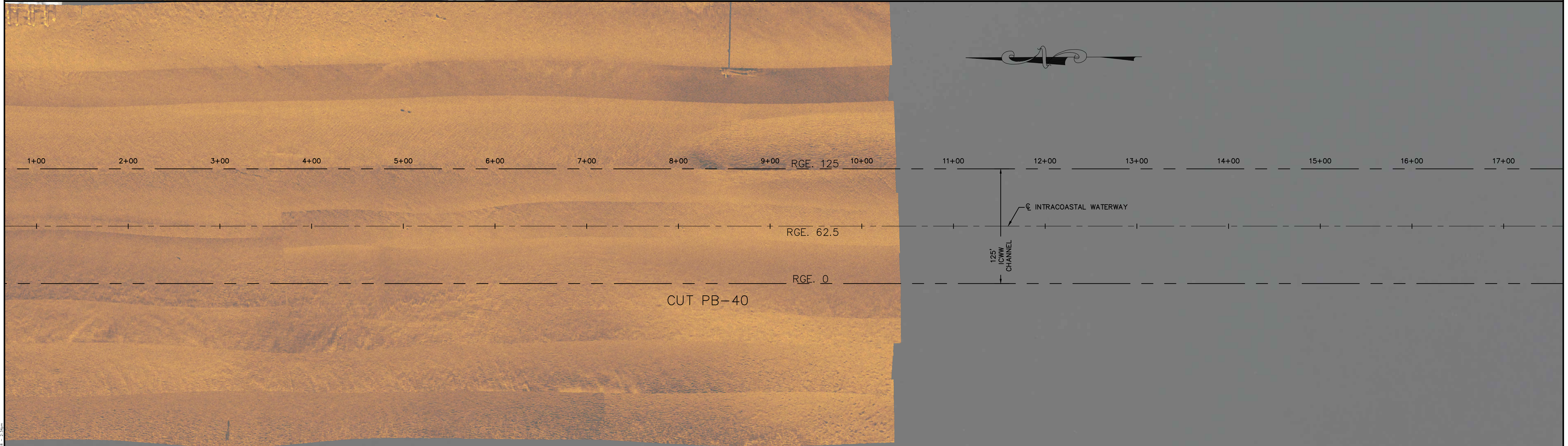
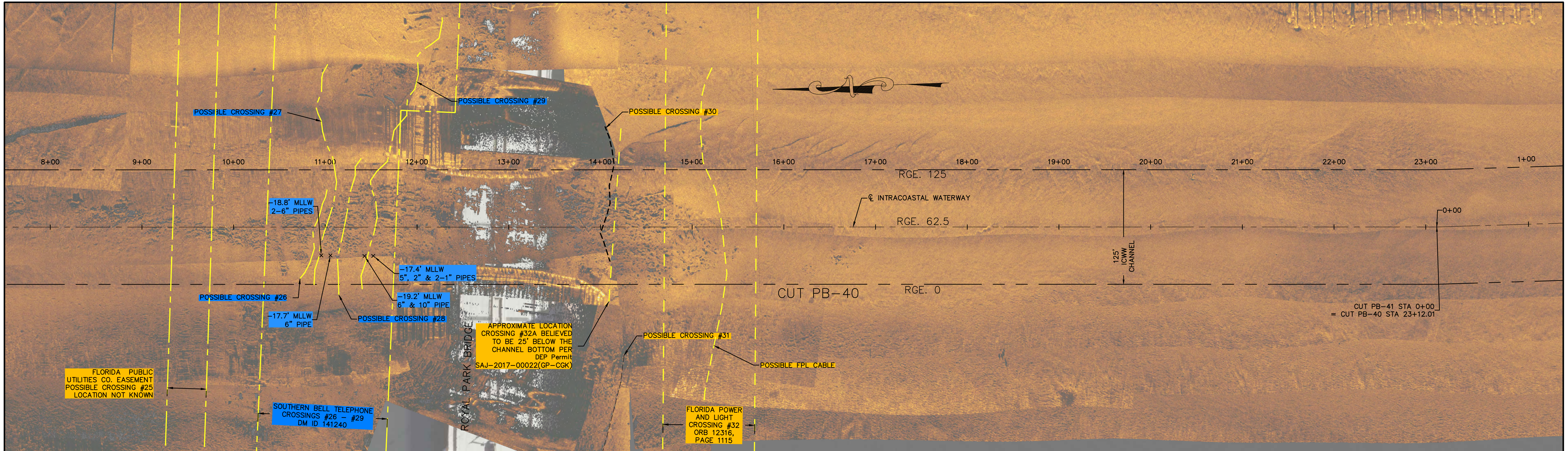
DATE OF SURVEY
2/15/18

COMMISSION NO.
5303.16

SCALE
AS SHOWN

DATE
3/6/18

SHEET 17 OF 22



0

50'

100'

HORIZONTAL SCALE 1" = 50'

INTENDED DISPLAY SCALE

LEGEND

TRENCHED TO -17.5 MLLW
NO UTILITIES ENCOUNTERED

FOUND UTILITY LINE

NOT INVESTIGATED

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INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41

PALM BEACH COUNTY, FLORIDA

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SHEET 18 OF 22

Palm Beach ICWW Utility Search

Introduction

SONOGRAPHICS, INC. and MORGAN & EKLUND, INC. (M&E) have completed an underwater survey of the Intracoastal Waterway in Palm Beach County, Florida to detect the possible presence of utilities crossing. This report describes the equipment used, the methods implemented and the results obtained.

A. Equipment Used to Detect Submerged Utilities

A-1 MAGNETOMETER:

To locate utilities such as pipelines and cables under a waterway, several devices were employed. One device was the Geometrics Model G-882 marine magnetometer. It is a highly sensitive cesium pumped digital unit capable of sampling at 10 times per second. It is capable of locating ferrous objects because they interrupt the earth's magnetic field. It is a very common tool for locating pipelines and cables that have ferrous iron in their construction. The limitations of a magnetometer are:

1. If the cable or pipeline is not made with ferrous iron they will not be detected by the magnetometer.
2. If a utility is detected the depth of burial can only be determined through calculations that are imprecise and therefore are not very accurate or reliable.
3. If there are other ferrous items in the vicinity they must be separated from the potential utility contacts usually by comparing positions and analyzing signatures.
4. Selecting the exact position of an anomaly can be difficult due to the context in which the anomaly is situated relative to the earth's field and other ferrous objects. Some positions are straightforward and accurate while others are subject to interpretation.

A-2 SIDE-SCAN SONAR:

The second device employed was an EdgeTech dual frequency (600 kHz and 1600 kHz) chirp side-scan sonar. The model used was the 4125. The side-scan sonar is capable of producing sonic images of the bottom with the resolution to display the utility if it is exposed and not completely buried. It is capable of covering the entire bottom of the waterway from one side to the other. The limitation of the side-scan sonar is that it cannot penetrate the bottom and detect a buried utility.

A-3 SUB-BOTTOM PROFILER:

The third device employed was an EdgeTech X-Star Chirp Sub-bottom Profiler (SBP). The tow-fish used was the model SB-216S which can sweep sonic pulses from 2 kHz to 16 kHz. The sub-bottom profiler is capable of penetrating the sediment and getting reflections from the utility if it is significantly different in density from the surrounding sediment. The beam pattern of the sub-bottom profiler is wide enough fore and aft to detect the utility before and after it is directly under the tow-fish resulting in a classic hyperbolic pattern. If such a pattern is detected, then the actual depth of burial can be measured accurately relative to the surrounding bottom. The limitations of the sub-bottom profiler are:

1. The sediment may not be conducive to penetration if it contains gaseous organic material.
2. If the utility was purposely buried in the sediment, it may have been backfilled with material that is impenetrable. In this instance the backfill may be detected but the depth of burial would be un-measurable.
3. The construction of the utility may be of a material that is not of sufficient difference in density from the sediment or it may be physically too small. Typically, utilities with a diameter smaller than 6 inches will not be detected.

A. SURVEY METHODS

On January 6th, 7th and 27th, 2016 the survey vessel provided by Morgan Eklund, Inc. was mobilized with the Side-Scan Sonar, Magnetometer, Sub-bottom Profiler and Trimble DGPS Navigation Systems. The Navigation computer with Hypack Navigation Software was installed to interface the DGPS and output towfish coordinates to the Side-scan computer topside. The Navigation computer was loaded with preplanned survey lines spaced at 50 and 100 foot intervals through the length of the survey area and parallel to potential utilities for the side-scan survey. It provided visual guidance to the helmsman for navigation of each line. The RTK was able to provide WGS 84 differential positions to the Navigation computer. The published accuracy of the DGPS system is less than 1 meter.

The Side-Scan and Sub-bottom tow-fish were deployed from the side of the vessel with minimal amount of cable out. The distance from the DGPS antenna to the center of the transducers was also measured. The layback and offset was calculated by the Navigation software, enabling towfish coordinates to be sent to both the Sub-bottom and Sonar computers in real time.

The magnetometer was installed and tests were done to insure that it was interfaced and working properly. The navigation computer recorded the data from the magnetometer and combined it with the NAD83, Florida State Plane East Zone, U.S. Survey Foot tow-fish coordinates. The magnetometer sensor was towed near the water surface from 50 to 70 feet aft of the vessel. The layback and offset was calculated by the Navigation software, enabling tow-fish coordinates to be merged with the incoming magnetometer readings in real time. The sampling rate was set to

10 samples per second. The magnetometer signal strength was monitored as the vessel was operated at 8 points of the compass to ensure that the sensor would not be affected by an improper angle to the earth's magnetic field. Test passes close to a metal navigation aid produced a significant anomaly with no degradation in signal strength. The background noise level was normal throughout the test and it was deemed that the magnetometer was ready for survey operations.

A. DATA PROCESSING

C-1 SIDE-SCAN SONAR DATA:

The Side-scan data was recorded in the native EdgeTech JSF format on the hard drive in the Sonar Computer by the EdgeTech Discover program. The JSF files were read by the Chesapeake SonarWizMap program and after adjustments and navigation smoothing, image files were created for the construction of a sonar mosaic. The sonar mosaic was exported as a Geo-Tif file. Each individual sonar line was examined for possible utility targets.

C-2 MAGNETOMETER DATA:

The magnetometer data was recorded in the Hypack (RAW) files. The RAW files were imported to an editor where anomalies were analyzed in profile and recorded as targets. The targets were plotted and analyzed for continuous patterns consistent with the presence of utilities.

C-3 SUB-BOTTOM PROFILER DATA:

The Sub-bottom data was recorded in the native EdgeTech (JSF) format on the hard drive in the Sub-bottom Computer. The JSF files were read by the Chesapeake SonarWizMap program and after adjustments and navigation smoothing profiles were produced for each survey line. The data was analyzed for patterns consistent with pipeline or cable signatures. Particular attention was paid to utility easement areas and where magnetic anomalies were detected.

B. RESULTS

D-1 SIDE-SCAN SONAR RESULTS:

20 possible utility detections were observed on the side-scan imagery.

Possible Utility _00 is a possible cable or pipeline meandering from the as-built plot of an FPL cable at the north edge of FPL Crossing #10 easement. The contact image starts at the northern easement boundary and moves north 30 feet from the

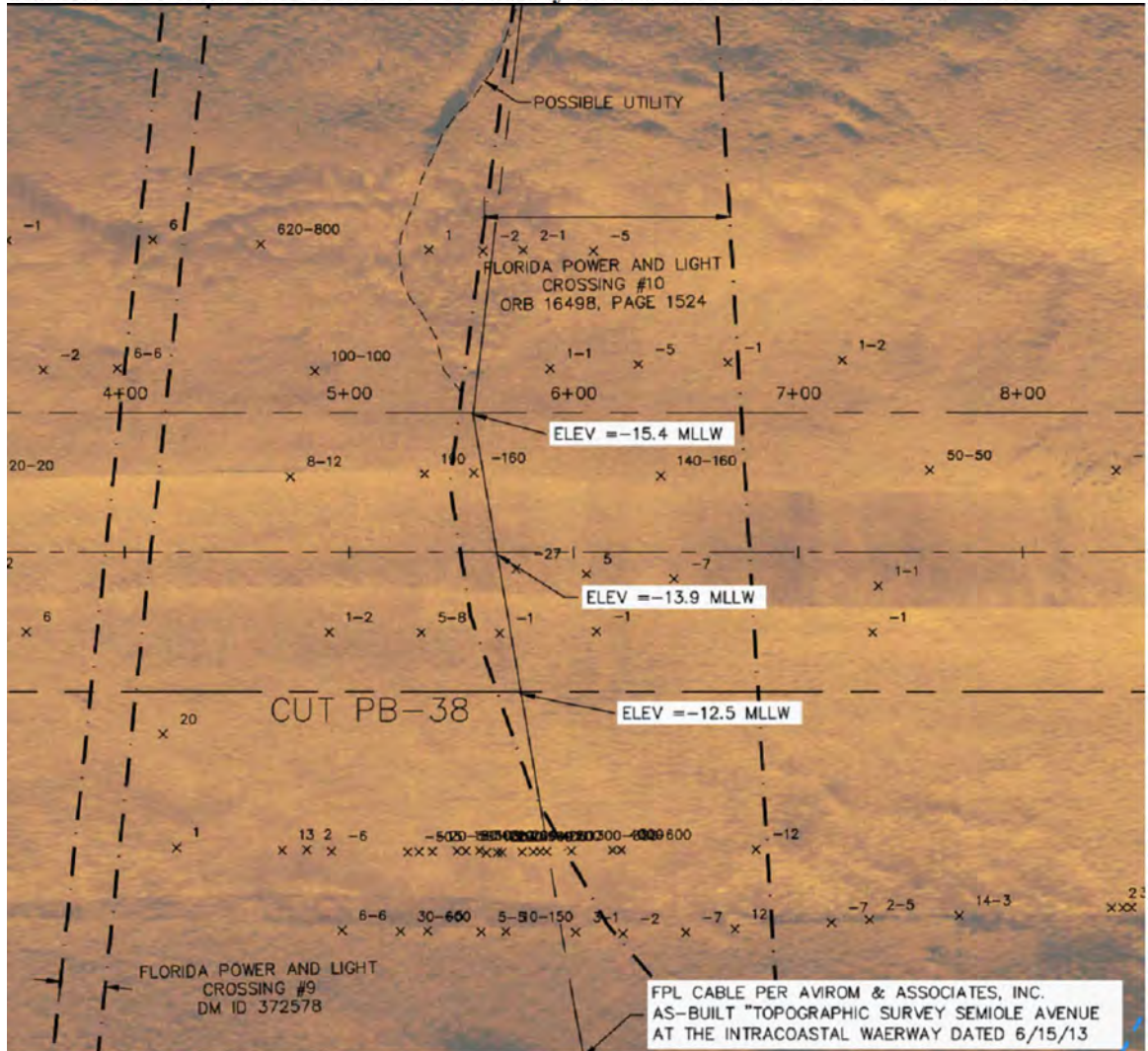


Figure 1. Short dashed black line at top of image is Possible Utility _00 boundary then bends back and meets the plotted cable just inside the boundary on the east end for a total length of about 120 feet (See Figure 1).

Possible Utility _01 crosses the waterway about 20 – 30 feet north of the north fender piles of the Flagler Memorial Bridge. It is adjacent to Possible Utilities _02 and _03. It is not within or close to any utility easements known to us at this time (See Figure 2). We are designating it as Crossing #14.

Possible Utility _02 is adjacent and south of Possible Utility _01 and runs across the entire waterway survey area (See Figure 2). We are designating it as Crossing #15.

Possible Utility _03 is adjacent and south of Possible Utility _02 (See Figure 2). We are designating it as Crossing #16.

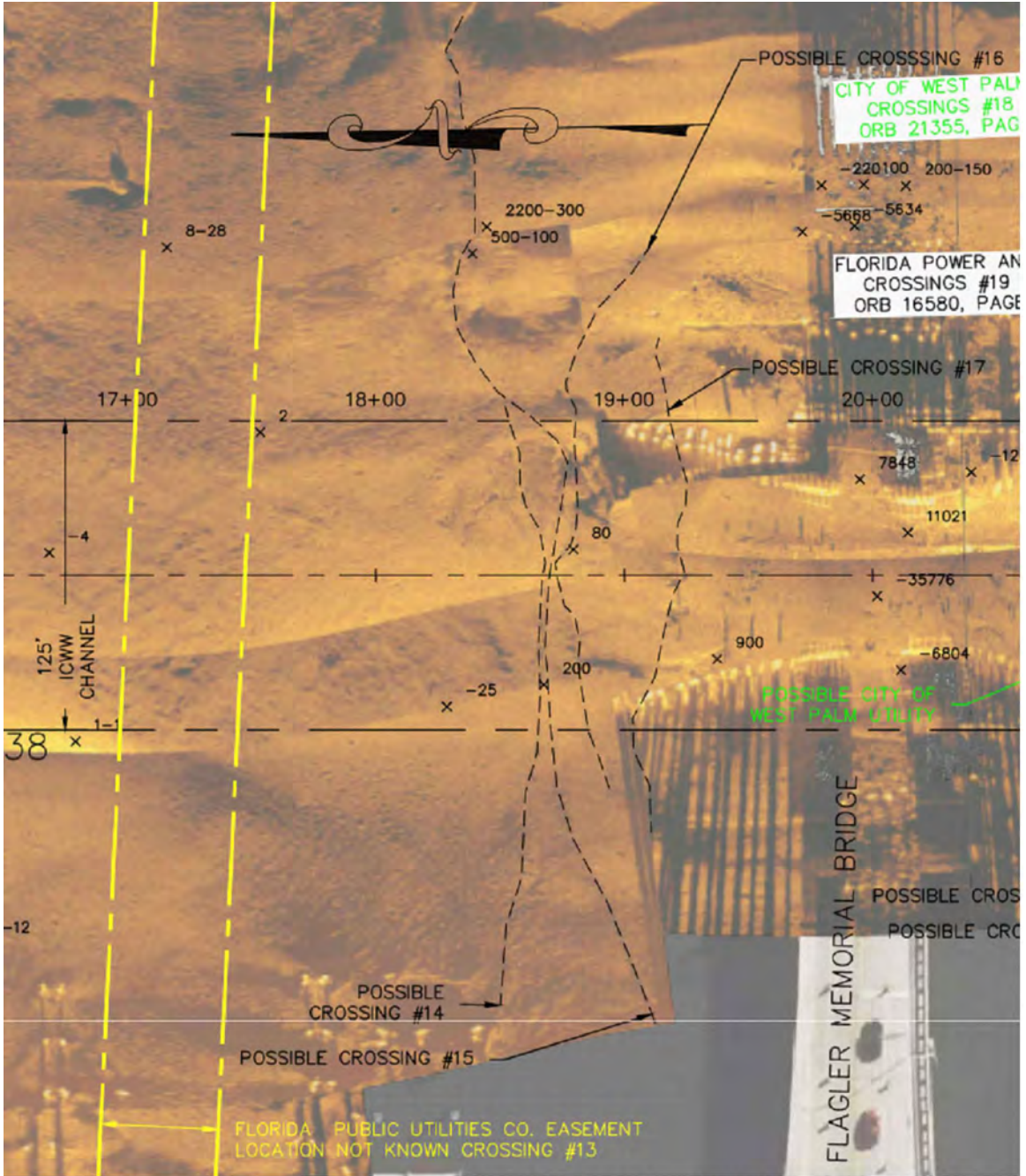


Figure 2. Short dashed black lines are Possible Crossings #14, #15, #16 and #17.

Possible Utility _04 runs through the north fender piles of the Flagler Memorial Bridge (See Figure 2). We are designating it as Crossing #17.

Possible Utility _05 runs between the south fender piles of the Flagler Memorial Bridge about 15 to 30 feet north of the City of West Palm Beach Crossing #18 easement boundary (See Figure 3).

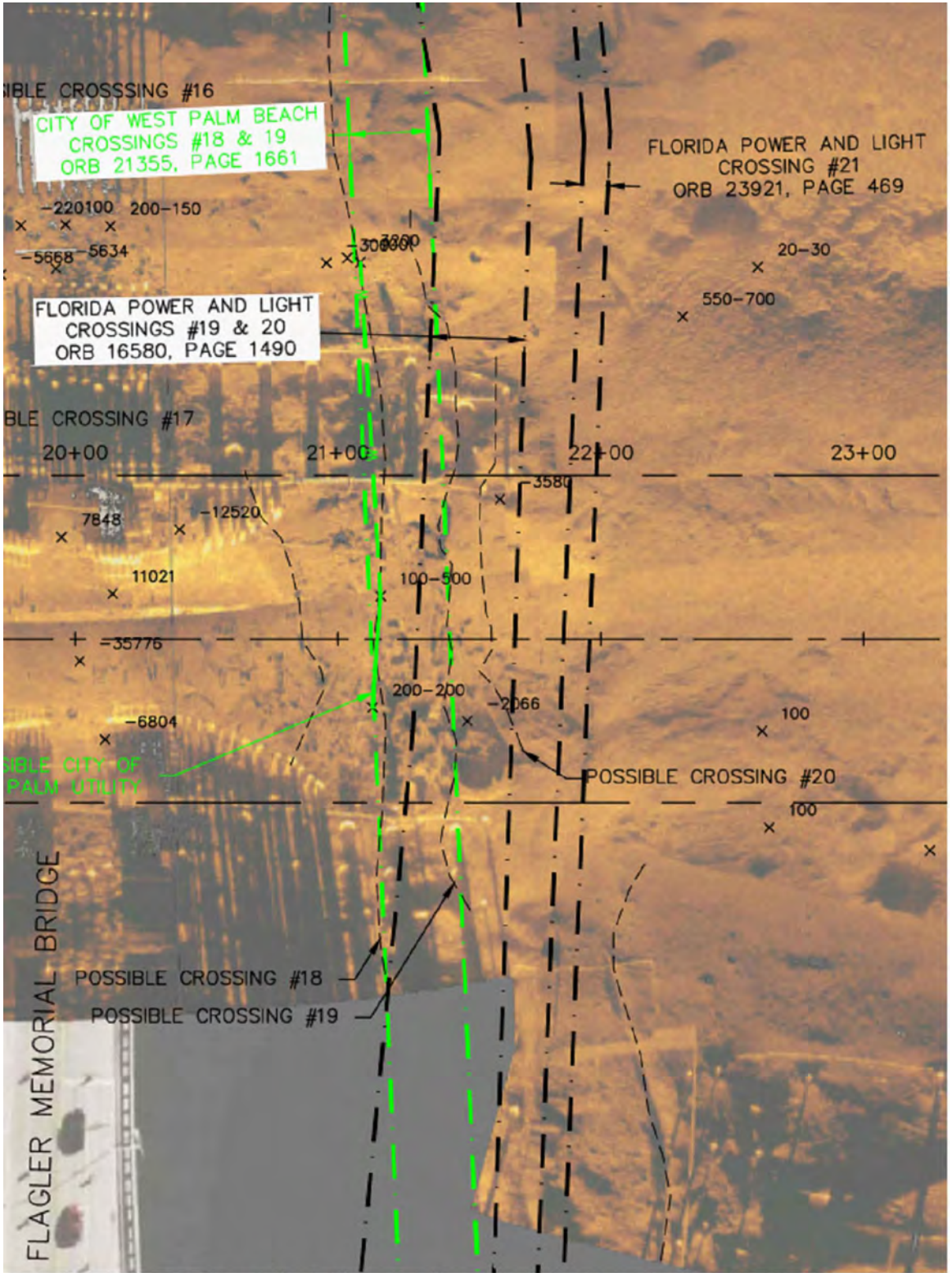


Figure 3. Short dashed black lines are Possible Crossings #18, #19 and #20. Possible Crossing 18A (leftmost) and 20A (rightmost) are unlabeled.

runs across the entire waterway survey area, through the south fender piles and along the northern boundary of the City of West Palm Beach easement (See Figure 3). We are designating it as Crossing #18.

Possible Utility _07 runs across the entire waterway survey area, through the south fender piles and along the southern boundary of the City of West Palm Beach easement (See Figure 3). We are designating it as Crossing #19.

Possible Utility _08 runs from just inside the east fender piles on the south side of the bridge within the FPL easement to the west side of the channel (See Figure 3). We are designating it as Crossing #20.

Possible Utility _09 runs from the west extent of the sonar coverage to the west edge of the channel (See Figure 3). It varies from 13 to 37 feet south of the Florida Power & Light Crossing #21 easement.

Possible Utility _10 runs for less than 100 feet on the eastern edge of the sonar coverage within the FP&L Crossing #22 easement (See Figure 4). Magnetometer string 8 was detected west of this feature and within the northern half of the easement. These two features were joined to form "Possible FPL Cable" in Figure 4a.

Possible Utility _11 merges with Possible Utility _12 east of the channel after a run of less than 100 feet and is not near a known easement (See Figure 5).

Possible Utility _12 runs from the west edge of the channel to approximately 150 feet west of the channel and is not near a known easement (See Figure 5). We have designated Possible Utility 12 as crossing #23.

Possible Utility _13 runs from the west edge of the channel and most of the way across toward the east edge (See Figure 6). Possible Utility _13 has been designated as Crossing #26.

Possible Utility _14 runs from the west edge of the channel to 125 feet beyond the east edge (see Figure 6). Possible Utility _14 has been designated as Crossing #27.

Possible Utility _15 runs from just outside the west edge of the channel to just outside the east edge (See Figure 6). Possible Utility _15 has been designated as Crossing #28.

Possible Utility _16 runs from the west edge of the channel to just inside the last fender pile on the northeast side of the Royal Park Bridge and continues almost to the extent of the sonar coverage to the east (See Figure 6). Possible Utility _16 has been designated as Crossing #29. Possible Utilities 13, _14, _15 and _16 are all within the Southern Bell Telephone easement (See Figure 6).

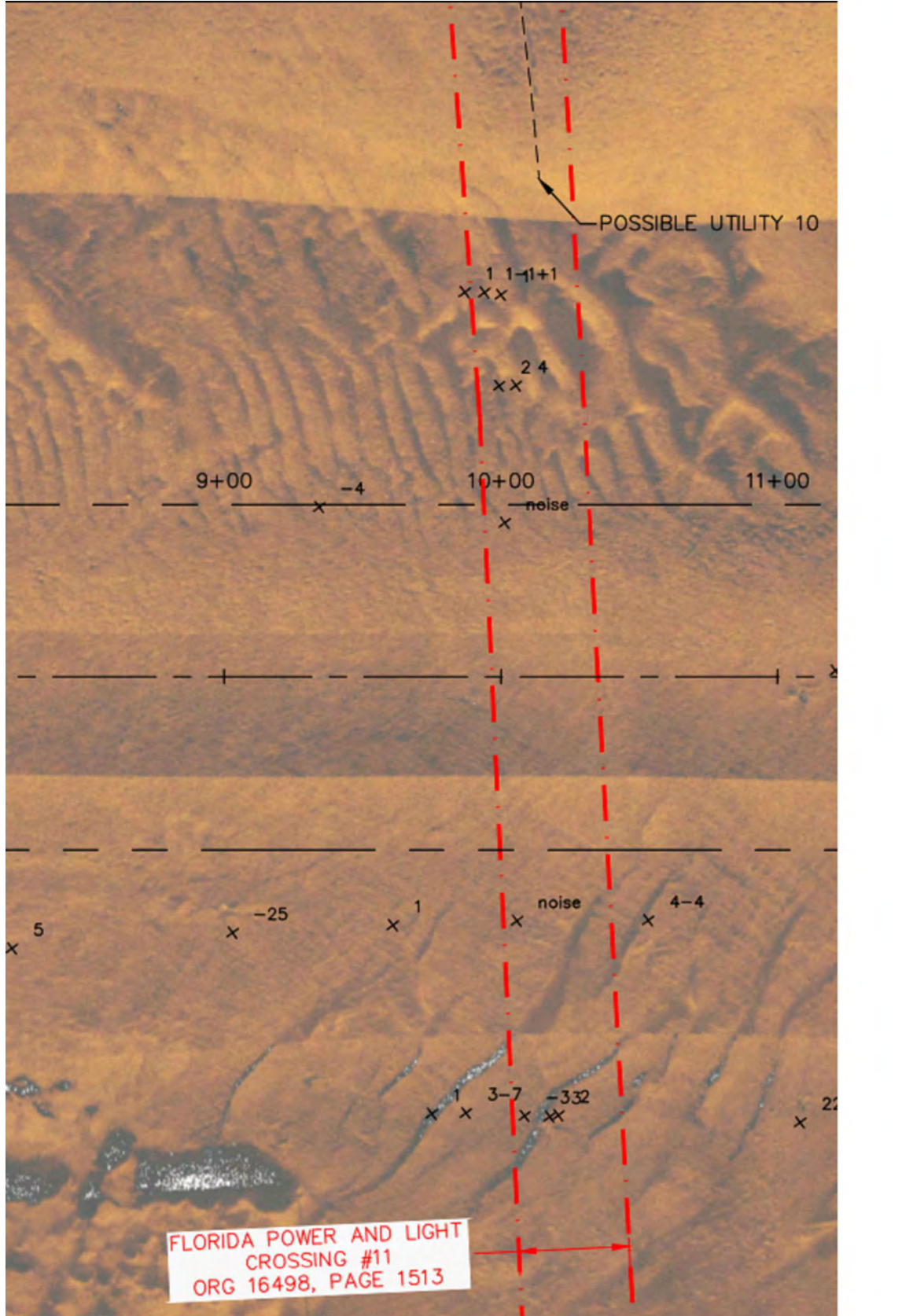


Figure 4. Short dashed black line is Possible Utility _10.

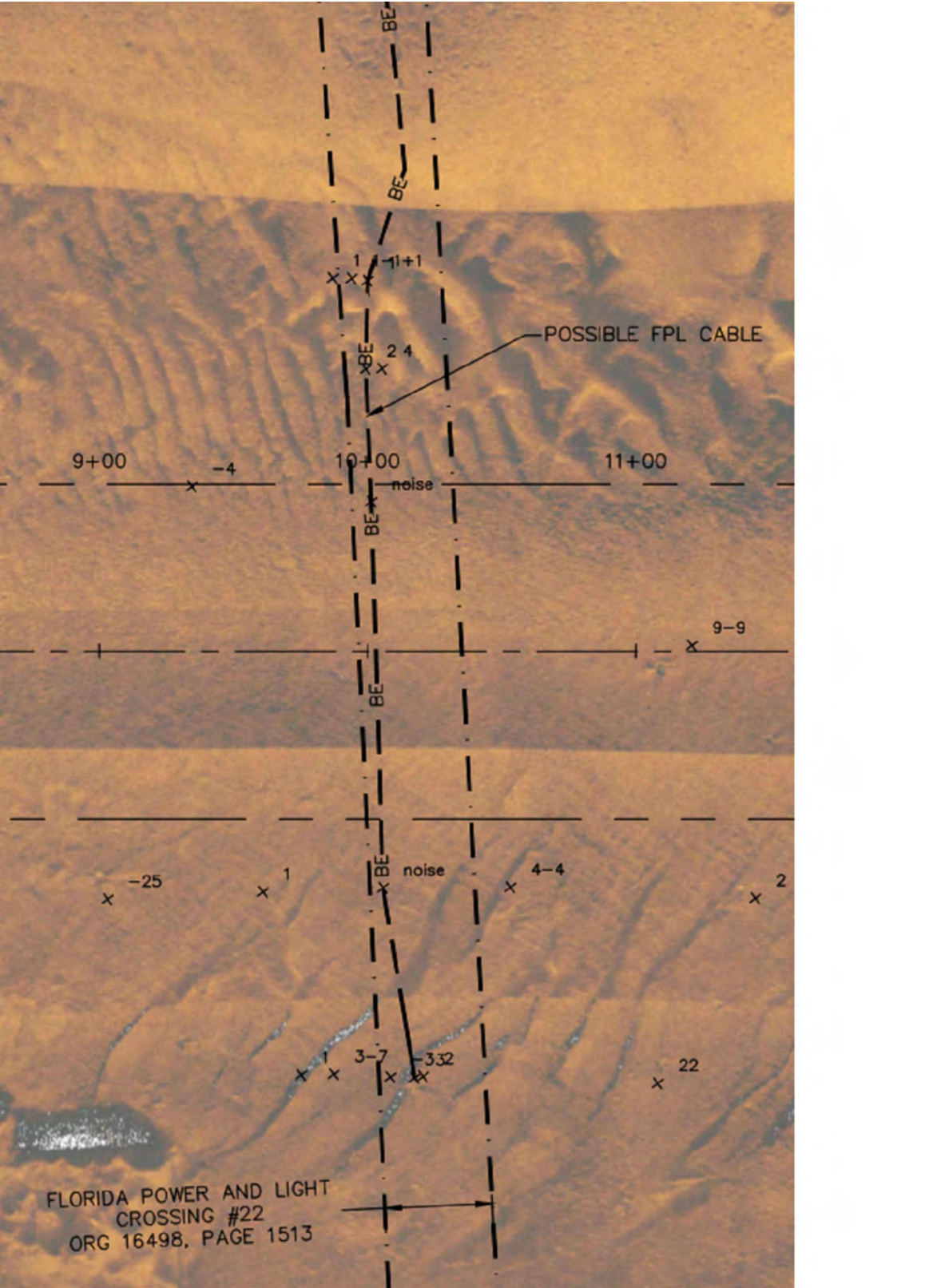


Figure 4a. "Possible FPL Cable" is combined mag string 8 and sonar feature "Possible Utility _10"

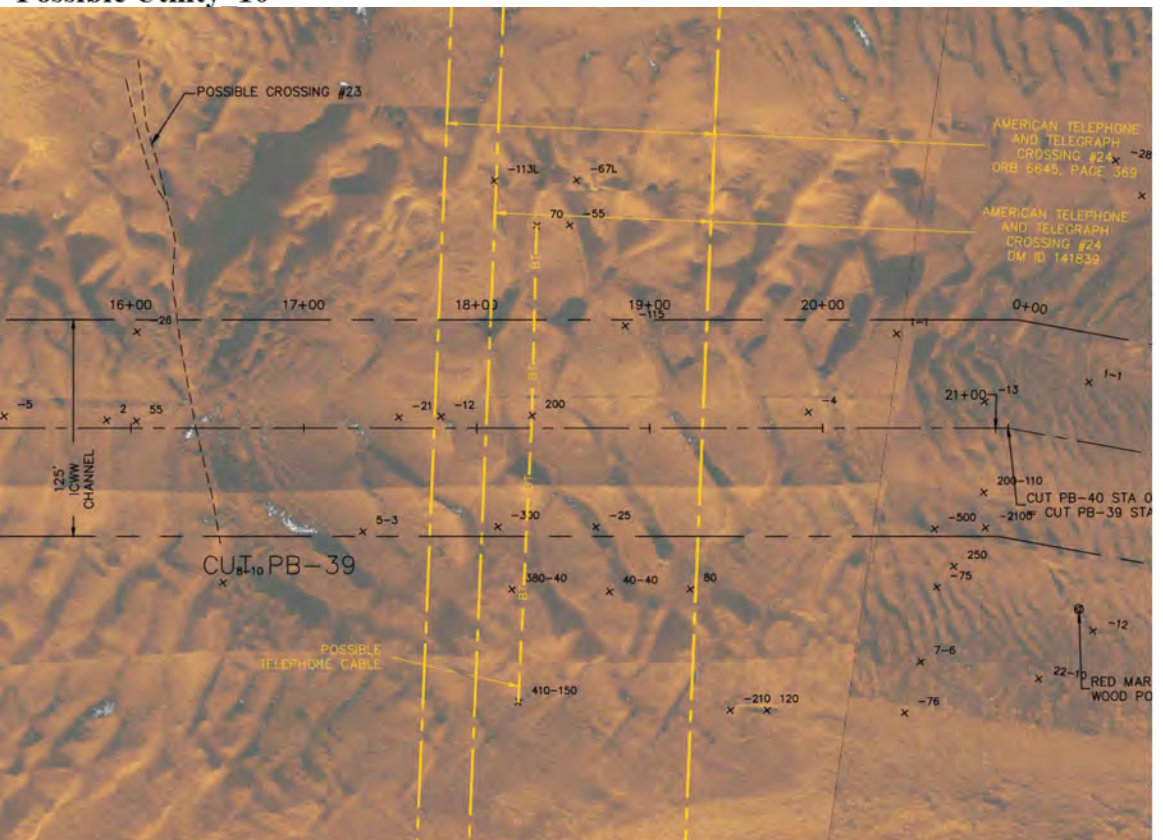


Figure 5. Short dashed black lines at left are Possible Crossing 23. Yellow dashed line is mag string 9 labeled as Possible Telephone Cable.

Possible Utility _17 starts within the channel on the west side and runs about 70 feet past the east edge of the channel south of the fender pilings on the south side of the Royal Park Bridge (See Figure 7). Possible Utility _17 has been designated as Crossing #30.

Possible Utility _18 starts about 75 feet west of the west channel edge and runs west to the extent of the sonar coverage. It may be another segment of Possible Utility _17 and both are outside of any known easements (See Figure 7). Possible Utility _18 has been designated as Crossing #31 .


Possible Utility _19 runs most of the way across the waterway for 400 feet and is within the Florida Power & Light easement (Crossing #32) just south of the Royal Park Bridge (See Figure 7).

The Sonar mosaic is available as several geo-tif files.

SURVEY REPORT

DIVER INVESTIGATION SURVEY OF POTENTIAL BURIED UTILITIES
INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41
PALM BEACH COUNTY, FLORIDA
FOR TAYLOR ENGINEERING, INC.

COMMISSION NO. 5303.16
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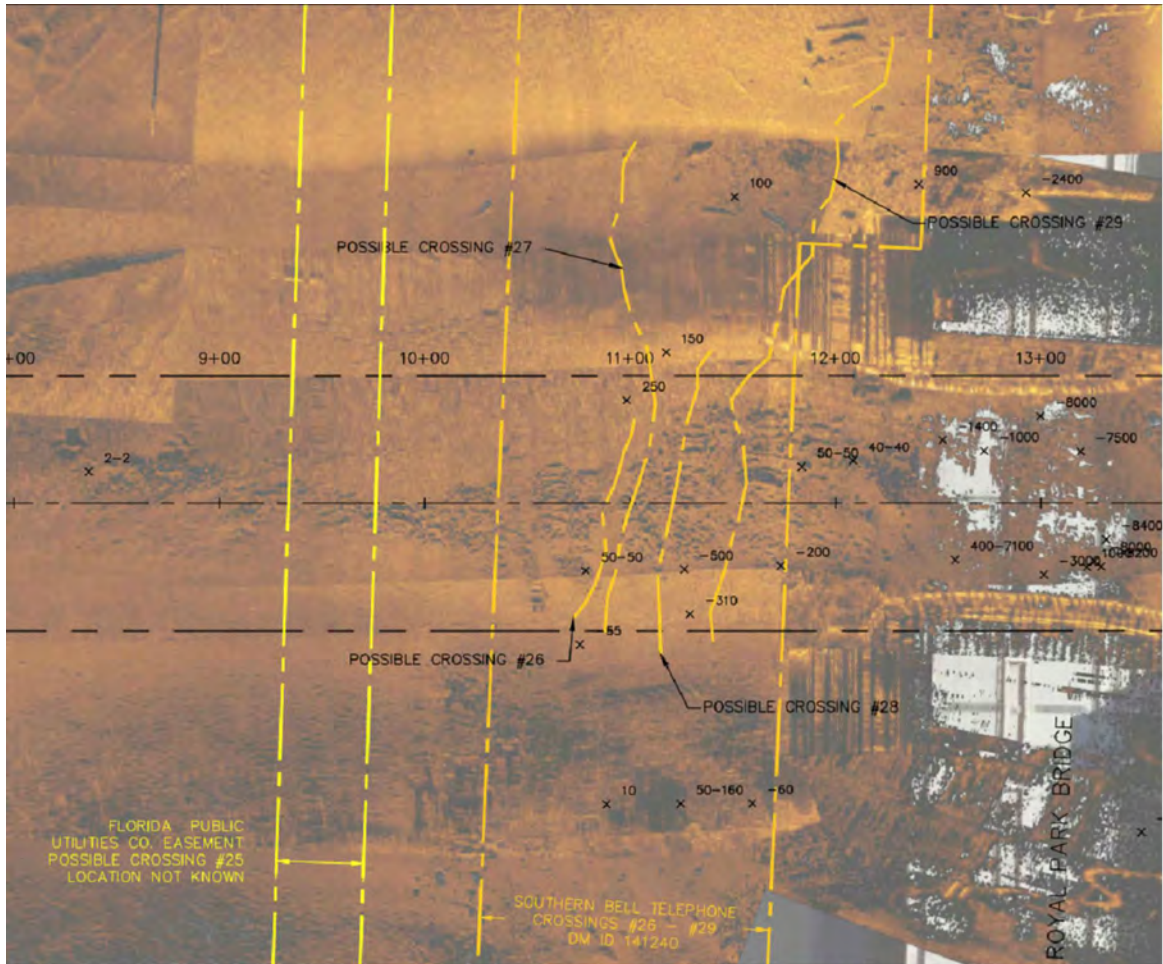


Figure 6. Short dashed yellow lines are Possible Crossings #26, #27, #28, and #29.

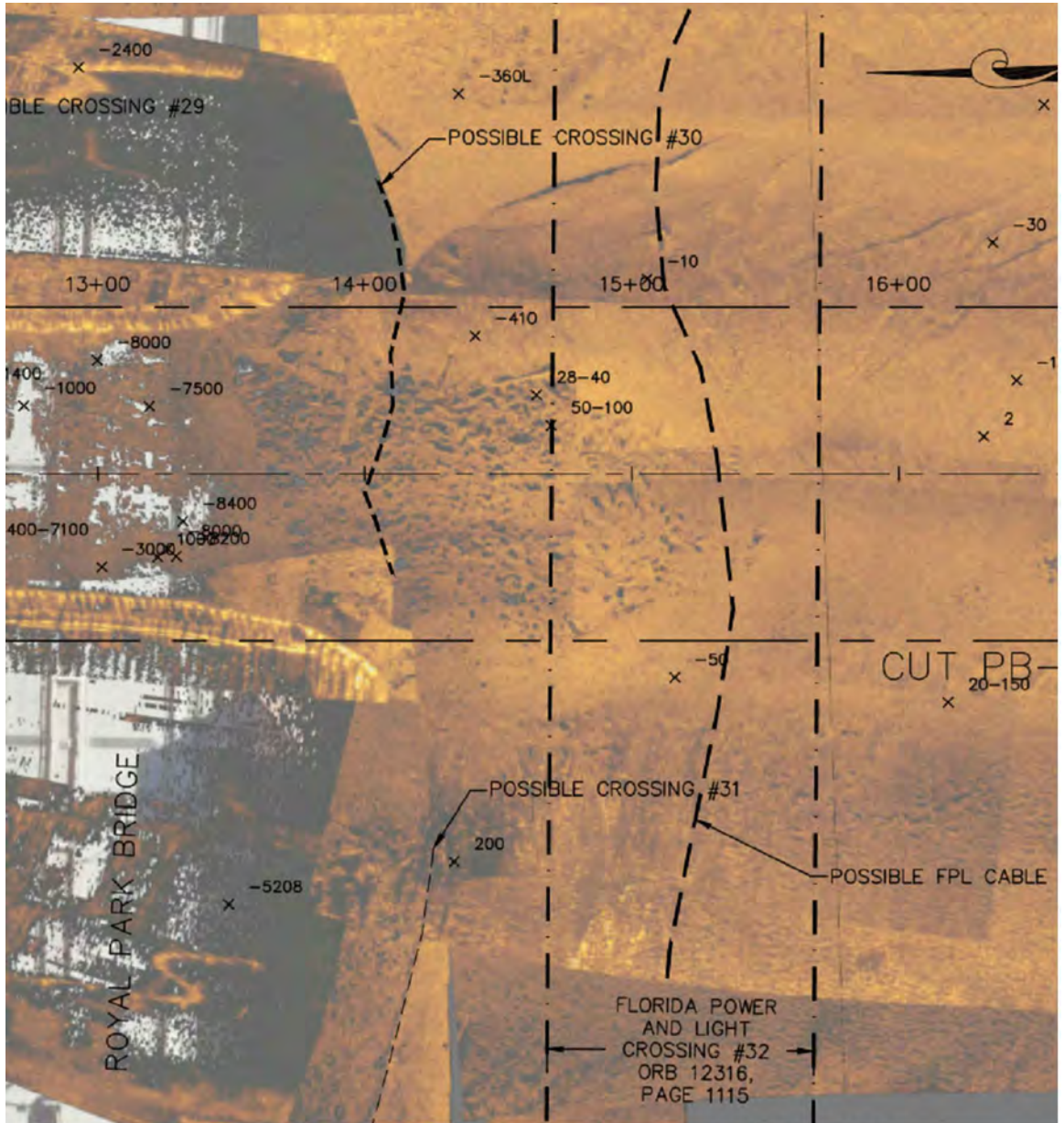


Figure 7. Short dashed black lines are Possible Crossing #30, #31 and #32.

D-2 MAGNETOMETER RESULTS:

A total of 1656 anomalies were detected throughout the area. Steel channel markers presented significant signatures along with moored yachts, docks and the bridges. Anomalies were plotted and analyzed for indications of a series of hits that would be aligned similar to the path of a utility. Utilities with ferrous iron in their construction will typically plot a continuous string of targets across the waterway. Those targets would normally have similar signatures such as a dipole vs. monopole and have similar intensity. There were no sidescan sonar, magnetometer, or seismic targets within the area show as crossing #1 FPL easement. The dive team trenched from the center of the easement, 10' north and 10' south to -16' MLLW.

The first anomaly string occurred in the center of the Florida Power & Light Crossing #2 easement. All the anomalies in this string are very strong indicating a steel conduit.

FP&L CROSSING #2 MAGNETOMETER ANOMALY

STRING #1	INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet		
7200-2000	966554.6	884552	001_0953	
1700-1500	966497.5	884545	002_1231	
1700-800	966453.5	884545	003_1350	
8000-4000	966303.5	884526	004_1020	
1950-2150	966336.5	884526	005_1148	
900-700	966392.5	884532	006_1309	
2200-800	966405.6	884535	007_1140	

The second anomaly string occurred where a "Cable" (Crossing 2A) is marked on a navigation chart. This string is questionable as it has strong intensities mixed with weaker intensities. A dive team trenched 12' north and south of the magnetometer anomaly string down to -17.5' MLLW and no utilities were found.

String #1A	Within Nautical Chart Crossing 2A		
INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet	
150-210	966676	882903	001_
1300-150	966619	882891	002_
35-63	966579	882895	003_
70-8	966528	882896	007_
25	966512	882900	006_
100-1200	966450	882906	005_
10	966411	882906	004_

The third anomaly string occurred at the Florida Public Utilities Co. Crossing #3 easement and diverges away from the easement as it progresses east. On the east side of the ICWW the dive team trenched 10' north and 10' south of the anomaly string and found an 8" gas pipe at elevation -17.3' MLLW. On the west side of the ICWW the dive team encountered rock at elevation -18 MLLW.

String #2	INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet		
-55	966854.6	880479	001_0953	
160	966805.5	880481	002_1231	
95	966753.5	880482	003_1350	
-50	966708.6	880471	007_	
250	966616.5	880465	005_	
215	966579.5	880451	004_	

The fourth anomaly string occurred about 12 feet north of the Florida Public Utilities Co. Crossing #4 easement and diverges away from the easement as it progresses east. The dive team trenched 10' north and 10' south of anomaly string #3 (shown below) to -17.5' MLLW and no utility lines were observed.

String #3	Florida Public Utilities		Crossing #4
INTENSITY	Easting	Northing	Line Name
gammas	feet	feet	
-185	966858.6	880405	001_
270-60	966807.5	880403	002_
120-30	966759.5	880403	003_
-310	966717.6	880407	007_
680-100	966687.5	880401	006_
420-22	966627.5	880403	005_
50-60	966582.5	880409	004_

The fifth anomaly string occurred within the Florida Power and Light Crossing #5 easement. The dive team trenched 10' north and south of the magnetometer anomaly string #4 and located a cable and pipe on the west side of the ICWW at -18.7' MLLW.

String #4	Florida Power & Light Crossing #5		
INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet	
-1000	966863.6	880195	001_
-70	966818.5	880212	002_
3-55	966778.5	880216	003_
175-10	966733.6	880211	007_
-60	966706.5	880210	006_
20-20	966652.5	880201	005_
500-2700	966597.5	880202	004_

The sixth anomaly string occurred where an easement has not been found to date. We are designating it as Crossing #6. At anomaly string #6 a 5" rusty pipe was found at elevation -12.2 MLLW.

String #5	Unknown Utility Crossing #6		
INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet	
-1200	967071.6	877521	001_1433
2100-500	967016.5	877512	002_1231
1100-20	966970.5	877510	003_1350
870-20	966925.6	877505	007_1355
100-1600	966892.5	877496	006_1309
-1000	966850.5	877488	005_1148
1800	966816.5	877480	004_1412

The seventh anomaly string occurred where an easement has not been found to date. We are designating it as Crossing #7. At anomaly string #6 (crossing #7) a 30" sewer line was observed at elevation -16.7' MLLW.

String #6	Unknown Utility Crossing #7		
INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet	
270-120	967252.7	873626	001_1433
290-210	967197.5	873624	002_1231
320-90	967164.5	873631	003_1350
310-200	967100.2	873649	007_1355
580-210	967076.5	873652	006_1309
550-250	967032.5	873663	005_1148
270-260	966972.7	873678	004_1412

The eighth anomaly string occurred just north of the Comcast Crossing #8 easement. At anomaly string #7 the dive team trenched north and south down to -17' MLLW on the east side of the ICWW and no utilities were observed.

String #7	Near Comcast Crossing #8		
INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet	
220-15	967404.7	870284	001_
385-10	967361.5	870267	002_
350-1100+900	967309.5	870260	003_
none			007_
310	967223.5	870258	006_
7	967176.5	870257	005_
-80	967126.7	870276	004_

The ninth anomaly string occurred within the Florida Power and Light Crossing #22 easement. This string has two anomalies that are noise patterns consistent with a power cable interfering with the magnetometer. At crossing #22 (FPL), anomaly string #9, the dive team found a 5" cable on the east side of the ICWW at elevation -16.2' MLLW.

String #8	Within FP&L Crossing #22		
INTENSITY	Eastings	Northing	Line Name
gammas	feet	feet	
1-1+1	967501.3	865862.1	001_
2	967468.5	865852	002_
noise	967419.7	865842.9	003_
none			007_
none			006_
noise	967277.6	865817.9	005_
3-7	967205.9	865826	004_

The tenth anomaly string occurred within the AT&T easements at Crossing #24. This string is questionable as it has strong intensities on the west side and weaker or missing intensities on the east side. At crossing #24 (AT&T), anomaly string #9, the dive team found 2 AT&T duct banks. The top of the southerly duct bank was at elevation -18.6' MLLW. The top of the northerly duct bank was located at elevation -16.5' MLLW.

String #9	Within FP&L Crossing #24		
INTENSITY	Easting	Northing	Line Name
gammas	feet	feet	
none			1
70	967599.5	865027	002_
none			003_
200	967490.6	865013.9	007_
-300	967424.3	865024.1	006_
380-40	967389.6	865010.9	005_
410-150	967325.9	864998	004_

The lists of positions are displayed with the positive and negative intensities in nanoteslas (gammas), the easting and northing in feet (NAD83, Florida State Plane East Zone, U.S. Survey Foot) and line names.

With so many anomalies in the area there are anomaly strings observed that may be a random occurrence and not necessarily associated with a utility. The following locations are noted as possible but unlikely utility strings:

Centered at X=966517, Y=883604 (Cut PB-36 Range 43+42) a string of 6 anomalies runs diagonally about 098T- 278T with anomaly intensity labels of 18-6, 750-1450, 4-3, -5, 10-50, and 700-5000.

Centered at X=967100, Y=873138 (Cut PB-37 Range 39+20) a string of 5 anomalies runs east-west across the waterway with anomaly intensity labels of 1-2, 25-2, 4-4, 1020-80 and -6.

D-3 SUB-BOTTOM PROFILER RESULTS

Numerous sub-bottom reflections were observed and geologic layers were observed as deep as 12 feet but none of the reflections displayed the classic hyperbolic signature patterns consistent with utilities. There was one half hyperbolic signature at Crossing #10 on Sub-bottom Line 7N.001 (See Figure 8). All the other sub-bottom lines were checked for similar signatures at Crossing #10 and while some suggest a generally disturbed sub-bottom area, only line 6S had a possible contact (See Figure 9) but not similar to the one on 7N.001. These contacts are marked on the HTML annotated profiles as "FP10". A small dark partially hyperbolic feature was marked (See Figure 10) as "C8" at Crossing #8 on Sub-bottom line 3N but none of the other lines had any contacts at Crossing #8. Two features resembling fat commas were marked "FP2" at Crossing #2 (See Figure 11) on Sub-bottom line 4S.002 but none of the other lines confirmed this with similar signatures.

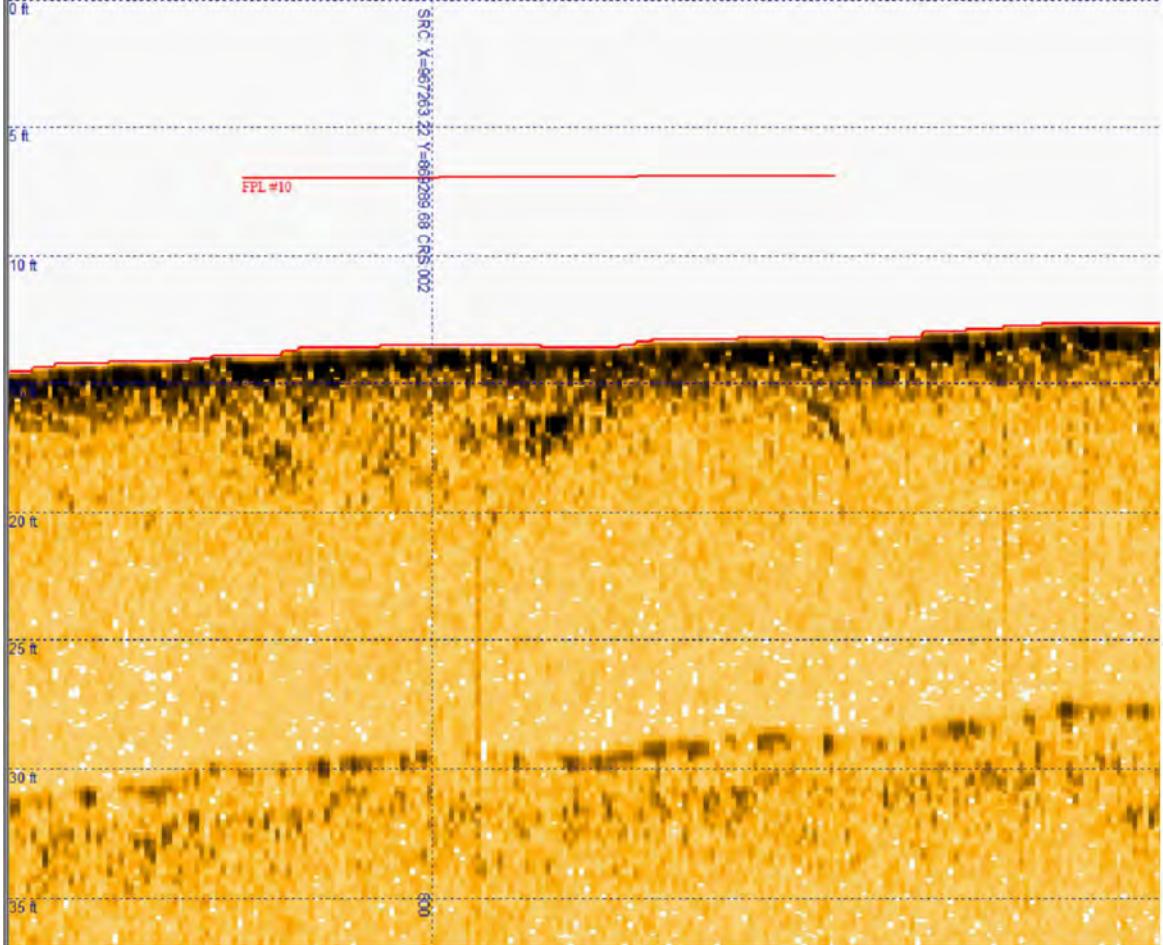


Figure 8. Partial profile of line 7N.001 showing a possible 1/2 hyperbolic target at right. Top of target is approximately 2.4' below surrounding bottom. The red line above marks the width of the FP&L easement from south (left) to north (right).

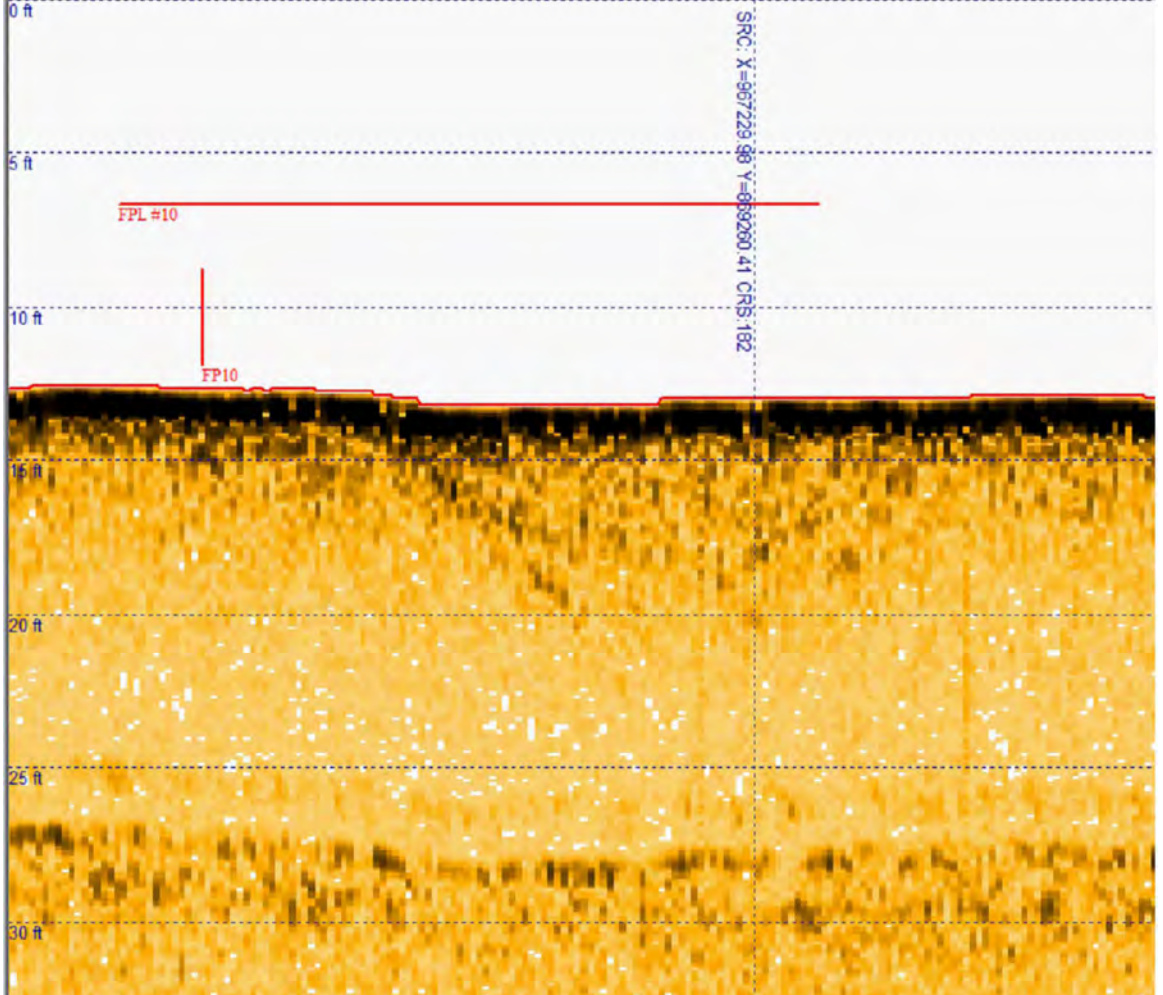


Figure 9. Partial profile of line 6S showing a target under "FP10". Top of target is approximately 1.8' below surrounding bottom. The red line above marks the width of the FP&L easement from north (left) to south (right).

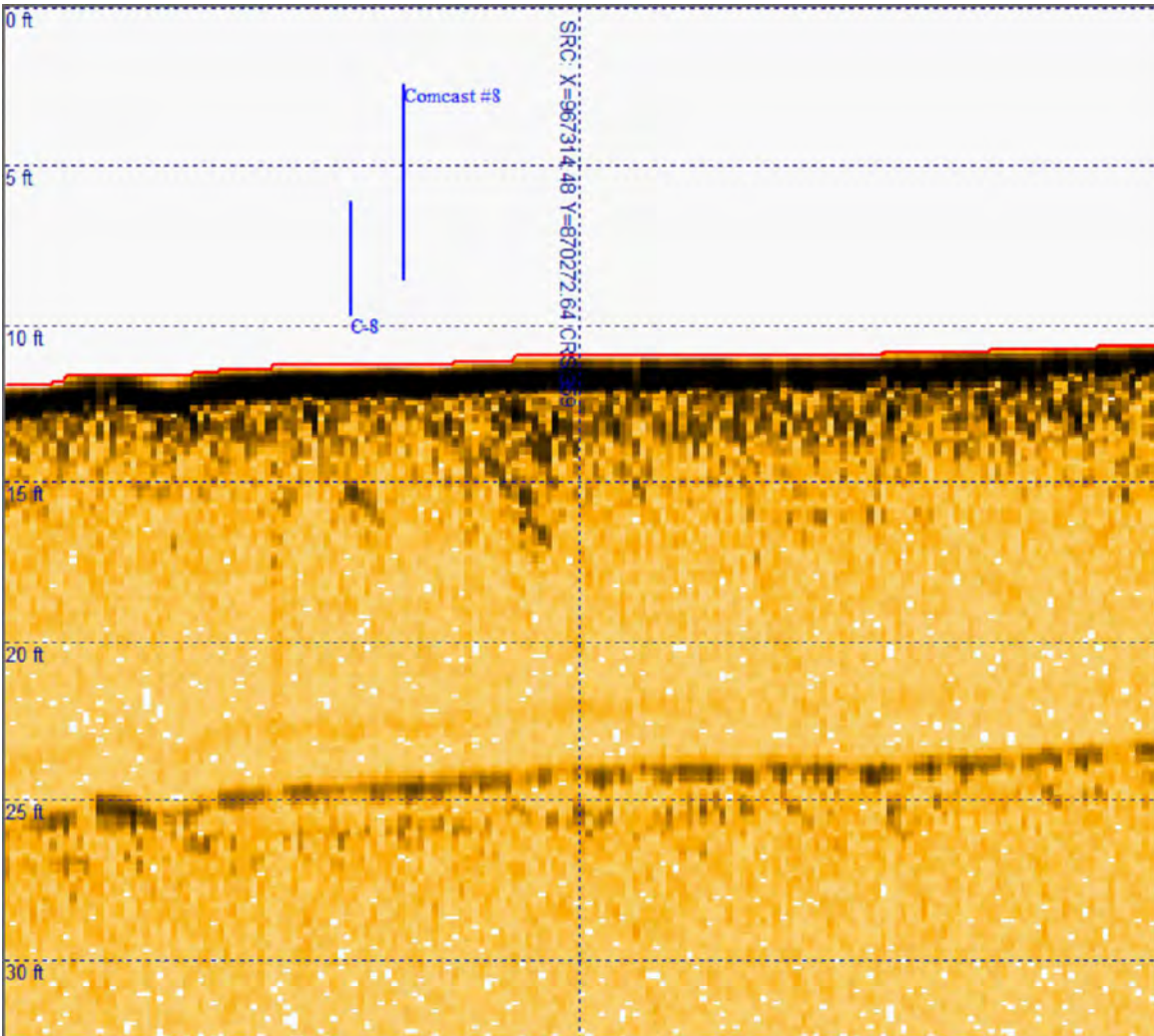


Figure 10. Partial profile of line 3N showing a target under "C8". Top of target is approximately 2.5' below surrounding bottom.

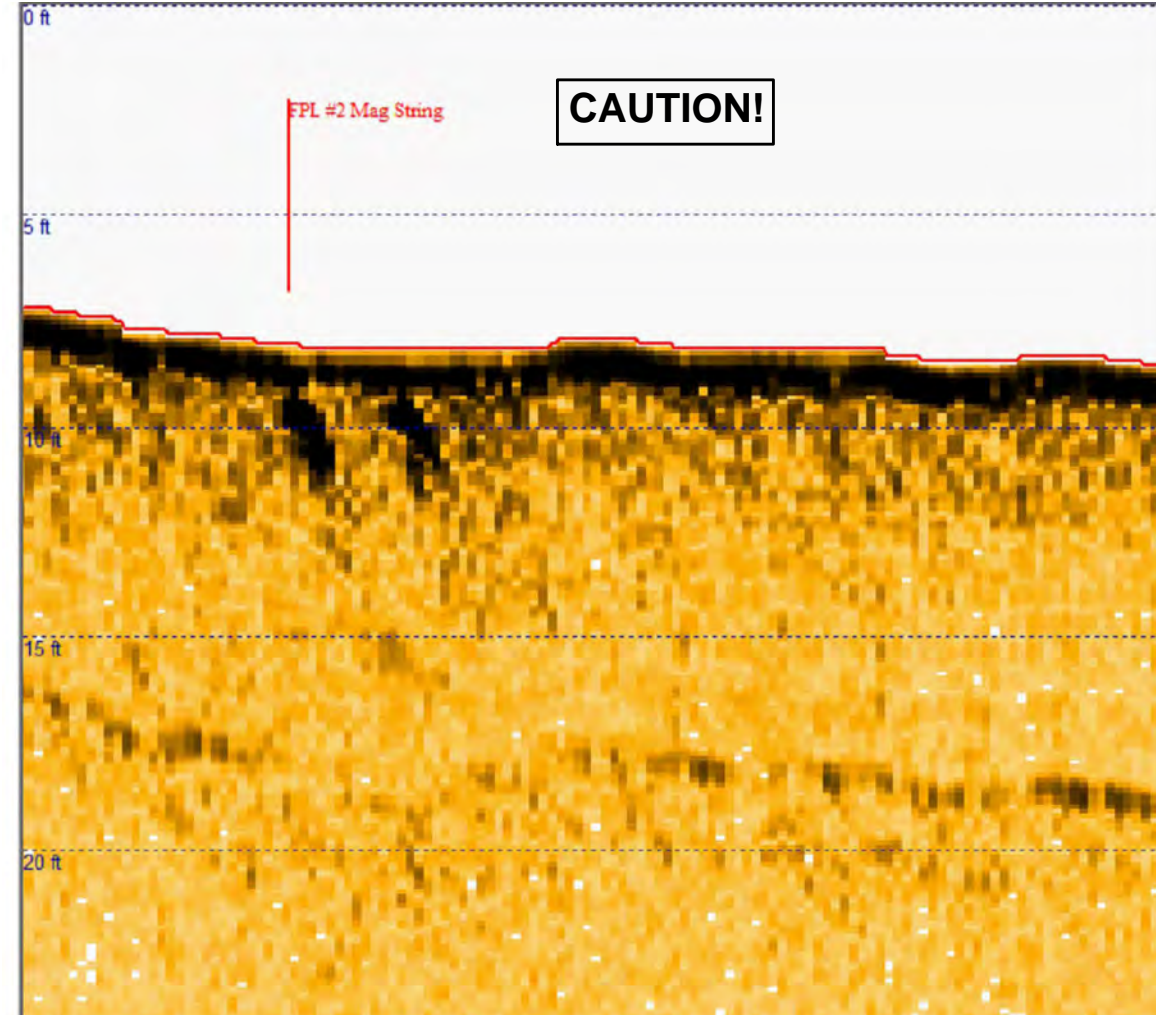


Figure 11. Partial profile of line 4S.002 showing two large targets at Crossing #2. Top of targets are approximately 1.3' below surrounding bottom.

Sub-bottom Target	Eastings	Northing	Line#	Crossing#	DOB
FP10-1	967267	869371	7N.001	FPL #10	2.4'
FP10-2	967233	869361	6S	FPL #10	1.8'
C8	967315	870233	3N	Comcast #8	2.5'
FP2-1	966302	884527	4S.002	FPL #2	1.3'
FP2-2	966303	884513	4S.002	FPL #2	1.3'

A. CONCLUSIONS

Nineteen sonar features resembling cables were detected. Sixteen of those have been designated with crossing numbers. Nine magnetometer anomaly strings were detected and designated or correlated with crossing numbers. The five sub-bottom targets are inconclusive. No other utilities were detected on this survey.

Morgan & Eklund Inc. PROFESSIONAL SURVEY CONSULTANTS 4909 US HIGHWAY #1 VERO BEACH, FL 32967 PHONE: (772) 388-5364 FAX: (772) 388-3165 1612 NW 2ND AVENUE SUITE 3 BOCA RATON, FL 33432 PHONE: (954) 421-6882 FAX: (954) 421-0425 JOHN R. MORGAN II, PSM FLORIDA CERTIFICATION #3520 LB #4298		SURVEY REPORT DIVER INVESTIGATION SURVEY OF POTENTIAL BURIED UTILITIES INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41 PALM BEACH COUNTY, FLORIDA FOR TAYLOR ENGINEERING, INC.				COMMISSION NO. 5303.16 SCALE AS SHOWN DATE 3/6/18
		DRAWN BY LFP	CHECKED BY JRM	FIELD BOOK PAGE NO.	SEE COVER	DATE OF SURVEY 2/15/18 SHEET 20 OF 22

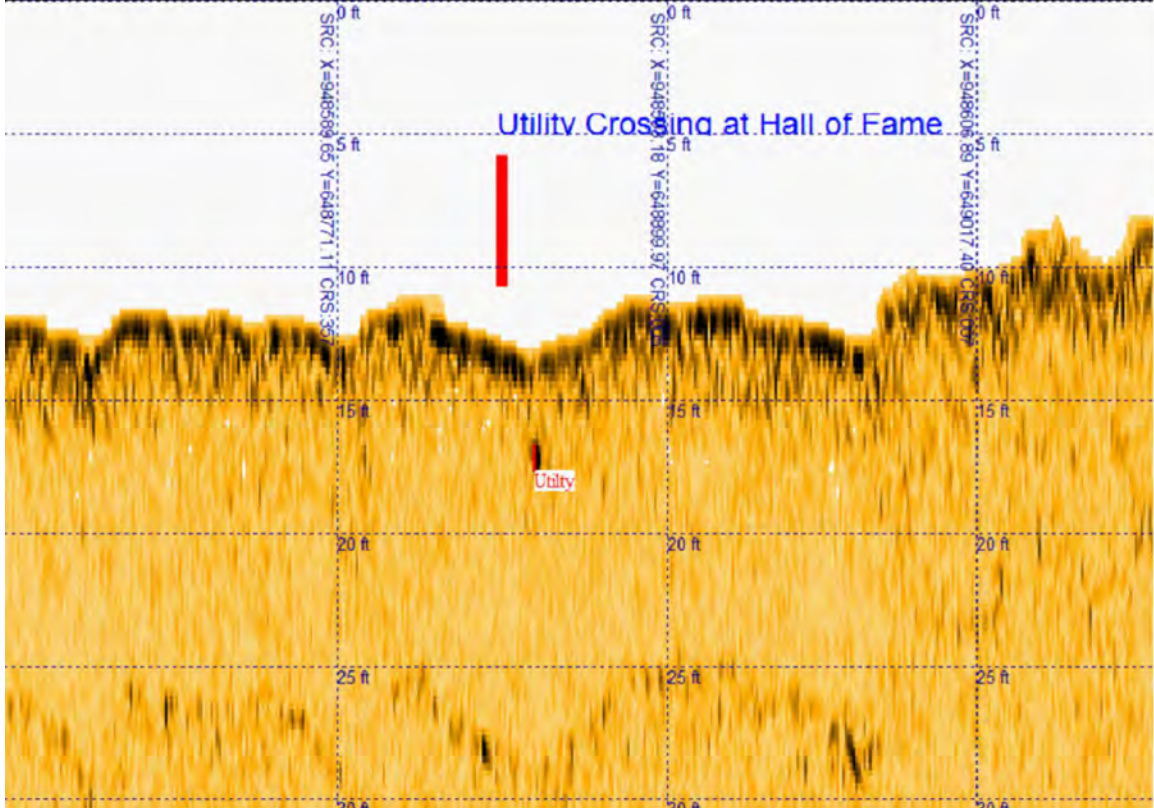
A spreadsheet (M-E summary.xlsx) has been constructed to help illustrate the results of this survey.

The power and telephone cables do not typically have significant ferrous iron in their construction that would allow them to be detected by the magnetometer. Occasionally the magnetometer will detect a large amount of current flowing through a power cable but that is a variable factor and did occur on two occasions during this survey.

It should be understood that the results of this survey are an interpretation of remote sensing data and as such cannot be relied upon as positive confirmation of the existence or nonexistence of submerged or buried utilities.

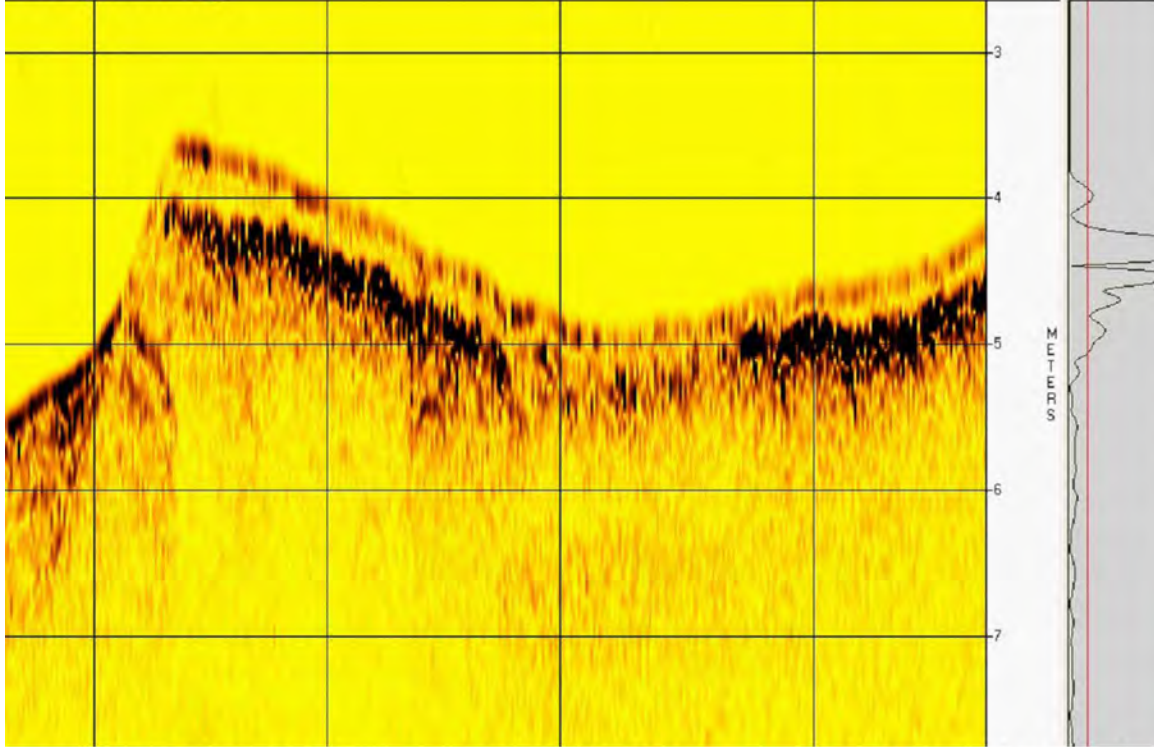
Some examples of sub-bottom targets from other project areas are shown below:

Example: X1sbp



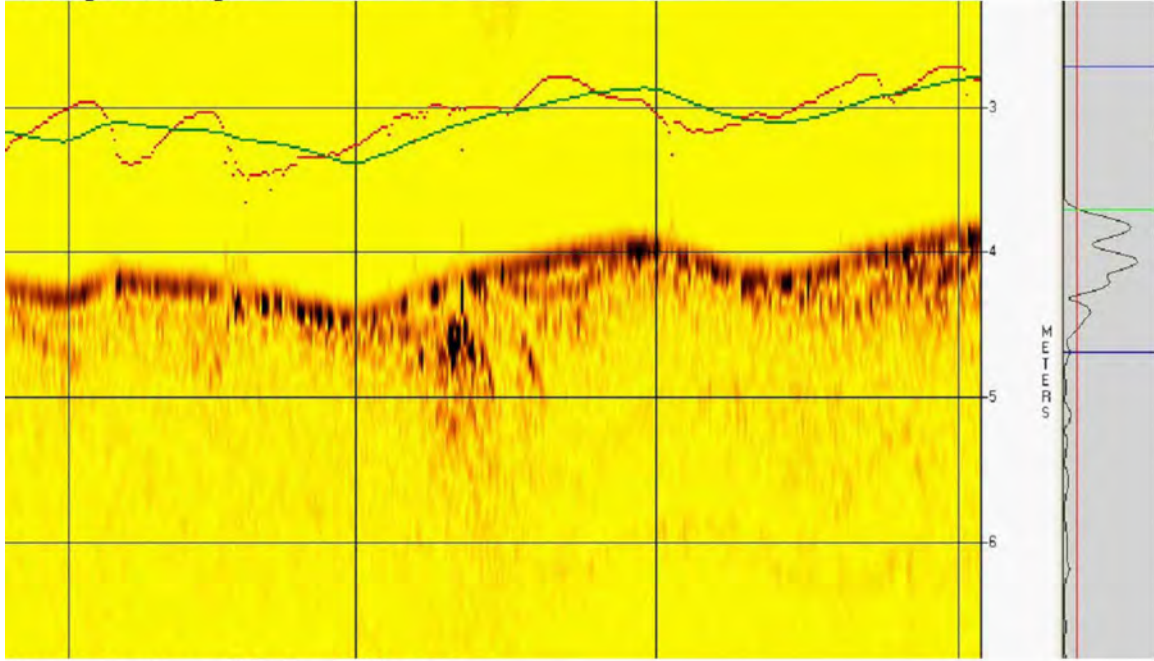
Utility located by SB-216s System in Florida Intracoastal Waterway

Example: X2sbp



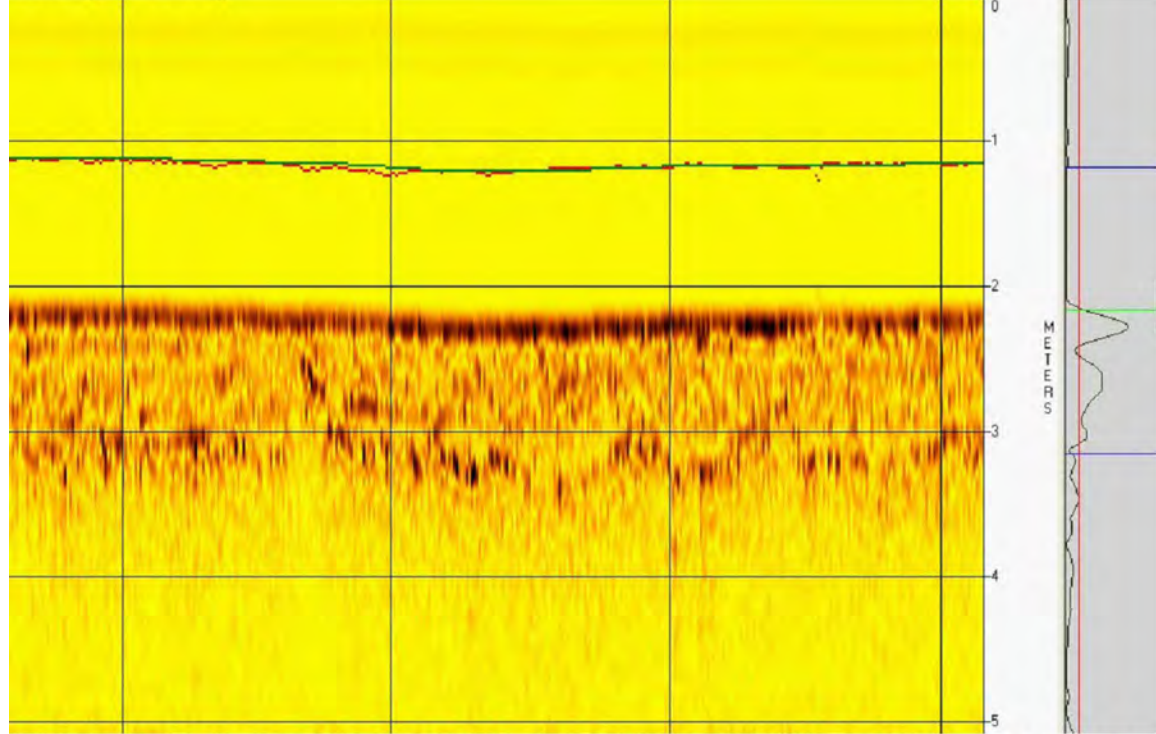
Example of apparent point source object at 5.3meters presenting partial hyperbolic pattern. Bottom is 4.4meters at that point thus object may be buried 0.9meters.

Example: X3sbp




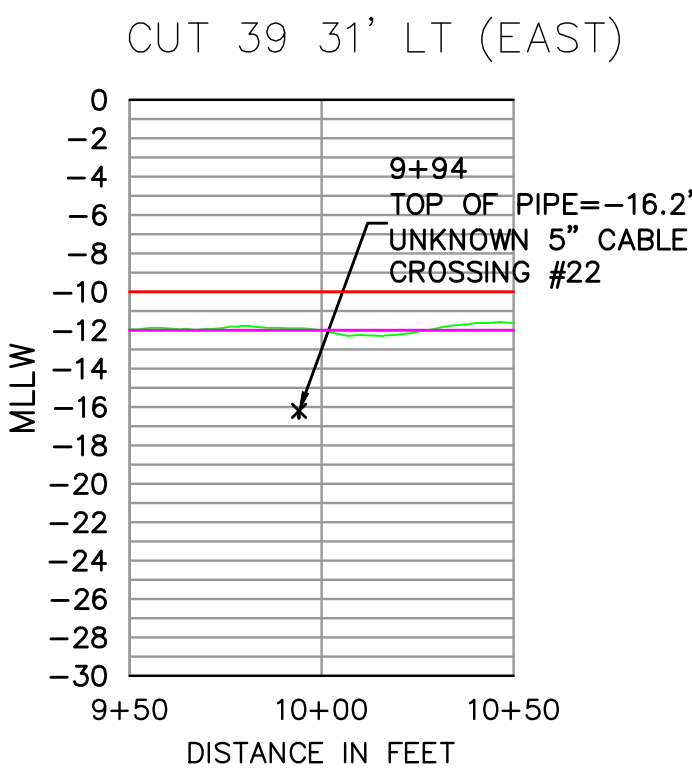
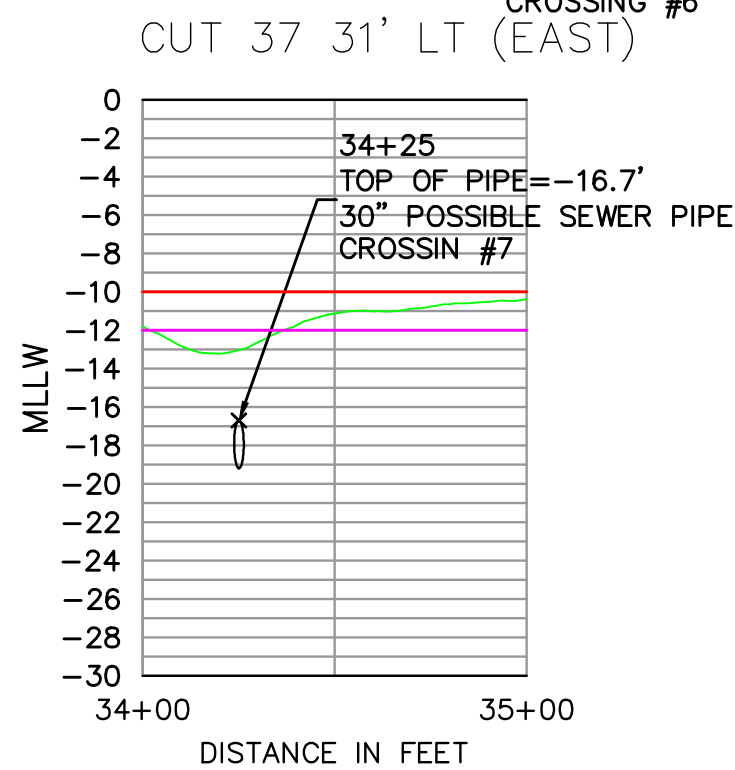
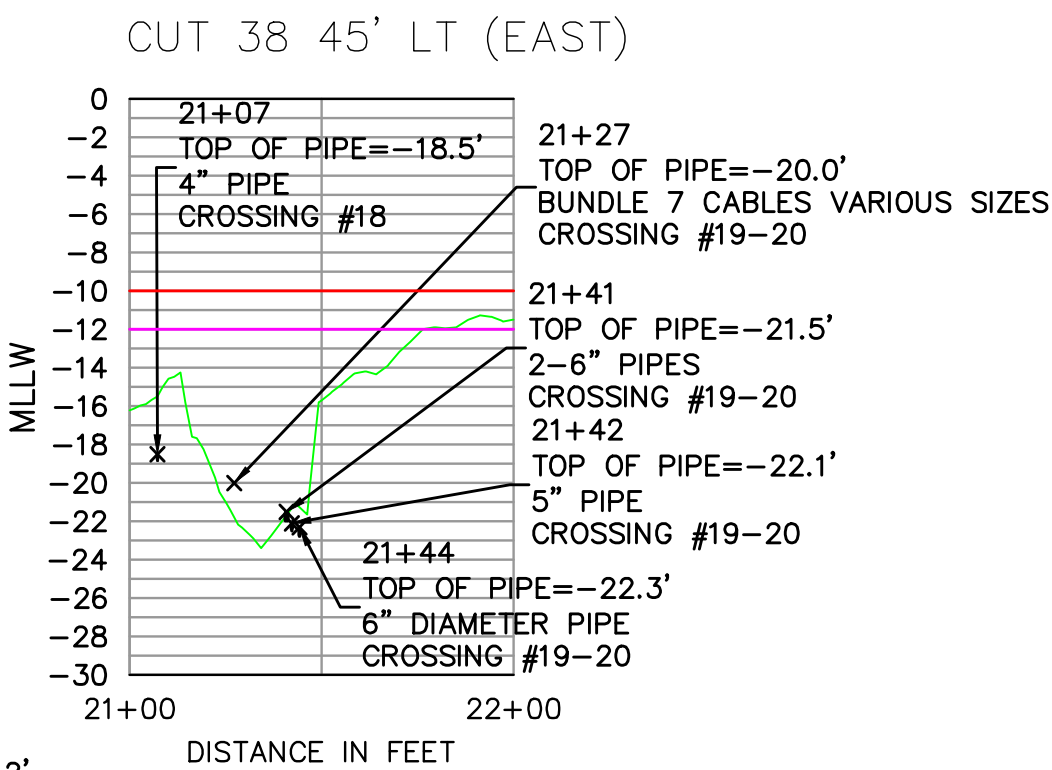
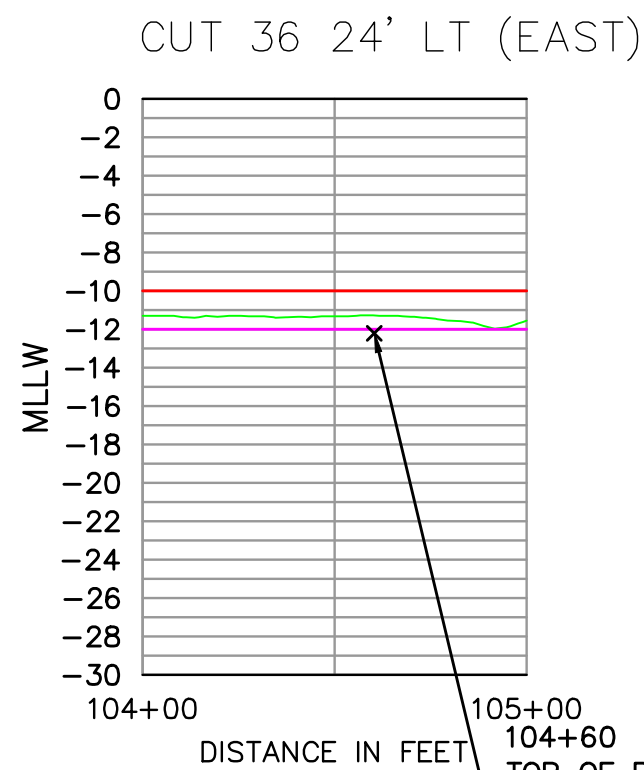
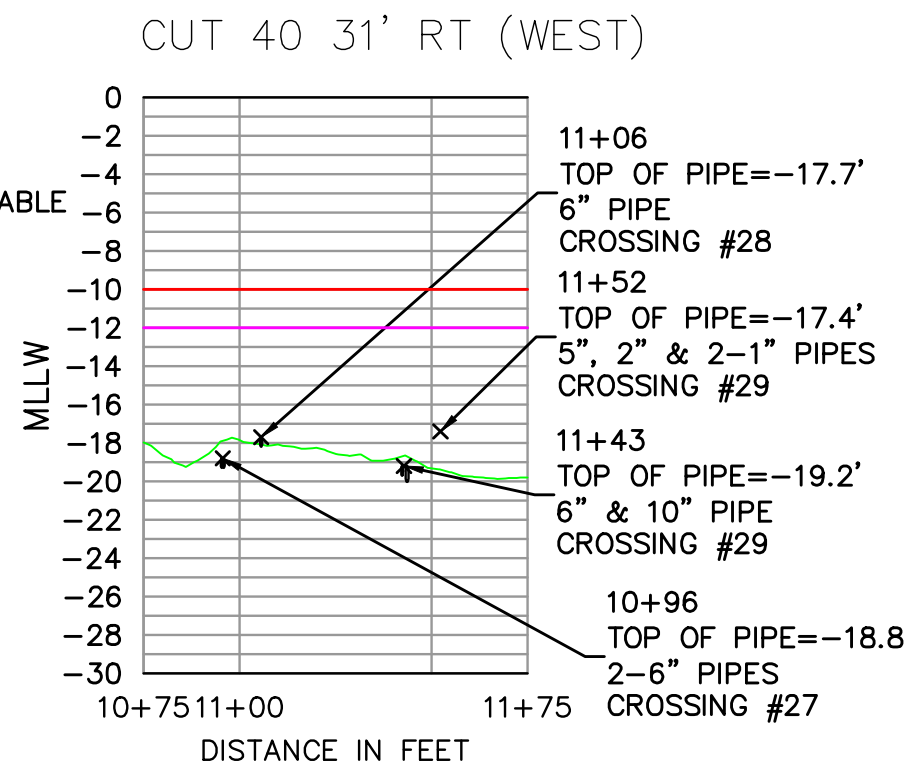
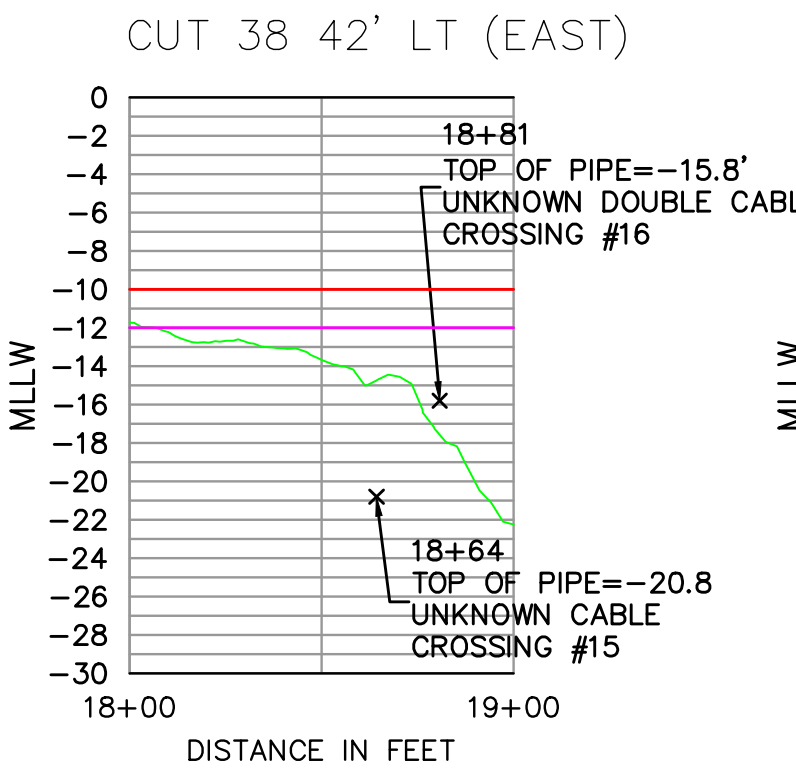
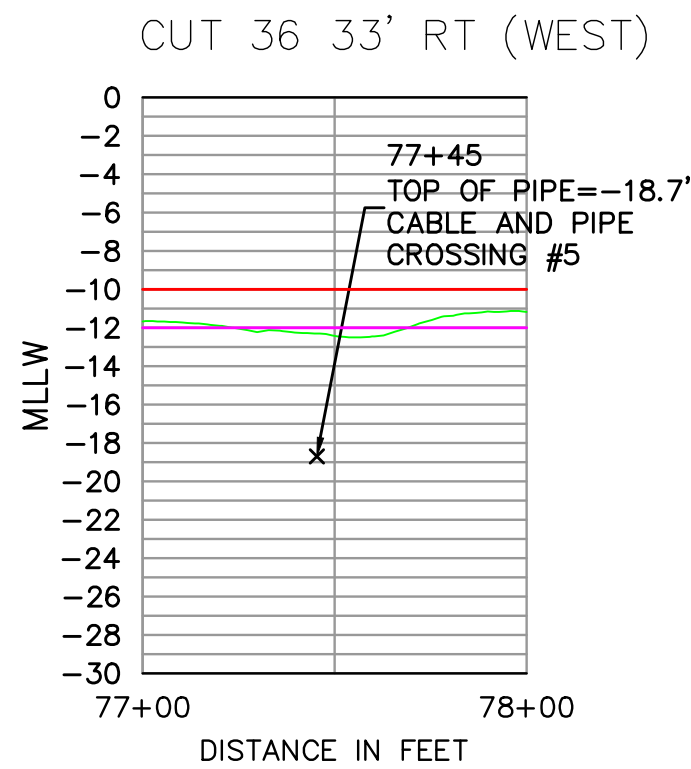
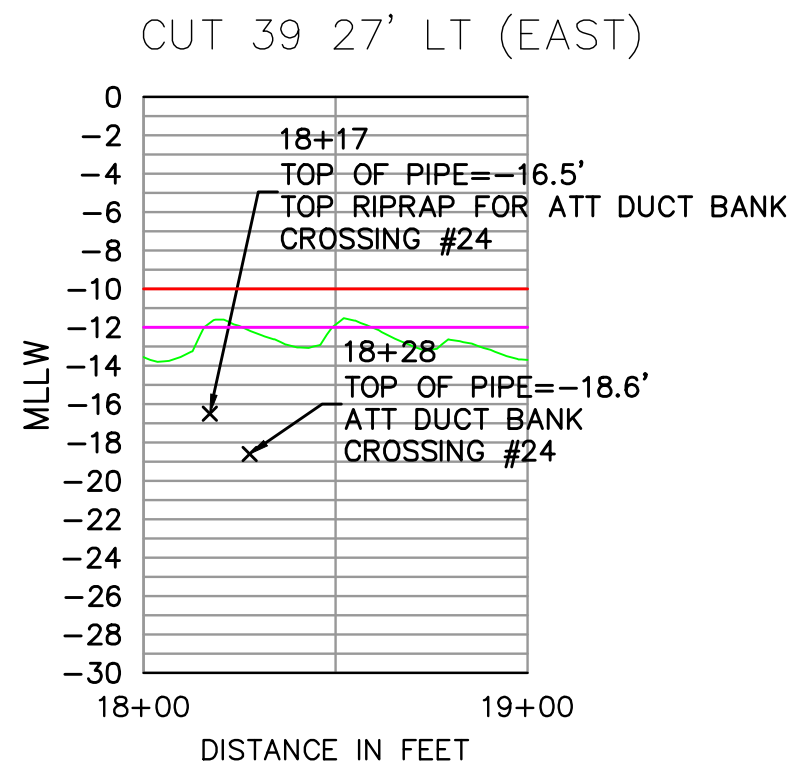
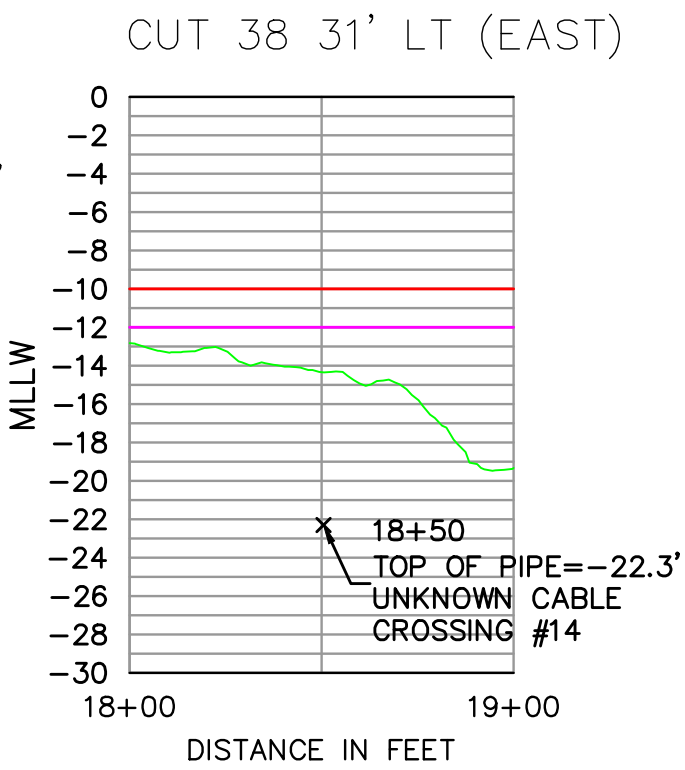
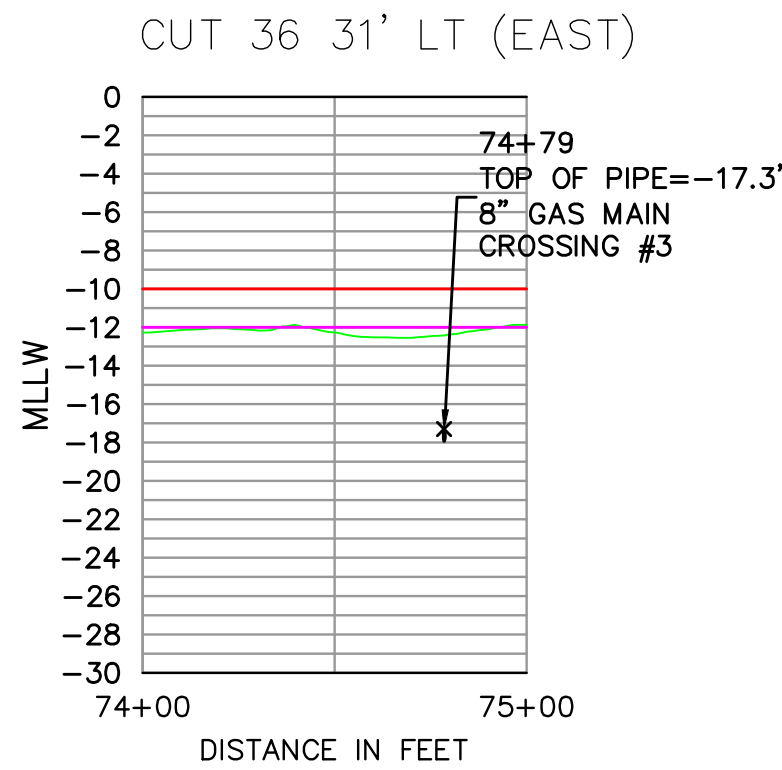
Example of possible backfill pattern.

Example: X4sbp

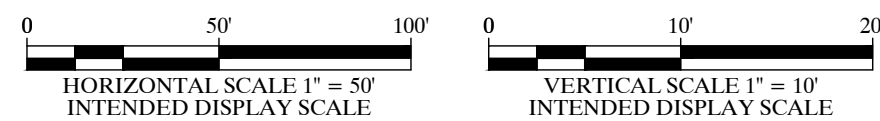


Example of Sub-surface anomaly. Object at 2.5meters with bottom at 2.1meters thus top of object may be buried 0.4meters. Note masking of sub-bottom reflector by object.

<div><div><div>JOHN R. MORGAN II, PSM FLORIDA CERTIFICATION #3520</div></div><div><div>Morgan & Eklund Inc.</div><div>PROFESSIONAL SURVEY CONSULTANTS</div><div>4909 US HIGHWAY #1 VERO BEACH, FL 32967 PHONE: (772) 388-5364 FAX: (772) 388-3165</div><div>1612 NW 2ND AVENUE SUITE 3 BOCA RATON, FL 33432 PHONE: (954) 421-6682 FAX: (954) 421-0425</div><div>LB #4298</div></div></div>		<div><div>CERTIFICATE OF SURVEYOR - I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS IN ACCORDANCE WITH A RECENT FIELD SURVEY MADE UNDER MY DIRECTION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 35-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.</div><div>JOHN R. MORGAN II, PLS PROFESSIONAL LAND SURVEYOR #3520 STATE OF FLORIDA</div></div>	DIVER INVESTIGATION SURVEY OF POTENTIAL BURIED UTILITIES					COMMISSION NO. 5303.16	
INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41					SCALE AS SHOWN				
PALM BEACH COUNTY, FLORIDA					DATE 3/6/18				
FOR TAYLOR ENGINEERING, INC.									
DRAWN BY LFP	CHECKED BY JRM		FIELD BOOK PAGE NO.	SEE COVER	DATE OF SURVEY 2/15/18	SHEET 21 OF 22			



NOTE: ALL PROFILE VIEWS FACE EAST



LEGEND

- DECEMBER 2015
- DESIGN SURFACE (-10' MLLW)
- DESIGN +2 (-12' MLLW)

Morgan & Eklund Inc.

PROFESSIONAL SURVEY CONSULTANTS

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LB #4298

CERTIFICATE OF SURVEYOR - I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS IN ACCORDANCE WITH A RECENT FIELD SURVEY MADE UNDER MY DIRECTION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 63-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JOHN R. MORGAN II, PLS
PROFESSIONAL LAND SURVEYOR #3520
STATE OF FLORIDA

PROFILES (MLLW -10' PROJECT)					COMMISSION NO. 5303.16
DIVER INVESTIGATION SURVEY OF POTENTIAL BURIED UTILITIES					SCALE AS SHOWN
INTRACOASTAL WATERWAY, CUT PB-36 THROUGH PB-41 PALM BEACH COUNTY, FLORIDA FOR TAYLOR ENGINEERING, INC.					DATE 3/6/18
DRAWN BY LFP	CHECKED BY JRM	FIELD BOOK PAGE NO.	SEE COVER	DATE OF SURVEY 2/15/18	SHEET 22 OF 22

ICWW Palm Beach South Deepening Project Utility
Crossing Investigation and Report of Findings (to
accompany drawings titled, “Diver Investigation Survey
of Potential Buried Utilities”)



For
Taylor Engineering, Inc.

By: Morgan & Eklund, Inc.

February 15, 2018

ICWW Palm Beach South Deepening Project
Utility Crossing Investigation and Report of Findings
(to accompany drawings titled “Diver Investigation Survey of Potential
Buried Utilities”
by Morgan & Eklund, Inc. dated February 15, 2018)
Commission #: 5303.16

1. Introduction

Morgan & Eklund, Inc. was retained by Taylor Engineering, Inc. to perform a bathymetric, side scan sonar, magnetometer and seismic survey of the Atlantic Intracoastal Right-of-Way from Peanut Island to a point 2,000’ south of the Royal Palm Bridge (see Attachment A, Location Map). Our firm provided the survey control, 26’ Survey Boat, Navigation System and Multi Beam Swath bathymetry system for the bathymetric survey. The sidescan sonar, magnetometer and seismic surveys were performed from our vessel utilizing our positioning system together with leasing the remote sensing equipment and operator (Rick Horgan) from Sonographics, Inc.

Once the potential utility crossings were plotted we initiated a diver investigation with Industrial Divers, Inc. of Fort Lauderdale, Florida. We planned on spending approximately 1 day at each utility crossing, jetting down into the sediment 6-8 feet to uncover, identify, and elevate each submarine utility line. Some of the utility lines that showed up on the sidescan sonar were exposed and were below the dredge template. These lines did not need to be investigated further and were highlighted in orange in Attachment

2. Research/Sources of Utility Location Information

- Sunshine One Call (811)
- FDEP Submerged Lands Easements (FDEP State Lands Interactive Map)
- Utility permitting records
- Utility Company as-built information/letters requesting information
- Nautical Charts
- Local knowledge/crossing signs

2.A. Sunshine One Call (811)

After renewing our membership in the local utility service “Sunshine One Call”, we notified the agency about our project and received the attached listing of companies that would need to be notified. (See Attachment “B”)

Comcast	Hotline Communications
AT&T	Level 3 Communications
City of Riviera Beach	Martin Fuel Supply
FiberLight LLC	Town of Palm Beach
FPL – Transmission	Palm Beach County
FPL – Fibernet LLC	AT&T Distribution
FPL – Palm Beach	Sprint/Nextel
FPL – Subaqueous	City of WPB Stormwater Division
Florida Public Utilities CO.	City of West Palm Beach

2B. Submerged Lands Easements as shown on FDEP Division of State Lands Interactive Map.

UTILITY CROSSINGS					
Station	Designation	Identified Utility	Attachment Number	Comments	Sheet Number
PB-36 STA 32+51	Crossing 1	Florida Power and Light	ORB 6657, PAGE 287	No mag hits	3, 11
PB-36 STA 34+07	Crossing 2	Florida Power and Light	ORB 24343, PAGE 1515	Strong Mag Anomaly String 1	3, 11
PB-36 STA 50+54	Crossing 2A	Nautical Chart "Cable"	n/a	Mag string 1A	4,12
PB-36 STA 74+75	Crossing 3	Possible Florida Public Utilities Co. Gas Main	n/a	Mag hits string 2	4, 12
PB-36 STA 75+49	Crossing 4	Possible Florida Public Utilities Co. Gas Main	n/a	Mag hits string 3	4, 12
PB-36 STA 77+45	Crossing 5	Florida Power and Light	ORB 16498, PAGE 1501	Mag hits string 4	4, 12
PB-36 STA 104+58	Crossing 6	Unknown	n/a	Possible Utility Crossing - Mag hits string 5	5, 13
PB-37 STA 34+11	Crossing 7	Unknown	n/a	Possible Utility Crossing - Mag hits string 6	6, 14
PB-37 STA 68+14	Crossing 8	Comcast	ORB 7188, PAGE 1845	Mag hits string 7 north of easement	8, 16
PB-38 STA 4+02	Crossing 9	Florida Power and Light	DM ID 372578	No mag hits	8, 16
PB-38 STA 5+66	Crossing 10	Florida Power and Light	ORB 16498, PAGE 1524	SEE AS-BUILT BY AVIROM & ASSOCIATES - Side-scan feature 00	8, 16
PB-38 STA 9+75	Crossing 11	City of West Palm Beach	ORB 23947, PAGE 1889	No mag hits	8, 16
PB-38 STA 9+99	Crossing 12	Town of Palm Beach	ORB 24196, PAGE 1729	No mag hits	8, 16
PB-38 STA 17+36	Crossing 13	Possible Florida Public Utilities Co. Gas Main	n/a	See Crossings 14-17	8, 16
PB-38 STA 18+67	Crossing 14	See Crossing 13	n/a	Side-scan feature 01	8, 16
PB-38 STA 18+70	Crossing 15	See Crossing 13	n/a	Side-scan feature 02	8, 16

UTILITY CROSSINGS					
Station	Designation	Identified Utility	Attachment Number	Comments	Sheet Number
PB-38 STA 18+73	Crossing 16	see Crossing 13	n/a	Side-scan feature 03	8, 16
PB-38 STA 19+23	Crossing 17	see Crossing 13	n/a	Side-scan feature 04	8, 16
PB-38 STA 22+22	Crossing 17A	FDOT cable	DEP PERMIT SAJ-1993-31700 (IP-GGL)	No Mag hits	8,16
PB-38 STA 21+16	Crossing 18	Possible City of West Palm Beach	ORB 21355, PAGE 1661	Side-scan features 06	8, 16
PB-38 STA 21+43	Crossing 19	Possible City of West Palm Beach or Florida Power and Light	ORB 21355, PAGE 1661 or ORB 16580, PAGE 1490	Side-scan features 07	8, 16
PB-38 STA 21+58	Crossing 20	Florida Power and Light	ORB 16580, PAGE 1490	Side-scan feature 08	8, 16
PB-38 STA 21+90	Crossing 21	Florida Power and Light	ORB 23921, PAGE 469	Side-scan feature 9?	8, 16
PB-39 STA 10+03	Crossing 22	Florida Power and Light	ORB 16498, PAGE 1513	Mag hits string 8	9, 17
PB-39 STA 16+38	Crossing 23	Unknown	n/a	Side-scan features 11 & 12	9, 17
PB-39 STA 18+33	Crossing 24	American Telephone and Telegraph	ORB 6645, PAGE 369 AND DM ID 141839	Mag hits string 9	9, 17
PB-40 STA 9+56	Crossing 25	Possible Florida Public Utilities Co. Gas Main	n/a		10, 18
PB-40 STA 10+88	Crossing 26	American Telephone and Telegraph	DM ID 141240	Side-scan feature 13	10, 18
PB-40 STA 11+01	Crossing 27	American Telephone and Telegraph	DM ID 141240	Side-scan feature 14	10, 18
PB-40 STA 11+21	Crossing 28	American Telephone and Telegraph	DM ID 141240	Side-scan feature 15	10, 18
PB-40 STA 11+54	Crossing 29	American Telephone and Telegraph	DM ID 141240	Side-scan feature 16	10, 18
PB-40 STA 14+02	Crossing 30	Unknown	n/a	Side-scan feature 17	10, 18
PB-40 STA 14+39	Crossing 31	Unknown	n/a	Side-scan feature 18	10, 18

UTILITY CROSSINGS					
Station	Designation	Identified Utility	Attachment Number	Comments	Sheet Number
PB-40 STA 15+20	Crossing 32	Florida Power and Light	ORB 12316 PAGE 1115	Side-scan features 19	10, 18
PB-40 STA 14+15	Crossing 32A	Florida Power and Light	DEP PERMIT SAJ-2017-00022(GP-CGK)	No mag hits	10,18

2C. Utility Permit Records

We made a telephone call to the USACE field office in West Palm Beach to inquire about information regarding the permits issued for utilities crossing the ICWW in West Palm Beach. The person we talked with said that they did not have that information readily available but that all of the crossings should be reflected on the Nautical Charts.

After reviewing the Nautical Charts, we discovered a crossing at the north end of our survey area (just south of Peanut Island) that we had not originally included. That crossing is reflected on our updated plans and labeled “Nautical Chart”.

2D. Sent letters requesting location and depth of buried information to utility companies.

- See letters and responses (“Attachment C”)

2E. Nautical Chart Locations

See “Attachment D”

2F. Local Knowledge/Cable Warning Signs

The shore landing locations were marked by the utility companies and these “marked landing locations” corresponded to utility line crossing that we have located and are plotted on our drawings.

3. Findings

A. Remote Sensing Survey

The locations of the utility lines that we have located using remote sensing techniques (i.e. sidescan sonar, magnetometer and seismic profiler) are shown on the survey drawings and further described in the Report of Findings as detailed on pages 19-21 of the survey drawings.

See “Attachment E”

B. Diver Investigation

For the results and finding of the diver investigation see pages 3 through 18 of the survey drawings and “Attachment F.”

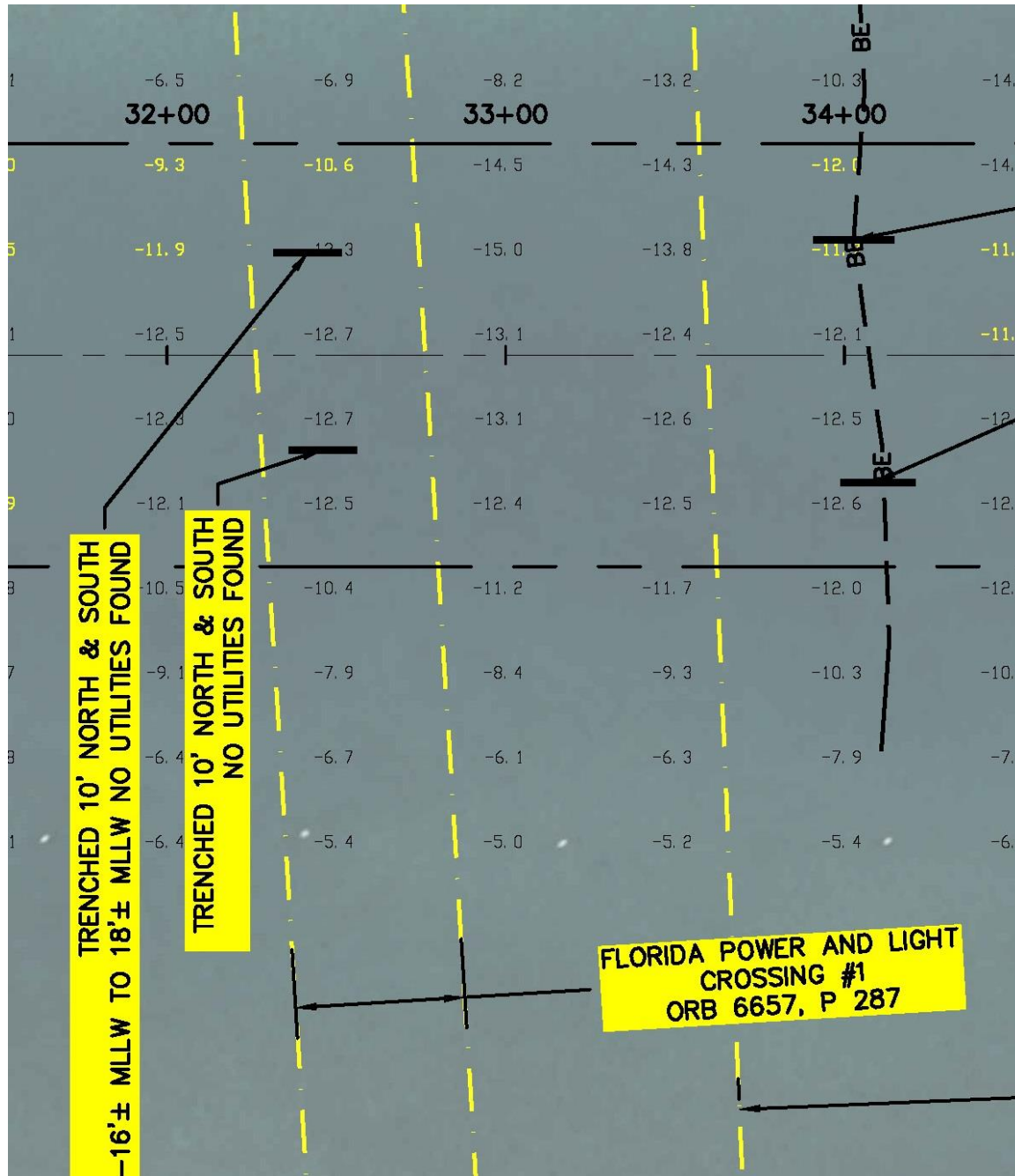
4. Conclusions

A total of thirty-four (34) possible utility lines were detected through our research and remote sensing survey. All of the utility lines detected by remote sensing or from previous as-built survey information lying within the dredge template (-12 MLLW + 5' clearance = -17 MLLW) were either found or searched for down to -17 MLLW with the following exception:

Crossing 6-Found 5” rusty pipe at elevation -12.2 MLLW (possible ATT, needs to be protected)

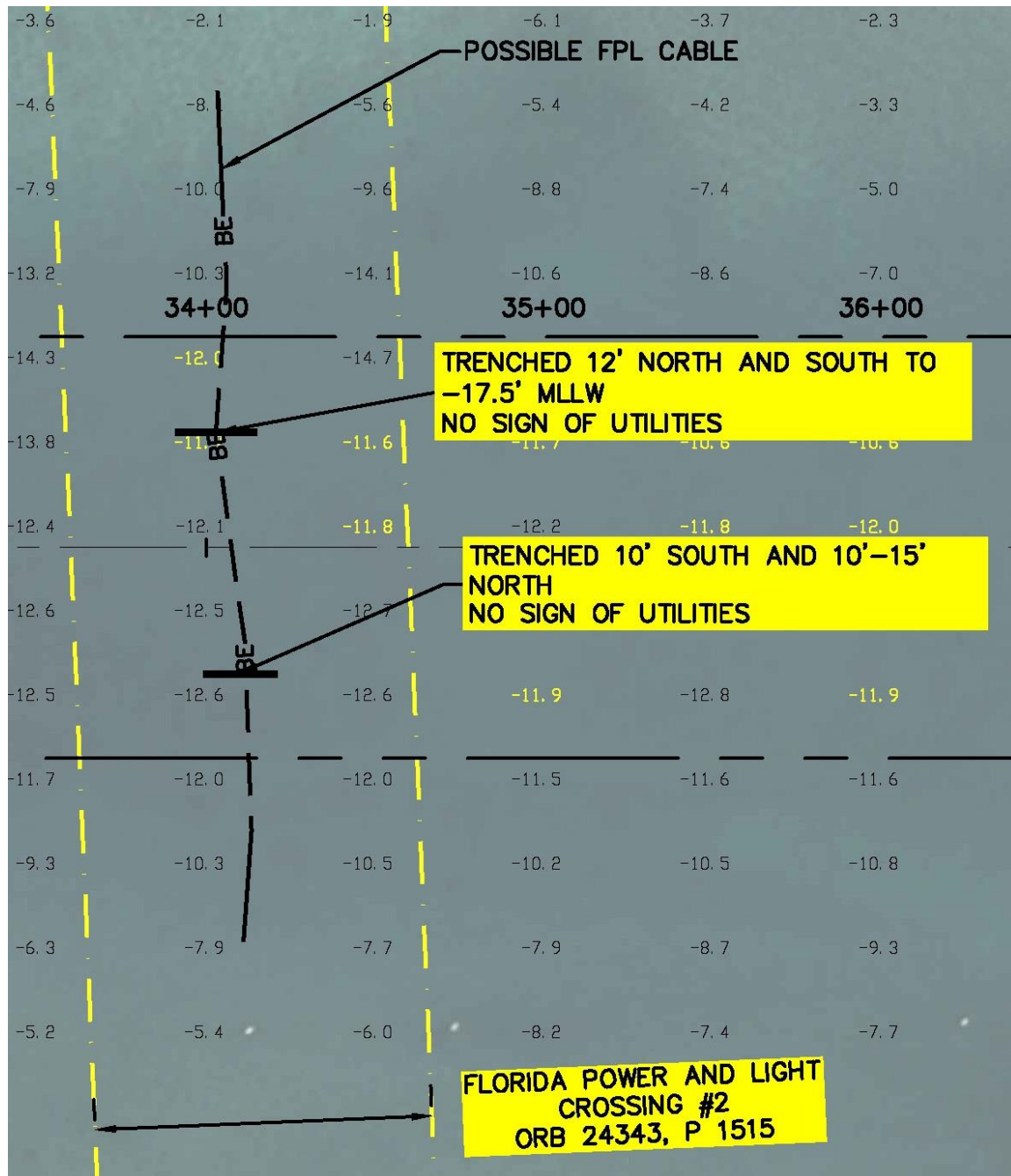
RESULTS OF DIVER INVESTIGATION:

At crossing #1 there were no sidescan sonar, magnetometer, or seismic targets within the area shown as crossing #1 FPL easement. The dive team trenched from the center of the easement, 10' north and 10' south to -16' MLLW and did not encounter any utility line.



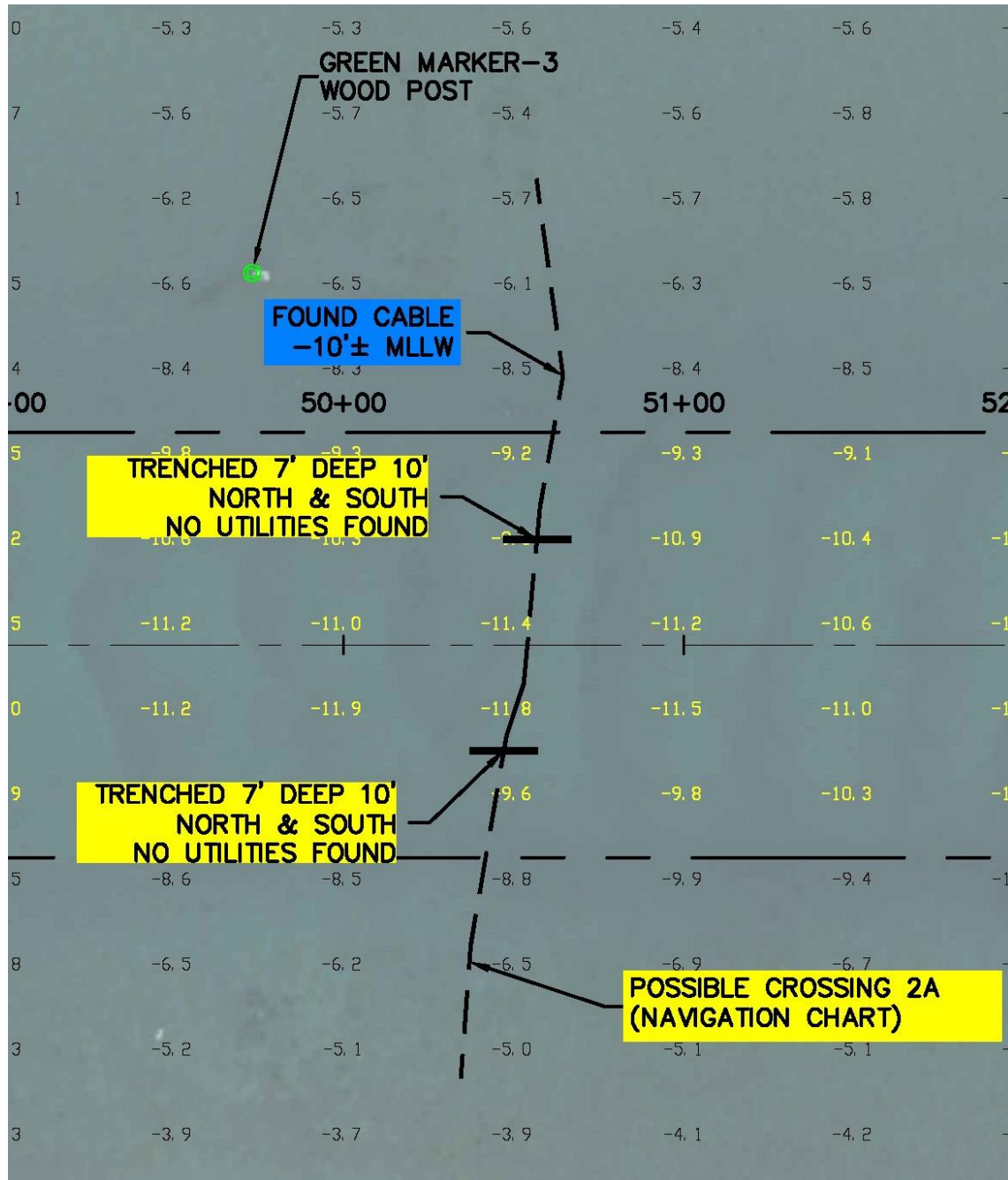
RESULTS OF DIVER INVESTIGATION:

At crossing #2 a dive team trenched 12' north and south of the magnetometer anomaly string down to -17.5' MLLW and no utilities were found.



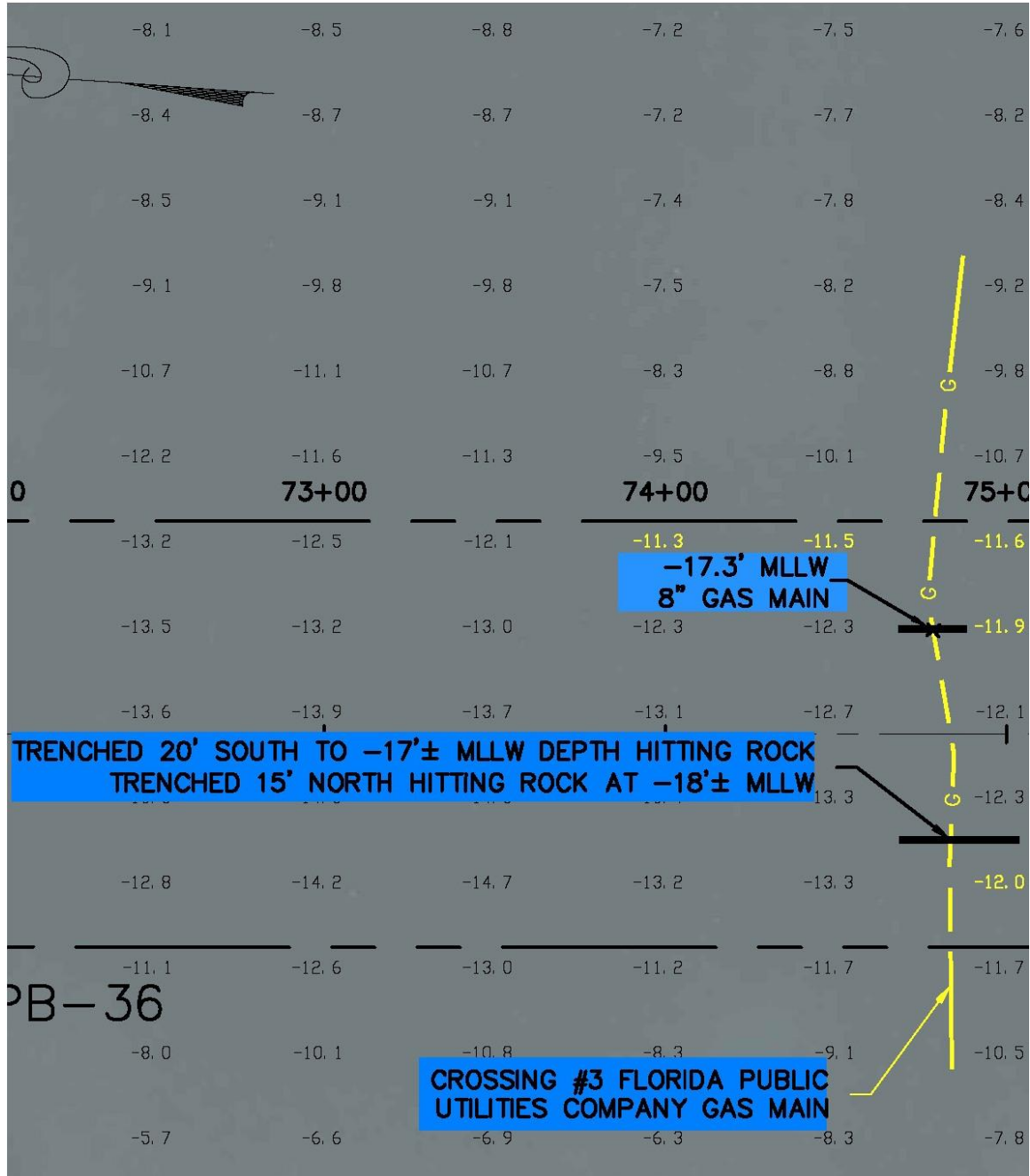
RESULTS OF DIVER INVESTIGATION:

At crossing #2A the dive team trenched 10' north and south on both sides of the channel and no utilities were encountered.



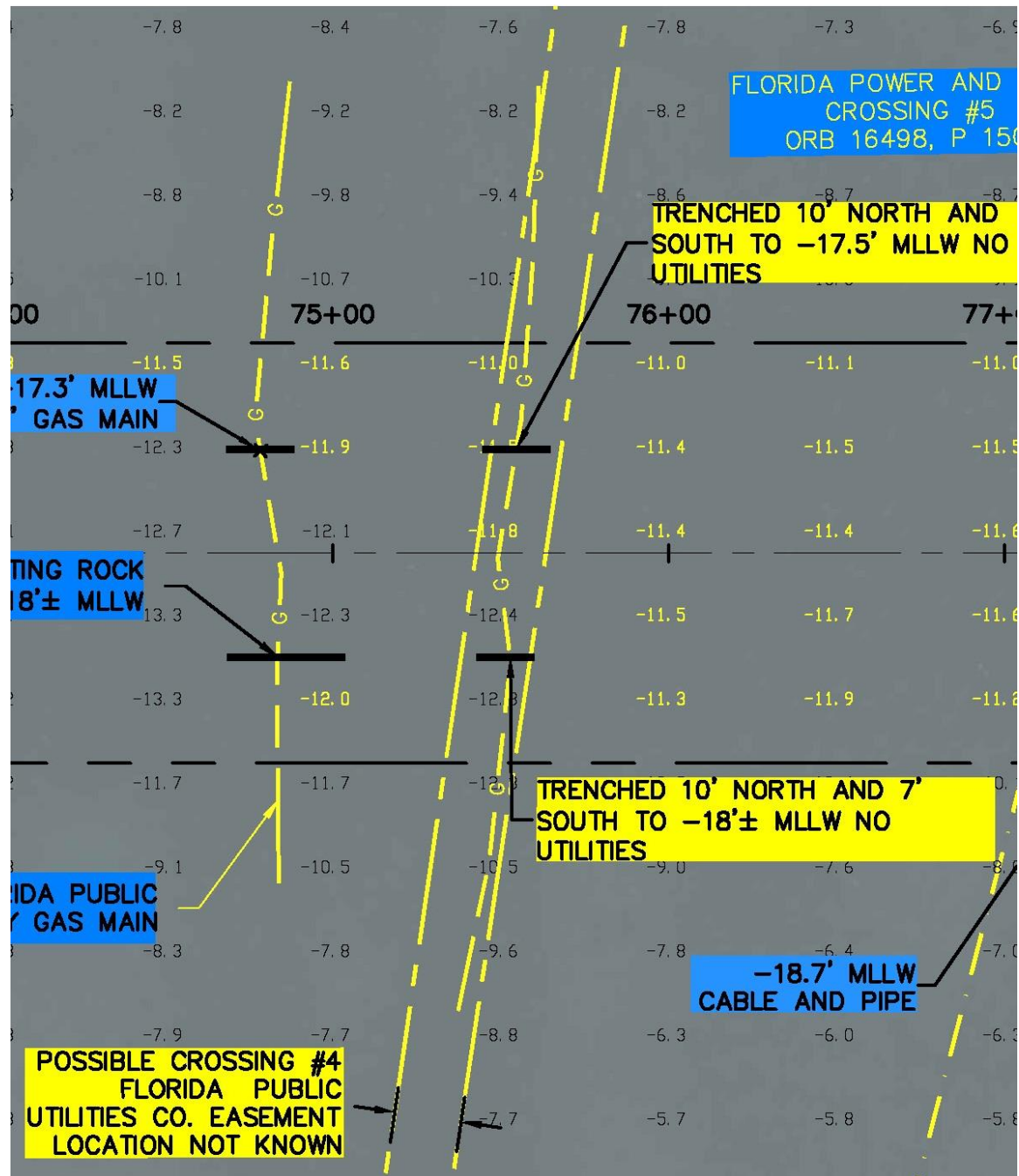
RESULTS OF DIVER INVESTIGATION:

At crossing #3 on the east side of the ICWW the dive team trenched 10' north and 10' south of the anomaly string and found an 8" gas pipe at elevation -17.3' MLLW. On the west side of the ICWW the dive team encountered rock at elevation -18 MLLW.



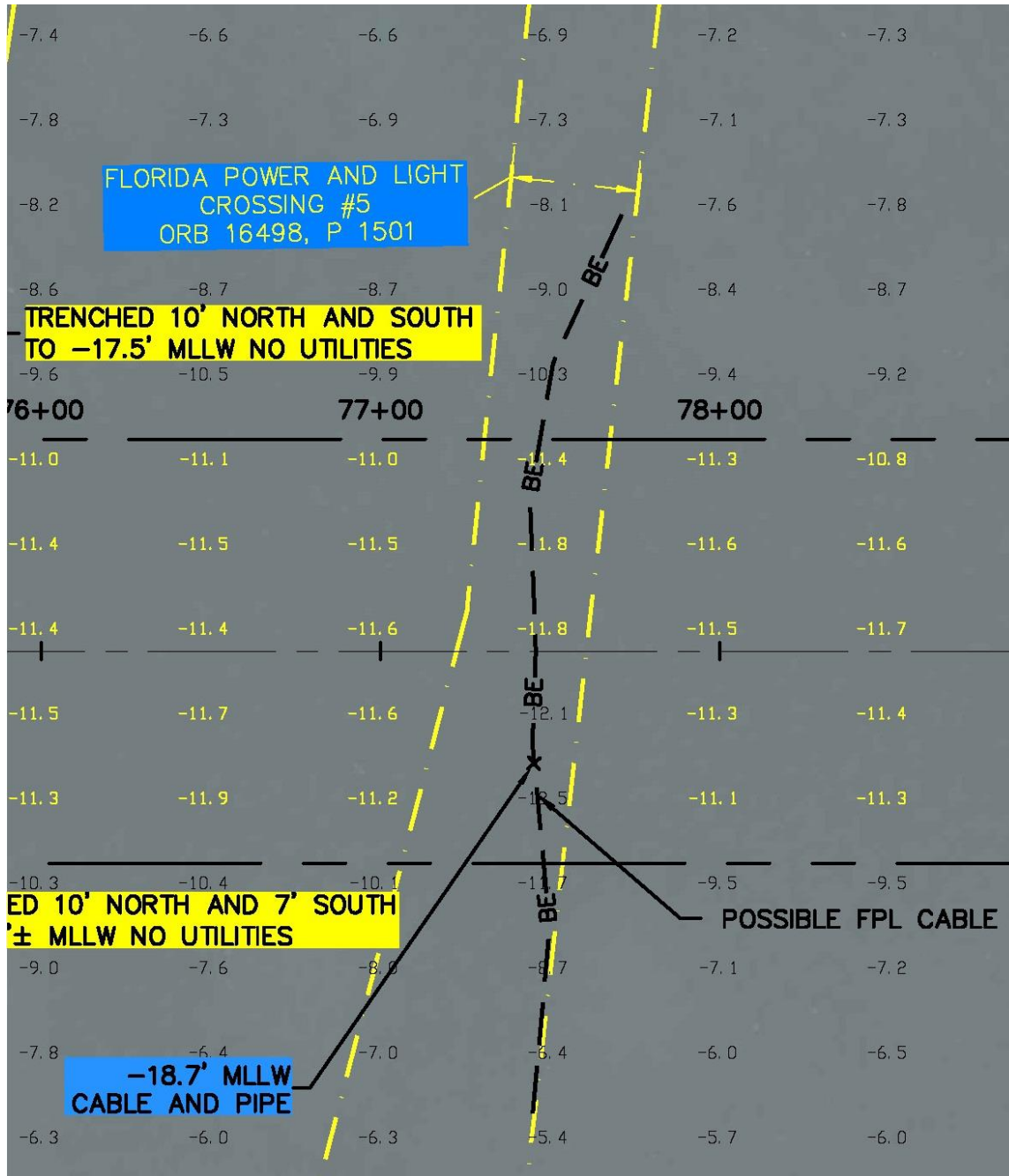
RESULTS OF DIVER INVESTIGATION:

At crossing #4 the dive team trenched 10' north and 10' south of anomaly string #3 to -17.5' MLLW and no utility lines were observed.



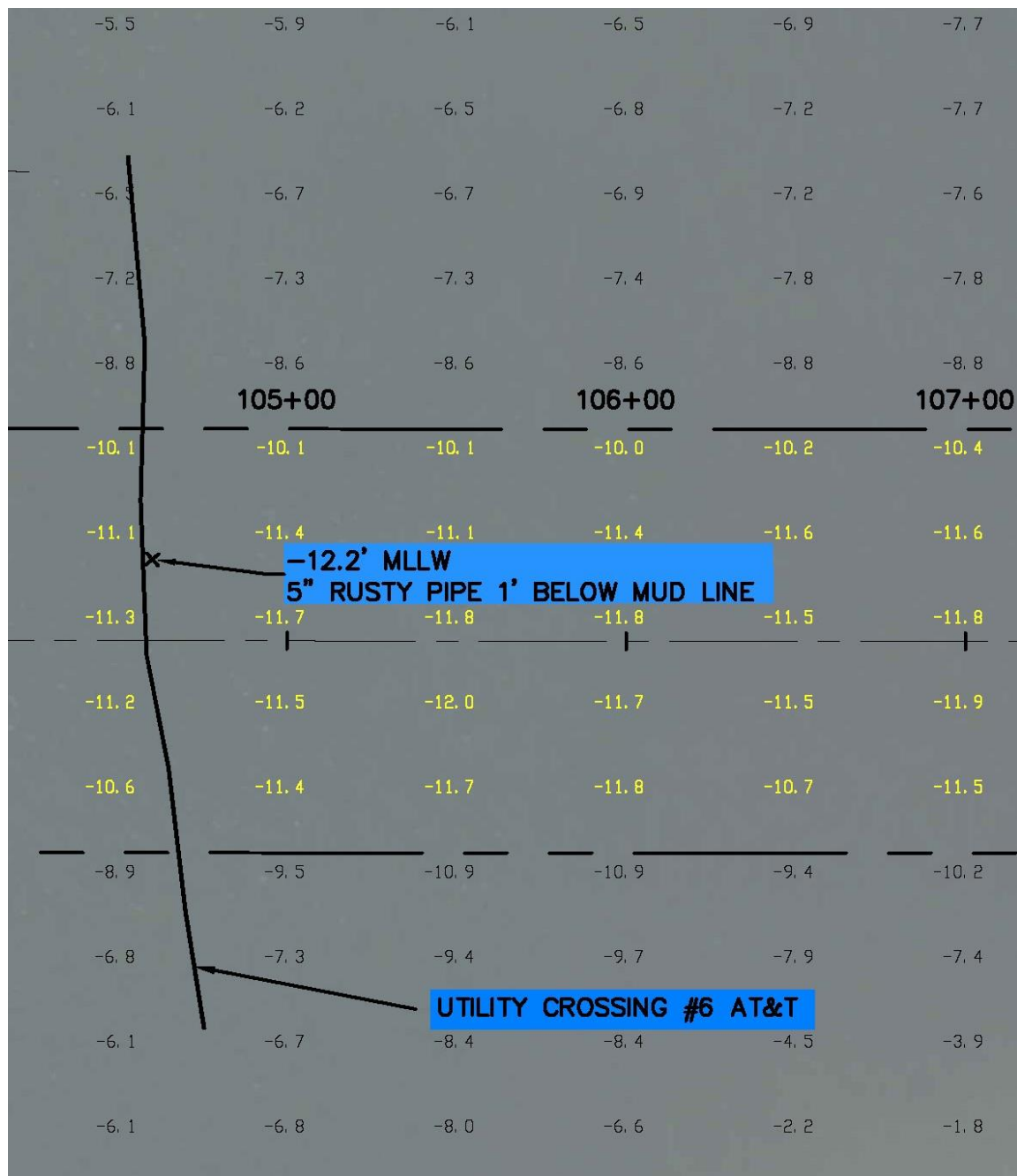
RESULTS OF DIVER INVESTIGATION:

At crossing #5 the dive team trenched 10' north and south of the magnetometer anomaly string #4 and located a cable and pipe on the west side of the ICWW at -18.7' MLLW.



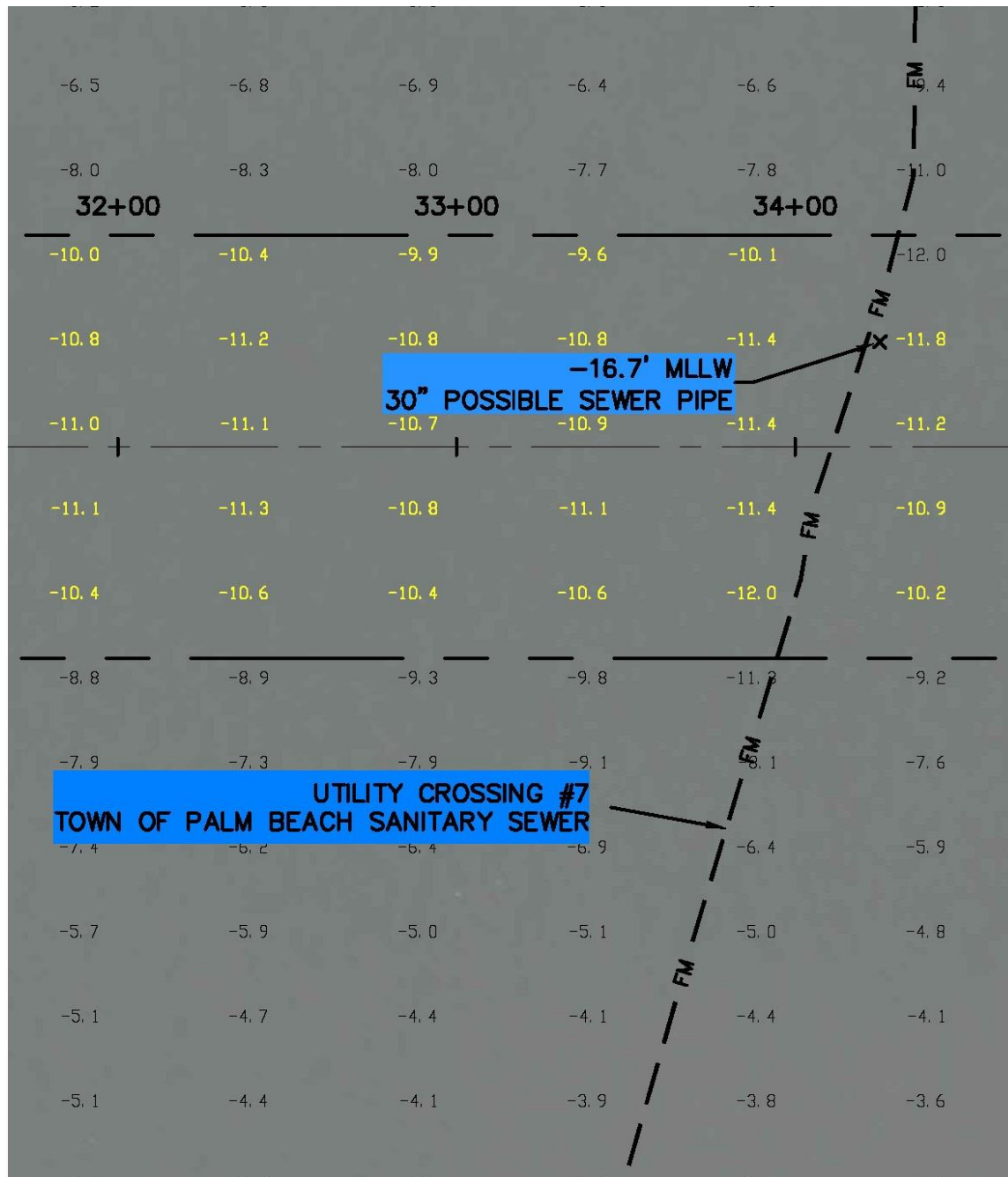
RESULTS OF DIVER INVESTIGATION:

At crossing #6 (at anomaly string #6) a 5" rusty pipe was found at elevation -12.2 MLLW.

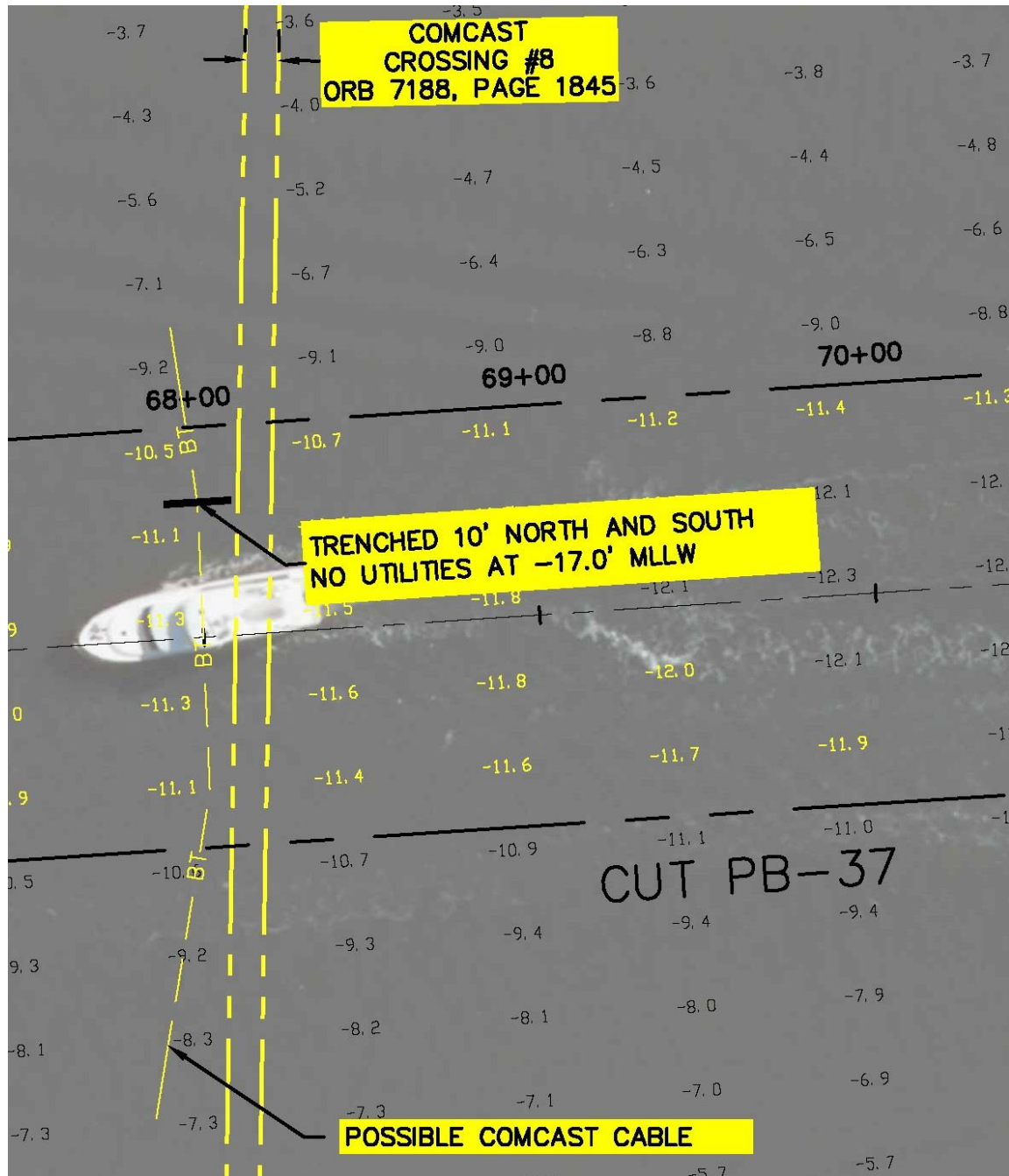


RESULTS OF DIVER INVESTIGATION:

At crossing #7 (at anomaly string #6) a 30" sewer line was observed at elevation -16.7' MLLW.

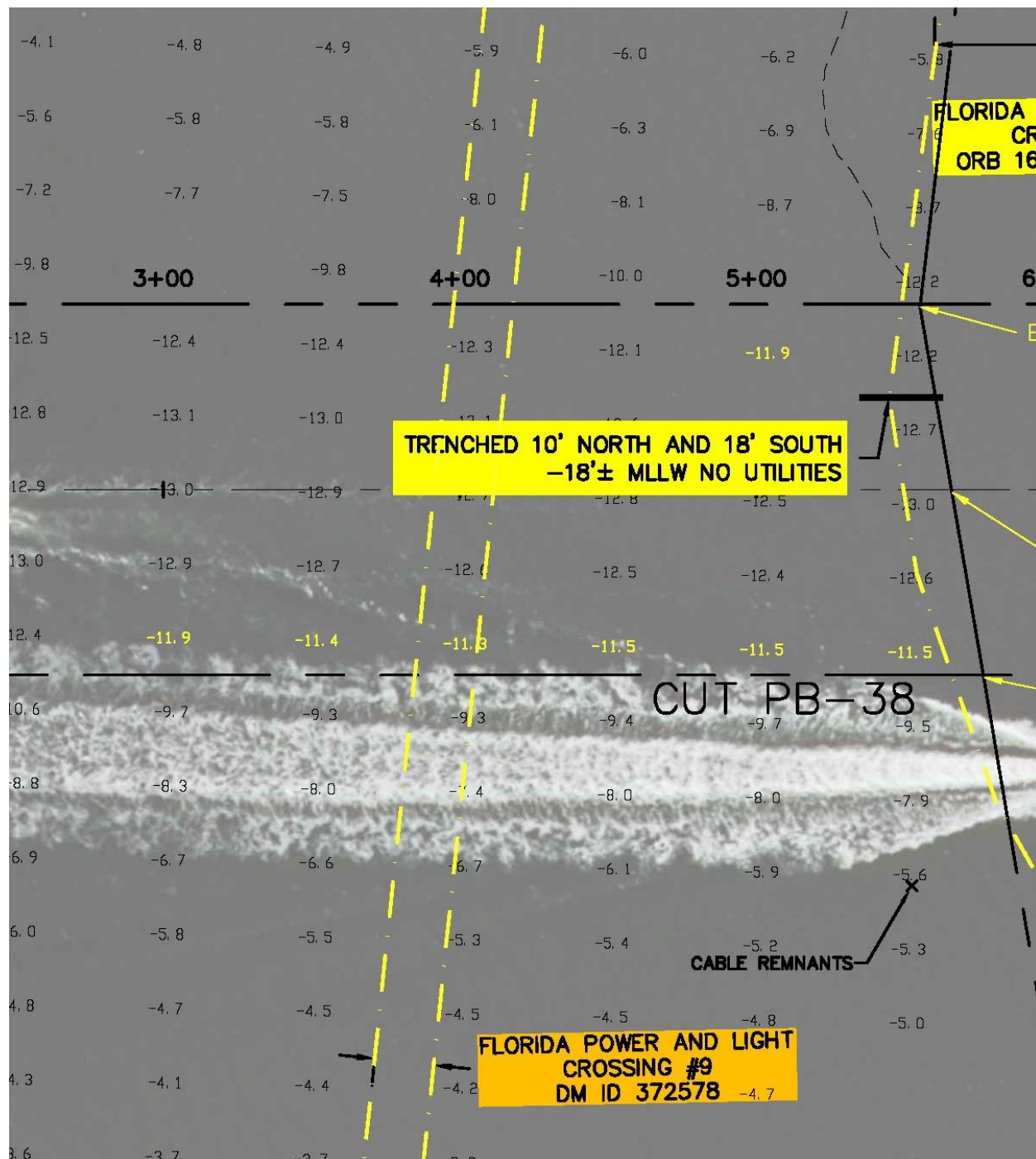


At crossing #8 (at anomaly string #7) the dive team trenched north and south down to -17' MLLW on the east side of the ICWW and no utilities were observed.



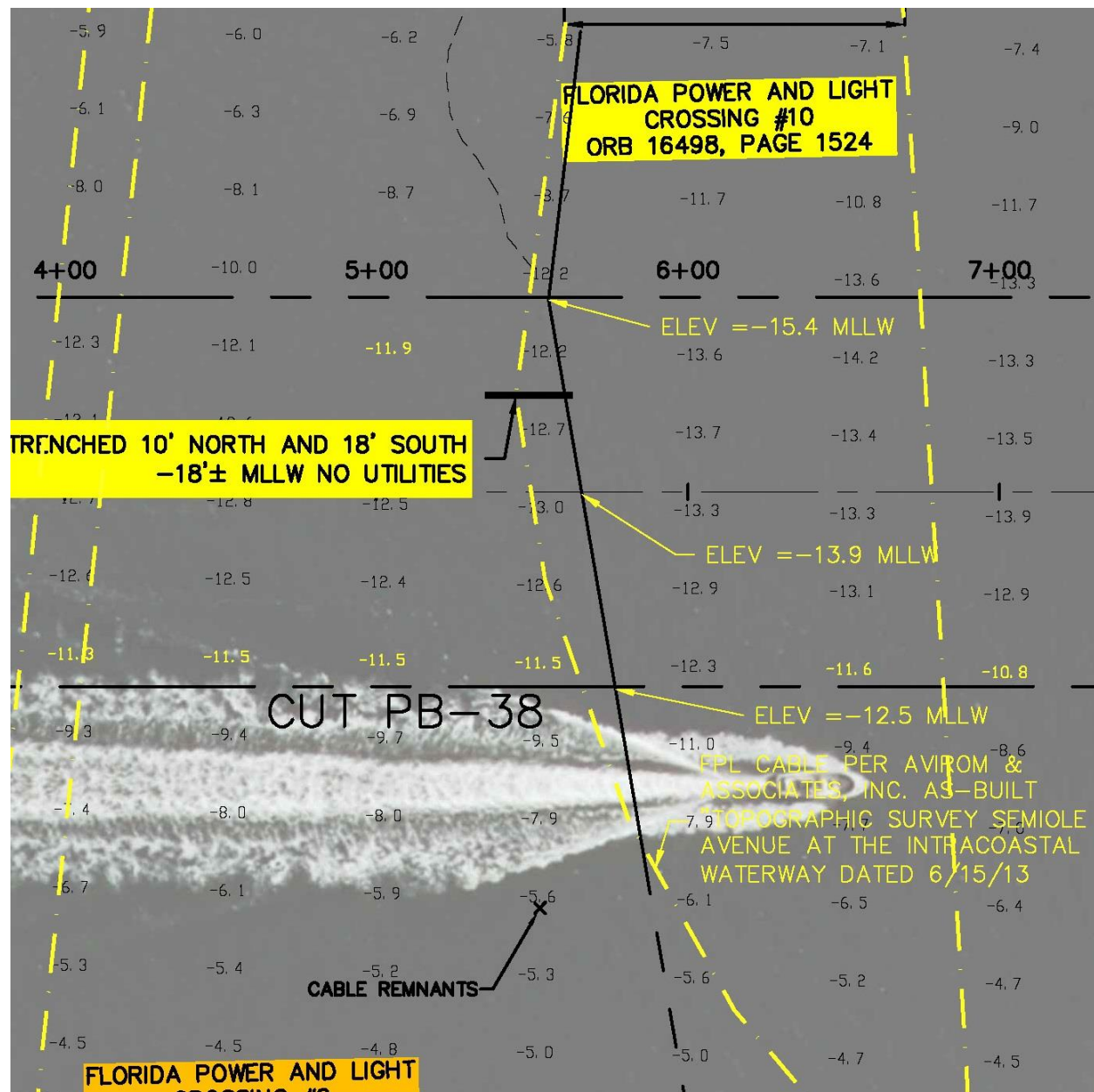
RESULTS OF DIVER INVESTIGATION:

No investigation occurred at crossing #9 due to the absence of magnetometer hits.



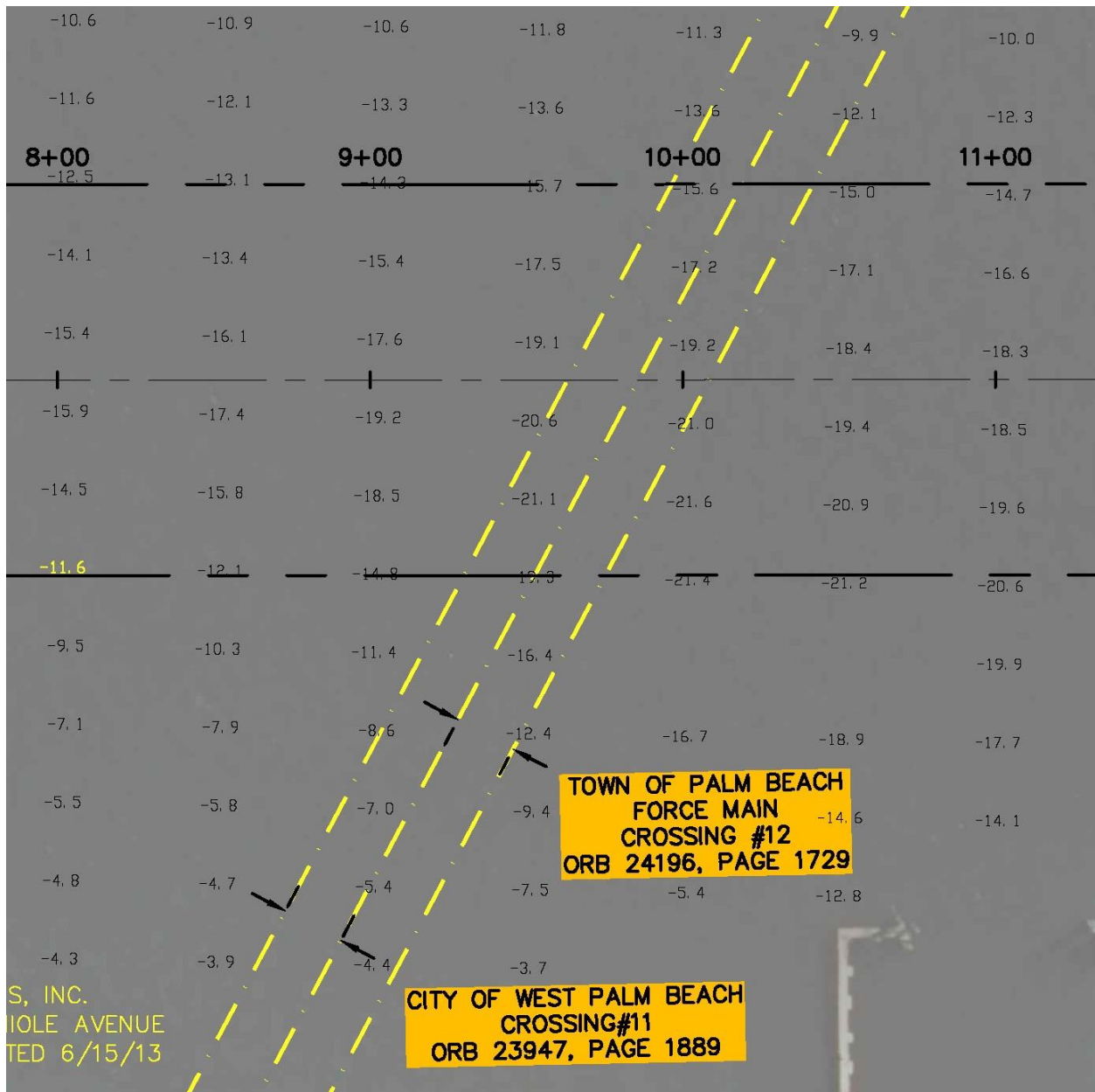
RESULTS OF DIVER INVESTIGATION:

At crossing #10 the dive team trenched 10' north and 18' south to -18 MLLW. No utilities were found.



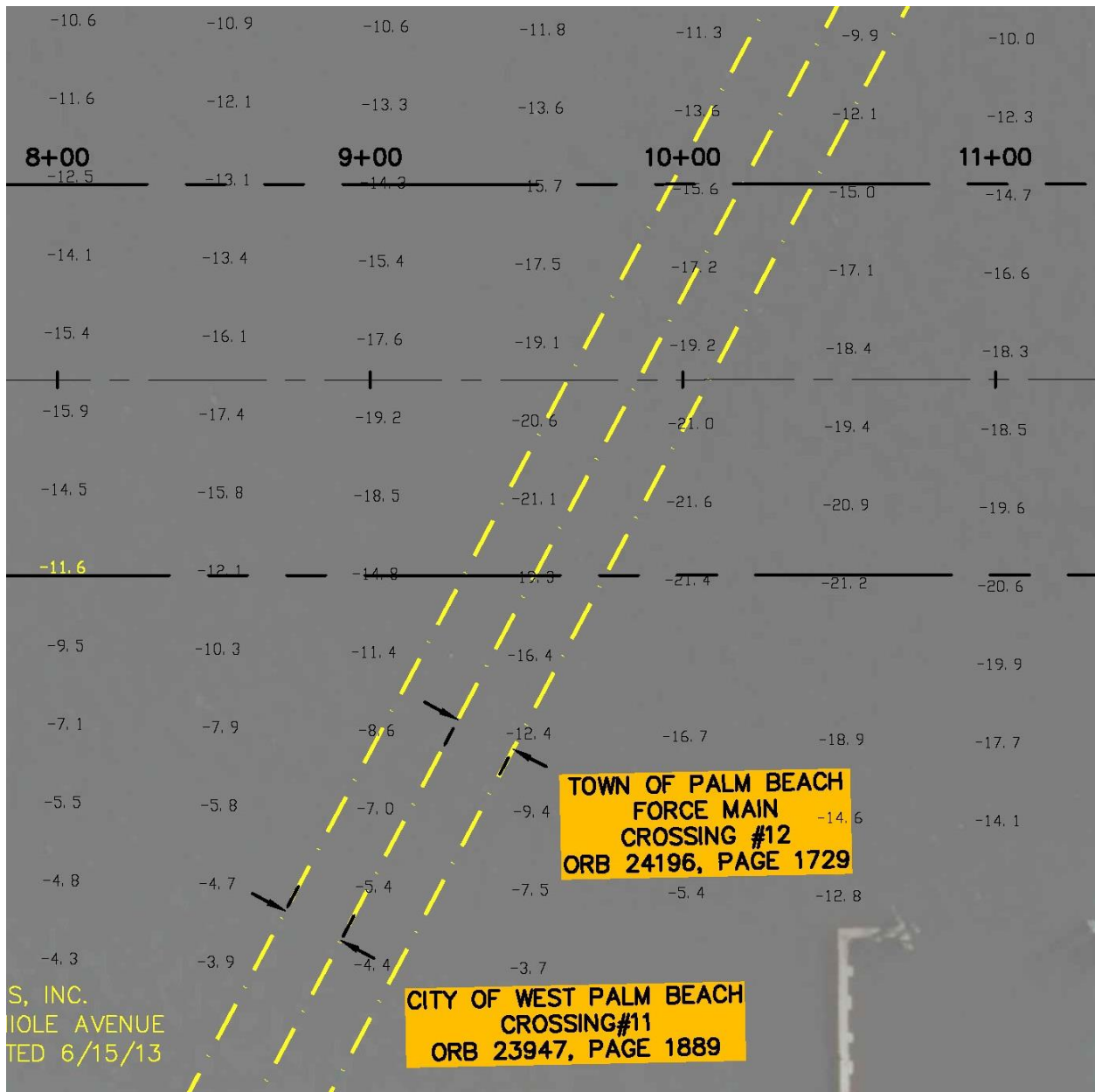
RESULTS OF DIVER INVESTIGATION:

Crossing #11 was not investigated due to a lack of magnetometer targets.



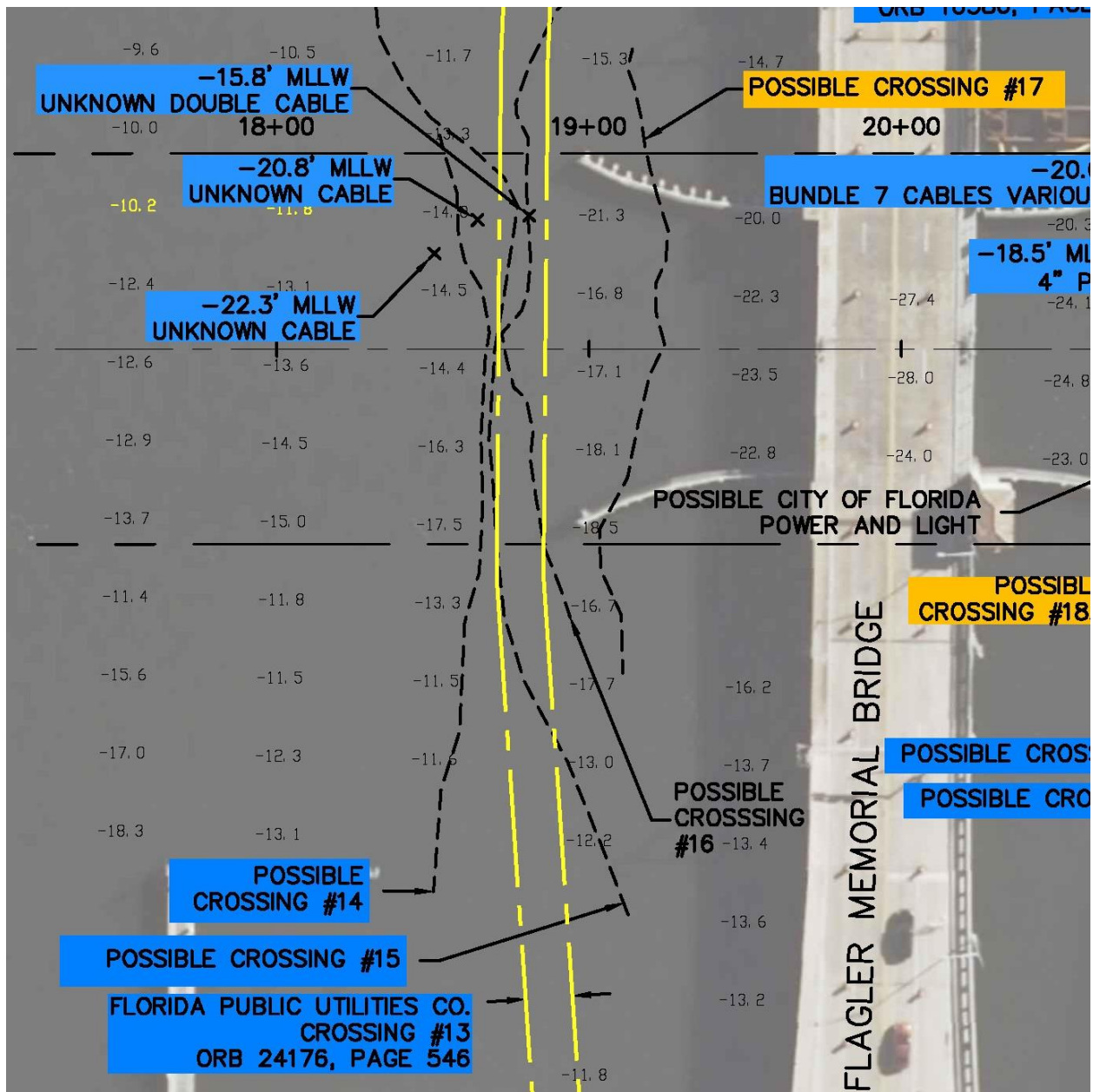
RESULTS OF DIVER INVESTIGATION:

Crossing #12 was not investigated due to a lack of magnetometer targets.



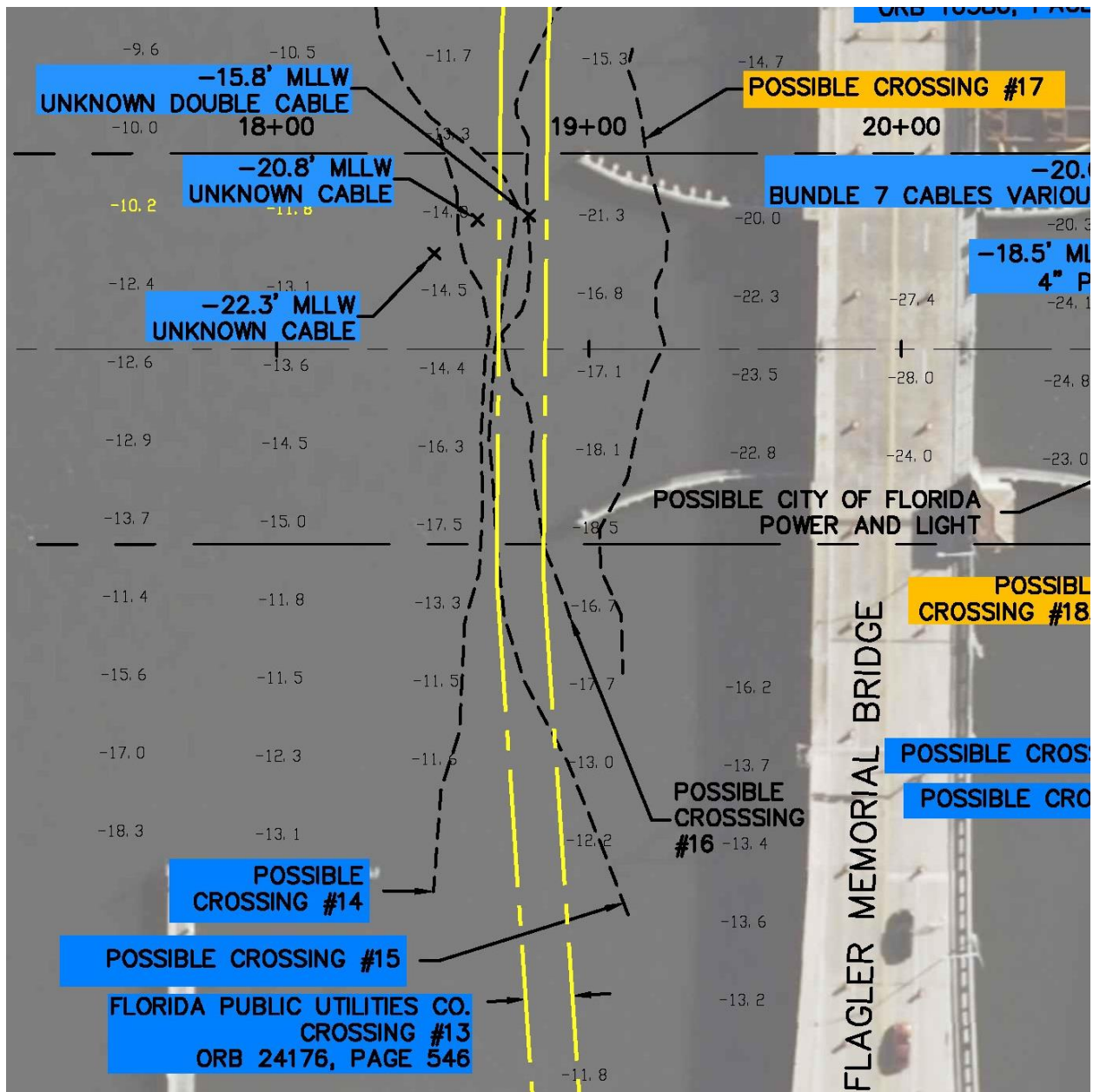
RESULTS OF DIVER INVESTIGATION:

At crossing #13 multiple cables were found. See crossings 14, 15, 16 and 17.



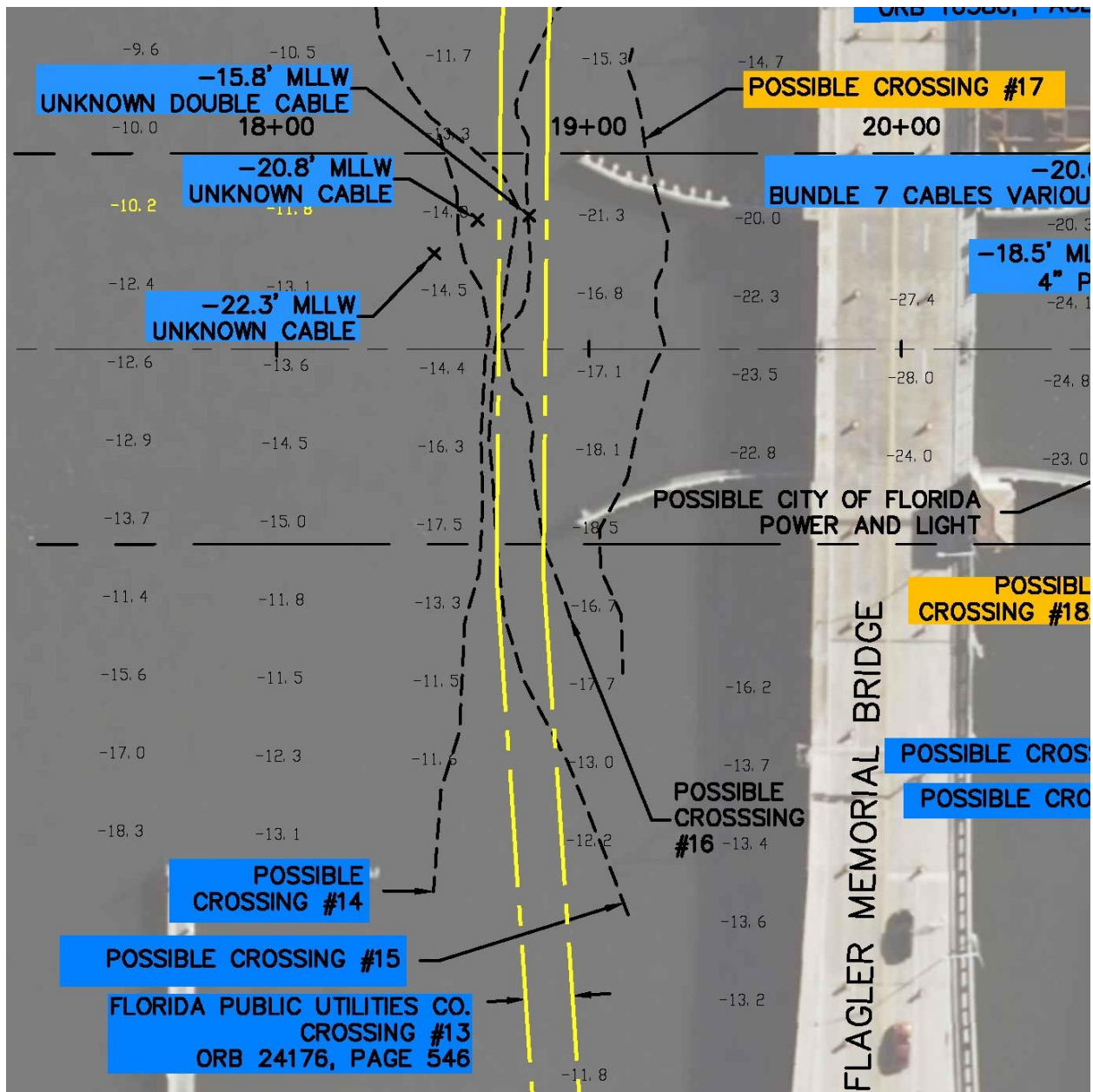
RESULTS OF DIVER INVESTIGATION:

At crossing #14 an unknown cable was found at elevation -22.3 MLLW.



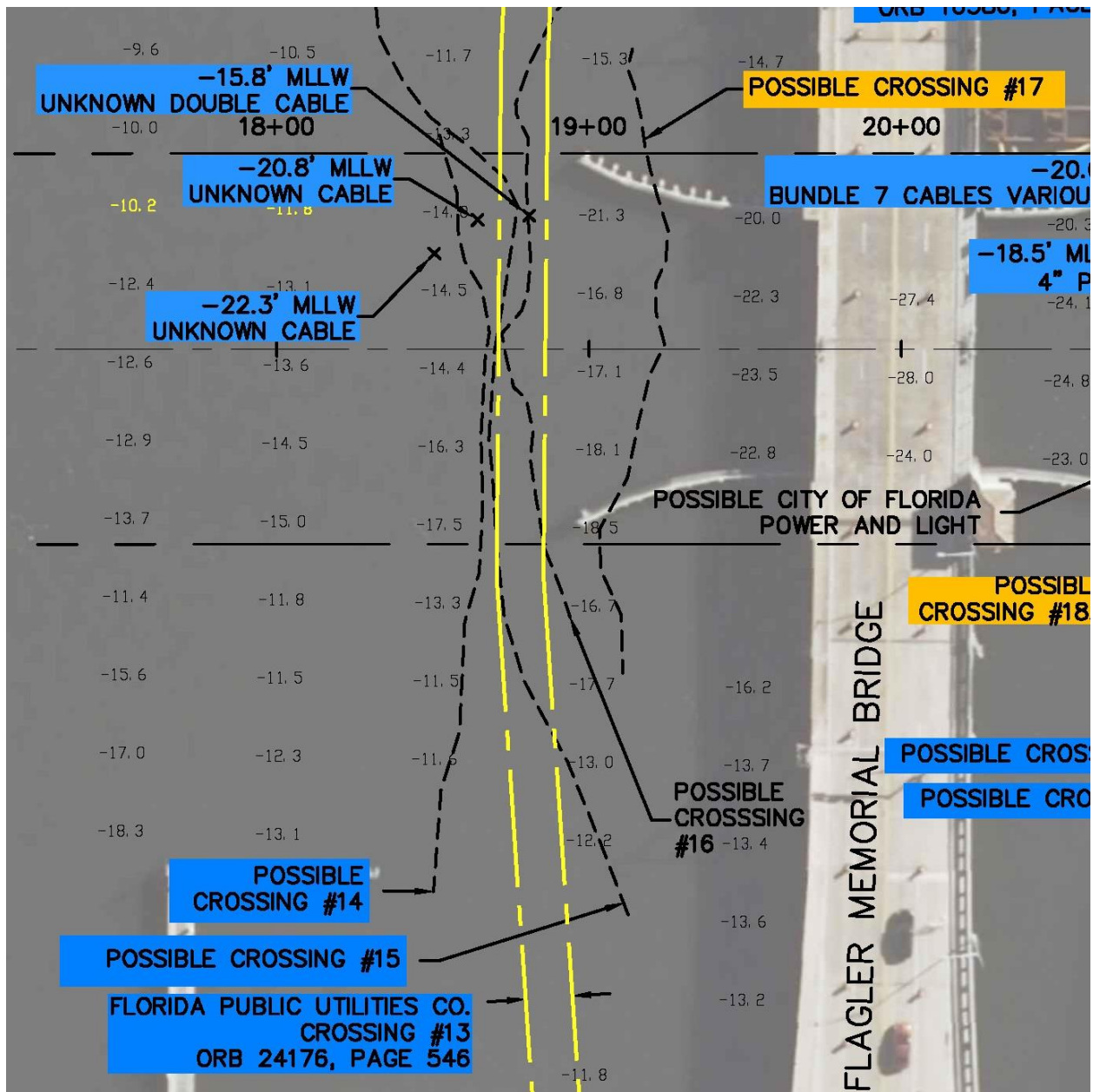
RESULTS OF DIVER INVESTIGATION:

At crossing #15 an unknown cable was found at elevation -20.8 MLLW.



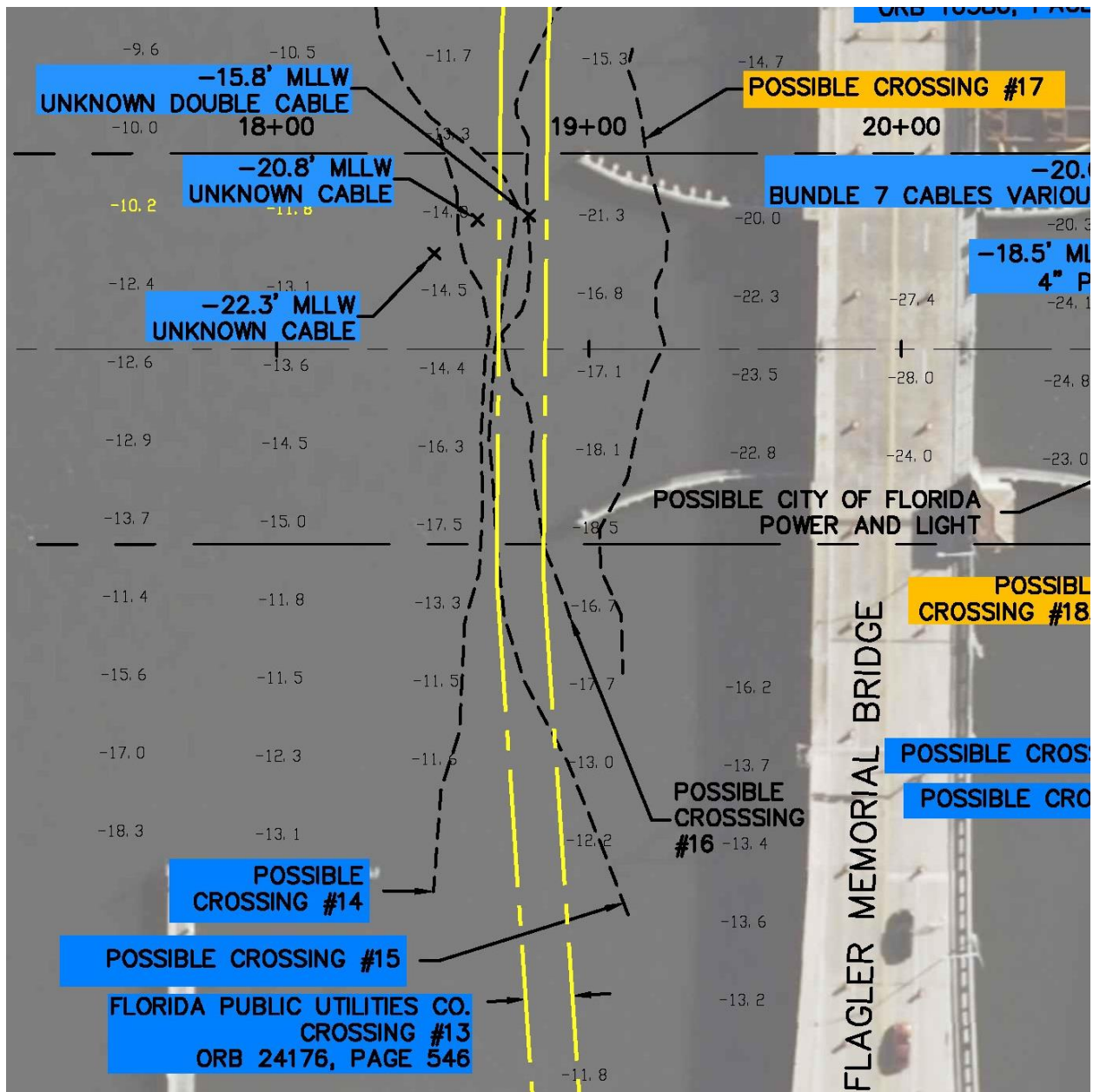
RESULTS OF DIVER INVESTIGATION:

At crossing #16 an unknown cable was found at elevation -15.8 MLLW.

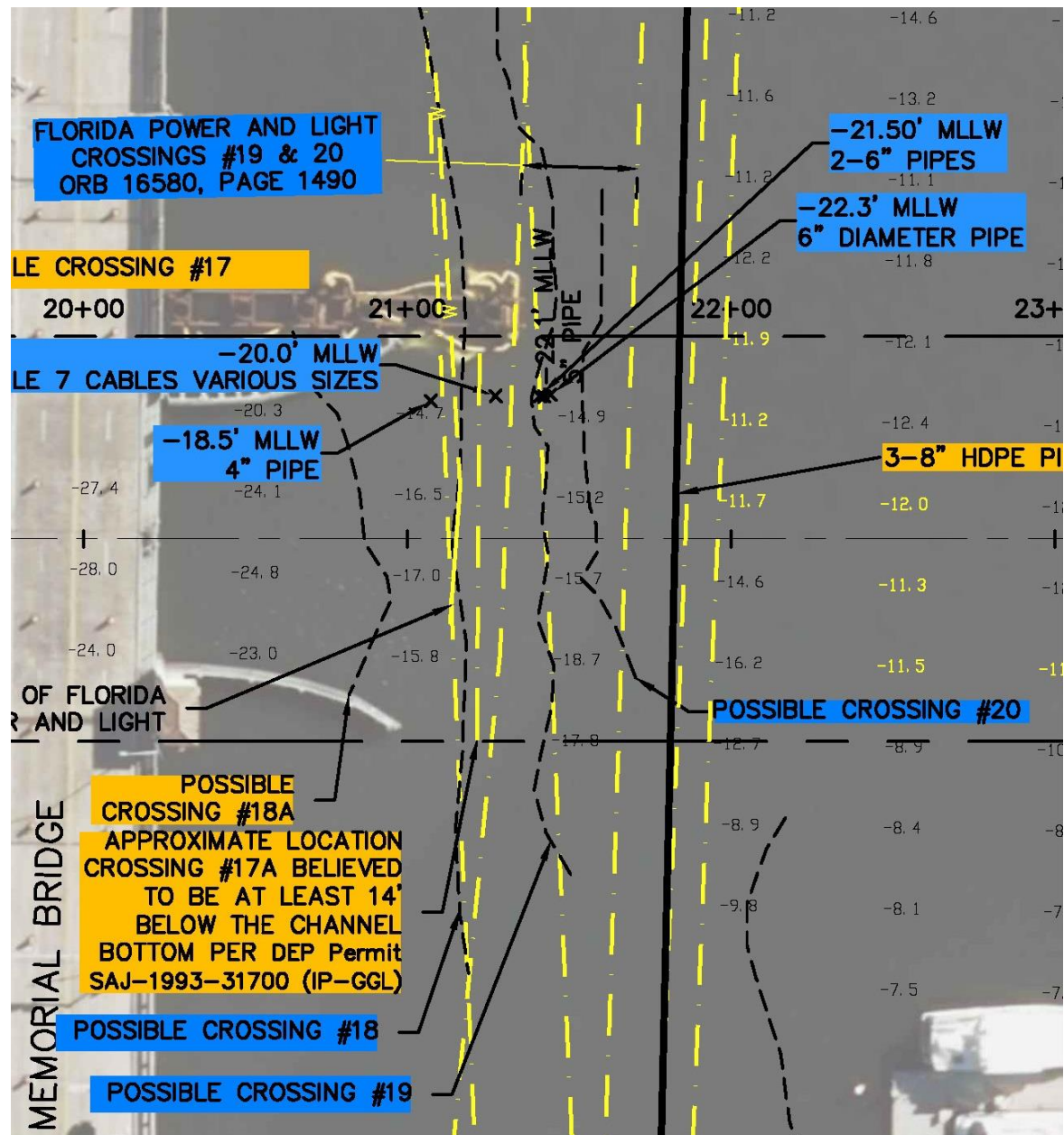


RESULTS OF DIVER INVESTIGATION:

At crossing #17 there was an unknown sidescan feature 04.

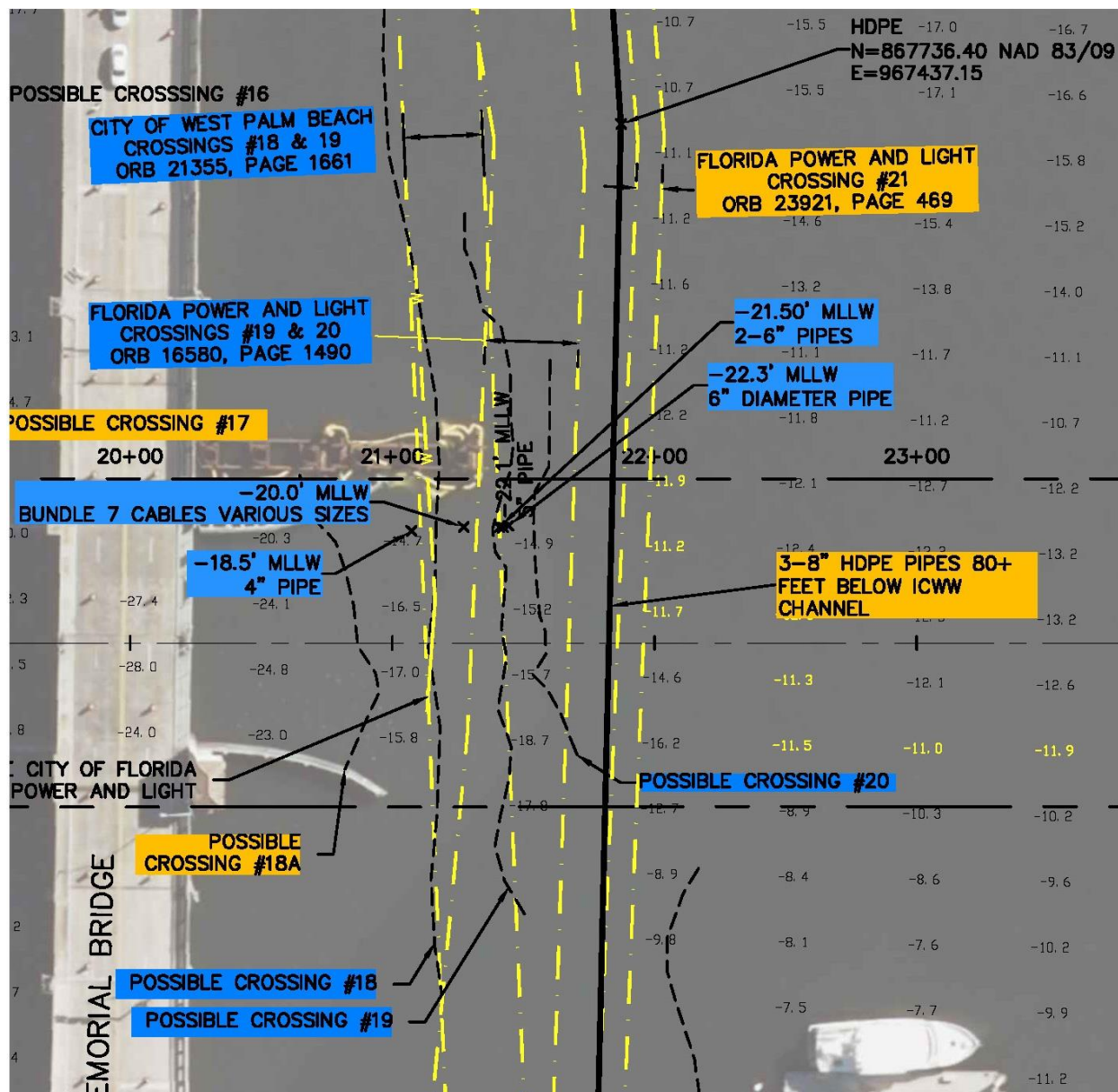


Crossing #17A was not investigated due to a lack of mag hits and depth shown on plans.



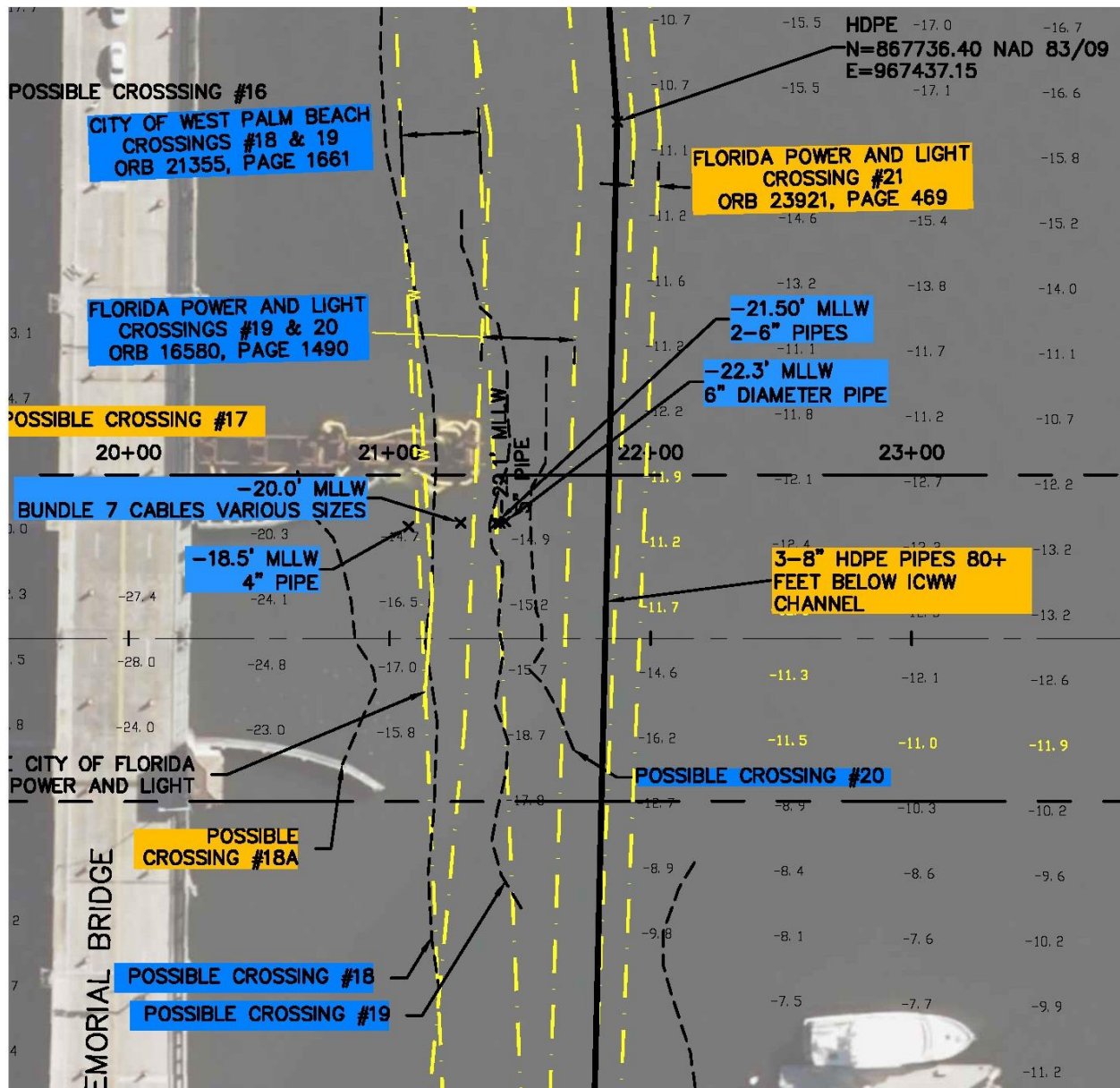
RESULTS OF DIVER INVESTIGATION:

Crossing #18, sidescan feature 06, was not investigated.

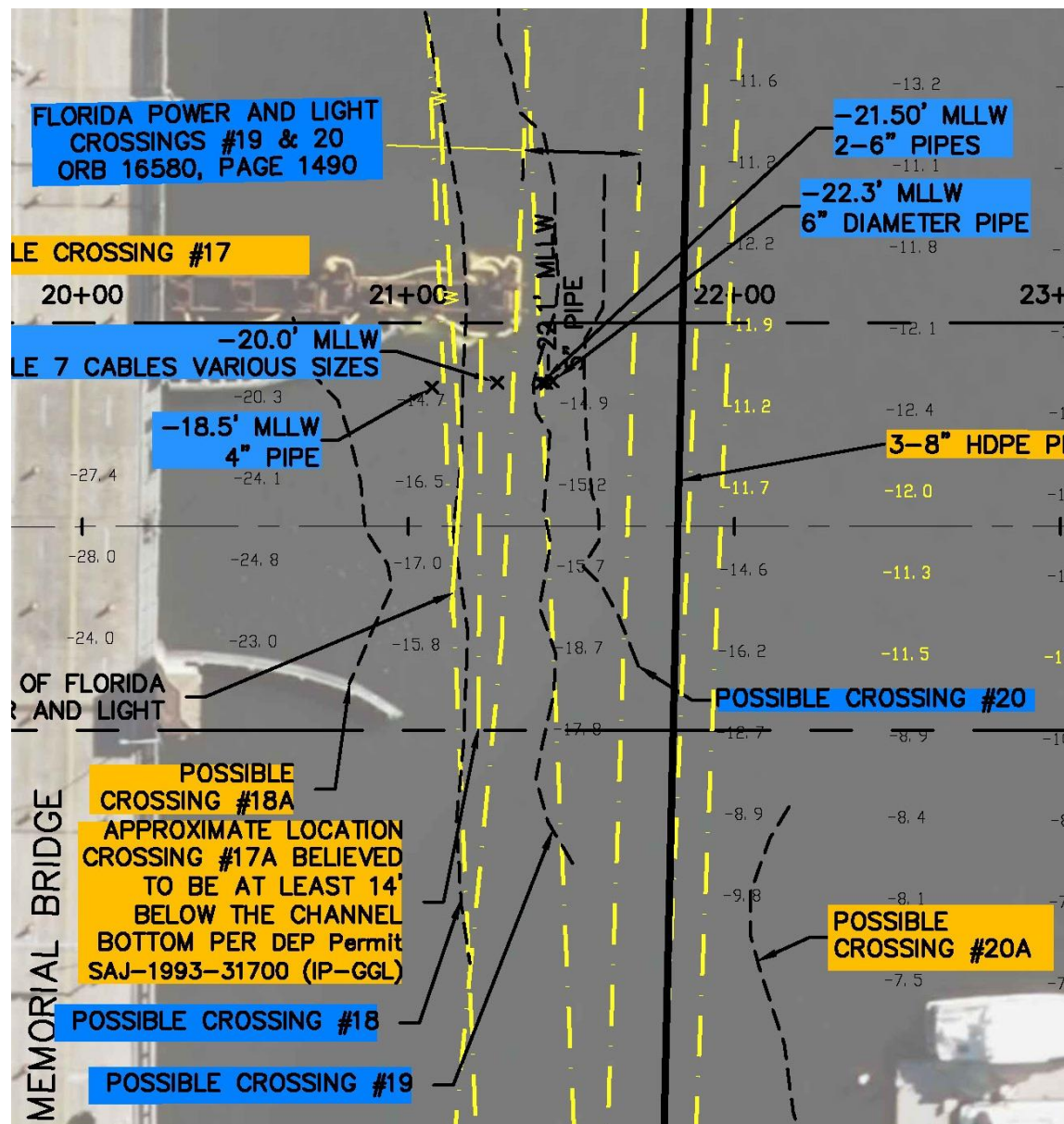


RESULTS OF DIVER INVESTIGATION:

At crossing #19 two 6" diameter pipes were found at elevation -21.50.

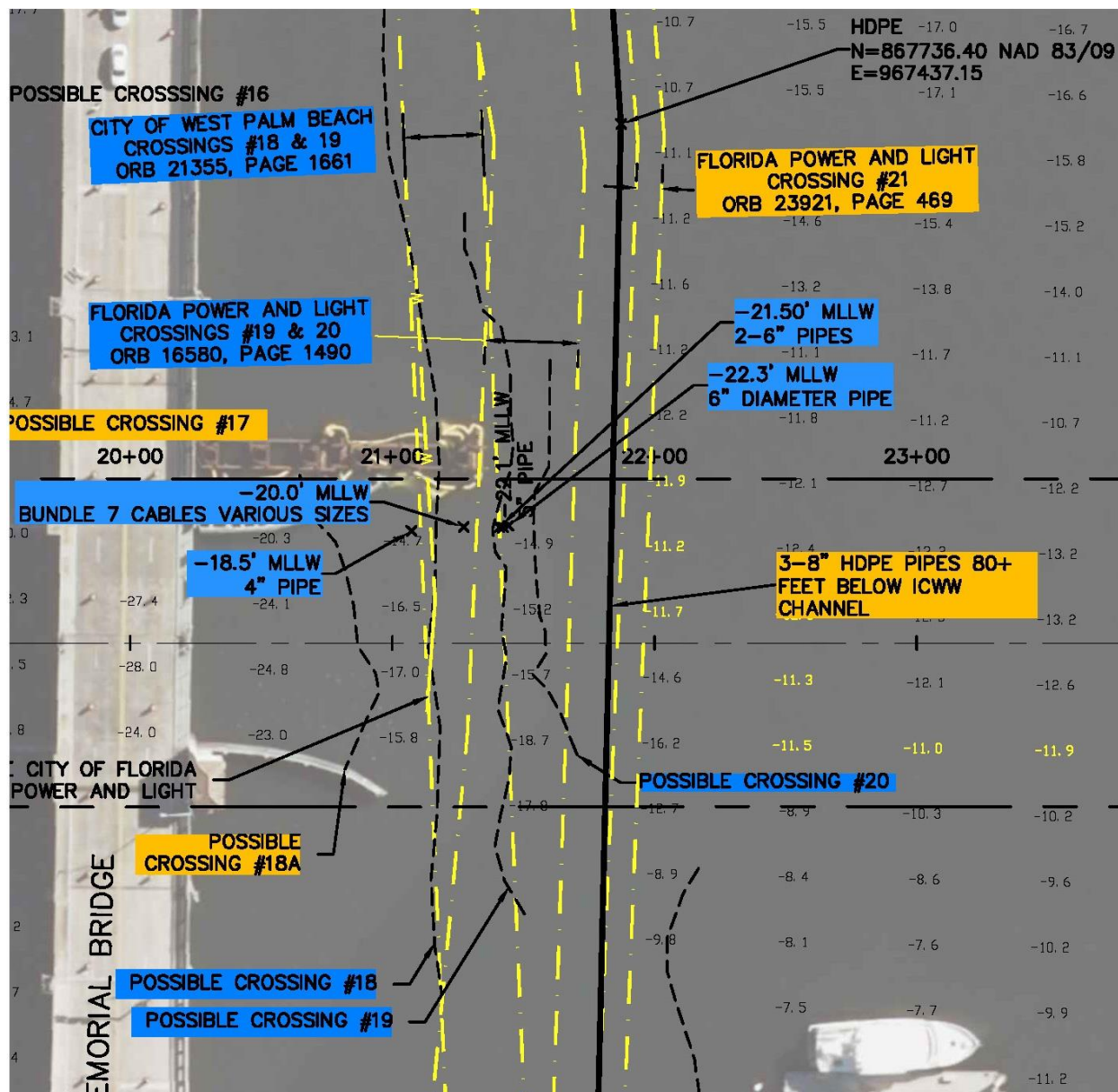


At crossing #20 and 20A there was an unknown sidescan feature.



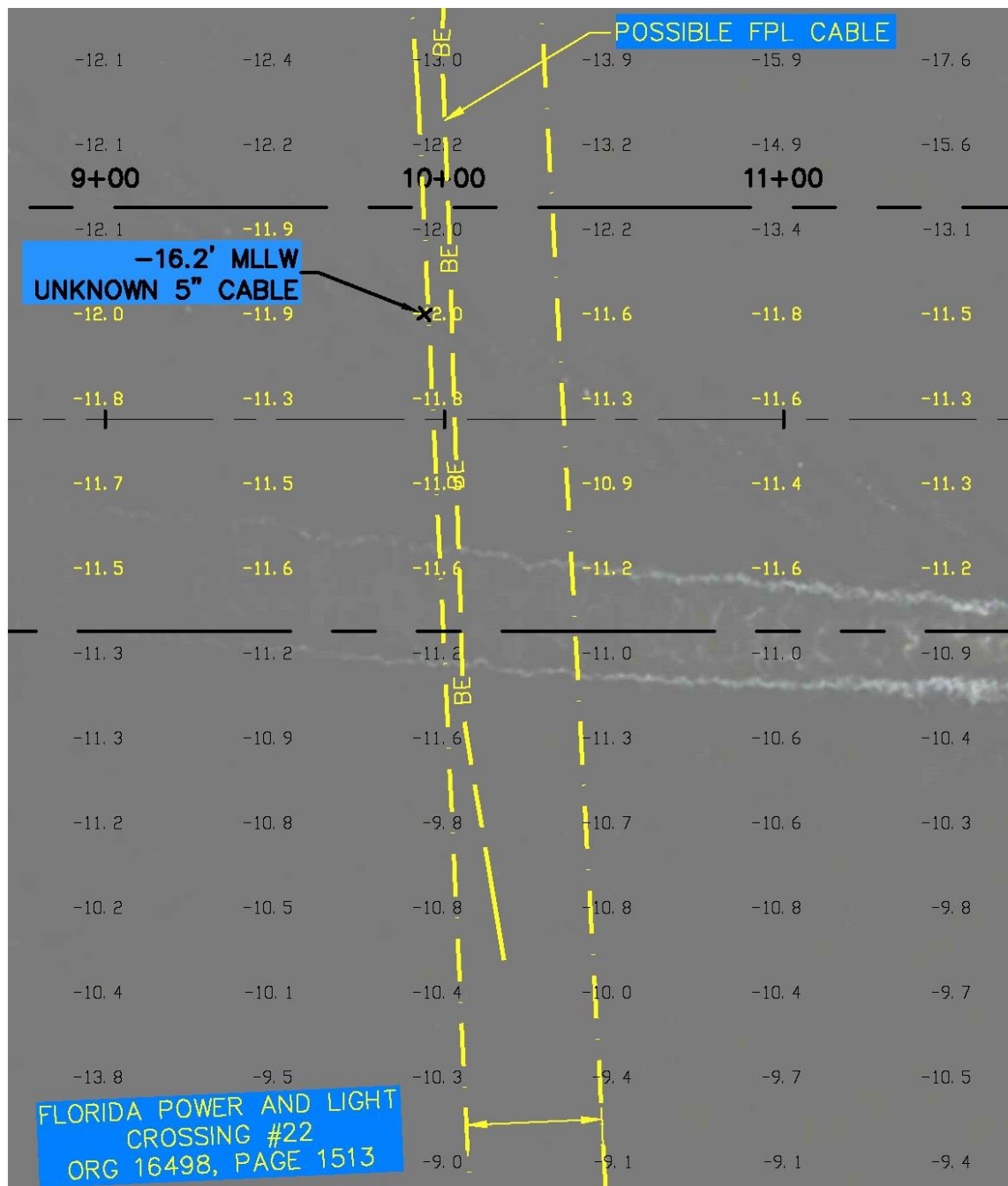
RESULTS OF DIVER INVESTIGATION:

Crossing 21 was not investigated due to a lack of magnetometer targets.



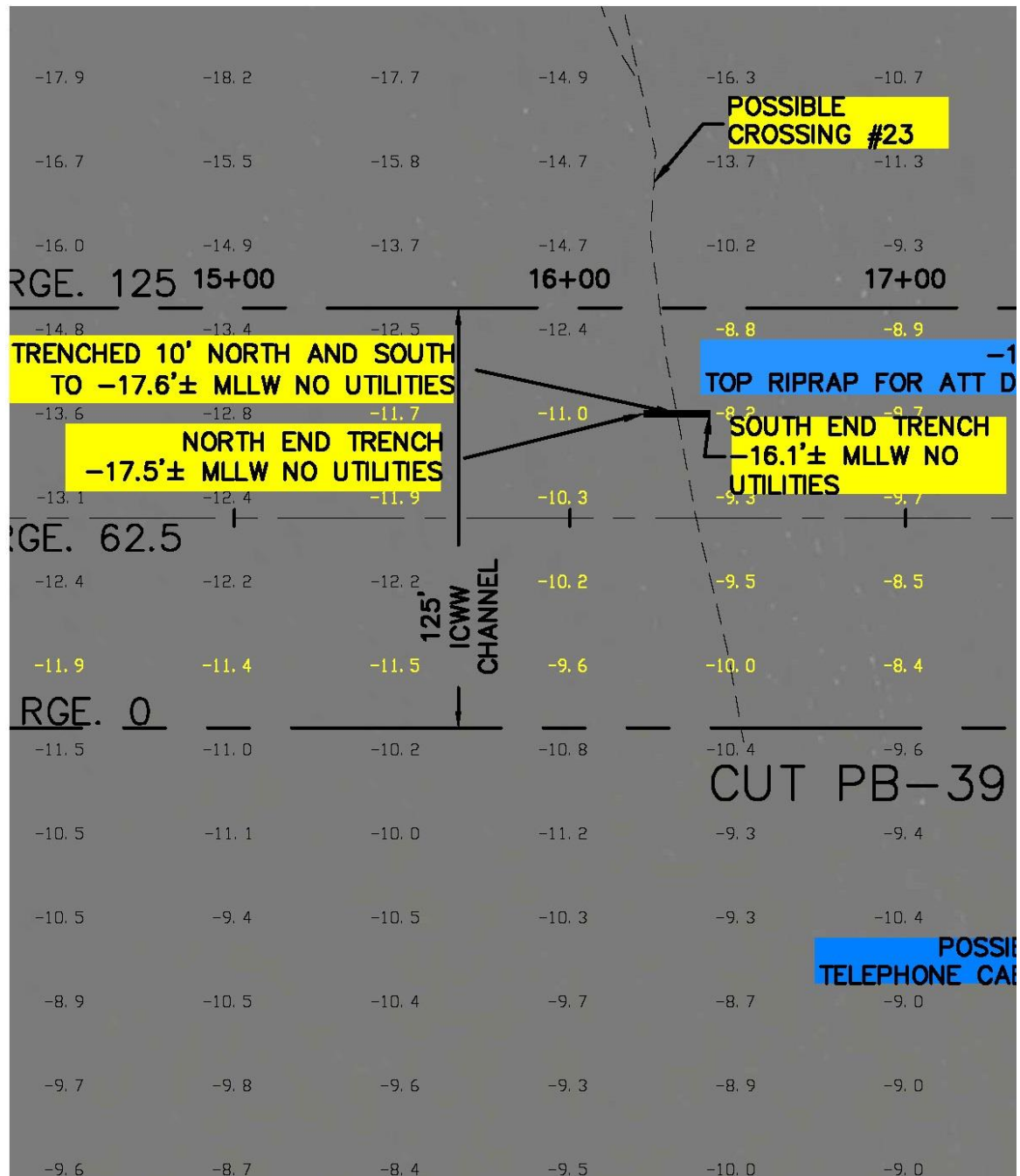
RESULTS OF DIVER INVESTIGATION:

At crossing #22 (FPL), anomaly string #9, the dive team found a 5" cable on the east side of the ICWW at elevation -16.2' MLLW.



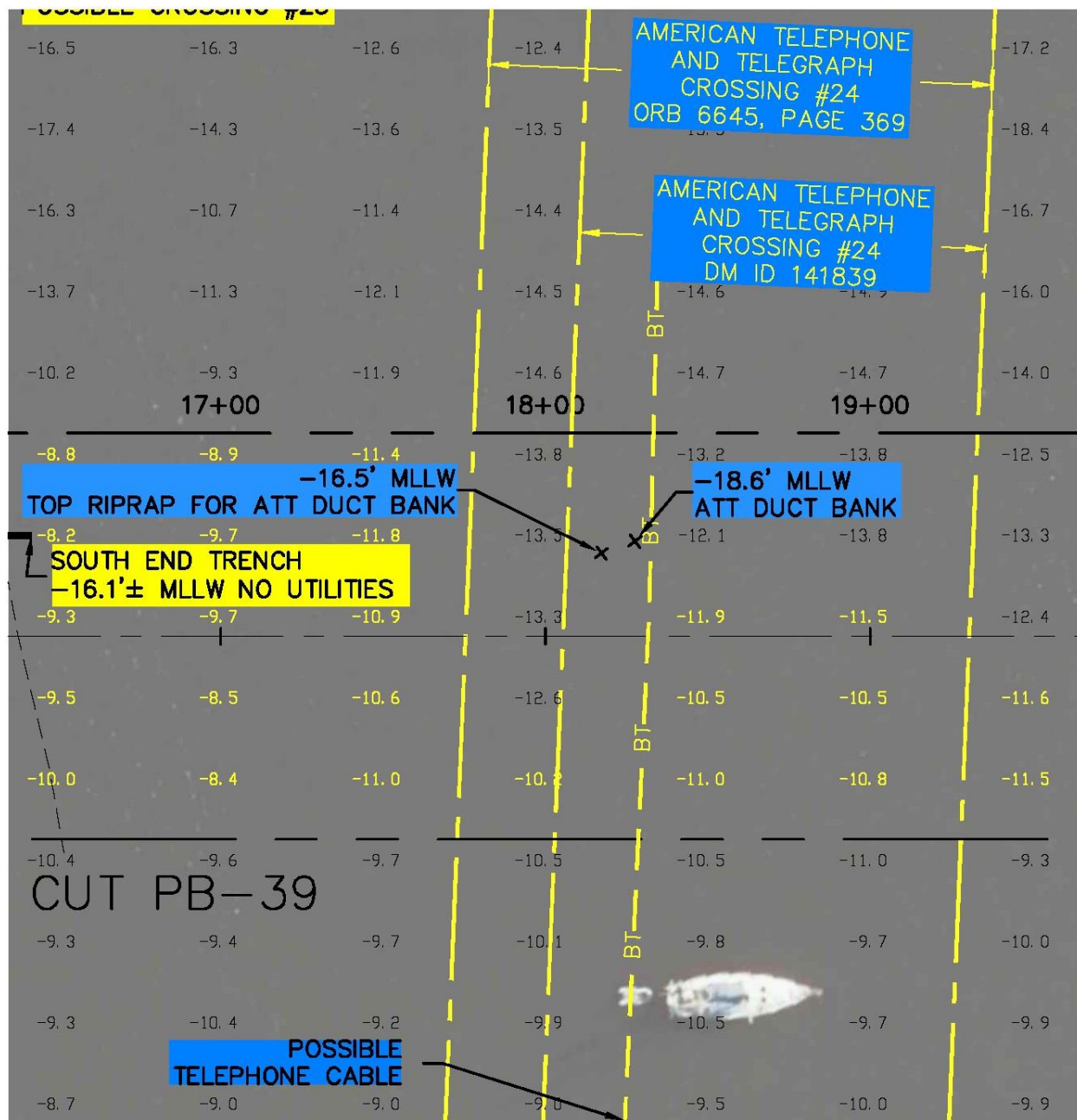
RESULTS OF DIVER INVESTIGATION:

At crossing #23 the dive team trenched 10 feet north and south to a depth of $-16.1\pm$ MLLW at the south end to a depth of $-17.6\pm$ MLLW at the north end. No utilities were encountered.



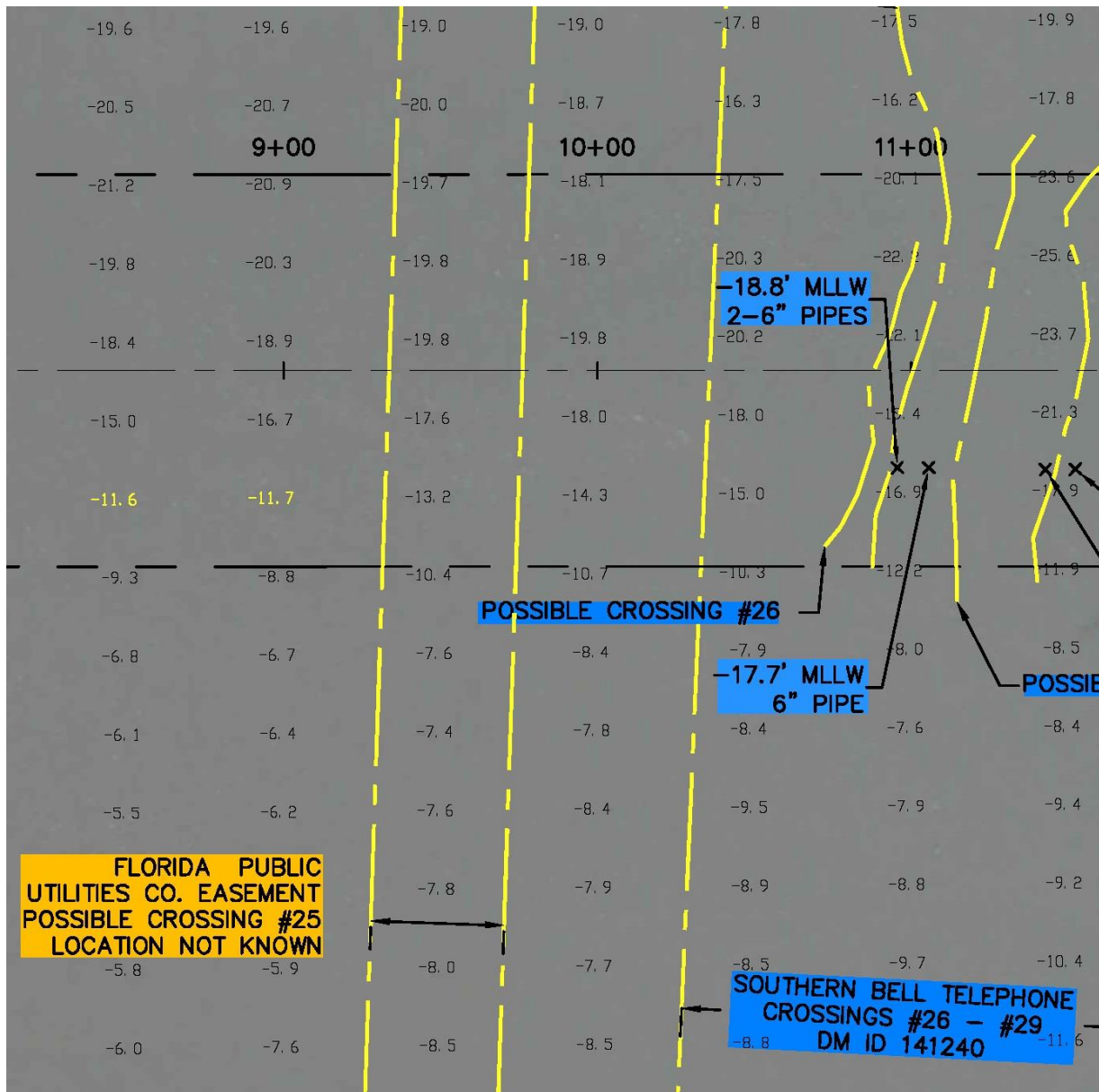
RESULTS OF DIVER INVESTIGATION:

At crossing #24 (AT&T), anomaly string #9, the dive team found 2 AT&T duct banks. The top of the southerly duct bank was at elevation -18.6' MLLW. The top of the northerly duct bank was located at elevation -16.5' MLLW.



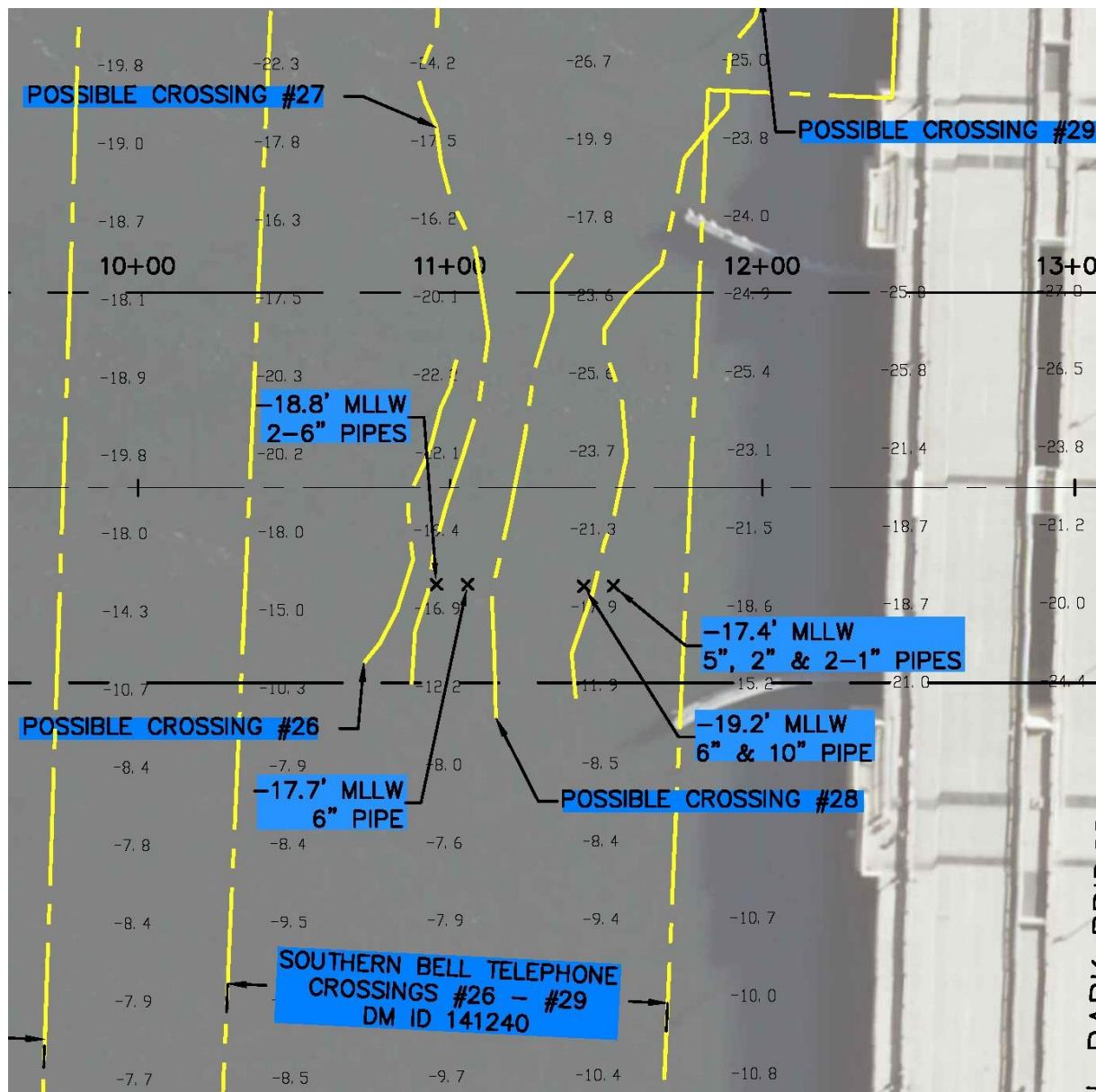
RESULTS OF DIVER INVESTIGATION:

Crossing 25 was not investigated due to a lack of magnetometer targets.



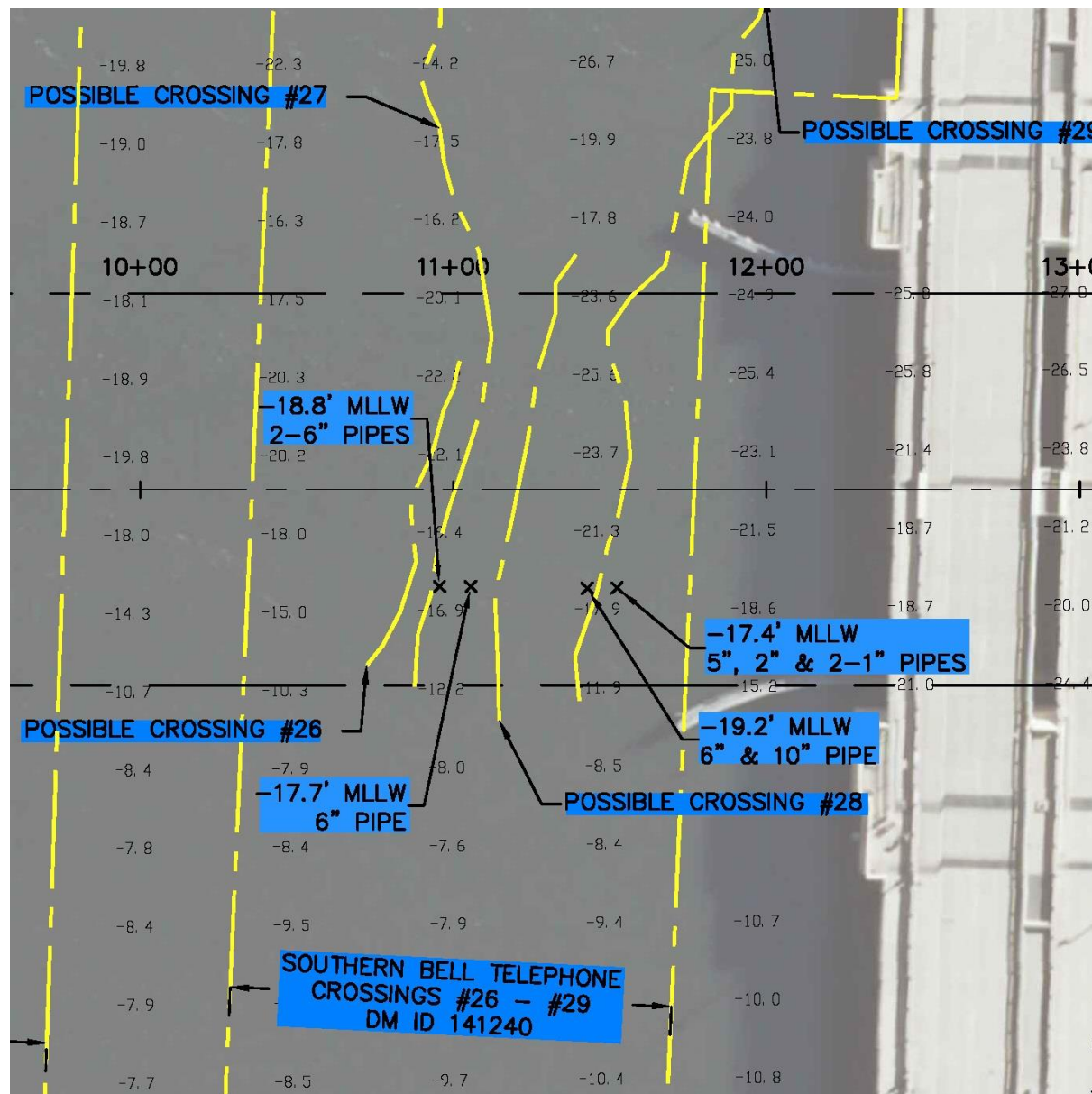
RESULTS OF DIVER INVESTIGATION:

At crossing 26 an ATT cable was found, sidescan feature 13.



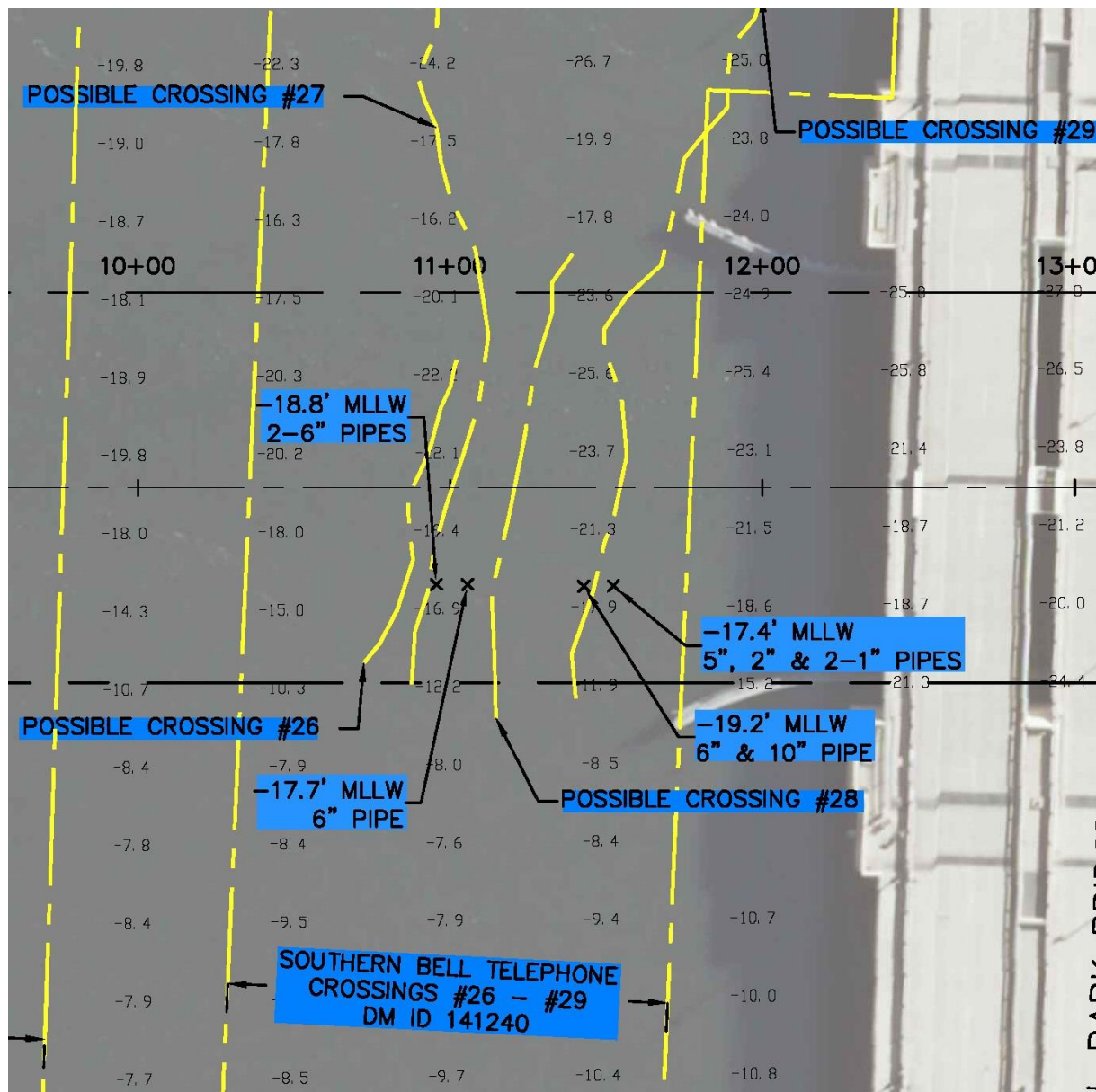
RESULTS OF DIVER INVESTIGATION:

At crossing #27 two 6" pipes were found at elevation -18.8 MLLW.



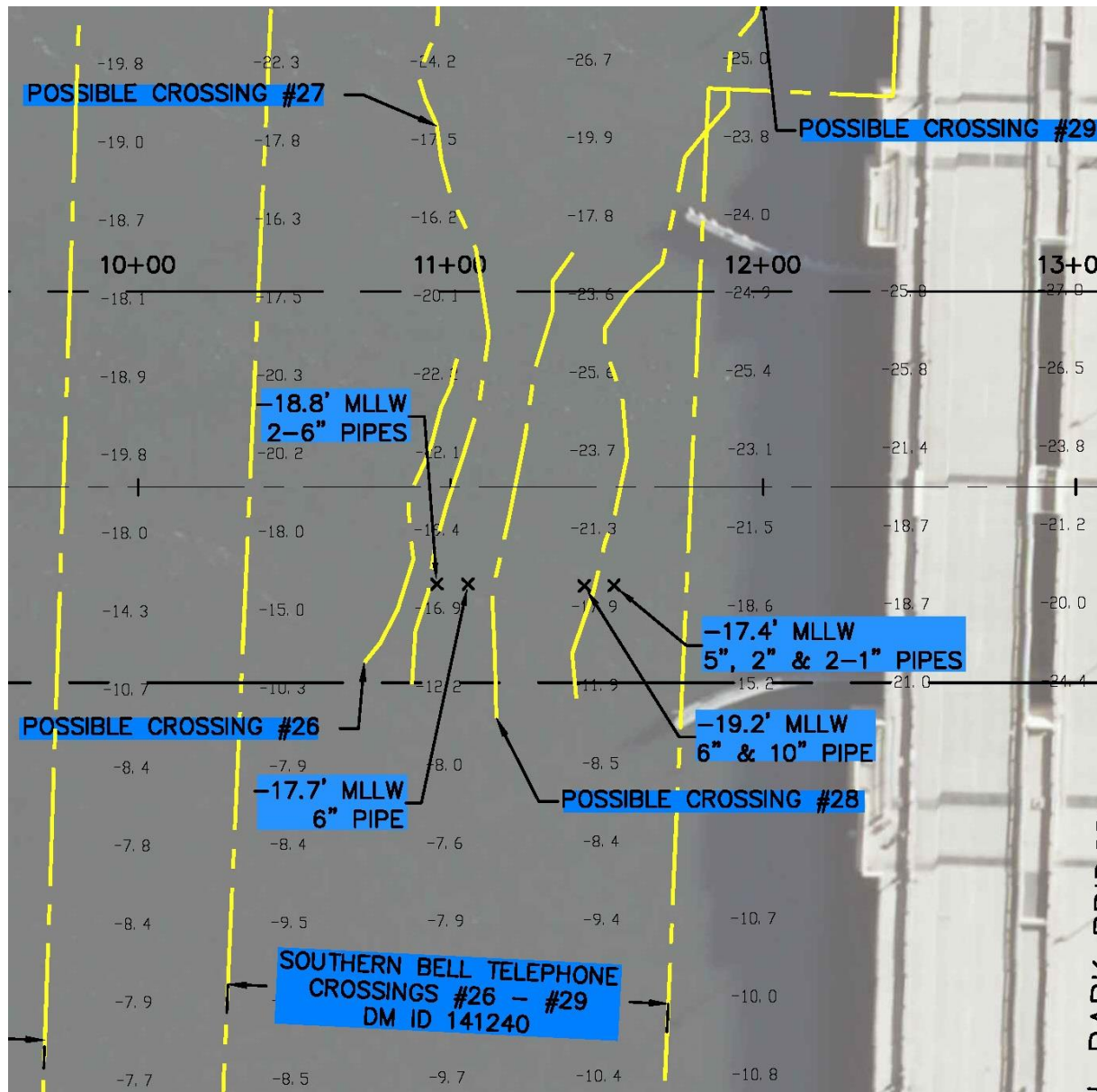
RESULTS OF DIVER INVESTIGATION:

At crossing #28 a 6" pipe was found north of sidescan feature 15 at elevation -17.7 MLLW.



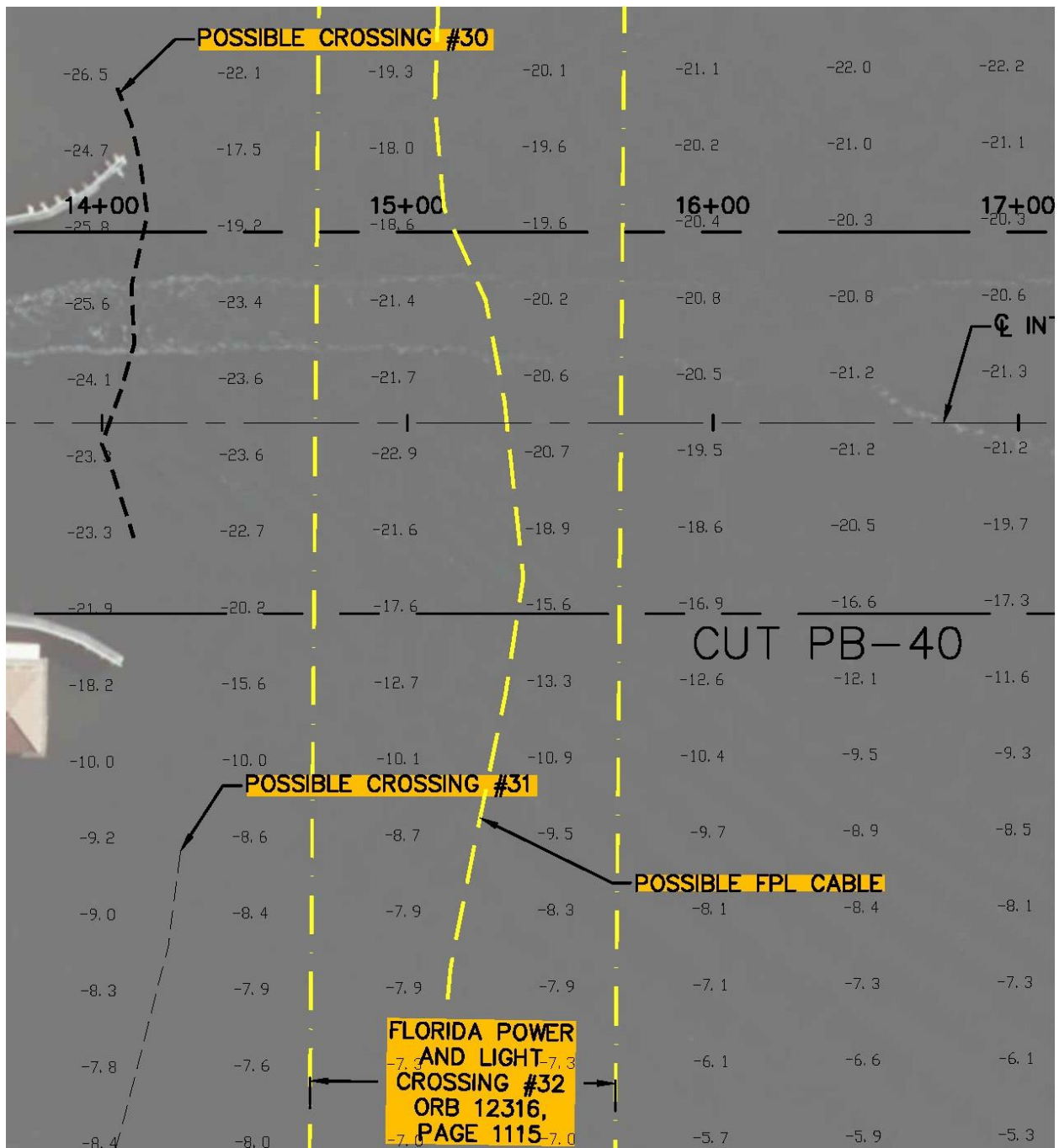
RESULTS OF DIVER INVESTIGATION:

At crossing #29 three conduits (5", 2" and 2-1") were found at elevation -17.4 MLLW and two conduits (6" & 10") were found at elevation -19.2 MLLW.



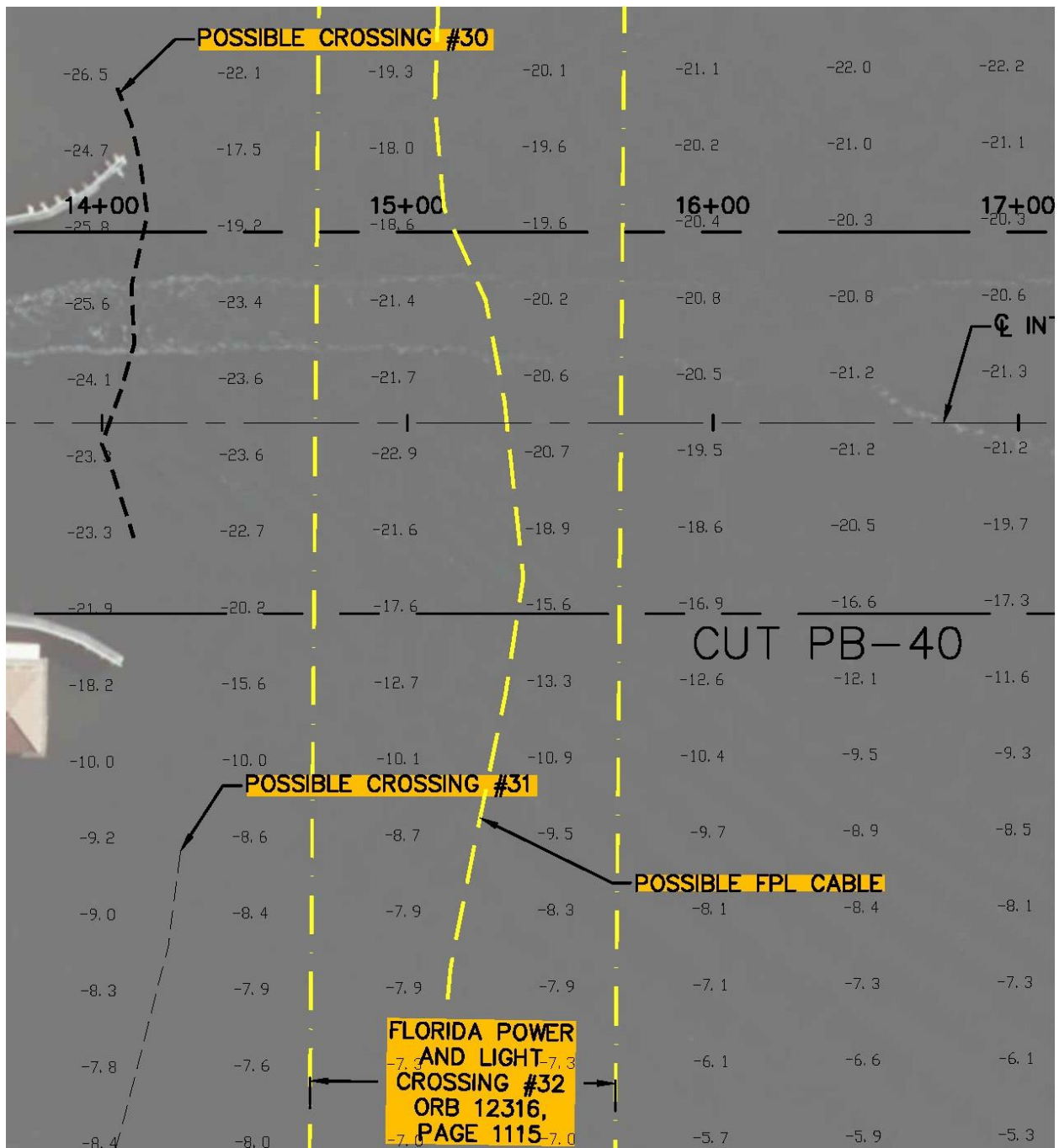
RESULTS OF DIVER INVESTIGATION:

At crossing #30 there was a possible cable, sidescan feature 17.



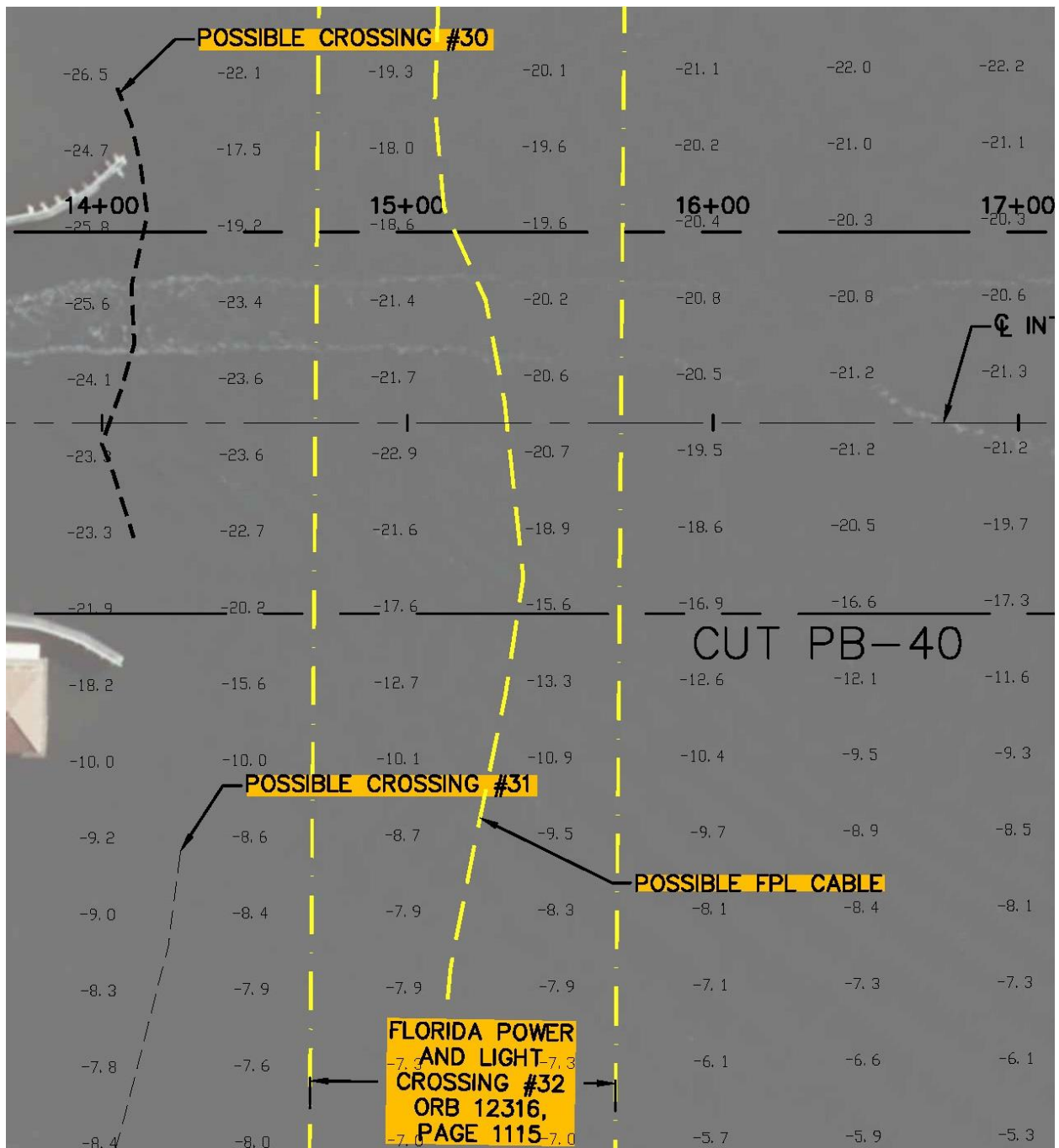
RESULTS OF DIVER INVESTIGATION:

At crossing #31 there was a possible cable, sidescan feature 18.



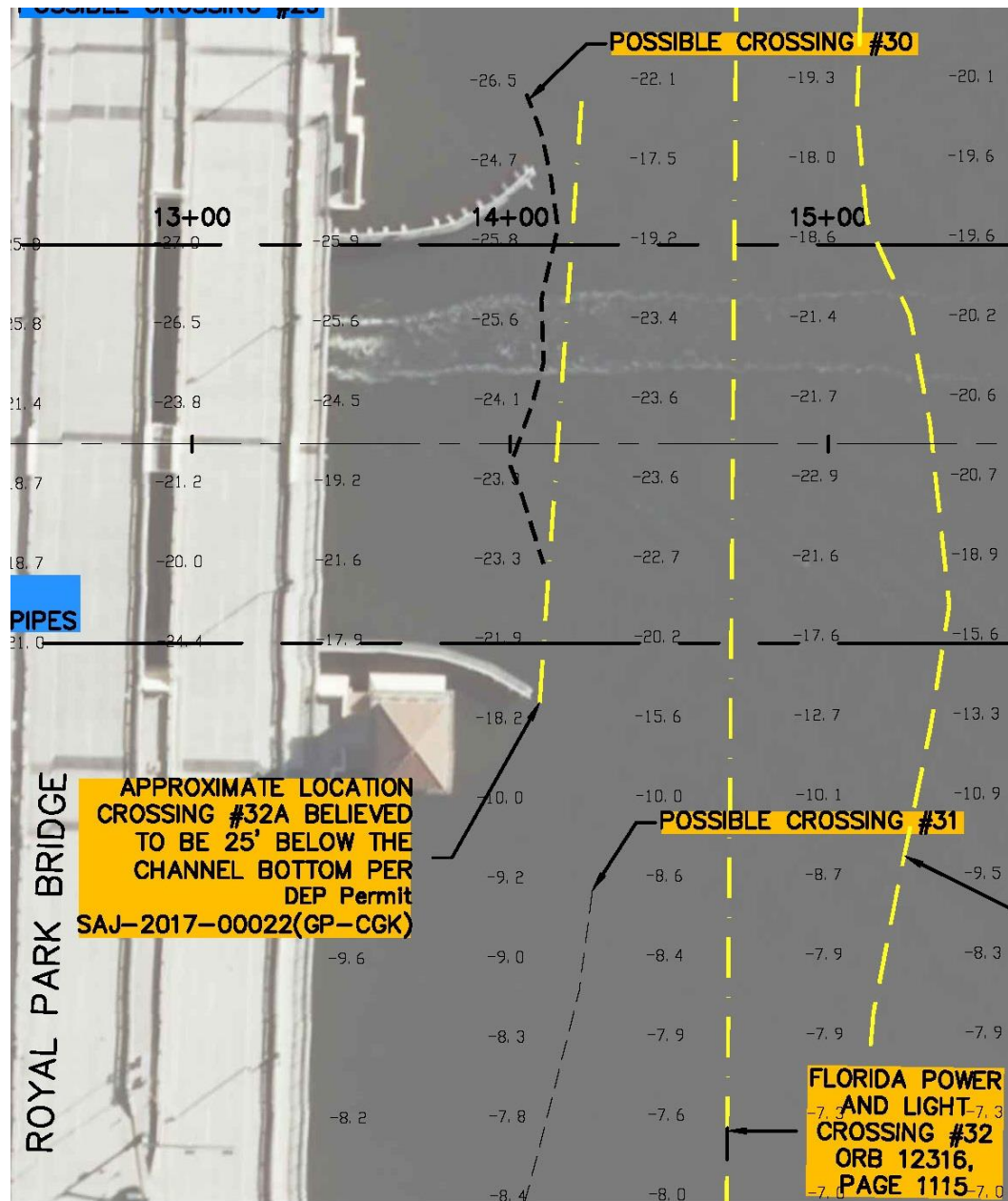
RESULTS OF DIVER INVESTIGATION:

At crossing #32 there was a possible cable, sidescan feature 19.



RESULTS OF DIVER INVESTIGATION:

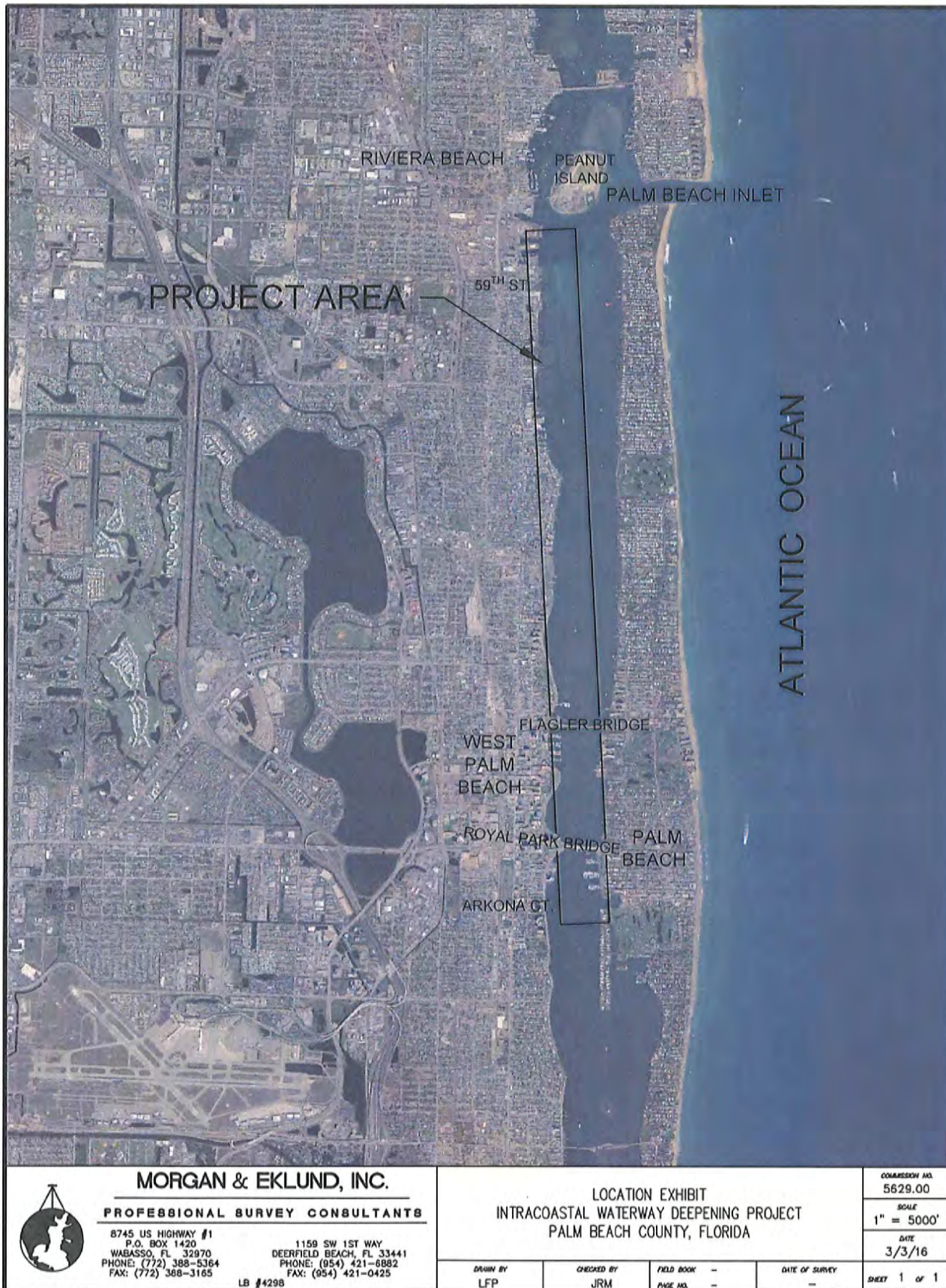
Crossing #32A was not investigated due to a lack of mag hits and depth shown on plans.



“Attachment A”

Location Map

H:\Saskia\5629-00\DWG\LOC MAP EXHIBIT.dwg lau Thu, 03 Mar 2016 - 11:32am



MORGAN & EKLUND, INC.

PROFESSIONAL SURVEY CONSULTANTS

8745 US HIGHWAY #1
P.O. BOX 1420
WABASSO, FL 32970
PHONE: (772) 388-5364
FAX: (772) 388-3165

1159 SW 1ST WAY
DEERFIELD BEACH, FL 33441
PHONE: (954) 421-6882
FAX: (954) 421-0425

LB #4298

LOCATION EXHIBIT INTRACOASTAL WATERWAY DEEPENING PROJECT PALM BEACH COUNTY, FLORIDA

COMMISSION NO.
5629.00

SCALE
1" = 5000'

DATE
3/3/16

DRAWN BY
LFP

CHECKED BY
JRM

FIELD BOOK
PAGE NO.

DATE OF SURVEY
-

SHEET 1 OF 1

“Attachment B”

Utility Company Listing From Sunshine One Call

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Monday, February 29, 2016 11:47 AM
To: jmorgan@morganeklund.com
Subject: FW: SSOCOF CONFRM 2016/02/24 #00000 055603977-000 NORM DSGN NEW

-----Original Message-----

From: irth_host@callsunshine.com [mailto:irth_host@callsunshine.com]
Sent: Wednesday, February 24, 2016 5:25 PM
To: lpugliani@morganeklund.com
Subject: SSOCOF CONFRM 2016/02/24 #00000 055603977-000 NORM DSGN NEW

CONFRM 00000 CALL SUNSHINE 02/24/16 17:25:05ET 055603977-000 DESIGN GRID Ticket : 055603977 Rev:000 Taken: 02/24/16 10:38ET

State: FL Cnty: PALM BEACH GeoPlace: WEST PALM BEACH
CallerPlace: WEST PALM BEACH
Subdivision:

Address :
Street : INTER COASTAL
Cross 1 : 59TH ST
Within 1/4 mile: Y
Cross 2 : ARKONA CT

Locat: BOTH SIDES OF THE INTER COASTAL FROM 59TH ST TO ARKONA CT ON THE WEST SIDE AND FROM DOLPHIN RD TO ISLAND RD ON THE E SIDE

Remarks : IN RESPONSE TO RECEIPT OF A DESIGN TICKET, SSOCOF PROVIDES THE ORIGINATOR OF THE DESIGN TICKET WITH A LIST OF SSOCOF MEMBERS IN THE VICINITY OF THE DESIGN PROJECT. SSOCOF DOES NOT NOTIFY SSOCOF MEMBERS OF THE RECEIPT BY SSOCOF OF A DESIGN TICKET. IT IS THE SOLE RESPONSIBILITY OF THE DESIGN ENGINEER TO CONTACT SSOCOF MEMBERS TO REQUEST INFORMATION ABOUT THE LOCATION OF SSOCOF MEMBERS' UNDERGROUND FACILITIES.

SUBMISSION

OF A DESIGN TICKET WILL NOT SATISFY THE REQUIREMENT OF CHAPTER 556, FLORIDA STATUTES, TO NOTIFY SSOCOF OF AN INTENT TO EXCAVATE OR DEMOLISH. THAT INTENT MUST BE MADE KNOWN SPECIFICALLY TO SSOCOF IN THE MANNER REQUIRED BY LAW. IN AN EFFORT TO SAVE TIME ON FUTURE CALLS, SAVE YOUR DESIGN TICKET NUMBER IF YOU INTEND TO BEGIN EXCAVATION WITHIN 90 DAYS OF YOUR DESIGN REQUEST. THE DESIGN TICKET CAN BE REFERENCED, AND THE INFORMATION ON IT CAN BE USED TO SAVE TIME WHEN YOU CALL IN THE EXCAVATION REQUEST.

*** LOOKUP BY MANUAL ***

Grids : 2641A8002A 2641A8002B 2641A8002C 2641A8003D 2641B8002A
Grids : 2641B8002B 2641B8002C 2642A8002A 2642A8002B 2642A8002C
Grids : 2642A8003D 2642B8002A 2642B8002B 2642B8002C 2642B8003D
Grids : 2642C8002A 2642C8002B 2642C8002C 2642C8003D 2642D8002A
Grids : 2642D8002B 2642D8002C 2642D8003D 2643A8002A 2643A8002B
Grids : 2643A8002C 2643A8003D 2643B8002A 2643B8002B 2643B8002C
Grids : 2643B8003D 2643C8002A 2643C8002B 2643C8002C 2643C8003D
Grids : 2643D8002A 2643D8002B 2643D8002C 2643D8003D 2644A8002A
Grids : 2644A8002B 2644A8002C 2644A8003D 2644B8002A 2644B8002B
Grids : 2644B8002C 2644B8003D 2644C8002A 2644C8002B 2644C8002C
Grids : 2644C8003D 2644D8002A 2644D8002B 2644D8002C 2644D8003D
Grids : 2645A8002A 2645A8002B 2645A8002C 2645A8003D 2645B8002A
Grids : 2645B8002B 2645B8002C 2645B8003D 2645C8002A 2645C8002B
Grids : 2645C8002C 2645C8003D 2645D8002A 2645D8002B 2645D8002C
Grids : 2645D8003D

Work date: 02/24/16 Time: 10:40ET Hrs notc: 000 Category: 6 Duration:

UNKNOWN Due Date : 02/26/16 Time: 23:59ET Exp Date : 03/25/16 Time: 23:59ET Work type: DESIGN Boring: U
White-lined: U
Ug/Oh/Both: U Machinery: N Depth: UNK Permits: U N/A Done for : DESIGN

Company : MORGAN EKLUND Type: CONT
Co addr : 8745 US 1
City : WABASSO,State: FL Zip: 32970
Caller : LOU PUGLIANI Phone: 772-388-5364 Contact : DESIGN Phone:
BestTime: ANYTIME
Email : LPUGLIANI@MORGANEKLUND.COM

Submitted: 02/24/16 10:38ET Oper: JES
Mbrs : AC1105 ATTF01 CRB818 ECI870 FPLCUT FPLFPB FPLPAL FPLSUB FPUC01
HC1660 Mbrs : L3C900 MFSUPP PB1128 PBT865 SBF13 TL2051 USSP01 WP1582
WP1648

Service Area: AC1105 - COMCAST-WPB Utility Type: N/A
Current Response: **No Response TO DATE, BUT WE SHOW ONE CROSSING PER DEP**
Current Comment:
Current Reply:

Service Area: ATTF01 - AT T Utility Type: N/A
Current Response: **No Response TO DATE WE SHOW CROSSINGS PER DEP**
Current Comment:
Current Reply:

Service Area: CRB818 - CITY OF RIVIERA BEACH Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: ECI870 - FIBERLIGHT LLC. Utility Type: N/A
Current Response: **RESPONDED - NO CROSSINGS**
Current Comment:
Current Reply:

Service Area: FPLCUT - FLORIDA POWER & LIGHT--
TRANSMISSION Utility Type: N/A
Current Response: **ASSUME SAME AS FPL BELOW**
Current Comment:
Current Reply:

Service Area: FPLFPB - FPL FIBERNET LLC Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: FPLPAL - FLORIDA POWER & LIGHT--
PALM BEACH Utility Type: N/A
Current Response: **ALL SHOWN PER FPL RESPONSE AND DEP**
Current Comment:
Current Reply:

Service Area: FPLSUB - FLORIDA POWER & LIGHT -
SUBAQUEOUS Utility Type: N/A
Current Response: **ASSUME SAME AS ABOVE**
Current Comment:
Current Reply:

Service Area: FPUC01 - FLA PUBLIC UTILITIES CO Utility Type: N/A
Current Response: **RESPONDED - 3 CROSSINGS, BUT NO AS BUILTS**
Current Comment:
Current Reply:

Service Area: HC1660 - HOTWIRE COMMUNICATIONS Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: L3C900 - LEVEL 3 COMMUNICATIONS Utility Type: N/A
Current Response: **RESPONDED, BUT NO AS BUILTS – responded 3-28-16 NO FACILITIES**
Current Comment:
Current Reply:

Service Area: MFSUPP - FPL - MARTIN FUEL SUPPLY PIPELINES Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: PB1128 - TOWN OF PALM BEACH Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: PBT865 - PALM BEACH COUNTY TRAFFIC OPERATIONS Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: SBF13 - A T & T/ DISTRIBUTION Utility Type: N/A
Current Response: **1: Marked**
Current Comment: NO RESPONSE
Current Reply:

Service Area: USSP01 - SPRINT NEXTEL Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: WP1582 - CITY OF WEST PALM BEACH / STORMWATER DIVISION Utility Type: N/A
Current Response: **No Response**
Current Comment:
Current Reply:

Service Area: WP1648 - CITY OF WEST PALM BEACH Utility Type: N/A
Current Response: **No Response**

“Attachment C”

Letters Requesting Information Sent to Utility Companies

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 11:02 AM
To: 'Tim.Kelley@sprint.com'
Subject: West Palm Beach dredging project

Dear Mr. Kelley,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area or verify that you do not have any crossings of the ICWW.

Thank you for your help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, FL 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 11:02 AM
To: 'Tim.Kelley@sprint.com'
Subject: West Palm Beach dredging project

Dear Mr. Kelley,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area or verify that you do not have any crossings of the ICWW.

Thank you for your help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, FL 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Wednesday, March 09, 2016 9:40 AM
To: 'Dooley, Colin'
Subject: RE: West Palm Beach dredging project
Attachments: LOC MAP EXHIBIT-LAT LONG.pdf

Colin,

I am attaching the PDF I gave to Beverly. Donna Wilcox already sent a number of PDF's. I am not sure if you will duplicating the work or if NextEra has different lines? You may want to check with Donna to see what she had sent. Thanks for your help.


Lou

From: Dooley, Colin [<mailto:Colin.Dooley@fpl.com>]
Sent: Wednesday, March 09, 2016 7:30 AM
To: lpugliani@morganeklund.com
Cc: Rahming, Rory; Musser, Beverly
Subject: RE: West Palm Beach dredging project

Lou,

I'm the GIS specialist for FPL and NextEra energy. I handle most of the utility conflict requests. If you can send me over the contract plans and any pertinent details and I'll get you whatever info you need.

Thanks,

Colin Dooley
Development Tech Specialist - GIS
PGD-Fuels Infrastructure
CSE/TMR
561-845-4618 office
561-246-7074 cell


From: Rahming, Rory
Sent: Tuesday, March 08, 2016 8:20 PM
To: Musser, Beverly
Cc: Dooley, Colin
Subject: Re: West Palm Beach dredging project

Hi Beverly,

So passed on the email to my colleague in Fuels, Colin Dooley, who will response to Lou Pugliani.

Sincerely,

Rory Rahming
Sr. Regulatory Affairs Analyst
Florida Power & Light Co.
786-427-7437

On Mar 8, 2016, at 16:49, Musser, Beverly <Beverly.Musser@fpl.com> wrote:

Hi Rory,

I received your voice mail but you were not in the office when I returned your call. Please see the note below from Lou Pugliani from Morgan & Eklund. There are going to be dredging projects crossing the ICWW from Peanut Island south. Could you please let me know once you discuss with him?

Thanks,

Beverly Musser
FPL Power Delivery

Environmental Department (ENV/AOB)
7200 NW 4th Street
Plantation, Fl. 33317
954-321-2183

Challenges make you discover things about yourself that you never really knew.

From: Shea, Eric M
Sent: Tuesday, March 08, 2016 7:52 AM
To: Musser, Beverly
Cc: Rahming, Rory
Subject: RE: West Palm Beach dredging project

Beverly,

Rory Rahming in the fuels group may be able to clarify the question. I copied Rory on the email.

Eric M. Shea
Florida Power & Light Company
Corporate Environmental Services
Office (561) 691-2993
Cell (561) 354-8907
Eric.M.Shea@fpl.com

From: Musser, Beverly
Sent: Tuesday, March 08, 2016 7:45 AM
To: Shea, Eric M
Subject: FW: West Palm Beach dredging project

Eric,

Who could answer this question?

Thanks,

Beverly Musser
FPL Power Delivery
Environmental Department (ENV/AOB)
7200 NW 4th Street
Plantation, Fl. 33317
954-321-2183

Challenges make you discover things about yourself that you never really knew.

From: Lou Pugliani [<mailto:lpugliani@morganeklund.com>]
Sent: Thursday, March 03, 2016 11:28 AM
To: Musser, Beverly
Subject: West Palm Beach dredging project

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.

Beverly,

In my utility search I came across a service area listed as "FPL Martin fuel supply." Do you have any idea what this could be?

Again, thanks for you help. It is greatly appreciated.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, Fl 32970

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 10:44 AM
To: 'NOC@fiberlight.com'
Subject: West Palm Beach dredging project

To Whom It May Concern,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area or verify that you do not have any crossings of the ICWW.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, FL 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 9:59 AM
To: 'publicworks@rivierabch.com'; 'utilities@rivierabch.com'
Subject: Intracoastal Waterway Dredging Project

To Whom It May Concern,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area that the City of Riviera Beach may have?

Thank you for your help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, FL 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 2:43 PM
To: 'nac@fplfibernet.com'
Subject: West Palm Beach dredging project
Attachments: LOC MAP EXHIBIT.pdf

To Whom It May Concern,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area or verify that you do not have any crossings of the ICWW. I have attached a PDF of the area to assist you.

Thank you for your help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, FL 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 10:09 AM
To: Musser, Beverly
Subject: West Palm Beach Dredging project.

Beverly,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the ICWW from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Would you be kind enough to provide us with the as-built information or legal descriptions for the subaqueous crossing of the ICWW in this area so we can add that information to our drawings. Also, I saw a listing for "FPL Fibernet, LLC" as having a crossing in this area. Is that something that you can handle or know who the contact person would be?

Thank you in advance for you help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, Fl 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 10:09 AM
To: Musser, Beverly
Subject: West Palm Beach Dredging project.

Beverly,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the ICWW from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Would you be kind enough to provide us with the as-built information or legal descriptions for the subaqueous crossing of the ICWW in this area so we can add that information to our drawings. Also, I saw a listing for "FPL Fibernet, LLC" as having a crossing in this area. Is that something that you can handle or know who the contact person would be?

Thank you in advance for you help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, Fl 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 10:09 AM
To: Musser, Beverly
Subject: West Palm Beach Dredging project.

Beverly,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the ICWW from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Would you be kind enough to provide us with the as-built information or legal descriptions for the subaqueous crossing of the ICWW in this area so we can add that information to our drawings. Also, I saw a listing for "FPL Fibernet, LLC" as having a crossing in this area. Is that something that you can handle or know who the contact person would be?

Thank you in advance for you help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, Fl 32970

Telephone 772-388-5364

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Wasbasso, Fl 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 10:44 AM
To: 'NOC@fiberlight.com'
Subject: West Palm Beach dredging project

To Whom It May Concern,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area or verify that you do not have any crossings of the ICWW.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, FL 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 2:46 PM
To: 'noc@fibernet.com'
Subject: West Palm Beach dredging project
Attachments: LOC MAP EXHIBIT.pdf

To Whom It May Concern,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area or verify that you do not have any crossings of the ICWW. I have attached a PDF of the area to assist you.

Thank you for your help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wabasso, FL 32970

Telephone 772-388-5364

John Morgan

From: Lou Pugliani <lpugliani@morganeklund.com>
Sent: Thursday, March 03, 2016 2:22 PM
To: 'Tony.Charlton@level3.com'; 'relo@level3.com'
Subject: West Palm Beach dredging project
Attachments: LOC MAP EXHIBIT.pdf

Dear Mr. Charlton,

The Florida Inland Navigation District (F.I.N.D.) is planning a project to dredge the Intracoastal Waterway (ICWW) from FPL Riviera Beach Energy Center to Arkona Court, West Palm Beach, Florida. Morgan & Eklund, Inc. is providing the bathymetric survey of the ICWW. As part of our project we are providing the location of any subaqueous crossing of the ICWW. Would you be kind enough to direct this e-mail to the proper departments or individuals to provide any as-built information on subaqueous crossings in this area or verify that you do not have any crossings of the ICWW. I have attached a PDF of the project area to aid you.

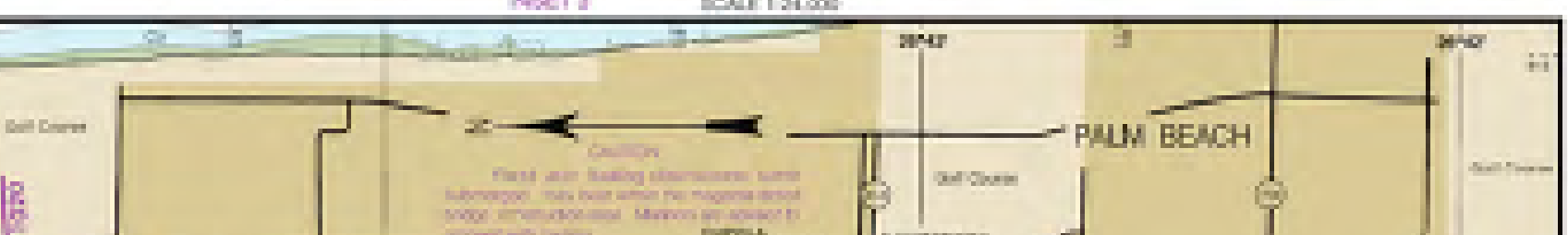
Thank you for your help in this matter.

Lou Pugliani
Morgan & Eklund, Inc.
8745 U. S. Highway 1
Wasbasso, FL 32970

Telephone 772-388-5364

“Attachment D”

Nautical Chart



“Attachment E”

Utility Crossings by ICWW Station

UTILITY CROSSINGS							
Station	Designation	Identified Utility	Elevation Datum	Attachment Number	Comments	Sheet Number	Status
PB-36 STA 32+51	Crossing 1	Florida Power and Light	-16 MLLW*	ORB 6657, PAGE 287	No mag hits	3, 11	PWC
PB-36 STA 34+07	Crossing 2	Florida Power and Light	n/a	ORB 24343, PAGE 1515	Strong Mag Anomaly String 1	3, 11	PWC
PB-36 STA 50+54	Crossing 2A	Nautical Chart "Cable"	n/a	n/a	Mag string 1A	4,12	PWC
PB-36 STA 74+75	Crossing 3	Possible Florida Public Utilities Co. Gas Main	-17.3 MLLW	n/a	Mag hits string 2	4, 12	PWC
PB-36 STA 75+49	Crossing 4	Possible Florida Public Utilities Co. Gas Main	n/a	n/a	Mag hits string 3	4, 12	PWC
PB-36 STA 77+45	Crossing 5	Florida Power and Light	-18.7 MLLW	ORB 16498, PAGE 1501	Mag hits string 4	4, 12	PWC
PB-36 STA 104+58	Crossing 6	Unknown	-12.2 MLLW	n/a	Possible Utility Crossing - Mag hits string 5	5, 13	Not cleared
PB-37 STA 34+11	Crossing 7	Unknown	-16.7 MLLW	n/a	Possible Utility Crossing - Mag hits string 6	6, 14	PWC
PB-37 STA 68+14	Crossing 8	Comcast	Approximately -35 MLLW*	ORB 7188, PAGE 1845	Mag hits string 7 north of easement	8, 16	PWC
PB-38 STA 4+02	Crossing 9	Florida Power and Light	Approximately -70 MLLW*	DM ID 372578	No mag hits	8, 16	PWC
PB-38 STA 5+66	Crossing 10	Florida Power and Light	varies -12.5 to -15.4 MLLW	ORB 16498, PAGE 1524	SEE AS-BUILT BY AVIROM & ASSOCIATES - Side-scan feature 00	8, 16	PWC
PB-38 STA 9+75	Crossing 11	City of West Palm Beach	-32 MLLW*	ORB 23947, PAGE 1889	No mag hits	8, 16	PWC
PB-38 STA 9+99	Crossing 12	Town of Palm Beach	-40 MLLW*	ORB 24196, PAGE 1729	No mag hits	8, 16	PWC
PB-38 STA 17+36	Crossing 13	Possible Florida Public Utilities Co. Gas Main	-15.8 MLLW	n/a	No mag hits	8, 16	PWC
PB-38 STA 18+67	Crossing 14	Unknown	-22.3 MLLW	n/a	Side-scan feature 01	8, 16	PWC
PB-38 STA 18+70	Crossing 15	Unknown	-20.8 MLLW	n/a	Side-scan feature 02	8, 16	PWC
PB-38 STA 18+73	Crossing 16	Unknown	-15.8 MLLW	n/a	Side-scan feature 03	8, 16	PWC
PB-38 sta 19+23	Crossing 17	Unknown	n/a	n/a	Side-scan feature 04	8, 16	PWC
PB-38 STA 22+22	Crossing 17A	FDOT cable	n/a	DEP PERMIT SAJ-1993-31700 (IP-GGL)	No mag hits	8, 16	PWC
PB-38 STA 21+16	Crossing 18	Possible City of West Palm Beach	-18.5 MLLW to -22.3 MLLW	ORB 21355, PAGE 1661	Side-scan features 06	8, 16	PWC
PB-38 STA 20-90	Crossing 18A	Unknown	n/a	n/a	side-scan feature 05	8, 16	PWC
PB-38 STA 21+43	Crossing 19	Possible City of West Palm Beach or Florida Power and Light	-18.5 MLLW to -22.3 MLLW	ORB 21355, PAGE 1661 or ORB 16580, PAGE 1490	Side-scan features 07	8, 16	PWC
PB-38 STA 21+58	Crossing 20	Florida Power and Light	-18.5 MLLW to -22.3 MLLW	ORB 16580, PAGE 1490	Side-scan feature 08	8, 16	PWC

PB-38 STA 22+00	Crossing 20A	Unknown	n/a	n/a	Side-scan feature 09	8, 16	PWC
PB-38 STA 21+90	Crossing 21	Florida Power and Light	n/a	ORB 23921, PAGE 469	Side-scan feature 9?	8, 16	PWC
PB-39 STA 10+03	Crossing 22	Florida Power and Light	-16.2 MLLW	ORB 16498, PAGE 1513	Mag hits string 8	9, 17	PWC
PB-39 STA 16+38	Crossing 23	Unknown	n/a	n/a	Side-scan features 11 & 12	9, 17	PWC
PB-39 STA 18+33	Crossing 24	American Telephone and Telegraph	-16.5 MLLW & -18.6 MLLW	ORB 6645, PAGE 369 AND DM ID 141839	Mag hits string 9	9, 17	PWC
PB-40 STA 9+56	Crossing 25	Possible Florida Public Utilities Co. Gas Main	Approximately -50 MLLW*	n/a		10, 18	PWC
PB-40 STA 10+88	Crossing 26	American Telephone and Telegraph	-17.4 MLLW TO -19.2 MLLW	DM ID 141240	Side-scan feature 13	10, 18	PWC
PB-40 STA 11+01	Crossing 27	American Telephone and Telegraph	-17.4 MLLW TO -19.2 MLLW	DM ID 141240	Side-scan feature 14	10, 18	PWC
PB-40 STA 11+21	Crossing 28	American Telephone and Telegraph	-17.4 MLLW TO -19.2 MLLW	DM ID 141240	Side-scan feature 15	10, 18	PWC
PB-40 STA 11+54	Crossing 29	American Telephone and Telegraph	-17.4 MLLW TO -19.2 MLLW	DM ID 141240	Side-scan feature 16	10, 18	PWC
PB-40 STA 14+02	Crossing 30	Unknown	n/a	n/a	Side-scan feature 17	10, 18	PWC
PB-40 STA 14+39	Crossing 31	Unknown	n/a	n/a	Side-scan feature 18	10, 18	PWC
PB-40 STA 15+20	Crossing 32	Florida Power and Light	n/a	ORB 12316, PAGE 1115	Side-scan feature 19	10, 18	PWC
PB-40 STA 14+15	Crossing 32A	Florida Power and Light	n/a	DEP PERMIT SAJ-2017-00022(GP-CGK)	No mag hits	10,18	PWC

LEGEND

TRENCHED TO -17.5 MLLW
NO UTILITIES ENCOUNTERED
FOUND UTILITY LINE
NOT INVESTIGATED
PWC denotes Proceed With Caution

* ELEVATION CITED ON AS-BUILT DRAWINGS BY OTHERS

Crossing # 1



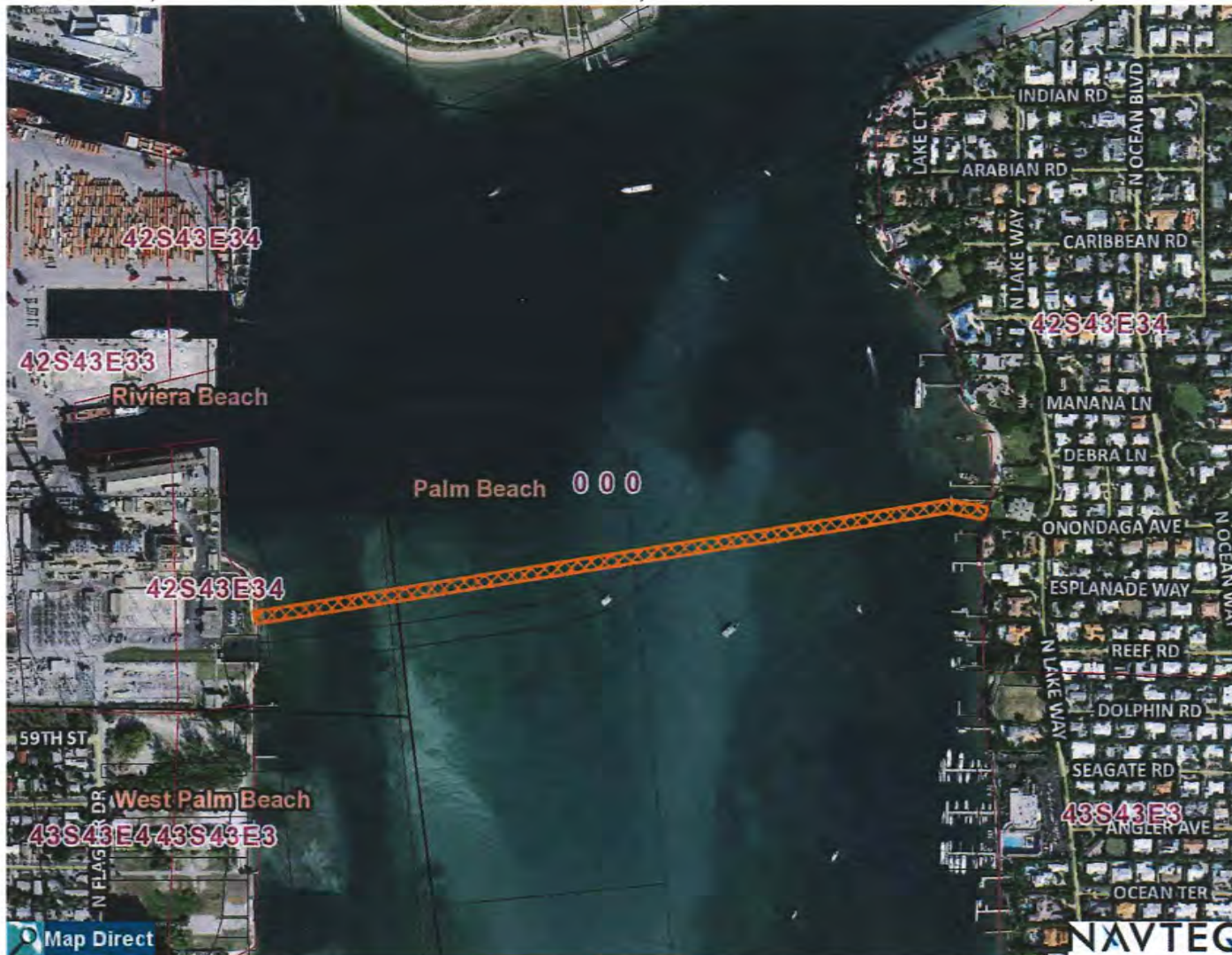
Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

CROSSING #1

26°46'16.0871", -80°3'11.3717"

Scale 1:8,186

26°46'14.5079", -80°2'16.3134"



26°45'38.1842", -80°3'12.7289"

1 inch = 682 feet

26°45'36.6052", -80°2'17.6758"



Aerial Imagery 2011-2013

- All Parcel Types (BTLDS)
- Public Land Survey System 2006
- TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Mon, 16 May 2016 14:07:45 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

11/27
Please Return To:
LAURIE E. HICKS
P.O. Drawer D
West Palm Beach, Florida 33402

NOV-30-1990 01:15pm 90-342269

ORB 6657 Pg 287

~~After Recording RETURN TO:~~
Bureau of Submerged Lands and Preserves
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

Con 1.00 Doc
JOHN B DUNKLE, CLERK - PB COUNTY, FL .55

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 00186(4023-50)

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida Corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following legal description:

A parcel of submerged land in Section(s) 34,
Township 42 South, Range 43 East, in Lake Worth,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated August 3, 1989.

TO HAVE THE USE OF the hereinabove described premises for a period of 30 years from July 19, 1990, the effective date of this easement. The terms and conditions of and for which this easement is granted are as follows:

1. The above described parcel of land shall be used solely for installation and maintenance of a subaqueous electrical cable and Grantee shall not engage in any additional activities.

2. The consideration for this easement shall be an amount as determined by the rule establishing fees for utility crossings. Once the rule is adopted, payment shall be remitted to the Grantor according to the rule. The established fee shall be assessed retroactively from the effective date of the subject rule to the effective date of this easement.

3. Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.

4. The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.

5. Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

6. This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement.

9. Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. Renewal of this easement is at the sole option of the Grantor. Such renewal shall be subject to the terms, conditions and provisions of current management standards and applicable laws, rules and regulations in effect at that time. In the event that Grantee is in full compliance with the terms of this easement, the Grantee shall be allowed a 30-day grace period after expiration of this easement to apply in writing for a renewal. If the Grantee fails to apply for a renewal within the grace period, or in the event the Grantor does not grant a renewal, the Grantee shall vacate the premises and remove all structures and equipment occupying and erected thereon at its expense.

14. If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

15. No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

16. The Grantee, at its own expense, shall record this easement and any subsequent approved renewal and/or modified easements in the official records of the county within which the easement site is located within ten (10) days after receipt of a fully executed copy of this easement, and shall provide the Grantor with a copy of the recorded easement indicating the book and page at which the easement is recorded.

17. This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

WITNESSES:

Casslyn Thompson
Lugh O'Shields

STATE OF FLORIDA
 COUNTY OF LEON

BOARD OF TRUSTEES OF THE
 INTERNAL IMPROVEMENT TRUST (SEAL)
 FUND OF THE STATE OF FLORIDA

BY Deborah H. Parrish
 Deputy Director, Division of
 State Lands, Agent for the Board
 of Trustees of the Internal
 Improvement Trust Fund

"GRANTOR"

Before me personally appeared Deborah H. Parrish to me well known and known
 to me to be the person who executed the foregoing instrument, and acknowledged
 to and before me that she executed said instrument for the purposes therein
 expressed.

WITNESS my hand and official seal, this 6th day of September,
 A.D., 19 90.

APPROVED AS TO FORM AND LEGALITY:

Eugene H. Cull

[Signature]
 Notary Public (SEAL)
 State of Florida at Large

My Commission Expires:

☒ Notary Public, State of Florida
~~My Commission Expires May 5, 1991~~
 Bonded thru Troy Fair - Insurance Inc.

WITNESSES:

Barbara C. Hill
Monica Lynne Anderson

STATE OF Florida
 COUNTY OF Palm Beach

Florida Power & Light Company,
 a Florida Corporation (SEAL)
 GRANTEE

BY [Signature]
 Original Authorized Signature
 Director of Land Management,
 and Assistant Secretary
 Title of Executing Authority

"GRANTEE"

Before me personally appeared J.W. Molyneux to me well
 known and known to me to be the person who executed the foregoing instrument,
 and acknowledged to and before me that he executed said instrument for
 the purposes therein expressed.

WITNESS my hand and official seal, this 28th day of August,
 A.D., 1990.

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
 MY COMMISSION EXP. MAR. 21, 1994
 BONDED THRU GENERAL INS. UNO.

Monica Lynne Anderson
 Notary Public (SEAL)
 State of Florida at Large

Page 4 of 6 Pages
 Easement No. 00186 (4023-50)

MORGAN & EKLUND**PROFESSIONAL SURVEY CONSULTANTS**2050 VOYA. AVE., SUITE 9
VERO BEACH, FLORIDA 32960
305-569-2210
1800 S.E. 3rd. CT., SUITE 100-D
DEERFIELD BEACH, FLORIDA 33441
305-421-6082

BOUNDARY • MORTGAGE • ROUTE • CONSTRUCTION • TOPOGRAPHIC • CONTROL • HYDROGRAPHIC SURVEYS

" SPECIFIC PURPOSE SURVEY "
of
SUBMERGED LAND EASEMENT
for
FLORIDA POWER & LIGHT

LEGAL DESCRIPTION

A parcel of submerged land, lying in the waters of Lake Worth, situated in Section 34, Township 42 South, Range 43 East, Palm Beach County, Florida. More particularly described as follows:


Commencing at the Northeast corner of Lot 27, Esplanade Estates, as recorded in Plat Book 12, Page 13, of the Public Records of Palm Beach County, Florida; thence North 87°52'18" West a distance of 212.12 feet, along the north line of said Lot 27, and the south line of a 10.00 foot wide Right-of-Way of Onondaga Avenue to a point on the westerly face of a bulkhead, said point being on the easterly shoreline of the waters of Lake Worth, said point also being the Point of Beginning of a 50.00 foot wide submerged lands easement; thence South 52°00'00" West a distance of 23.35 feet; thence North 78°34'56" West a distance of 136.54 feet; thence South 82°20'11" West a distance of 2826.73 feet to a point on the Safe Upland Line, said line being on the westerly shoreline of the waters of Lake Worth, having an elevation of 2.00 feet, N.G.V.D. per Department of Natural Resources, State of Florida; thence northerly along said line North 13°02'10" West a distance of 50.22 feet; thence North 82°20'11" East a distance of 2839.84 feet; thence South 78°34'56" East a distance of 159.92 feet to a point on said westerly face of bulkhead; thence along said bulkhead face South 11°02'30" West a distance of 32.27 feet to the Point of Beginning. Containing 3.43. acres more less.

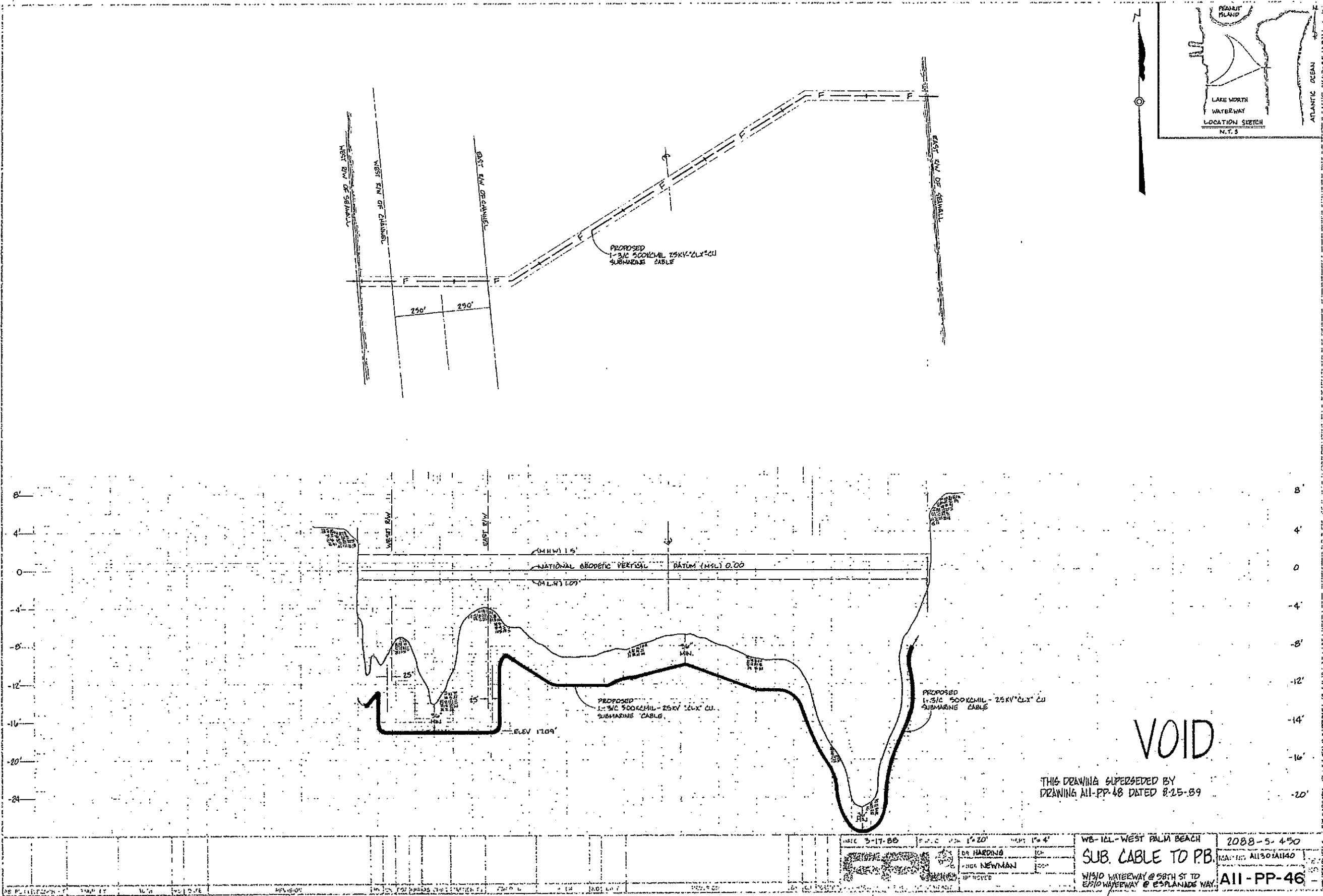
NOTES:

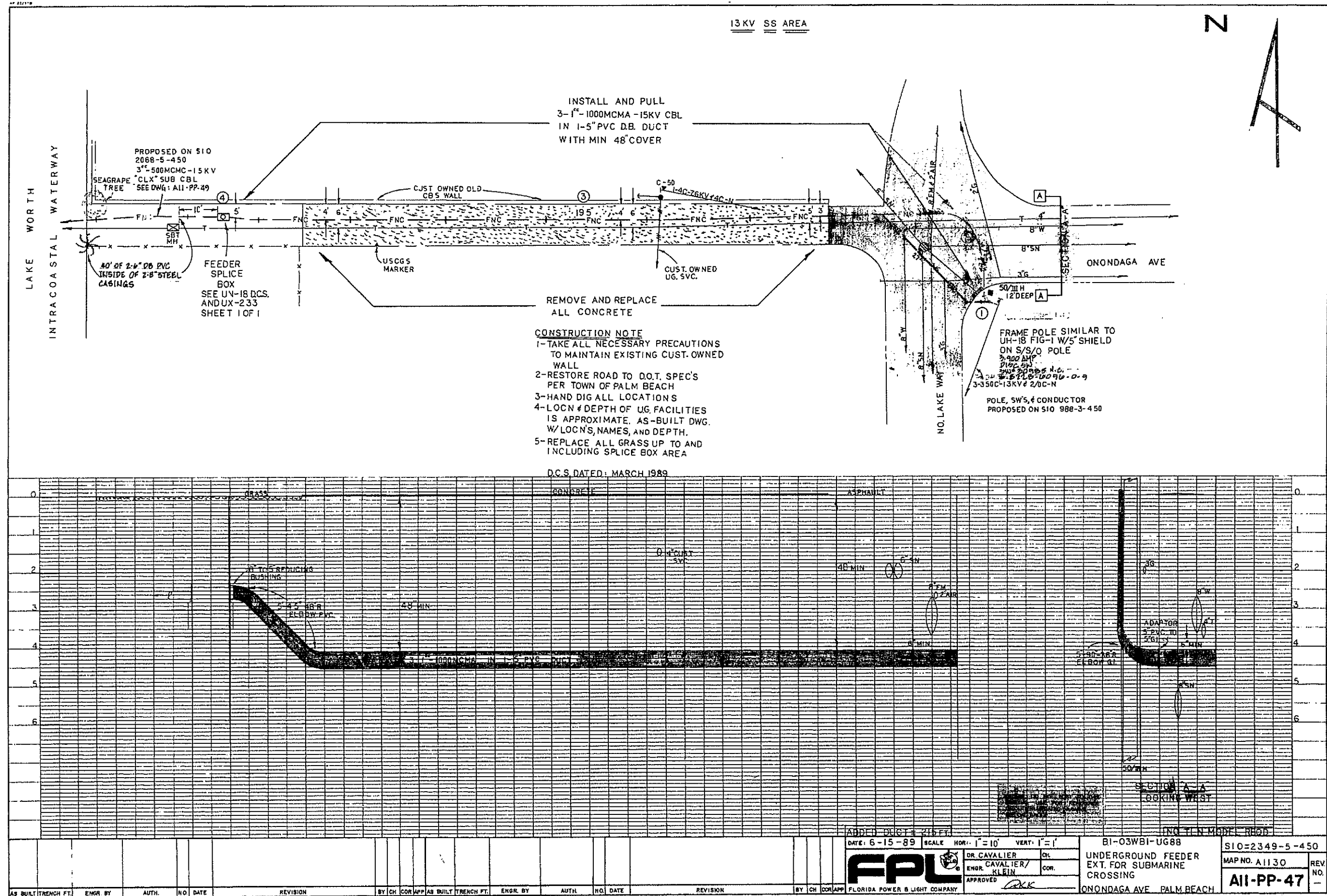
1. Bearings and coordinates shown are based on state plane coordinate system for the East Zone of Florida.
2. Elevations on west side of Lake Worth based on P.B.C. brass disc "D-233". Elevation = 8.51 N.G.V.D.
3. Elevations on east side of Lake Worth based on D.N.R. monument "R-78". Elevation = 15.16 N.G.V.D.
4. Lands shown hereon were not abstracted for rights-of-way, easements of record or ownership.
5. This survey is not valid unless sealed with an embossed surveyor's seal.

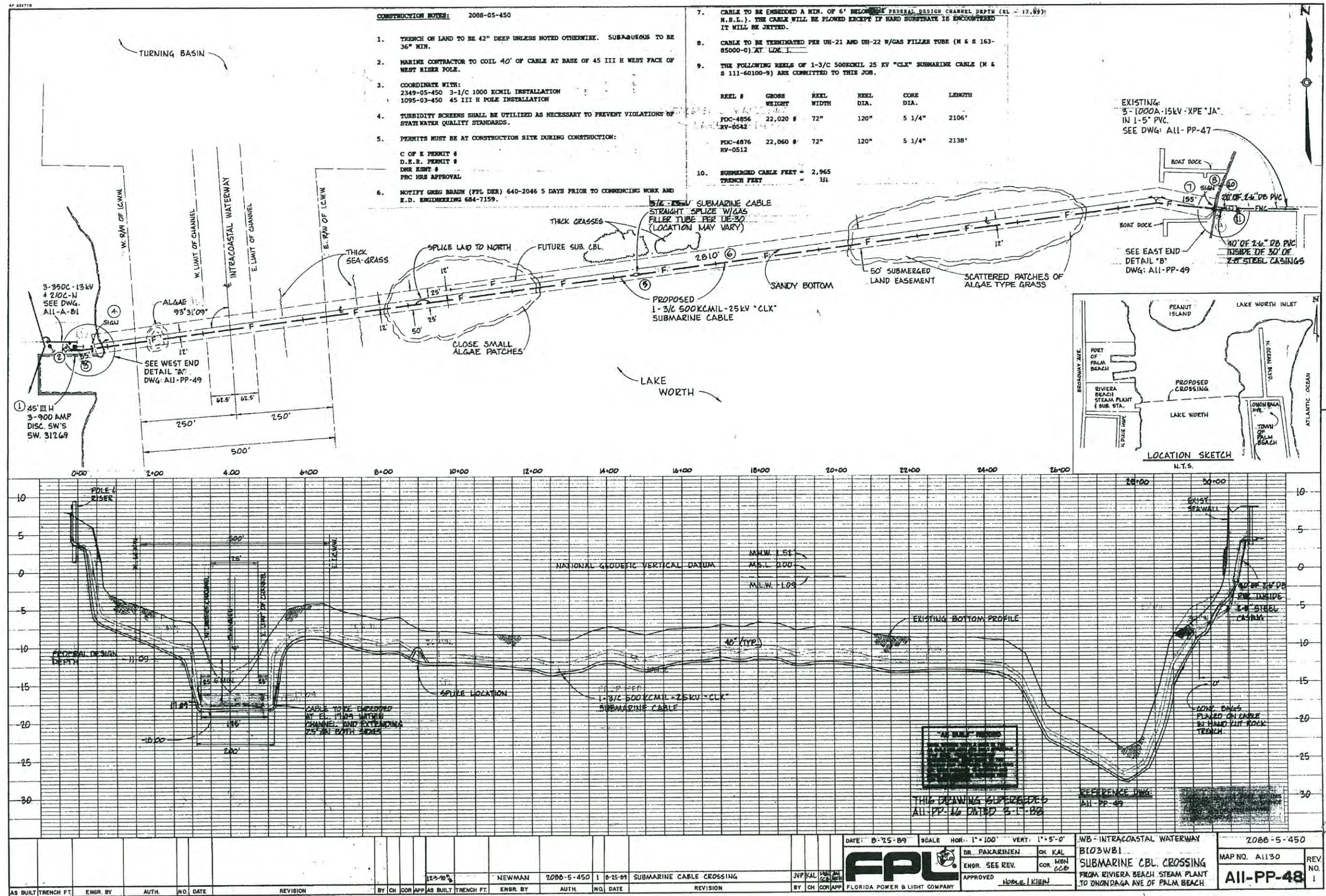
CERTIFICATE OF SURVEY - I HEREBY CERTIFY that the above "Specific Purpose Survey" is in accordance with a recent field survey made under my direction and that it is true and correct to the best of my knowledge and belief, and meets Minimum Technical Standards as set forth by the Board of Professional Land Surveyors, Florida Statutes Chapter 21-HH-6

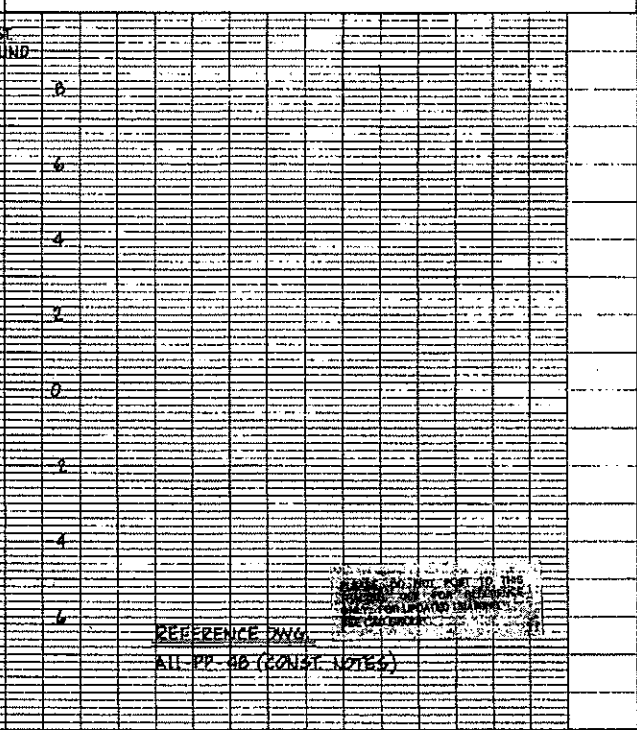
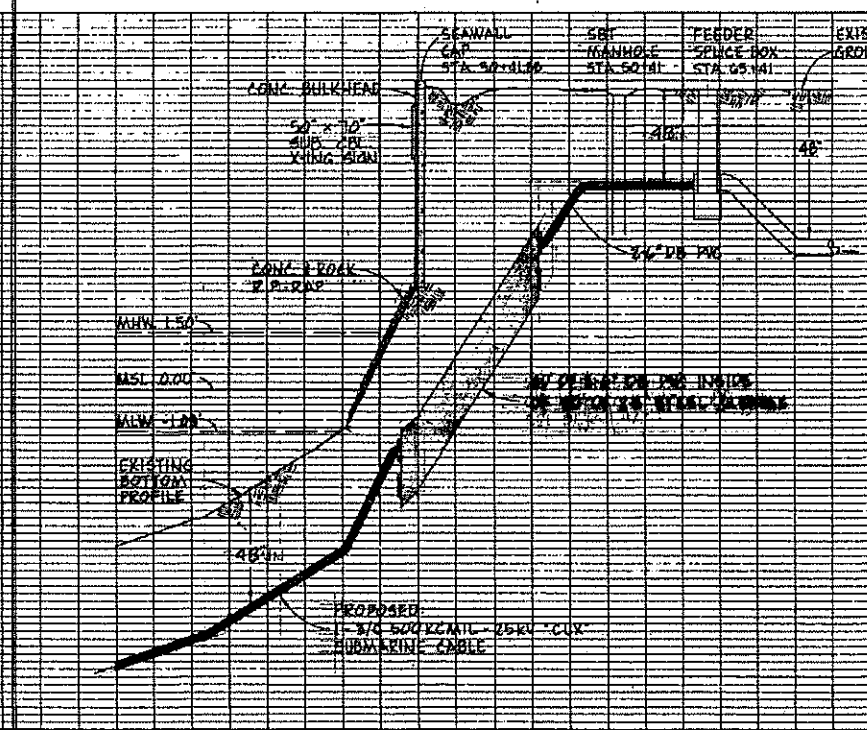
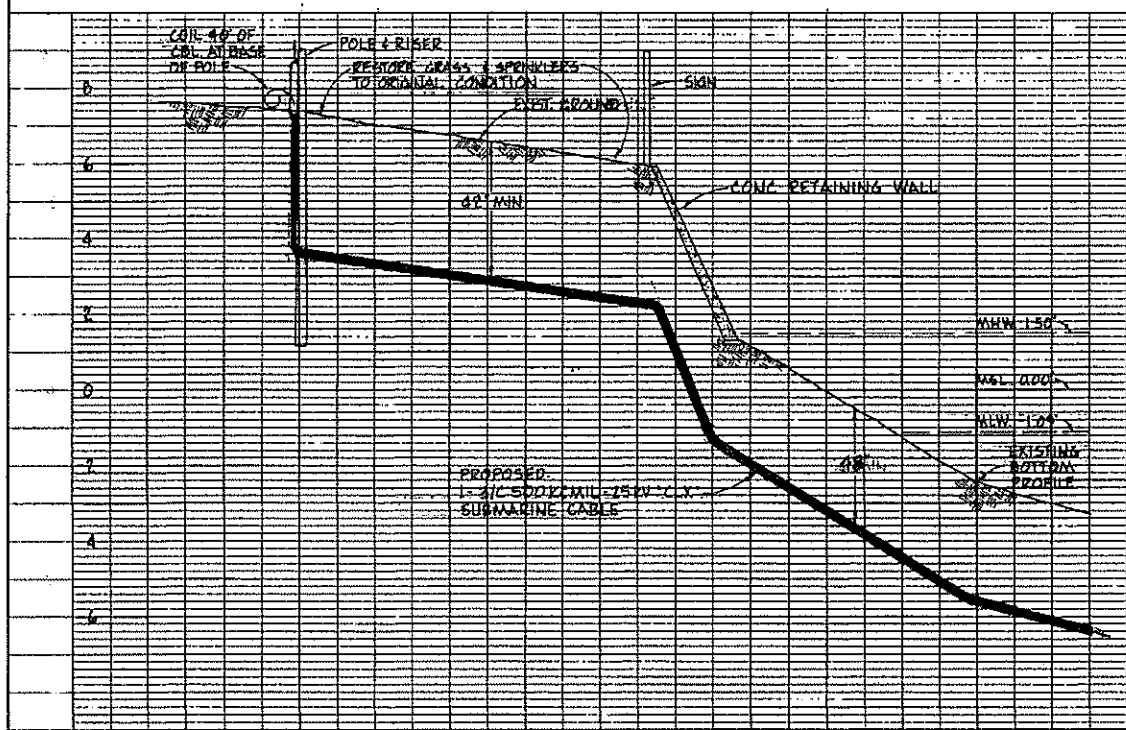
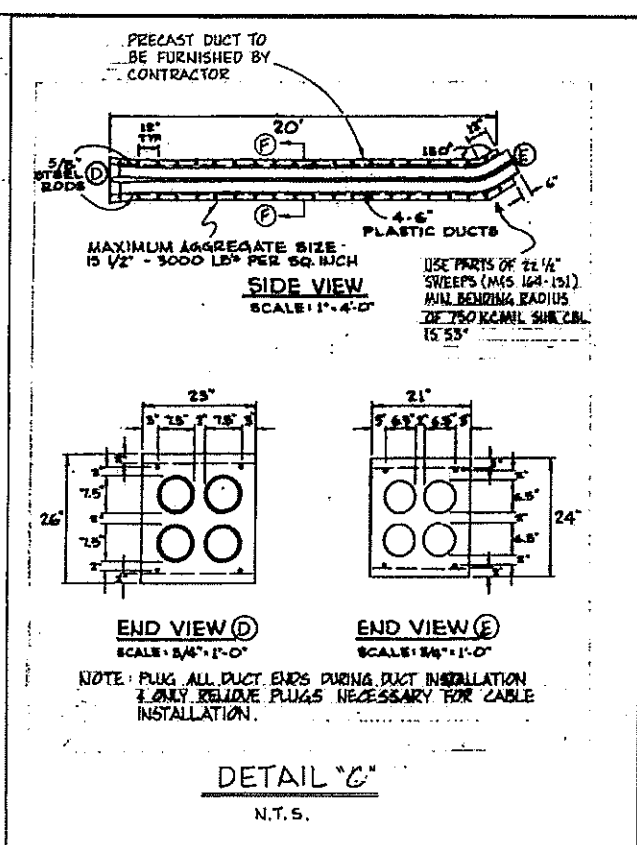
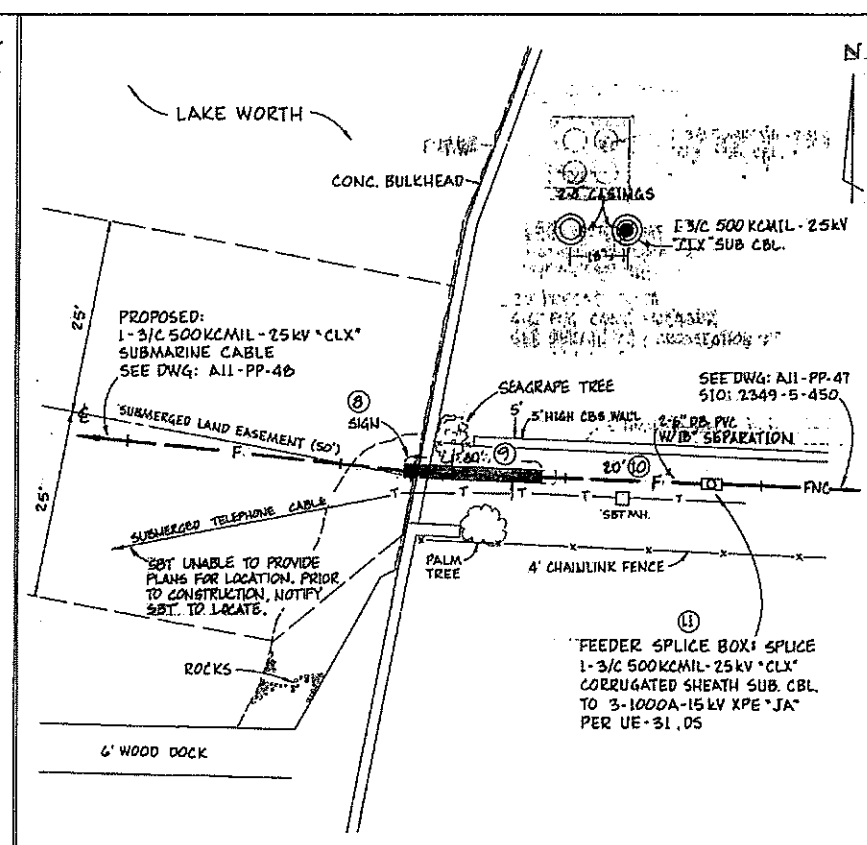
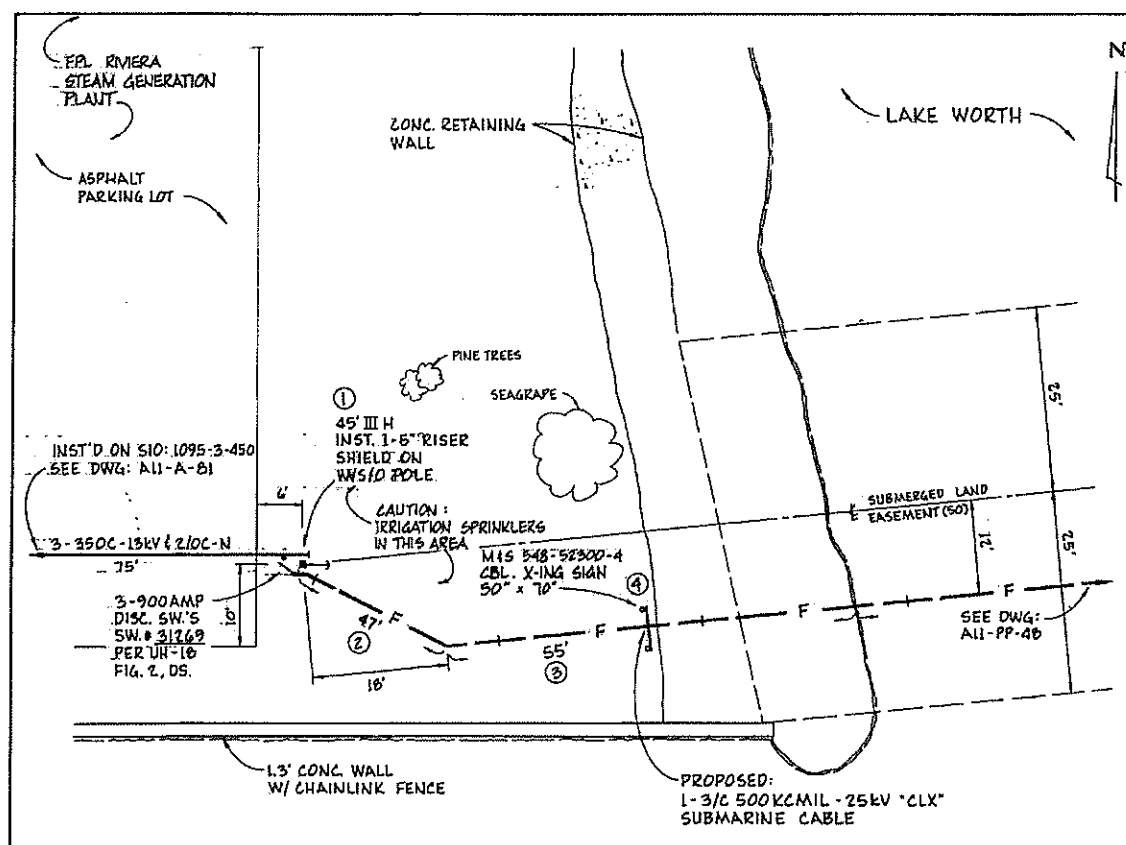
F.B. P.B.-17/1-19
Comm. N° 3280.00
Date 8/3/89


RONALD B. EKLUND
Registered Land Surveyor 2559
State of Florida

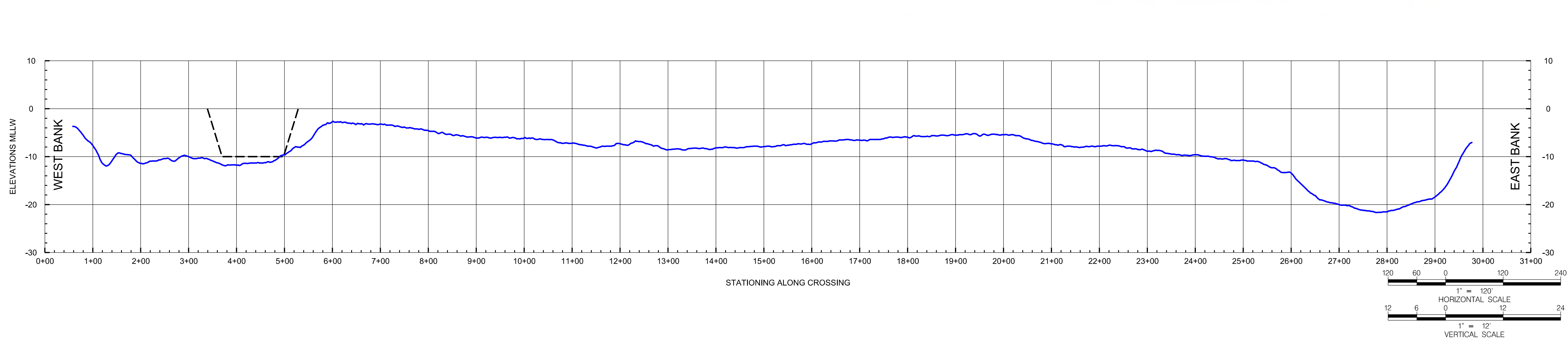
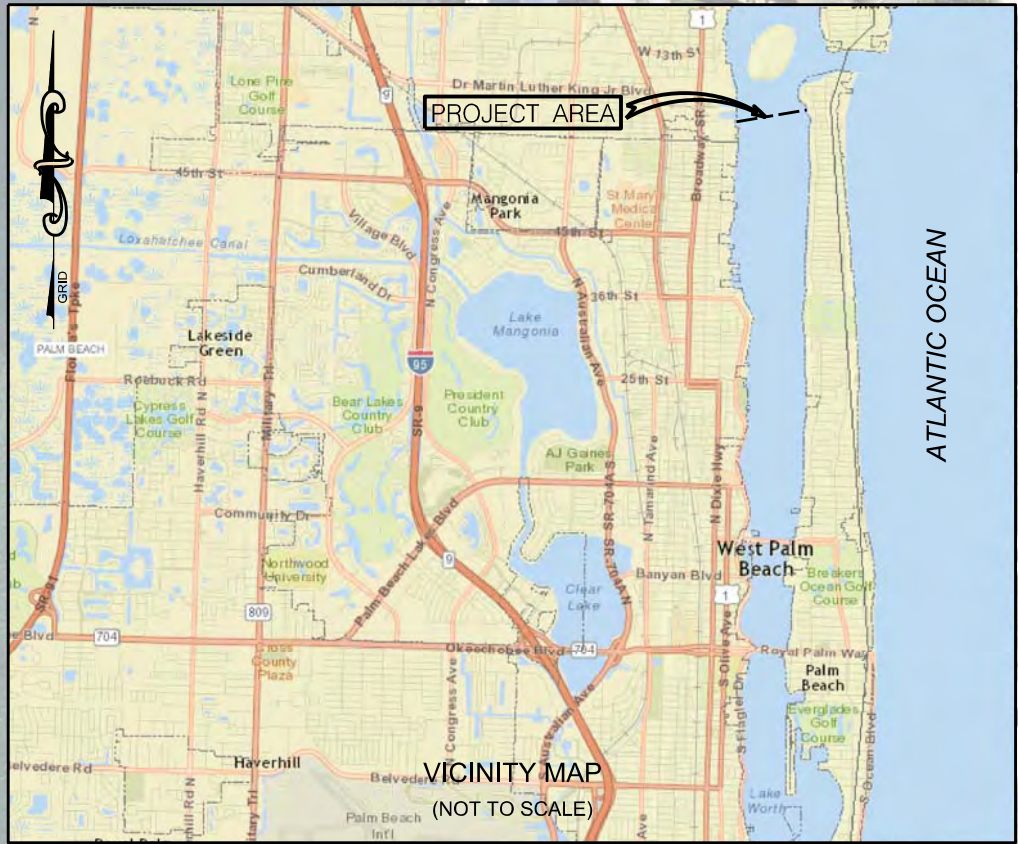
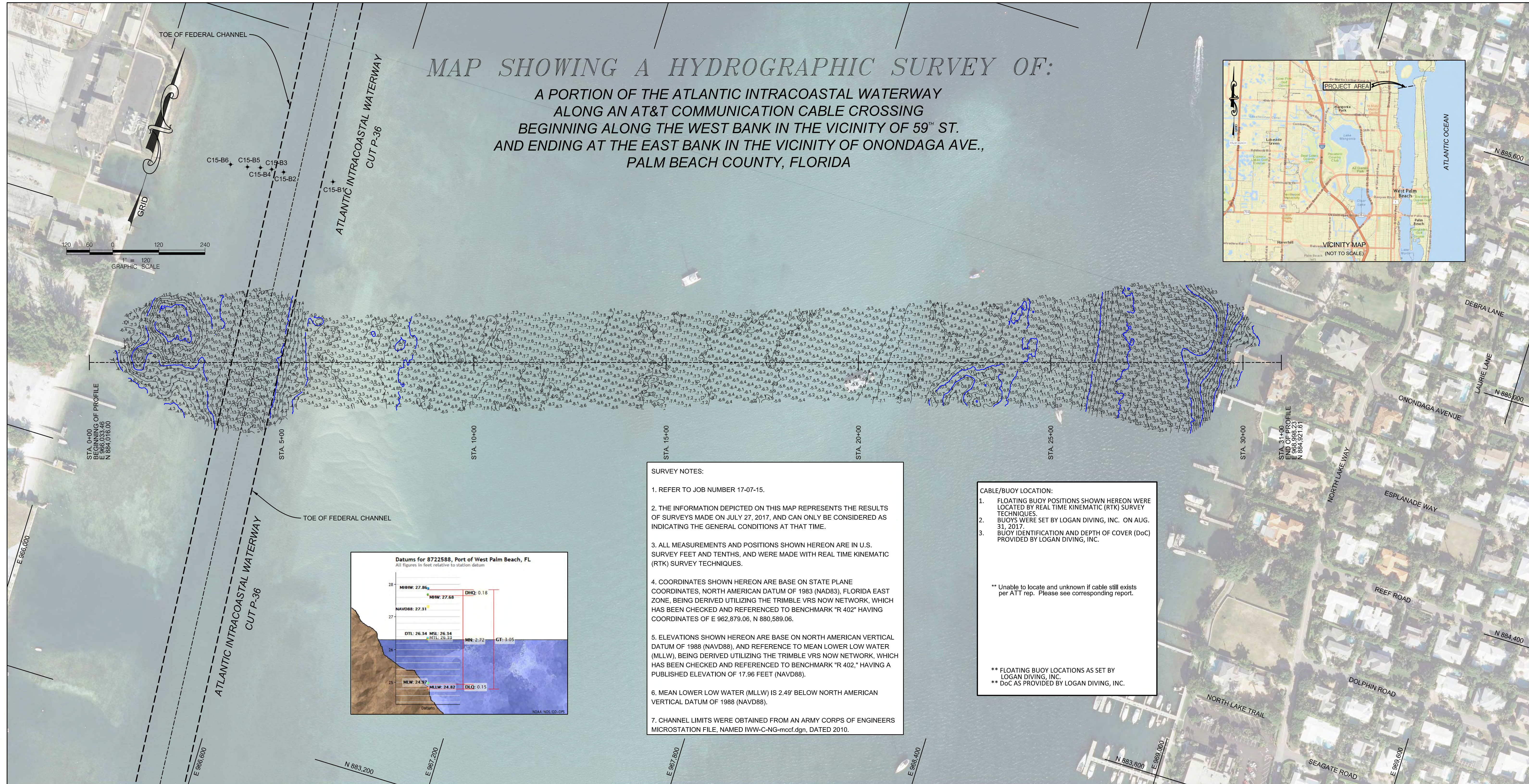








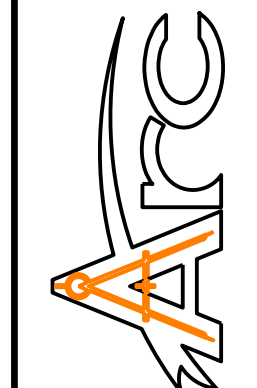
DATE: 8-25-89	SCALE: HOR: 1"=10'-0" VERT: 1"=5'-0"	WB - INTRACOASTAL WATERWAY B103WB1	2085-5-450
DR. PAKKINEN	CH.	SUBMARINE CBL. CROSSING FROM RIVIERA BEACH STEAM PLANT TO CHRONOGA AVE. OF PALM BEACH	MAP NO. AII30
ENGR. SEE REV.	COR.		REV. NO. 1
APPROVED: MOORE / KLEIN			
AS BUILT TRENCH FT.	ENGR. BY	AUTH.	NO. DATE
REVISION	BY CH. COR. APP.	AS BUILT TRENCH FT.	ENGR. BY
12-3-90	NEWMAN	2085-5-450	1
10-25-89		SUBMARINE CABLE CROSSING	
BY CH. COR. APP.	FLORIDA POWER & LIGHT COMPANY		



Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW at 59th St. and
Onondaga Ave.,
Palm Beach County, Florida
LINE 1

Prepared For:
Logan Diving & Salvage
2815 St Johns Bluff Rd. S.
Jacksonville, FL 32246

Arc Surveying & Mapping, Inc.
Professional Hydrographers • Surveyors • Mappers
5202 San Juan Avenue
Jacksonville, Florida 32210
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg: NA
ARC Project No.:
17-07-15
SHEET: 1 OF 1

Crossing # 2



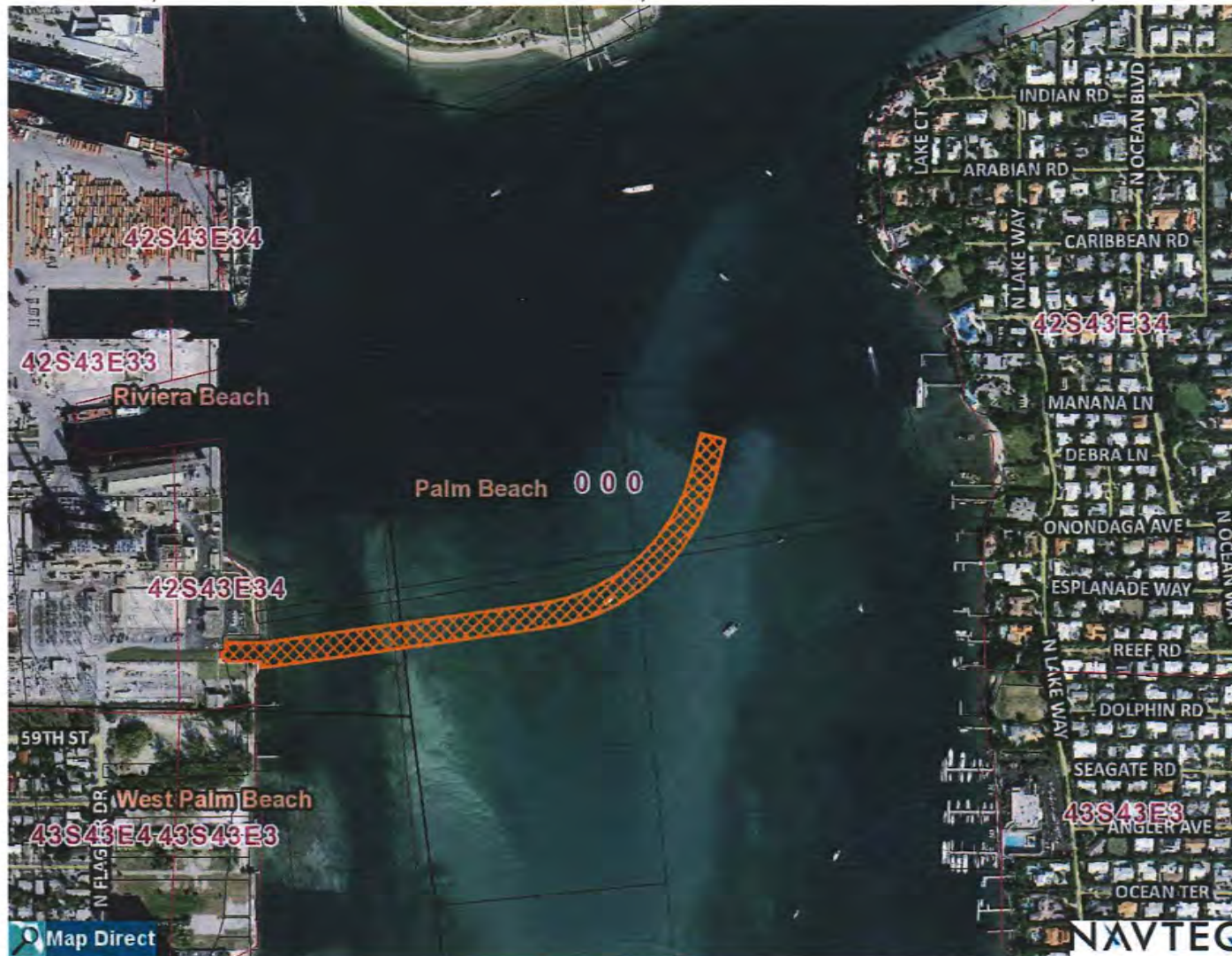
Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

CROSSING #2

26°46'16.0871", -80°3'11.3717"

Scale 1:8,186

26°46'14.5079", -80°2'16.3134"



26°45'38.1842", -80°3'12.7289"

1 inch = 682 feet

26°45'36.6052", -80°2'17.6758"



Aerial Imagery 2011-2013

- All Parcel Types (BTLDS)
- Public Land Survey System 2006
- TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Mon, 16 May 2016 14:14:16 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: [] Deed [] Lease ☒ Easement [] Permit [] Management Agreement

[] Use Agreement [] Disclaimer [] Quitclaim [] Dedication [] Release

[] Acts of Legislation [] Other

Instrument Number: 41209

Extension: 000

File Number: 5987

Document Date: 07-27-2010

Consideration: N/A

Water Body: Intracoastal Waterway

Reservations / Reverter: N/Y

Submerged Land: (Y) ☒ (N)

Original County: Palm Beach

Section: 33

Township: 42S

Range: 43E

Total Area / Area Unit: 5.349 (A) Acreage (S) Square Feet

Comments: BOT File Number: 500234456



This Instrument Prepared By:
 Taurson J. Lewis
 Recurring Revenue Section
 Bureau of Public Land Administration
 3900 Commonwealth Boulevard
 Mail Station No. 123
 Tallahassee, Florida 32399

CFN 20110039995
 OR BK 24343 PG 1515
 RECORDED 02/02/2011 11:58:24
 Palm Beach County, Florida
 AMT 10.00
 Doc Stamp 0.70
 Sharon R. Bock, CLERK & COMPTROLLER
 Pgs 1515 - 1526; (12pgs)

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
 OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS EASEMENT

NO. 41209 (5987-50)
 BOT FILE NO. 500234456
 PA NO. 50-0045750-006

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Section 33, Township 42 South, Range 43 East, in the Intracoastal Waterway, Palm Beach County, as is more particularly described and shown on Attachment A, dated December 21, 2009.

TO HAVE THE USE OF the hereinabove described premises for a period of 50 years from March 2, 2010, the effective date of this easement. The terms and conditions on and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for an existing subaqueous water discharge pipeline. All of the foregoing subject to the remaining conditions of this easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.
8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.
9. VENUE: Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. ASSIGNMENT OF EASEMENT: This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. TERMINATION: The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

FLORIDA POWER & LIGHT COMPANY
c/o Director of Corporate Real Estate
700 Universe Blvd.
P.O. Box 14000
Juno Beach, Florida 33408

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. TAXES AND ASSESSMENTS: The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES: If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. ENFORCEMENT OF PROVISIONS: No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. RECORDATION OF EASEMENT: The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. AMENDMENT/MODIFICATIONS: This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. COE AUTHORIZATION: Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

D.L. McKenzie
Original Signature

D.L. McKenzie
Print/Type Name of Witness

Kathy C. Griffin
Original Signature

Kathy C. Griffin
Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY:

Jeffery M. Gentry
Jeffery M. Gentry, Operations and Management Consultant,
Manager, Bureau of Public Land Administration, Division of
State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the Board
of Trustees of the Internal Improvement Trust Fund of the State
of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 20th day of July, 2010, by
Jeffery M. Gentry, Operations and Management Consultant, Bureau of Public Land Administration, Division of State
Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the
Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

[Signature]
DEP Attorney

Notary Public, State of Florida

Printed, Typed or Stamped Name
D.L. McKenzie
My Commission Expires Commission # DD 876897
Expires May 18, 2013
Bonded Two Thousand Dollars \$2,000.00
Commission/Serial No.

WITNESSES:

Michelle M. Kahmann
Original Signature

Michelle M. Kahmann
Typed/Printed Name of Witness

Michelle M. Kahmann
Original Signature

Michelle M. Kahmann
Typed/Printed Name of Witness

STATE OF FL
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 20th day of July, 2010, by
Dina L. Guenther as Director Corporate Real Estate of Florida Power & Light Company, a Florida corporation for and on behalf
of the corporation. She is personally known to me or who has produced as identification.

My Commission Expires:

Michelle M. Kahmann
Notary Public, State of Florida
My Commission DD003940
Expires 09/18/2011

Florida Power & Light Company
a Florida corporation (SEAL)

BY: [Signature]
Original Signature of Executing Authority

Dina L. Guenther
Typed/Printed Name of Executing Authority

Director Corporate Real Estate
Title of Executing Authority

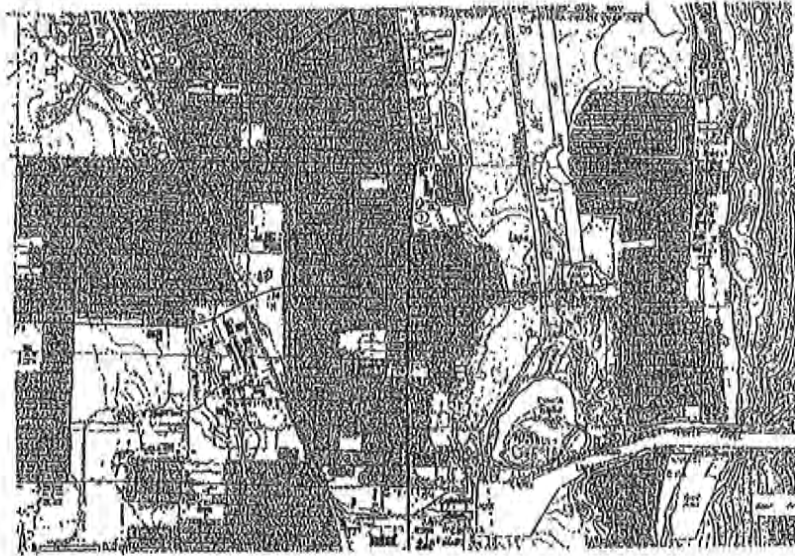
"GRANTEE"

Michelle M. Kahmann
Notary Public, State of FL
Printed, Typed or Stamped Name

Section: 33

Township: 42 South

Range: 42 East



Facility Address: Adjacent to Riviera Beach Energy Center

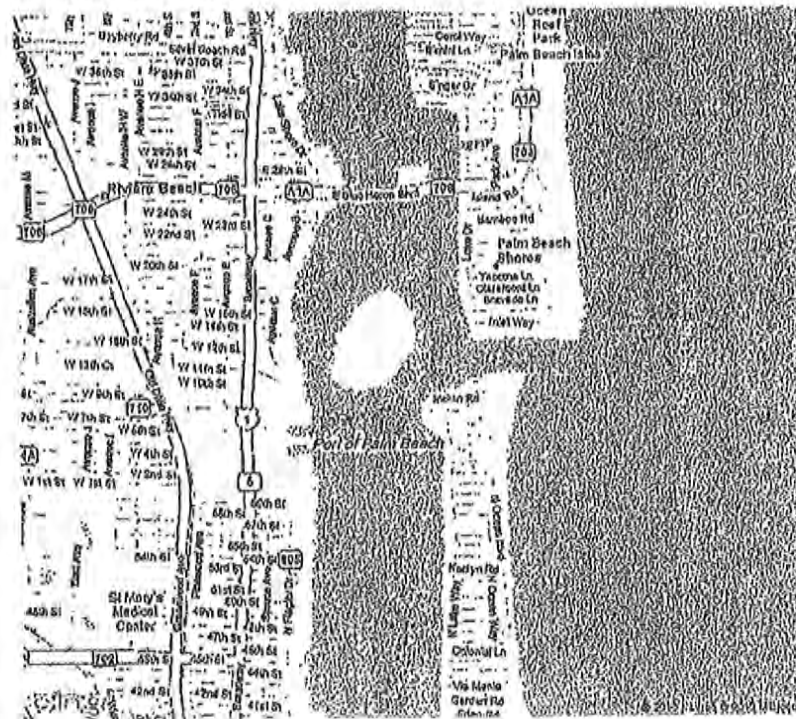


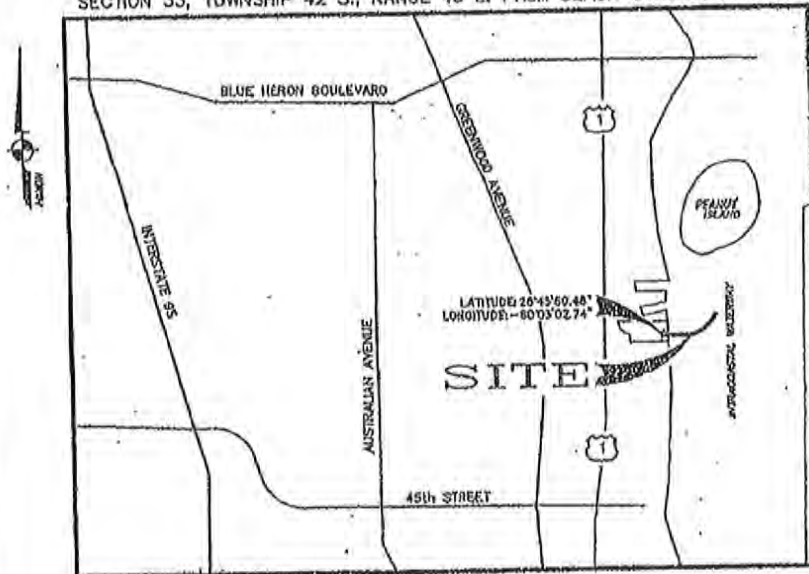
EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

RECEIVED

JAN 11 2010

DEPT OF ENV PROTECTION
WEST PALM BEACH

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



LOCATION SKETCH
(NOT TO SCALE)

REVISIONS



AVIOM & ASSOCIATES, INC.
SURVEYING & MAPPING

60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL (561) 392-2694, FAX (561) 394-1125
WWW.AVIOM-SURVEY.COM

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JOB NO.	8401-B
SCALE	1" = 100'
DATE	12/21/09
BY	A.M.R.
CK'D.	M.D.A.
P.B.	PG.
SHEET	1 OF 3

LAND DESCRIPTION:

COMMENCING at the Northeast corner of Lot 1, of KNOWLES COURT ADDITION according to the plat thereof, as recorded in Plat Book 9, Page 82 of the Public Records of Palm Beach County, Florida; thence S 88°49'47" E, 645.29 feet to the Mean High Water Line of the Intracoastal Waterway and the Easterly wet-face of an existing concrete sea wall; thence N 01°06'49" E, along said Mean High Water Line and the Easterly wet-face of an existing concrete sea wall 111.88 feet; thence N 27°46'13" E, along said Mean High Water Line and the Easterly wet-face of an existing concrete sea wall 53.60 feet to the POINT OF BEGINNING of a Submerged Land Easement, having a Northing of 884446.308 and Easting of 966056.201; (the next 14 courses being along said Mean High Water Line and the wet-face of an existing concrete sea wall) (L1A) thence continue N 27°46'13" E, 2.93 feet; (L1B) thence N 01°21'03" E, 21.25 feet; (L2) thence N 88°28'04" W, 41.17 feet; (L3) N 89°16'13" W, 24.59 feet; (L4) thence S 89°49'52" W, 26.47 feet; (L5) thence N 87°45'13" W, 48.51 feet; (L6) thence N 00°35'29" W, 14.36 feet; (L7) thence N 88°12'30" W, 16.15 feet; (L8) thence N 00°01'45" E, 23.34 feet; (L9) thence S 88°49'19" E, 16.27 feet; (L10) thence N 02°39'38" E, 3.58 feet; (L11) thence N 00°37'10" E, 32.22 feet; (L17) thence N 00°00'38" E, 1.97 feet; thence along a line being 50 feet northwesterly of and parallel with the centerline of an existing sub-aqueous pipeline for the following 4 courses: S 88°49'47" E, 164.20 feet; thence N 83°26'33" E, 1127.08 feet to a point of curvature of a tangent curve concave to the Northwest; thence Northeastly along the arc of said curve, having a radius of 724.80 feet and a central angle of 67°57'12", a distance of 859.62 feet; thence N 15°29'22" E, 146.12 feet; thence S 74°30'38" E, 100.00 feet; thence along a line being 50 feet Southeastly of and parallel with the centerline of an existing sub-aqueous pipeline for the following 4 courses; thence S 15°29'22" W, 146.12 feet to a point of curvature of a tangent curve concave to the Northwest; thence Southwestly along the arc of said curve, having a radius of 824.80 feet and a central angle of 67°57'12", a distance of 978.22 feet; thence S 83°26'33" W, 1133.84 feet; thence N 88°49'47" W, 20.85 feet to the POINT OF BEGINNING.

CERTIFICATION:

Date: 12/21/09




REVISIONS		AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 60 S.W. 2ND AVENUE, SUITE 102 ACO PLAZA, FLORIDA 33134 TEL. (407) 395-2004, FAX (407) 394-7728 www.AVIROM-SURVEY.com	JOB NO. 8461-D SCALE 1" = 100' DATE 12/21/09 BY A.M.R. CK'D. M.D.A. F.D. P.G. SHEET 2 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SURVEYOR'S REPORT:

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. The land description shown hereon was prepared by the Surveyor.
3. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other Instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
4. The undersigned surveyor has no knowledge as to whether any of the hereon property is filled formerly submerged lands.
5. This is not a Mean High Water Line Survey.
6. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Traverse Mercator Projection), East Zone, with the south line of Section 33 having a bearing of N 88°49'47" W.
7. Elevations shown hereon are based on the North American Vertical Datum of 1988.
8. Benchmark Description: National Geodetic Survey Bench Mark R 402 (PID AD8029) Elevation = 17.96 feet (NAVD 88) and P 232 Reset (PID AD5785), Elevation = 13.28 (NAVD 88).
9. Mean High Water Line Information was compiled from published datum provided by the Land Boundary Information System web site (www.labins.org). Mean High Water is based upon extending published datum from Mean High Water data point #38, Palm Beach County, Quad nome Riviera Beach. Mean High Water Line = 0.16' (N.A.V.D. 88); Range = 2.61'; Mean Low Water Line = -2.45'.
10. Abbreviation Legend: P.B.C. = Palm Beach County; P.B. = Plat Book; PG. = Page; O.R.B. = Official Records Book; P.B.C.R. = Palm Beach County Records; A/C = Air Conditioning; CONC. = Concrete; L = Length; W = Width; Δ = Delta Angle; M.H.W.L. = Mean High Water Line; PRM = Permanent Reference Monument; R = Radius; F.P.L. = Florida Power & Light Company; G.P.S. = Global Positioning System; L.B. = Licensed Business; N.G.V.D. = National Geodetic Vertical Datum; P.S.M. = Professional Surveyor and Mapper; N.A.V.D. = North American Vertical Datum.
11. Data shown hereon are based on a Real-Time Kinematic (RTK) G.P.S. survey which is certified to 2 Centimeter local accuracy, relative to the nearest National Geodetic Survey (NGS) Geodetic Station as surveyed in the field on June 24, 2008.
 Station Observed: "R 402" (PID = AD8029) Palm Beach County.

Equipment

GPS Receiver: Trimble RB 5800 RTK
 Software: Trimble Geomatics Office, Version Number 1.63
 Method: Wide Area Continuously Operating GPS Station Network.

12. Location of Sub-Aqueous pipeline was recreated from plans provided by Florida Power & Light and created by Ebasco Services Incorporated New York. Plan number "904-G-164033", with a last revision date of 8/22/62. The pipeline was not physically located by Aviom & Associates.

REVISIONS			AVIOM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL: (561) 392-2804, FAX (561) 394-7126 www.AVIOM-SURVEY.COM <small>©1991 AVIOM & ASSOCIATES, INC. All rights reserved. This drawing is the property of AVIOM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.</small>	JOB NO. <u>0461-3</u> SCALE <u>1" = 100'</u> DATE <u>12/21/09</u> BY <u>A.M.R.</u> CHK'D. <u>M.D.A.</u> F.B. <u>PG.</u> SHEET <u>3</u> OF <u>3</u>
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EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

STATE PLANE COORDINATES

LETTER	NORTHING	EASTING	DESCRIPTION
A	884300.201	965383.901	P.O.C.
B	884446.308	966056.201	P.O.B.
C	884548.353	965900.180	M.H.W.L.
D	884885.456	966415.583	ESMT @ I.C.W.W.
E	885315.317	967943.145	EASEMENT
F	884485.629	966422.817	ESMT @ I.C.W.W.

(SEE NOTE # 6 & # 11 ON SHEET 3 OF 8)

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N86°21'42"W	9.71'
L1A	N27°46'13"E	2.93'
L1B	N01°21'03"E	21.25'
L2	N88°28'04"W	41.17'
L3	N89°16'13"W	24.59'
L4	S89°49'02"W	26.47'
L5	N87°45'13"W	48.51'
L6	N00°35'29"W	14.38'
L7	N88°12'30"W	18.16'
L8	N00°01'45"E	23.34'
L9	S88°49'19"E	16.27'
L10	N02°39'38"E	3.56'
L11	N00°37'16"E	32.22'
L12	N00°00'36"E	22.08'
L13	N45°42'11"E	7.30'
L14	S88°50'59"E	61.60'
L15	S89°09'59"E	44.87'
L16	S88°46'05"E	39.17'
L17	N00°00'38"E	1.97'
L18	N88°49'47"W	20.85'

NOT A FIELD SURVEY

MEAN HIGH WATER = 0.16' (N.A.V.D.88)
 RANGE = 2.01'
 MEAN LOW WATER = -2.45' (N.A.V.D.88)
 (SEE NOTES 7, 8 & 9 ON SHEET 3 OF 8)

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE
 IS NOT INTENDED TO BE THE LEGAL BOUNDARY
 BETWEEN PRIVATE AND STATE OWNERSHIP.

REVISIONS



AVIOM & ASSOCIATES, INC.
SURVEYING & MAPPING

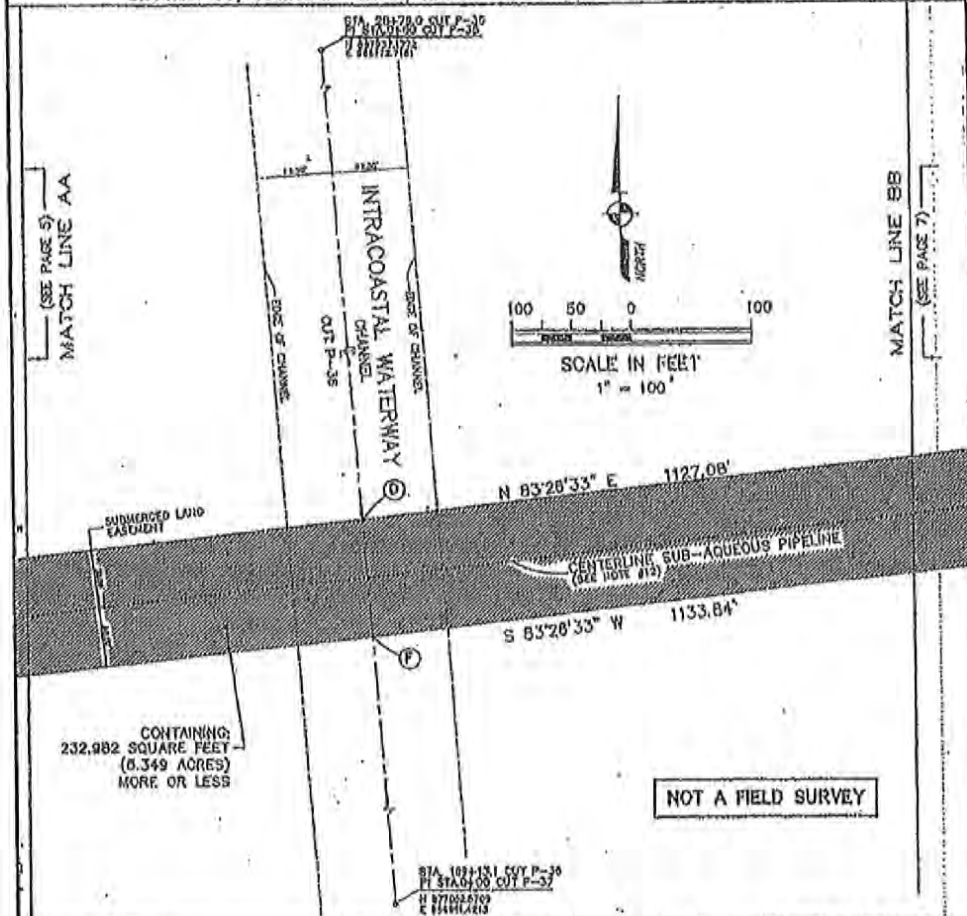
60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
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JOB NO.	0481-B
SCALE	1" = 100'
DATE	12/21/09
BY	A.M.R.
CHK'D.	M.D.A.
P.B.	P.G.
SHEET	4 OF 8

EXHIBIT "A" SUBMERGED LAND EASEMENT RIVIERA POWER PLANT DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



REVISIONS

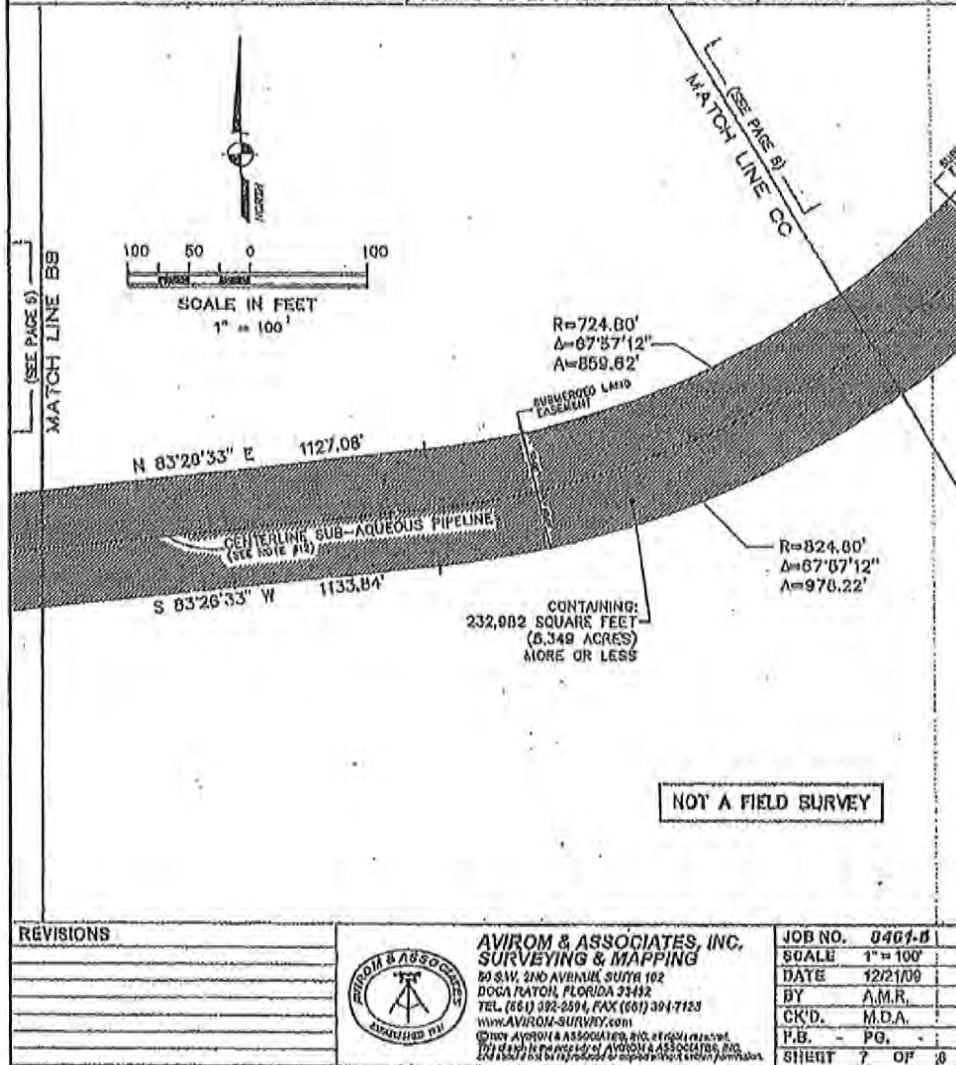


AVIROM & ASSOCIATES, INC.
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60 S.W. 2ND AVENUE, SUITE 102
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JOB NO.	8491-0
SCALE	1" = 100'
DATE	12/21/09
BY	A.M.H.
CKD.	M.D.A.
P.L.	PG.
SHEET	6 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



REVISIONS



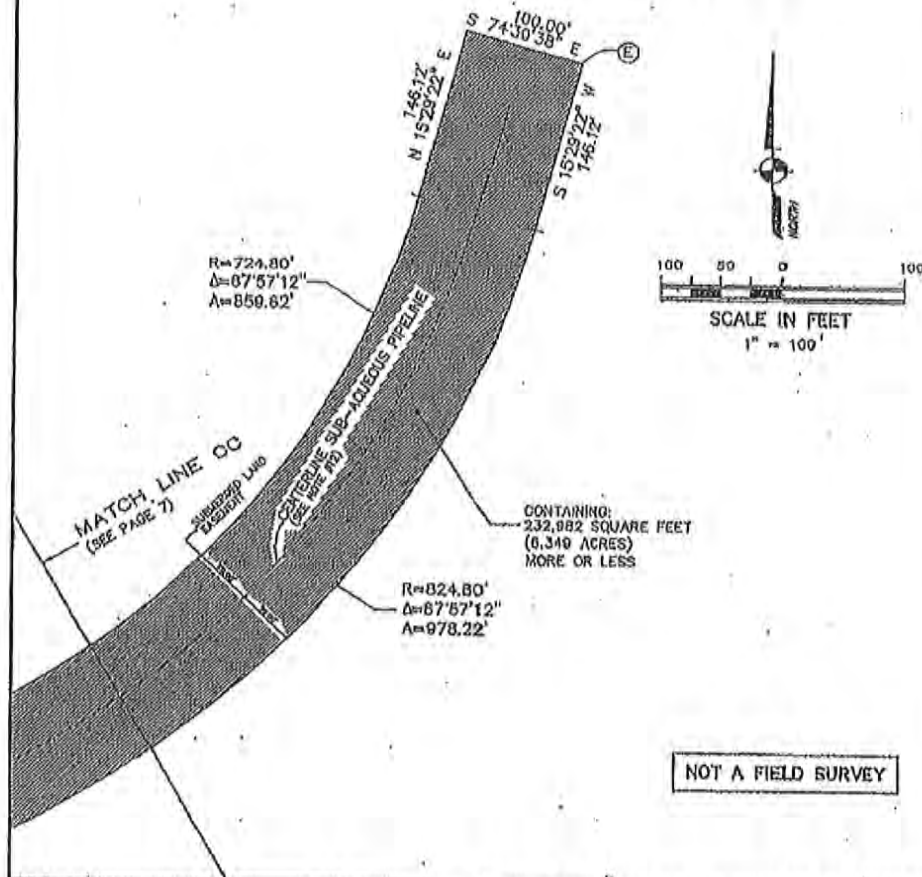
AVIRON & ASSOCIATES, INC.
SURVEYING & MAPPING

50 S.W. 2ND AVENUE, SUITE 102
 DOGA RATCH, FLORIDA 33432
 TEL. (861) 392-2594, FAX (861) 394-7123
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JOB NO.	0461-B
SCALE	1" = 100'
DATE	12/21/06
BY	A.M.R.
CK'D.	M.D.A.
P.B.	- PG. -
SHEET	7 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



NOT A FIELD SURVEY

REVISIONS



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JOB NO.	8401-5
SCALE	1" = 100'
DATE	12/21/09
BY	A.M.R.
CHKD.	M.D.A.
P.B.	P.G.
SHEET	8 OF 8



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

Utility Crossing #2
Attachment #4

REPLY TO
ATTENTION OF

MAY 20 2013

Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section
SAJ-2009-03010(NW-SLR)

Florida Power and Light Company
c/o Randall R. LaBauve
700 Universe Boulevard
Juno Beach, Florida 33408

Dear Mr. LaBauve:

The U.S. Army Corps of Engineers (Corps) assigned your application for a Department of the Army permit, which the Corps received on April 30, 2013, the file number SAJ-2009-03010(NW-SLR). A review of the project as proposed the applicant proposes to conduct maintenance to an existing intake culvert and warm water discharge pipe. The accumulated sediment within the culvert and pipe will be removed and deposited on a self-contained upland spoil site. No work beyond the concrete walls of the culvert and pipe are proposed. Control devices will be placed at the end of the warm water discharge pipe during the maintenance in order to collect the spoil material. The project is located within the Intracoastal Waterway adjacent to 200 Broadway A, in Section 33, Township 42 South, Range 43 East, Riviera Beach, Palm Beach County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 3. In addition, project specific conditions have been enclosed. This verification is valid until **March 18, 2017**. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Internet page to access Internet links to view the Final Nationwide Permits, Federal Register Vol. 77, dated February 21, 2012, specifically pages 10270 – 10290, the Corrections to the Final Nationwide Permits, Federal Register 77, March 19, 2012, and the List of Regional Conditions. The Internet page address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this

verification for NWP 3. Enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. As-Built with X-Y Coordinates: Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attached) to the Corps. The drawings shall be signed and sealed by a Florida registered professional engineer or a professional land surveyor registered in the state of Florida and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure and a point at the mean high water line (MHWL) or the face of the bulkhead/seawall, if present. The drawings shall include: (1) The dimensions of the structure, (2) depth of water (at mean low water) at the waterward end of the structure, and (3) the distance from the waterward end of the structure to the near bottom edge of the channel.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

2. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or

alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. Consent to Easement: A portion of the proposed work is located within the Federal right-of-way for the Intracoastal Waterway and requires a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps Real Estate Division for action on the Consent to Easement. Prior to commencement of construction the Permittee shall provide written verification to the Corps that the Consent to Easement has been approved. Failure to obtain the Consent to Easement invalidates this authorization.

4. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the

permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

5. Turbidity Barriers: Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within one foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.

6. Manatee Conditions: The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2009" provided as an Attachment of this permit.

7. No in-water work is authorized to occur from November 15 through March 31.

8. The Permittee shall place all dredged material in a self-contained, upland disposal site. The Permittee shall maintain the upland disposal site to prevent the discharge of dredged material and associated effluent into waters of the United States.

9. The authorized work is to occur by hand within the existing pipe structures.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this Nationwide permit must qualify for an exemption under section 403.813(1), Florida Statutes or 373.406, Florida Statutes, or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, Florida Statutes, by the Department of Environmental Protection, a water management district under section 373.069, Florida Statutes, or a local government with delegated authority under section 373.441, Florida Statutes, and receive Water Quality Certification and applicable Coastal Zone Consistency Concurrence or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, Florida Statutes, and, as applicable, Chapter 258, Florida Statutes. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural

-5-

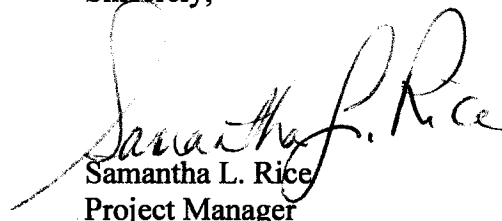
Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact me by telephone at 561-472-3530.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Again, please be aware this Internet address is case sensitive and should be entered as it appears above.

Sincerely,



Samantha L. Rice
Project Manager

Enclosures

Copies Furnished:

Stacy Foster, FPL, Stacy.Foster@fpl.com

Charles C. Isiminger, cisiminger@coastal-engineers.com

CESAJ-RD-PE

CESAJ-RE-M

GENERAL CONDITIONS

33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on **March 18, 2017**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort of if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2009-03010(NW-SLR)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFeree-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

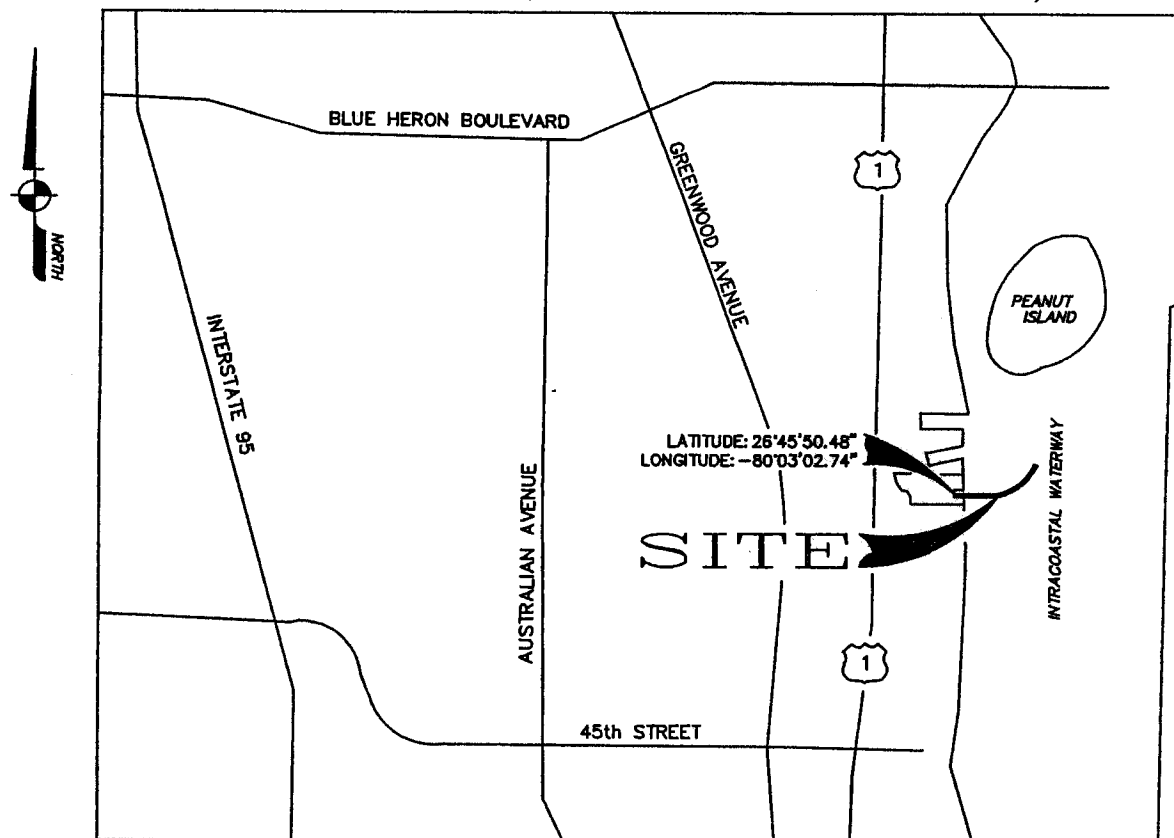
(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

EXHIBIT "A"

SUBMERGED LAND EASEMENT RIVIERA POWER PLANT DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



LOCATION SKETCH
(NOT TO SCALE)

REVISIONS

ADD CHANNEL COORDINATES - 05/07/2013



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JOB NO. 8461-5

SCALE 1" = 100'

DATE 12/21/09

BY A.M.R.

CKD. M.D.A.

F.B. - PG. -

SHEET 1 OF 8

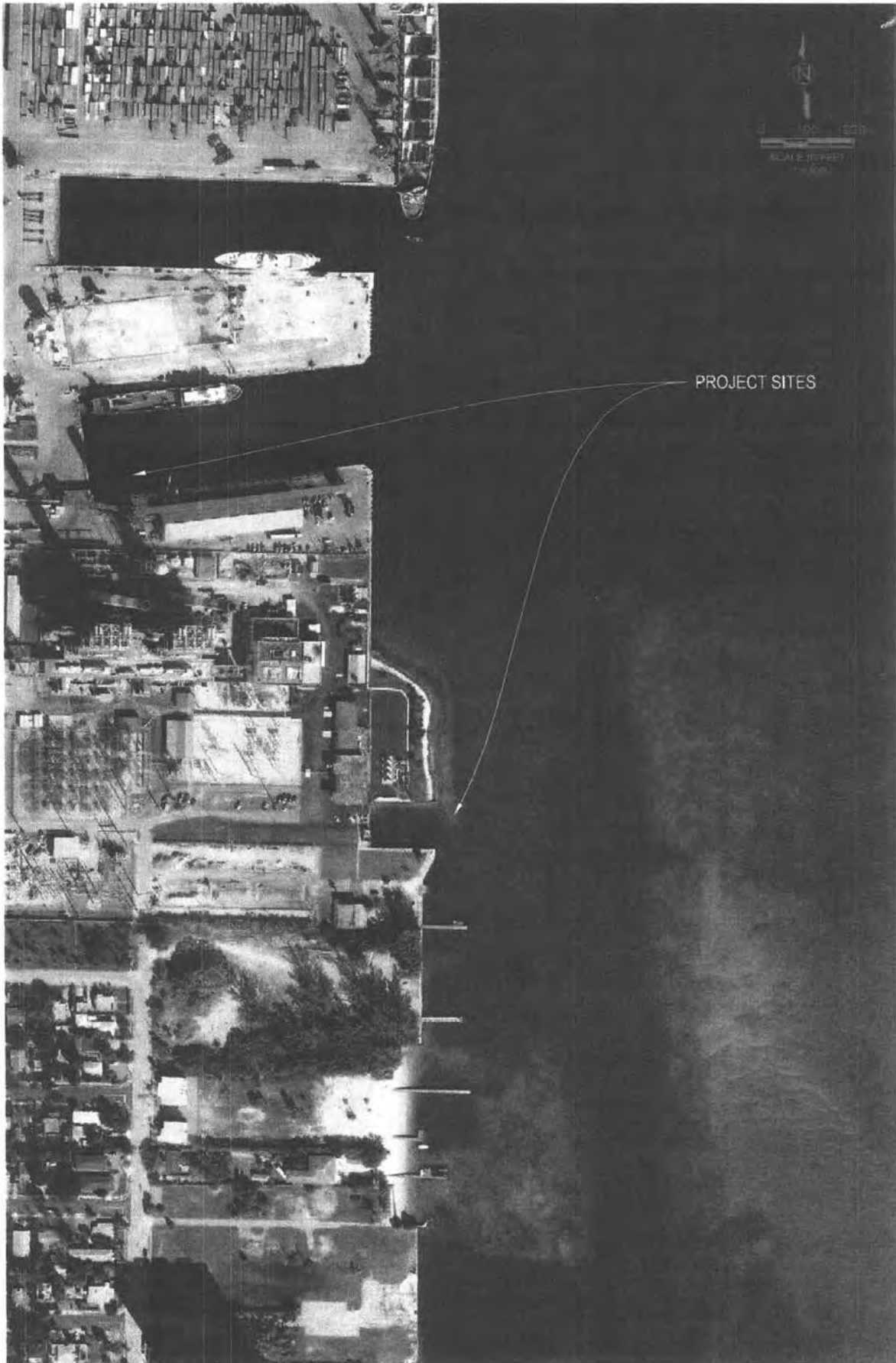
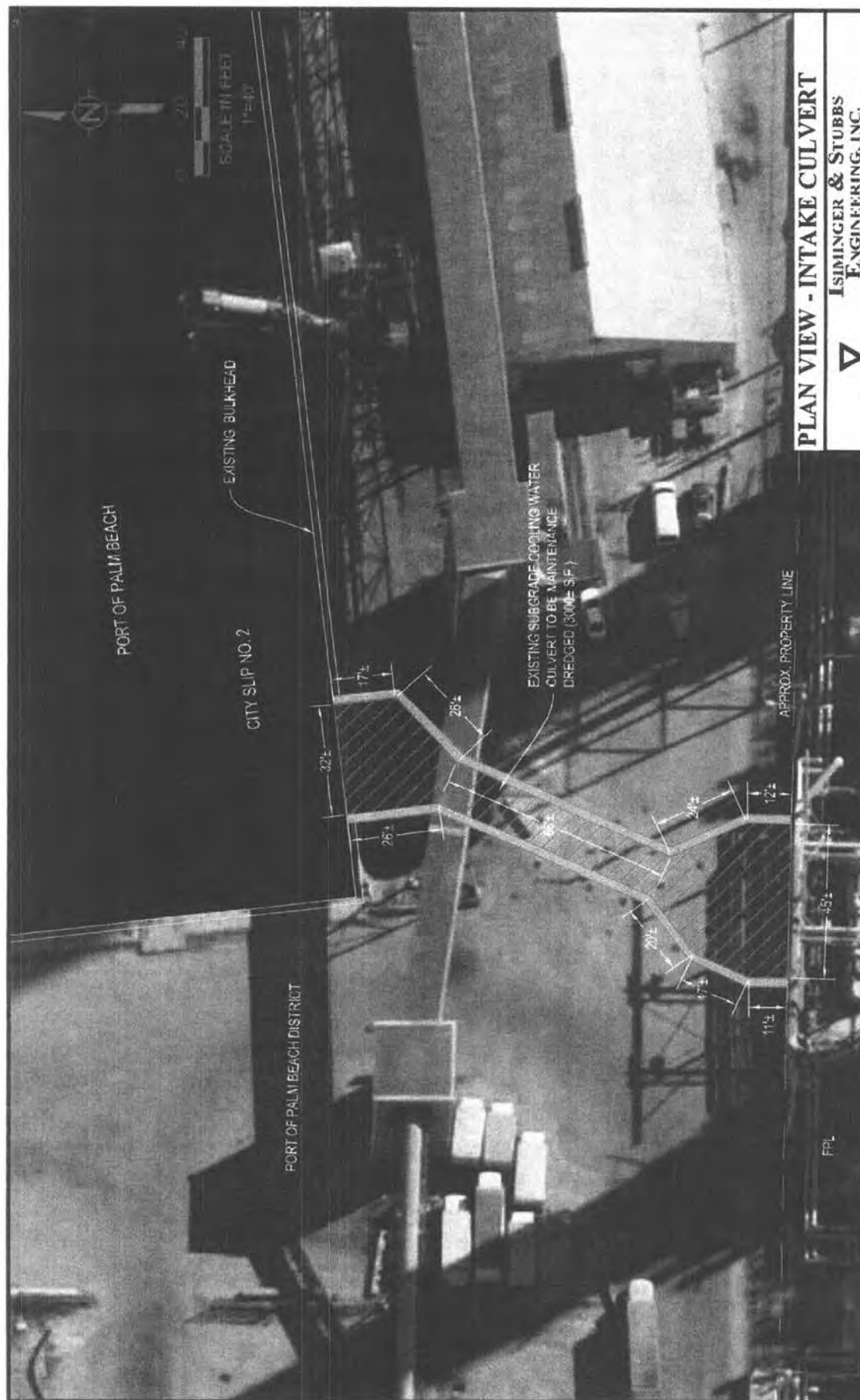


IMAGE FROM 2011 PALM BEACH COUNTY AERIALS



PLAN VIEW - INTAKE CULVERT

ISIMINGER & STUBBS
ENGINEERING, INC.

COASTAL - ENVIRONMENTAL - MARINE
CERTIFICATE OF AUTHORIZATION NUMBER: 814
P.O. BOX 14162 - NORTH PALM BEACH, FL 33402-0602

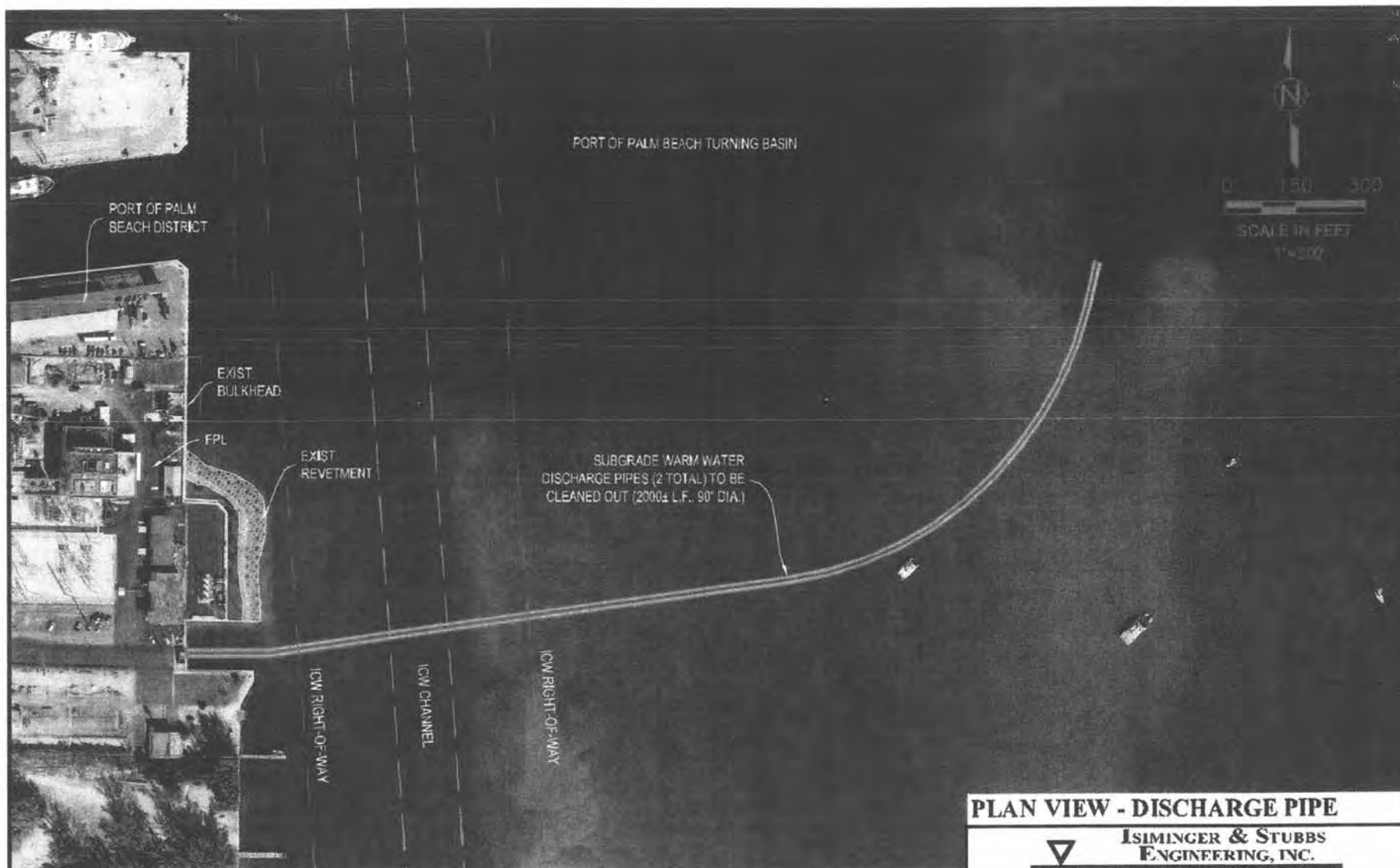
PROPOSED MAINTENANCE DREGGING
LAKE WORTH/PORT OF PALM BEACH
RIVIERA BEACH ENERGY CENTER
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FL
APPLICANT: FPL

DATE	4/13	DRAWN	KDB	CHKD	KDB	APPRVD	CCI
DWG NO.	13031A2						
COMPUTER FILE NO.	13031A						
SHEET							2
OF							3

Charles C. Isiminger, P.E.
License No. 39520 Electronic
signature and seal pursuant
to 61G15-23.003 (3), F.A.C.
2013.04.25 16:51:34 -04'00'

- NOTES:
- EXISTING LOCATIONS ARE APPROXIMATE, BASED ON PLANS BY EBASCO SERVICES INC., JOB NO. 904-G-184033.
 - 2011 AERIAL FROM PALM BEACH COUNTY.

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



NOTES:

1. EXISTING LOCATIONS ARE APPROXIMATE, BASED ON PLANS BY EBASCO SERVICES INC., JOB NO. 904-G-164033.
2. 2011 AERIAL FROM PALM BEACH COUNTY.
3. LOCATIONS OF ICW CHANNEL, ICW RIGHT-OF-WAY, AND PORT OF PALM BEACH CHANNEL FROM F.I.N.D.

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.

Charles C. Isiminger, P.E.
License No. 39520 Electronic
signature and seal pursuant
to 61G15-23.003 (3), F.A.C.
2013.04.25 16:52:07 -04'00'

PLAN VIEW - DISCHARGE PIPE



**ISIMINGER & STUBBS
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

CERTIFICATE OF AUTHORIZATION NUMBER: 8114

110 BOX 1402 NORTH PALM BEACH, FL 33408-0600

PROPOSED MAINTENANCE DREDGING
LAKE WORTH/PORT OF PALM BEACH
RIVIERA BEACH ENERGY CENTER
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FL
APPLICANT: FPL

DATE	4/13	DRAWN	KDB	CHKD	KOB	APPRVD	CCI
DWG NO.	13031A3					SHEET	3
COMPUTER FILE NO.	13031A					OF	3

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

LAND DESCRIPTION:

A portion of submerged lands lying within the Intracoastal Waterway, in Section 33, Township 42 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:


COMMENCING at the Northeast corner of Lot 1, of KNOWLES COURT ADDITION according to the plat thereof, as recorded in Plat Book 9, Page 82 of the Public Records of Palm Beach County, Florida; thence S 88°49'47" E, 645.29 feet to the Mean High Water Line of the Intracoastal Waterway and the Easterly wet-face of an existing concrete sea wall; thence N 01°06'49" E, along said Mean High Water Line and the Easterly wet-face of an existing concrete sea wall 111.88 feet; thence N 27°46'13" E, along said Mean High Water Line and the Easterly wet-face of an existing concrete sea wall 53.60 feet to the POINT OF BEGINNING of a Submerged Land Easement, having a Northing of 884446.308 and Easting of 966056.201; (the next 14 courses being along said Mean High Water Line and the wet-face of an existing concrete sea wall) (L1A) thence continue N 27°46'13" E, 2.93 feet; (L1B) thence N 01°21'03" E, 21.25 feet; (L2) thence N 88°28'04" W, 41.17 feet; (L3) N 89°16'13" W, 24.59 feet; (L4) thence S 89°49'52" W, 26.47 feet; (L5) thence N 87°45'13" W, 48.51 feet; (L6) thence N 00°35'29" W, 14.36 feet; (L7) thence N 89°12'30" W, 16.15 feet; (L8) thence N 00°01'45" E, 23.34 feet; (L9) thence S 88°49'19" E, 16.27 feet; (L10) thence N 02°39'38" E, 3.58 feet; (L11) thence N 00°37'18" E, 32.22 feet; (L17) thence N 00°00'38" E, 1.97 feet; thence along a line being 50 feet northwesterly of and parallel with the centerline of an existing sub-aqueous pipeline for the following 4 courses; S 88°49'47" E, 164.20 feet; thence N 83°26'33" E, 1127.08 feet to a point of curvature of a tangent curve concave to the Northwest; thence Northeasterly along the arc of said curve, having a radius of 724.80 feet and a central angle of 67°57'12", a distance of 859.62 feet; thence N 15°29'22" E, 146.12 feet; thence S 74°30'38" E, 100.00 feet; thence along a line being 50 feet Southeasterly of and parallel with the centerline of an existing sub-aqueous pipeline for the following 4 courses; thence S 15°29'22" W, 146.12 feet to a point of curvature of a tangent curve concave to the Northwest; thence Southwesterly along the arc of said curve, having a radius of 824.80 feet and a central angle of 67°57'12", a distance of 978.22 feet; thence S 83°26'33" W, 1133.84 feet; thence N 88°49'47" W, 20.85 feet to the POINT OF BEGINNING.

The above described easement is situate in Palm Beach County, Florida and containing 232,982 square feet, 5.349 acres, of submerged land, more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 05/07/2013


ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS

ADD CHANNEL COORDINATES - 05/07/2013

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JOB NO. 8461-5

SCALE 1" = 100'

DATE 12/21/09

BY A.M.R.

CK'D. M.D.A.

F.B. - PG. -

SHEET 2 OF 8

EXHIBIT "A"

SUBMERGED LAND EASEMENT RIVIERA POWER PLANT DISCHARGE PIPES

STATE PLANE COORDINATES

LETTER	NORTHING	EASTING	DESCRIPTION
A	884300.201	965383.901	P.O.C.
B	884446.308	966056.201	P.O.B.
C	884549.353	965908.180	M.H.W.L.
D	884585.456	966415.583	ESMT @ I.C.W.W.
E	885315.317	967943.145	EASEMENT
F	884485.629	966422.817	ESMT @ I.C.W.W.
G	884592.600	966477.730	ESMT @ CHANNEL
H	884492.773	966484.963	ESMT @ CHANNEL
I	884478.485	966360.670	ESMT @ CHANNEL
J	884578.312	966353.436	ESMT @ CHANNEL
(SEE NOTE # 6 & # 11 ON SHEET 3 OF 8)			

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N86°21'42"W	9.71'
L1A	N27°46'13"E	2.93'
L1B	N01°21'03"E	21.25'
L2	N88°28'04"W	41.17'
L3	N89°16'13"W	24.59'
L4	S89°49'52"W	26.47'
L5	N87°45'13"W	48.51'
L6	N00°35'29"W	14.36'
L7	N89°12'30"W	16.15'
L8	N00°01'45"E	23.34'
L9	S88°49'19"E	16.27'
L10	N02°39'38"E	3.58'
L11	N00°37'18"E	32.22'
L12	N00°00'38"E	22.98'
L13	N45°42'11"E	7.30'
L14	S88°50'59"E	61.60'
L15	S89°09'59"E	44.57'
L16	S88°46'05"E	39.17'
L17	N00°00'38"E	1.97'
L18	N88°49'47"W	20.85'

NOT A FIELD SURVEY

MEAN HIGH WATER = 0.16' (N.A.V.D.88)
 RANGE = 2.61'
 MEAN LOW WATER = -2.45' (N.A.V.D.88)
 (SEE NOTES 7, 8 & 9 ON SHEET 3 OF 8)

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE
 IS NOT INTENDED TO BE THE LEGAL BOUNDARY
 BETWEEN PRIVATE AND STATE OWNERSHIP.

REVISIONS

ADD CHANNEL COORDINATES - 05/07/2013



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JOB NO. 8461-5

SCALE 1" = 100'

DATE 12/21/09

BY A.M.R.

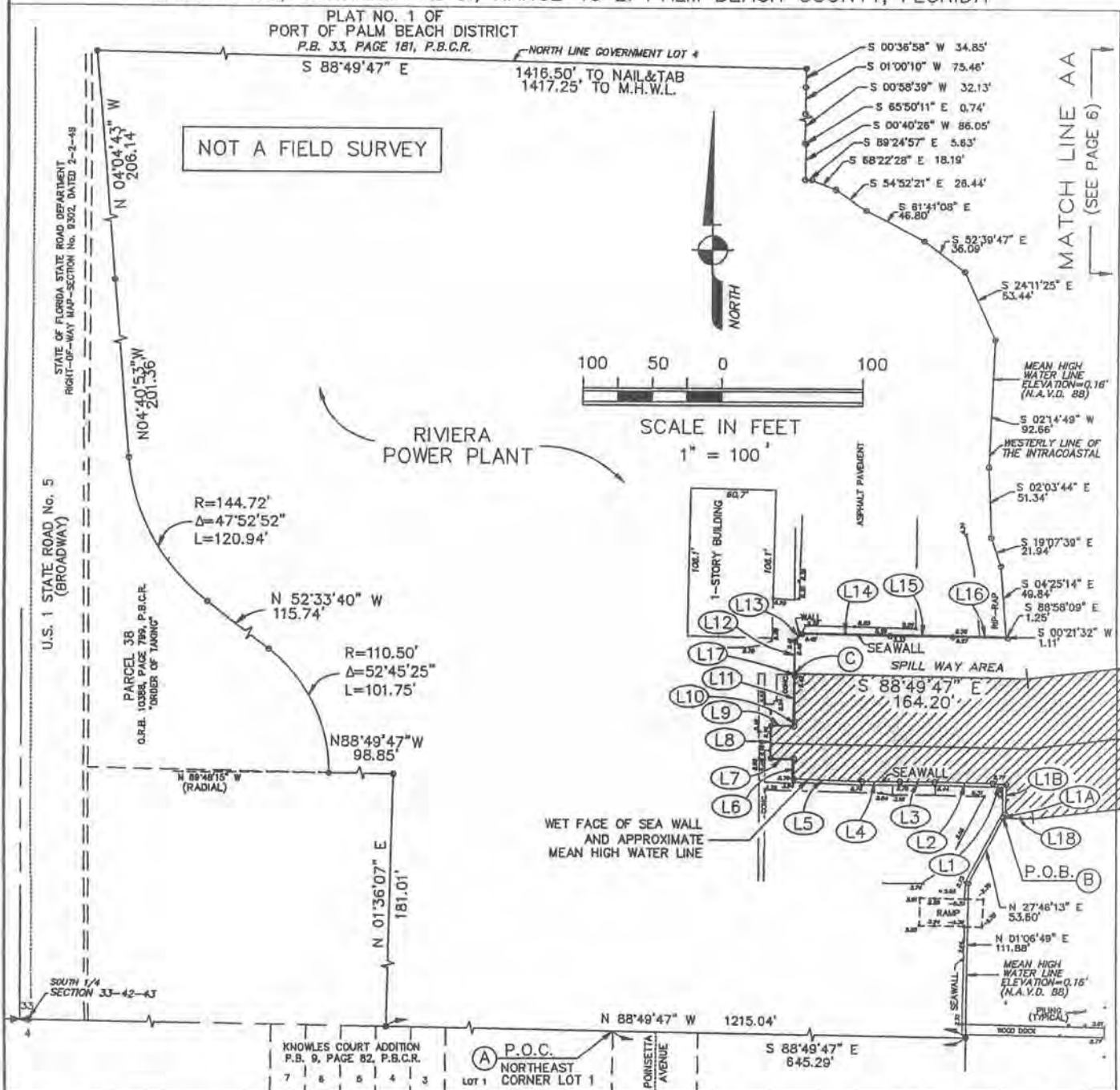
CK'D. M.D.A.

F.B. - PG. -

SHEET 4 OF 8

EXHIBIT "A" SUBMERGED LAND EASEMENT RIVIERA POWER PLANT DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



REVISIONS

ADD CHANNEL COORDINATES - 05/07/2013



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DATE 12/21/09

BY A.M.R.

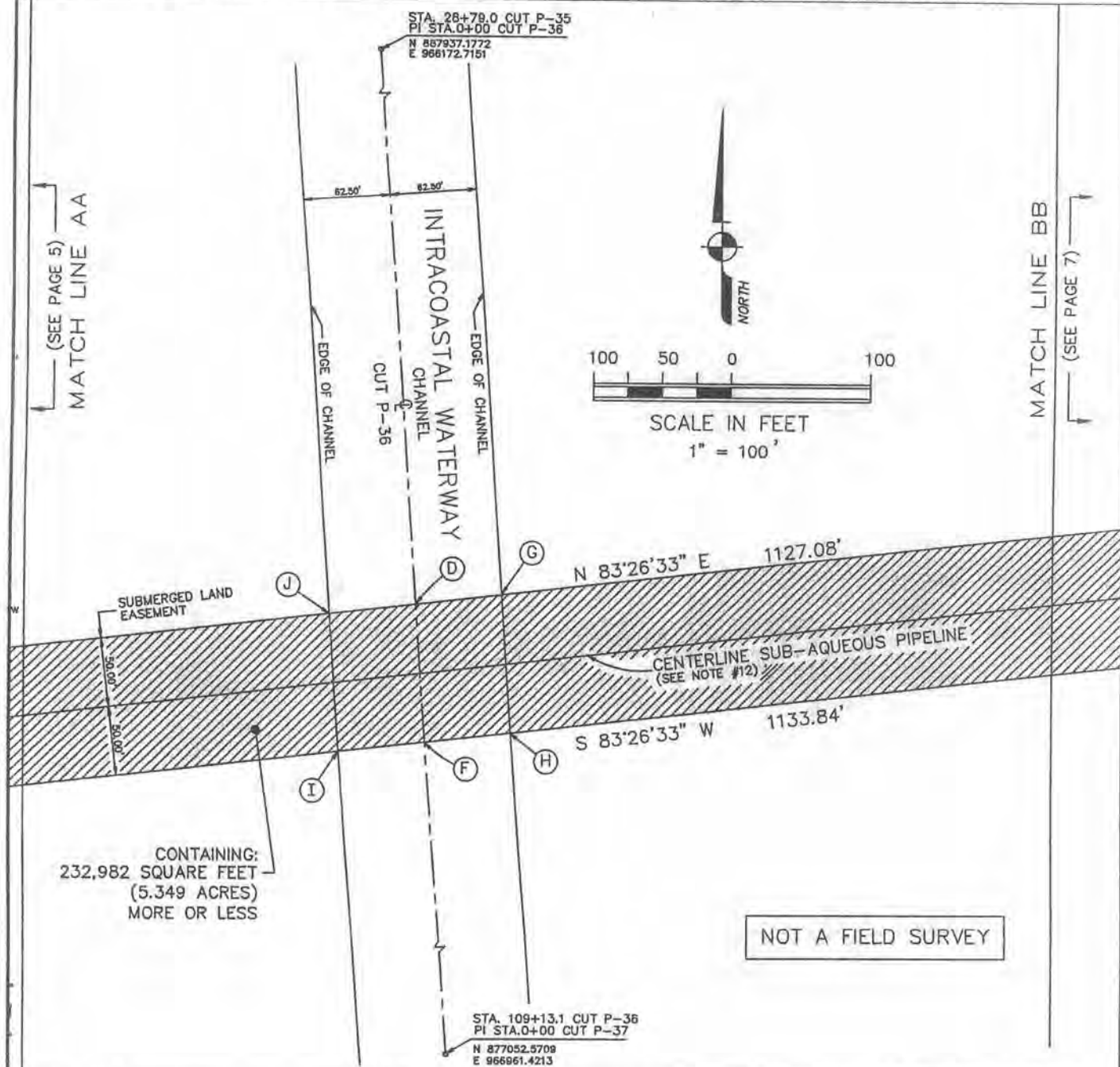
CK'D. M.D.A.

F.B. - PG. -

SHEET 5 OF 8

EXHIBIT "A" SUBMERGED LAND EASEMENT RIVIERA POWER PLANT DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



REVISIONS

ADD CHANNEL COORDINATES - 05/07/2013



AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING

50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2894, FAX (561) 394-7126
www.AVIROM-SURVEY.com

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JOB NO. 8461-5

SCALE 1" = 100'

DATE 12/21/09

BY A.M.R.

CK'D. M.D.A.

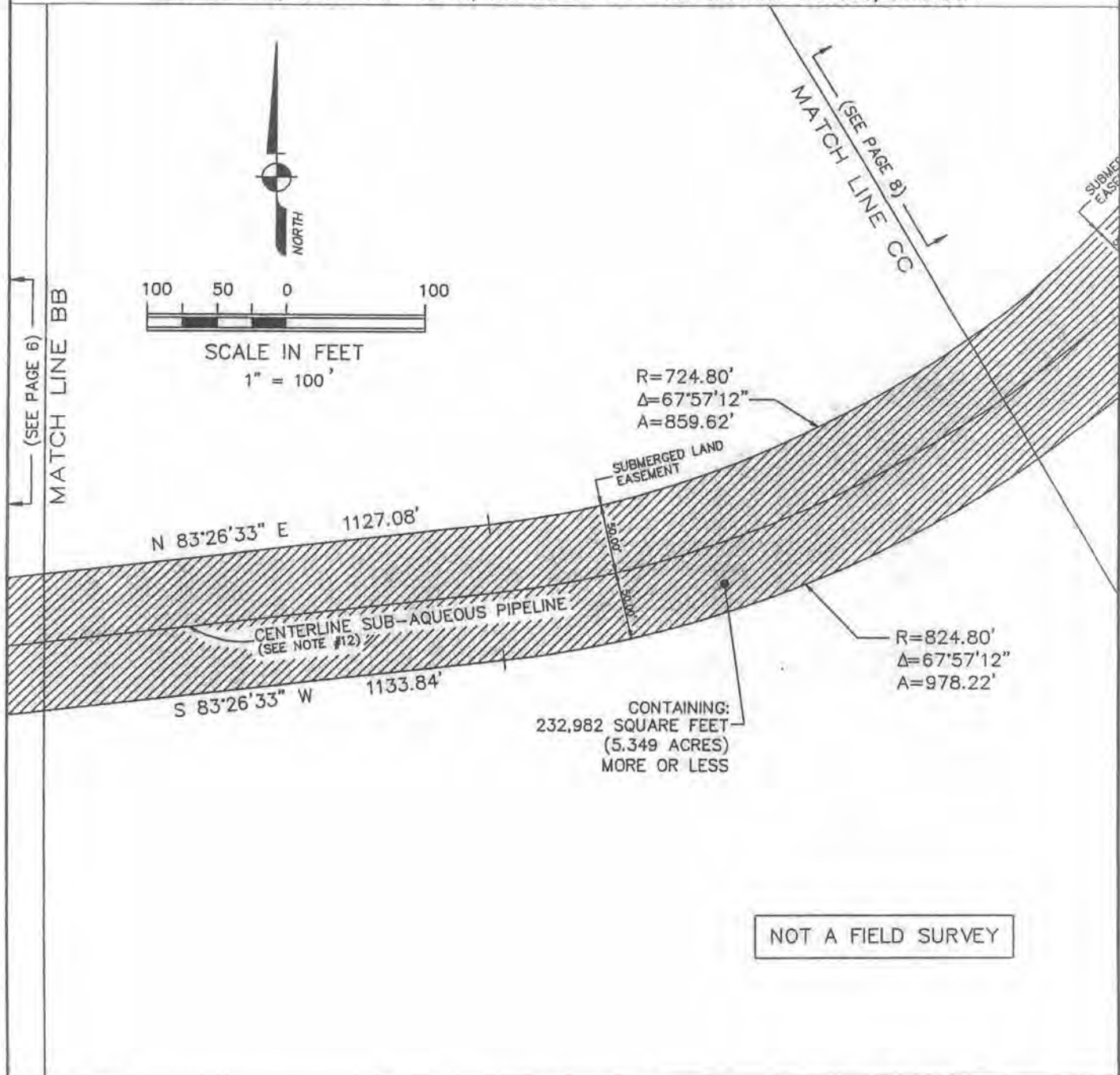
F.B. - PG. -

SHEET 6 OF 8

EXHIBIT "A"

SUBMERGED LAND EASEMENT RIVIERA POWER PLANT DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



NOT A FIELD SURVEY

REVISIONS

ADD CHANNEL COORDINATES - 05/07/2013



AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING

60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
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JOB NO. 8461-5

SCALE 1" = 100'

DATE 12/21/09

BY A.M.R.

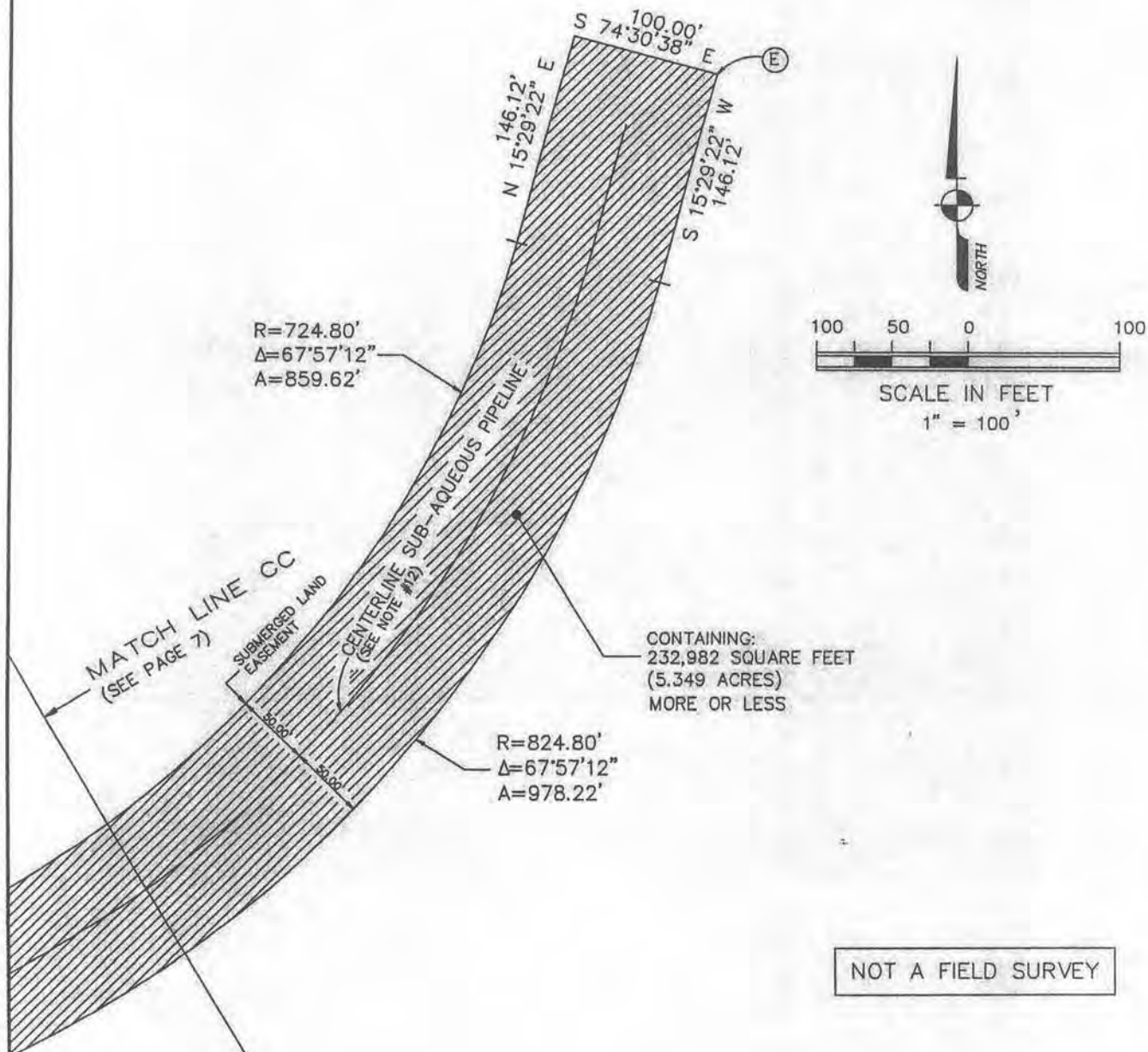
CK'D. M.D.A.

F.B. - PG. -

SHEET 7 OF 8

EXHIBIT "A" SUBMERGED LAND EASEMENT RIVIERA POWER PLANT DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



NOT A FIELD SURVEY

REVISIONS

ADD CHANNEL COORDINATES - 05/07/2013



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JOB NO. 8481-5

SCALE 1" = 100'

DATE 12/21/09

BY A.M.R.

CK'D. M.D.A.

F.B. - PG. -

SHEET 8 OF 8

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at myfwc@myfwc.com.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

1-888-404-FWCC(3922)



AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, Jose Rivera, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida, 33410. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3131.

1. Department of the Army Permit Number: SAJ-2009-03010(NW-SLR)

2. Permittee Information:

Name: _____

Address: _____

3. Project Site Identification (physical location/address):

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (Please type)

(FL, PR, or VI) Reg. Number

Company Name

City

State

ZIP

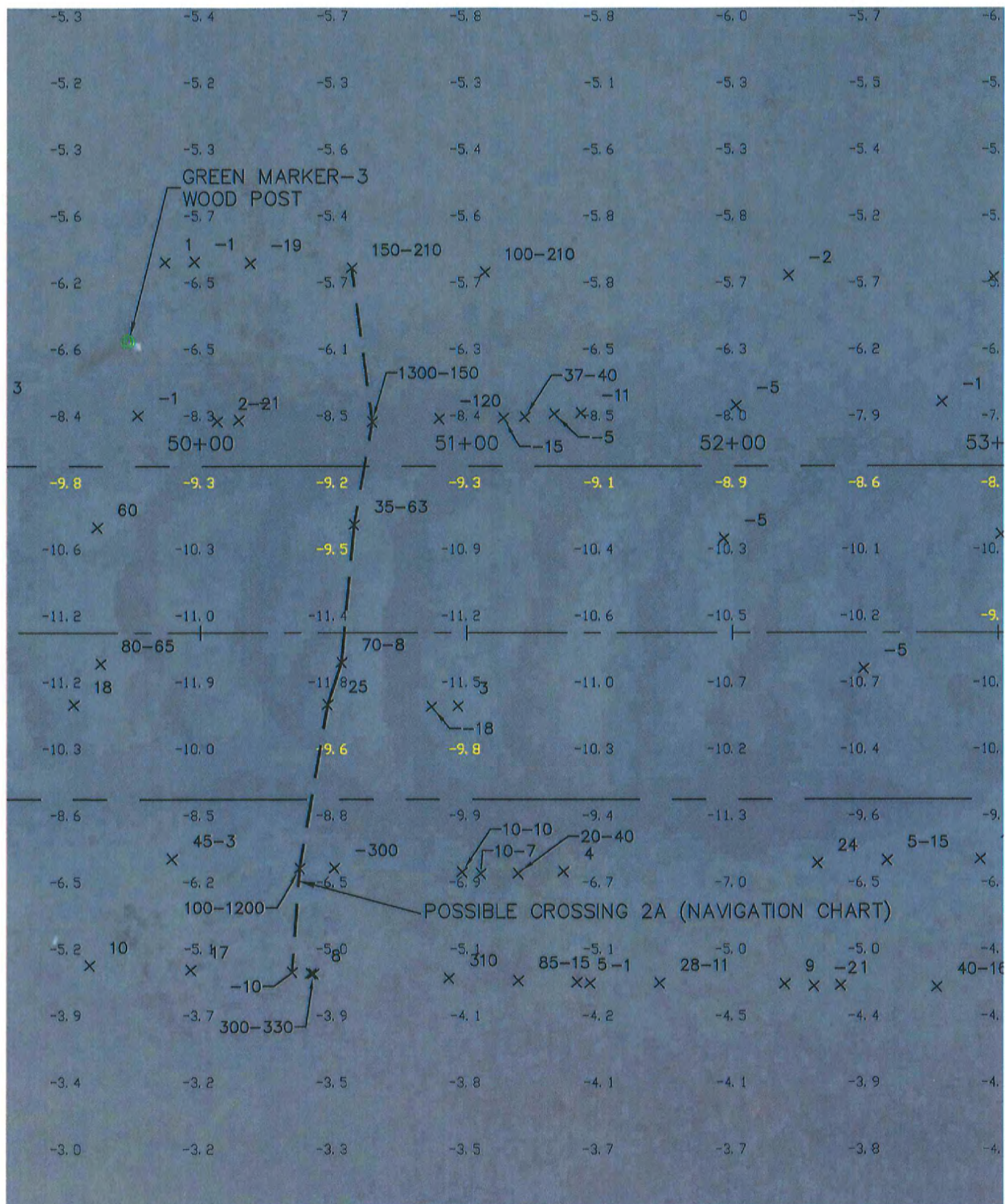
(Affix Seal)

Date

Telephone Number

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Crossing # 2A



Yehya Siddiqui

From: BEDWARD, GARTH A <gb7410@att.com>
Sent: Tuesday, June 20, 2017 11:13 AM
To: Yehya Siddiqui
Subject: RE: Utility Crossings

Yehya,

Additionally, AT&T has a crossing from 54th St, West Palm Beach to Kenlyn Rd, Palm Beach. Please, make a note of this location. The subaqueous cable was damaged by a tug boat several years ago. The facility was retired in place.

Cordially,

Garth Bedward, MBA
Manager OSP Plng & Eng Design
Construction & Engineering-SE

AT&T
120 North K St, Room 3D-05, Lake Worth, FL 33460
561.540.9263 | gb7410@att.com

MOBILIZING YOUR WORLD

From: Yehya Siddiqui [<mailto:YSiddiqui@TaylorEngineering.com>]
Sent: Tuesday, June 20, 2017 8:40 AM
To: BEDWARD, GARTH A <gb7410@att.com>
Subject: RE: Utility Crossings

Please see attached file. I have reduced the pdf size, this may reduce image quality.

From: BEDWARD, GARTH A [<mailto:gb7410@att.com>]
Sent: Monday, June 19, 2017 10:02 AM
To: Yehya Siddiqui <YSiddiqui@TaylorEngineering.com>
Subject: FW: Utility Crossings

Yehya,

Please, forward the files to me. I was not able to download them from the link. My email server will accept PDF files to 10MB.

Cordially,

Garth Bedward, MBA
Manager OSP Plng & Eng Design
Construction & Engineering-SE

AT&T

120 North K St, Room 3D-05, Lake Worth, FL 33460
561.540.9263 | gb7410@att.com

MOBILIZING YOUR WORLD

From: KEEVE, OTIS T
Sent: Monday, June 19, 2017 8:18 AM
To: BEDWARD, GARTH A <gb7410@att.com>
Cc: ELLZEY, JONATHAN <je3403@att.com>
Subject: FW: Utility Crossings

Good luck!

From: Yehya Siddiqui [<mailto:YSiddiqui@TaylorEngineering.com>]
Sent: Friday, June 16, 2017 8:30 AM
To: KEEVE, OTIS T <ok1184@att.com>
Subject: FW: Utility Crossings

Good Morning Otis,

Taylor Engineering is currently working in the process of permitting and designing a dredging project in Palm Beach. The project is located in the Intracoastal Waterway, between the Port of Palm Beach and the Town of Palm Beach Docks in Palm Beach County. The length of the section is approximately 4.5 miles. This portion of the ICWW channel has not received maintenance dredging since its original construction in the 1960's; thus, the overall project intent is to restore the shoaled areas (presently impeding navigation) to their federally authorized depths. Federally-authorized navigation channel specifications include a 125-ft-wide, 3:1 side slopes, and a bottom elevation of -10 ft Mean Lower Low Water (MLLW) with an allowable 2-ft overdredge depth.

Taylor Engineering contracted Morgan & Eklund to conduct a thorough survey of the channel to locate any utilities within our dredging prism. Morgan & Eklund found 3 potential utility crossings that belong to AT&T. Other utilities were identified, but we do not have any data on whom they belong to. Could you please verify that these do not belong to AT&T.

All the supporting documents that we have for each crossing are on the FTP site:

<ftp://storagebox.us>

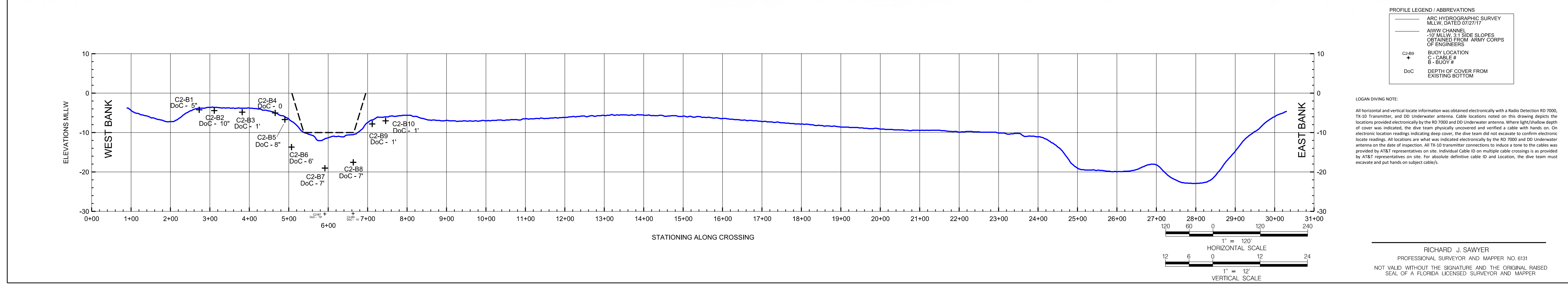
User Name: UTIL

Password: C0nt0s0

Refer to folders AT&T Crossings and Unknown Utilities.

Please forward this e-mail to the best contact you may have who can provide us with **as-built drawings** so we can determine the depth of each crossing. Please let me know if you have any questions.

Thank you,



Crossing # 3

DEPARTMENT OF THE ARMY

Utility Crossing #3 - #4
Attachment #1

NOTE.—It is to be understood that this instrument does not give any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State assent to the work authorized. ~~It merely expresses the assent of the Federal Government so far as concerns the Federal lands of jurisdiction.~~ (See *Cummings v. Chicago*, 188 U. S., 410.)

16-13168-2

PERMIT

SAJSP Permits (68-413)

District Engineer, Corps of Engineers.
Jacksonville, Florida
12 July _____, 19 68

Florida Public Utilities Company
c/o Gee & Jenson
2019 Okeechobee Blvd.
West Palm Beach, Florida 33401

Gentlemen:

Referring to written request dated 7 May 1968,

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army, to install a 6-inch subaqueous gas main, buried in a trench,
(Here describe the proposed structure or work.)

in and across the Intracoastal Waterway, Jacksonville to Miami, Lake Worth,
(Here to be named the river, harbor, or waterway concerned.)

at from 45th Street in West Palm Beach to Monterey Road in Palm Beach, Florida.
(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans shown on the drawing attached hereto marked:
(Or drawings; give file number or other definite identification marks.)

Proposed Subaqueous Gas Line

subject to the following conditions:

(a) That the work shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pipe, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit therefor must be previously obtained from the Supervisor of New York Harbor, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use by the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the Secretary of the Army, to remove or alter the structural work or obstructions caused thereby without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the United States, and to such extent and in such time and manner as the Secretary of the Army may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the United States on account of any such removal or alteration.

(g) That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

(h) That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the U. S. Coast Guard, shall be installed and maintained by and at the expense of the owner.

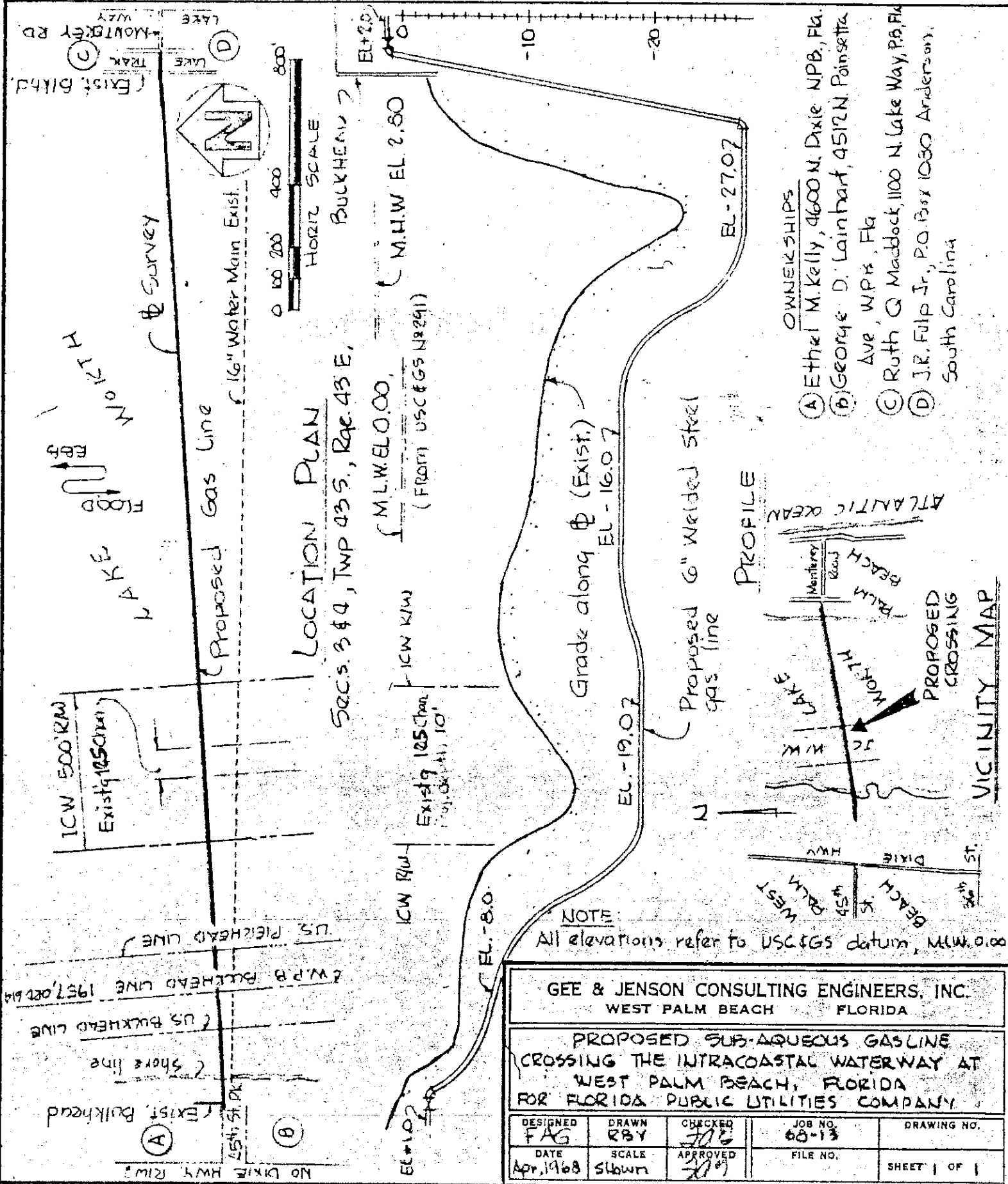
(i) That the permittee shall notify the said district engineer at what time the work will be commenced, and as far in advance of the time of commencement as the said district engineer may specify, and shall also notify him promptly, in writing, of the commencement of work, suspension of work, if for a period of more than one week, resumption of work, and its completion.

(j) That if the structure or work herein authorized is not completed on or before the 31st day of December, 1971, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

(k) That the permittee shall comply promptly with any regulations, conditions, or instructions affecting the work hereby authorized if and when issued by the Federal Water Pollution Control Administration and/or the State water pollution control agency having jurisdiction to abate or prevent water pollution. Such regulations, conditions, or instructions in effect or prescribed by the Federal Water Pollution Control Administration or State agency are hereby made a condition of this permit.

By authority of the Secretary of the Army:

John F. McElhenry
for JOHN F. McELHENRY
Colonel, Corps of Engineers
District Engineer



Crossing # 4

POSSIBLE CROSSING #4
FLORIDA PUBLIC
UTILITIES CO. EASEMENT
LOCATION NOT KNOWN

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Observations & Photos 4

Recommendations 5

Plan & Profile Drawings..... Sheets 1-3

PROFESSIONAL MARINE CONSULTING
St. Augustine, Florida
Underwater Pipeline Inspection Report

Owner: Florida Public Utilities

Date: May 30, 2017

Address: 209 N Sapodilla Ave
West Palm Beach, Florida 33401

Telephone: 561-723-3483

Company
Representative: James Rolle

Lead Diver: Donald Saphore
Diver Tender: Chris Leo
Chris Scott

Weather Conditions: Clear & Windy

Water Conditions: Calm

Water Temp: 79°

Line Data:

City, State: West Palm Beach, Florida
River or Lake: Intracoastal Waterway

Line Number: 45th St & Gettler Park
Size: 6 inches
Max Water Depth: 28 feet
No. of crossings: 1

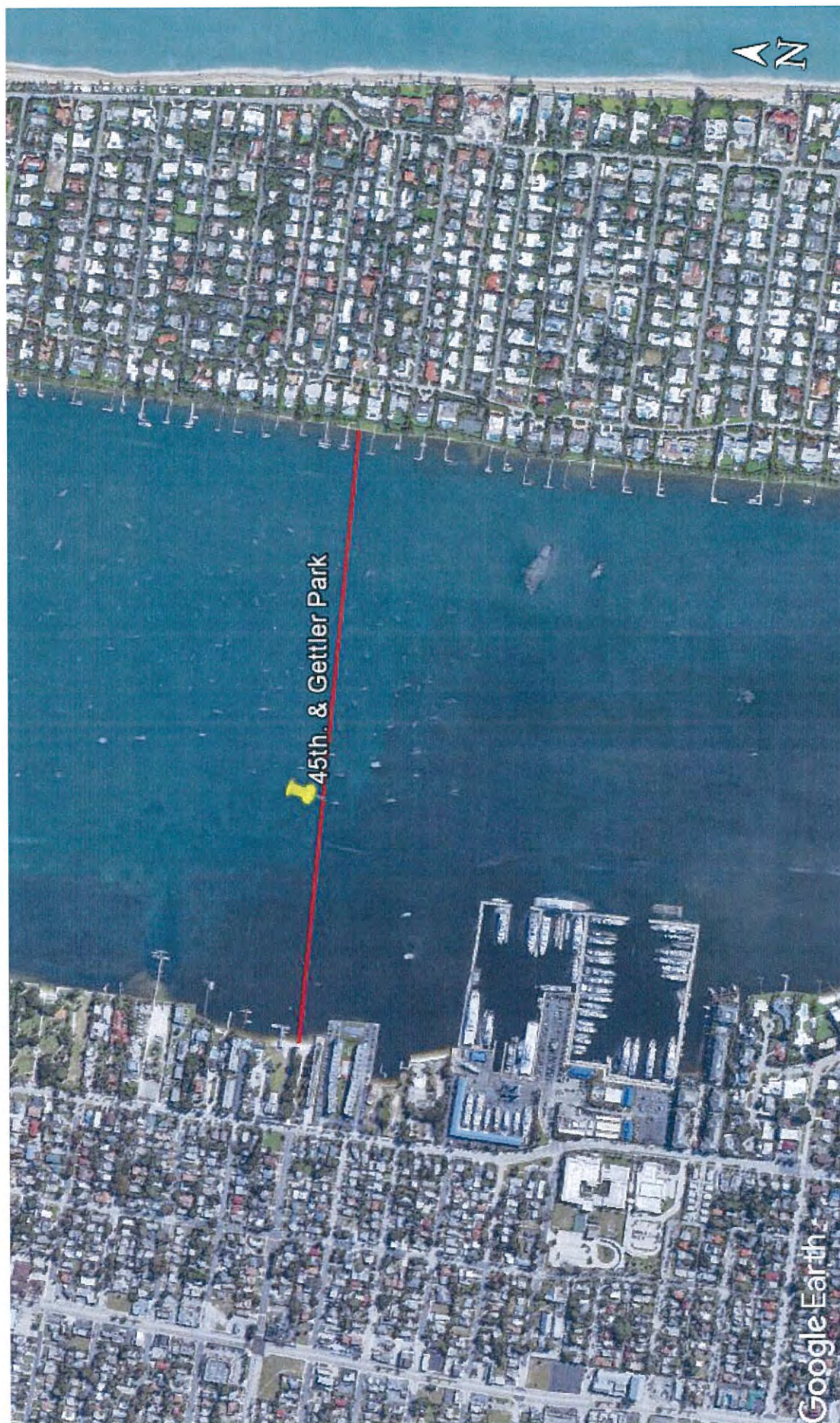
Line Condition Data:

Maximum Coverage over pipe: 62 inches
Minimum Coverage over pipe: 15 inches
Amount of Exposed pipe: NONE
Amount of Suspended pipe: NONE
Debris Accumulation: NONE
Bottom Material: Sand & Silt

Location Map



Satellite Map



Utilizing operator qualified commercial divers using surface supplied air, underwater lighting and underwater communications made the following observations. Depth of coverage over the pipe was determined by using the Underwater Pipeline Locator. The pipeline locator portion of this equipment is hand carried by our diver as he transverses the entire river bottom. The Electrolyte readings were obtained by using the M.C. Miller model Ag/AgCl Seawater # 13100 Electrode and FLUKE 73III multimeter.

Pipeline Observation:

1. Professional Marine Consulting (PMC) utilized their twenty-four-foot dive boat, which was needed to perform this underwater pipeline inspection.
2. Boat Ramp is located approximately 2.25 miles north of pipeline. The GPS coordinates at the boat ramp were N° 26 47.077 W 80° 02.502.
3. Our dive team attached the transmitter to the test station that is connected to this pipeline. This test station was shown to us by your company representative and is located approximately 40+/- feet from water's edge on the West Bank. The GPS coordinates at the test station were N 26° 45.170 W 080° 03.102.
4. At this location PMC Dive Team conducted the underwater inspection from water's edge on the West Bank to water's edge on the East Bank.
3. At water's edge on the West Bank, the pipeline was located and found buried 49 inches.



5. Throughout the mid-section of the river crossing the pipeline had a minimum of 15 inches and a maximum of 62 inches of ground cover.



6. The warning signs were visible on both the West & East Banks at this location. However, the letters on the sign are starting to come off.

Repair Recommendations:

1. The information contained in this report was accurate at the time of the inspection. Due to the ever-changing conditions of rivers all pipelines should be reinspected prior to any dredging operations.
2. Our opinion is that this crossing should be re-inspected and compared to the base line established in this report on your routine schedule or after any flood conditions.

45TH ST. & GETTLER PARK Plan View

N.T.S.

INTRACOASTAL WATERWAY

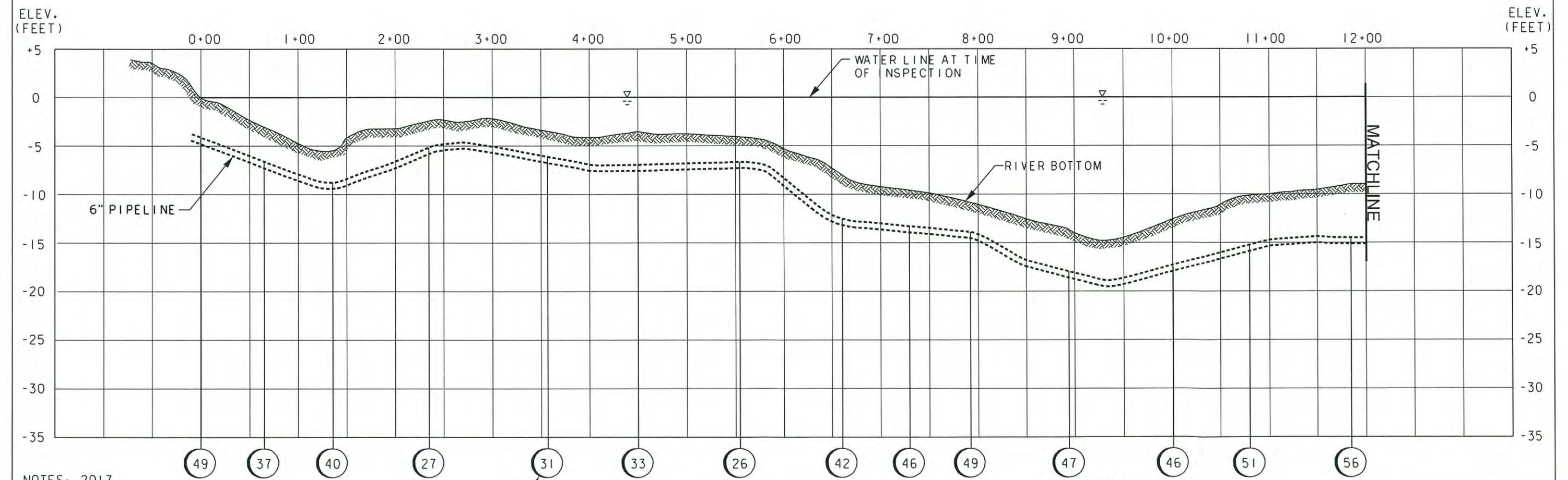


GPS
26.752787
80.051315

WEST BANK

6" PIPELINE

MATCHLINE



Profile View

N.T.S.

SHEET 1

LEGEND

	PLAN	PROFILE
PIPE SUSPENDED	—	—
PIPE EXPOSED	—	—
PIPE BURIED	---	---
GROUND LINE	—	—
RIP-RAP	⬢⬢⬢⬢	⬢⬢⬢⬢



FLORIDA
PUBLIC UTILITIES
45TH ST. & GETTLER PARK
INTRACOASTAL WATERWAY
WEST PALM BEACH, FL.
6" PIPELINE
DRAWN BY: D. ESTES DATE: 6/22/17
CHECKED: D. SAPHORE SCALE: AS SHOWN

NOTES, 2017

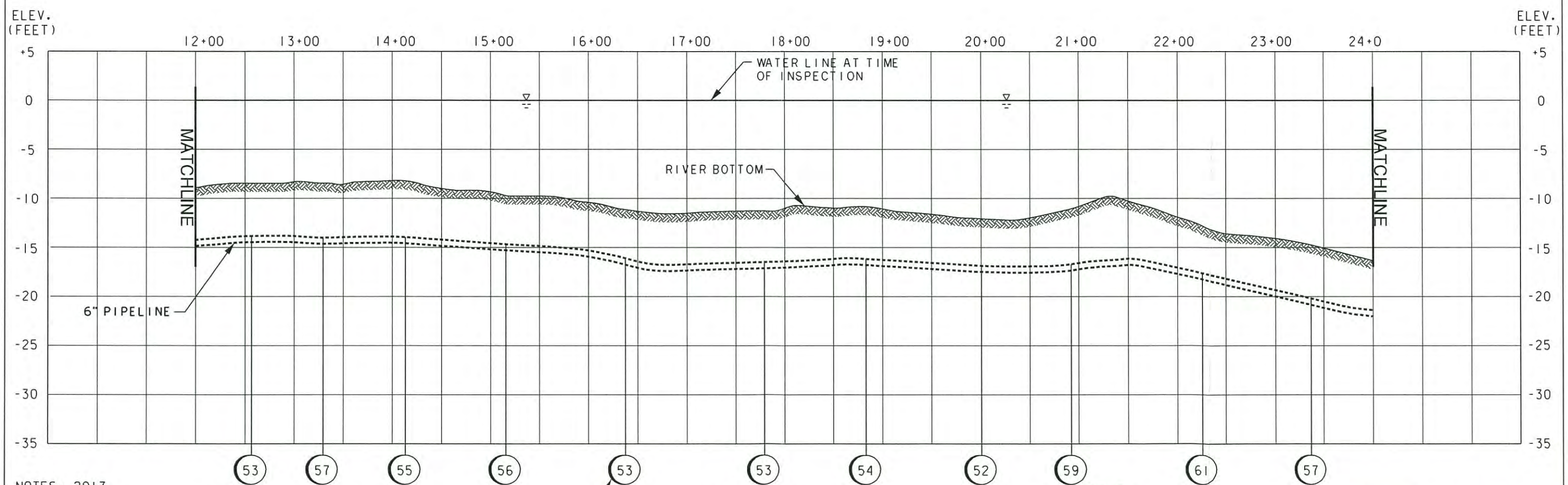
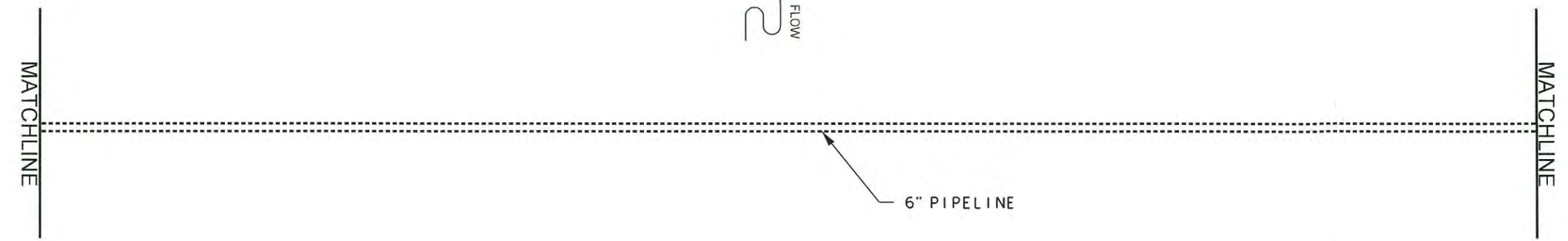
1. DATE OF INSPECTION: 5/30/17
2. ALL DIMENSIONS OR SCALE APPEARANCE ARE APPROXIMATE AND ARE FOR REFERENCE ONLY

AMOUNT OF GROUND COVER
(IN INCHES) MEASURED FROM
THE CENTER OF PIPE

45TH ST. & GETTLER PARK Plan View

N.T.S.

INTRACOASTAL WATERWAY



- NOTES, 2017
1. DATE OF INSPECTION: 5/30/17
 2. ALL DIMENSIONS OR SCALE APPEARANCE ARE APPROXIMATE AND ARE FOR REFERENCE ONLY

AMOUNT OF GROUND COVER
(IN INCHES) MEASURED FROM
THE CENTER OF PIPE

Profile View

N.T.S.

SHEET 2

LEGEND

	PLAN	PROFILE
PIPE SUSPENDED	—	—
PIPE EXPOSED	—	—
PIPE BURIED	---	---
GROUND LINE		—
RIP-RAP	⬢⬢⬢	⬢⬢⬢



FLORIDA
PUBLIC UTILITIES

45TH ST. & GETTLER PARK
INTRACOASTAL WATERWAY
WEST PALM BEACH, FL.
6" PIPELINE

DRAWN BY: D. ESTES DATE: 6/22/17
CHECKED: D. SAPHORE SCALE: AS SHOWN

45TH ST. & GETTLER PARK Plan View

N.T.S.

INTRACOASTAL WATERWAY



GPS
26.752787
80.051315

MATCHLINE

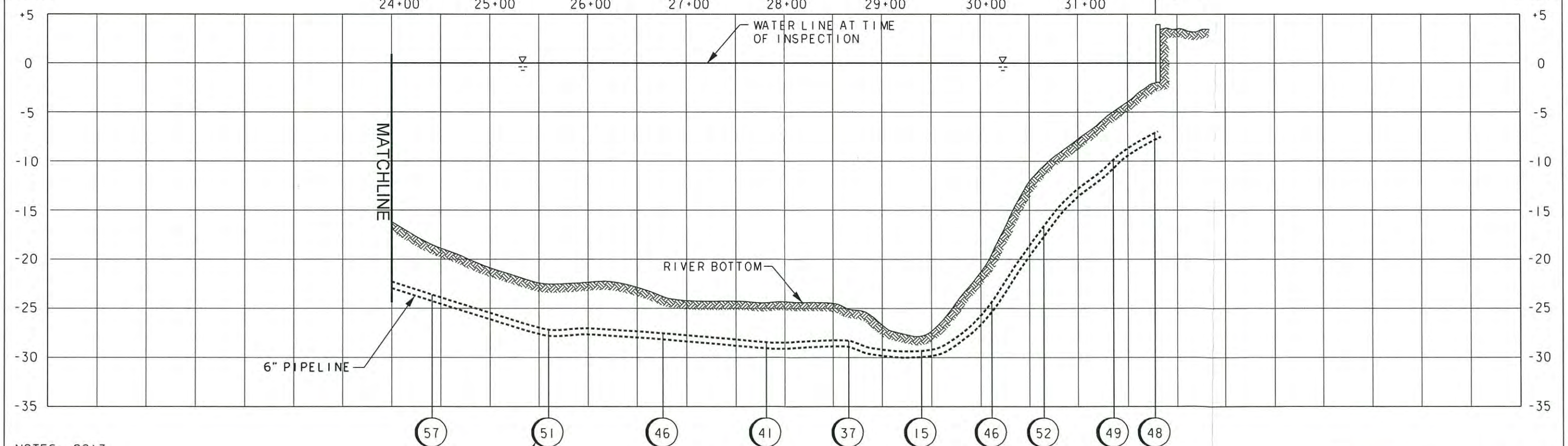
6" PIPELINE

CONCRETE SEAWALL

EAST BANK

NORTH

ELEV.
(FEET)



ELEV.
(FEET)

NOTES: 2017

1. DATE OF INSPECTION: 5/30/17
2. ALL DIMENSIONS OR SCALE APPEARANCE ARE APPROXIMATE AND ARE FOR REFERENCE ONLY

AMOUNT OF GROUND COVER
(IN INCHES) MEASURED FROM
THE CENTER OF PIPE

Profile View

N.T.S.

SHEET 3

LEGEND

	PLAN	PROFILE
PIPE SUSPENDED	—	—
PIPE EXPOSED	—	—
PIPE BURIED	---	---
GROUND LINE	—	—
RIP-RAP	—	—



FLORIDA
PUBLIC UTILITIES
45TH ST. & GETTLER PARK
INTRACOASTAL WATERWAY
WEST PALM BEACH, FL.
6" PIPELINE
DRAWN BY: D. ESTES DATE: 6/22/17
CHECKED: D. SAPHORE SCALE: AS SHOWN

Crossing # 5



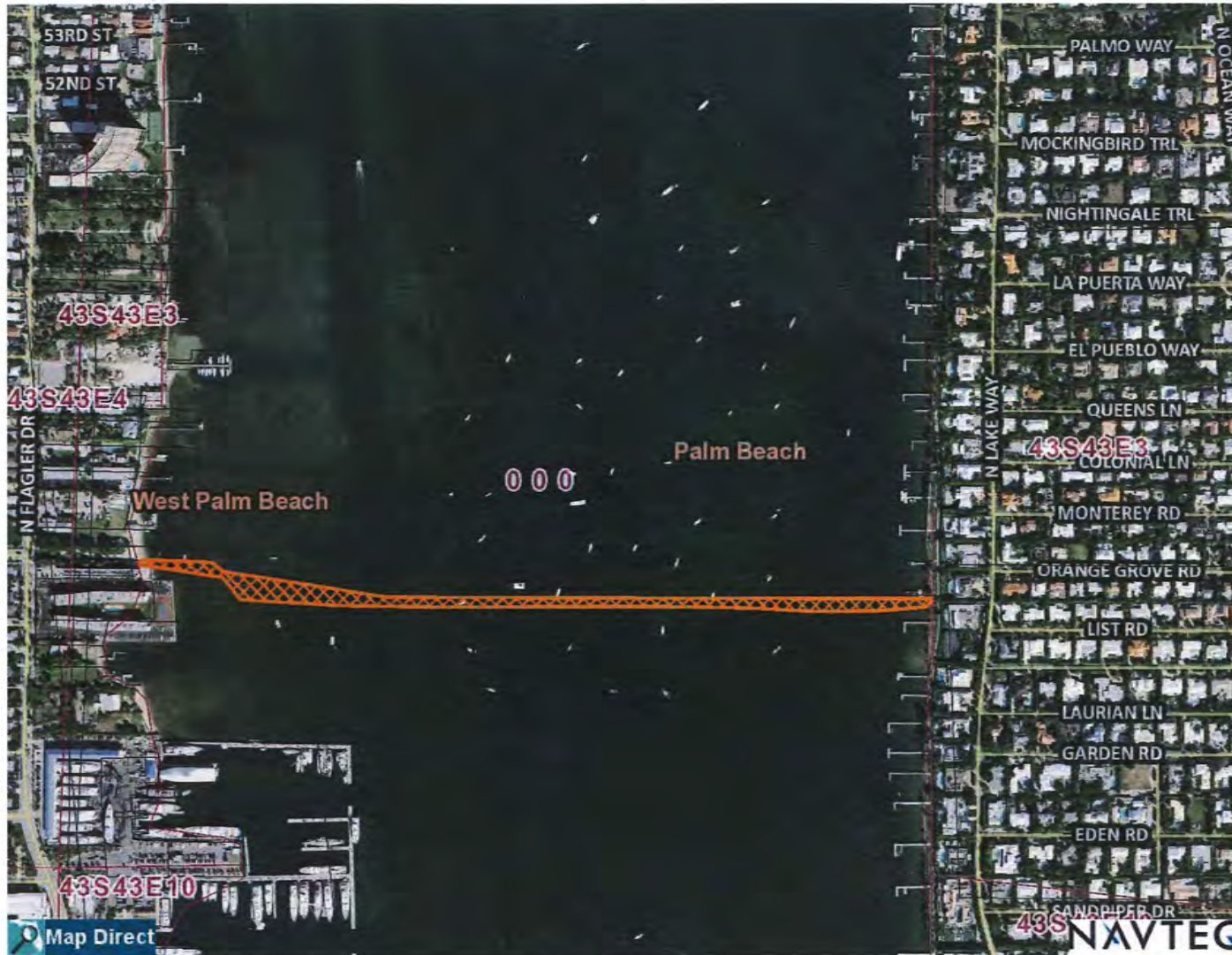
Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSING #5

26°45'31.7506", -80°3'9.8872"

Scale 1:8,186

26°45'30.1712", -80°2'14.8351"



26°44'53.8475", -80°3'11.2444"

1 inch = 682 feet

26°44'52.2683", -80°2'16.1975"



Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
 - ☐ Public Land Survey System 2006
 - ☐ TIGER 2010 Places
- Aerial Imagery Flight Dates 2011-2013

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Mon, 16 May 2016 15:43:28 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: [] Deed [] Lease ^{Submitted} [X] Easement [] Permit [] Management Agreement

[] Use Agreement [] Disclaimer [] Quitclaim [] Dedication [] Release

[] Acts of Legislation [] Other

Instrument Number: 40295

Extension: 000

File Number: 5455

Document Date: 05-27-2003

Consideration: _____

Water Body: Lake North

Reservations / Reverter: 4/7/7

Original County: Palm Beach

Section: 03

Township: 435

Range: 43E

Total Area / Area Unit: 3.366 (A) Acreage (S) Square Feet

Comments:

Document received in Title March 2004

01/30/2004 15:38:26 20040056222
UR UK 16498 PG 1501
Palm Beach County, Florida
Dorothy H Wilken, Clerk of Court

This Instrument Prepared By:
M. Sue Jones
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 40225 (5455-50)
BOT FILE NO. 500228546
PA NO. _____

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following legal description:

A parcel of submerged land in Section 02,
Township 43 South, Range 43 East, in Lake Worth,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated December 8, 2003.

TO HAVE THE USE OF the hereinabove described premises from May 27, 2003, the effective date of this easement. The terms and conditions of and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above-described parcel of land shall be used solely for a subaqueous electric transmission cable. All of the foregoing subject to the remaining conditions of this easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

[43]

8. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Attn. Warren A. Tittle
Florida Power & Light Company
P.O. Box 8248
Ft. Lauderdale, FL 33340

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit (if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. **ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS:** No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. **UPLAND RIPARIAN PROPERTY INTEREST:** During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(49), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

Page 1 of 12 Pages
Easement No. 40295 (5433-50)

WITNESSES:

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

(SEAL)

BY:

Dale Adams, Operations and Management Consultant
Manager, Bureau of Public Land Administration,
Division of State Lands, Department of Environmental
Protection, as agent for and on behalf of the Board of Trustees of
the Internal Improvement Trust Fund of the State of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 21st day of January, 2009, by
Dale Adams, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands,
Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust
Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

DEP Attorney

Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires:



Florence L. Davis
MY COMMISSION # CC97456 EXPIRES
October 11, 2004
POWERED BY THE FLORIDA BAR ASSOCIATION

Commission/Serial No.

WITNESSES:

Original Signature

Typed/Printed Name of Witness

Original Signature

Typed/Printed Name of Witness

STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 7th day of JANUARY, 2009, by
J. W. Molyneux as Assistant Secretary of Florida Power & Light Company, a Florida corporation, for and on behalf of the
corporation. He is personally known to me or who has produced _____ identification.

My Commission Expires:

Commission/Serial No.

Page 4 of 12 Pages

Easement No. 40295 (5458-50)

Florida Power & Light Company, a Florida corporation (SEAL)

Original Signature of Executing Authority

J. W. Molyneux

Typed/Printed Name of Executing Authority

Assistant Secretary

Title of Executing Authority

"GRANTEE"

Notary Public, State of FLORIDA

J. LOURDES MOLLINER

Printed, Typed or Stamped Name

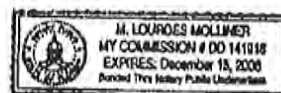
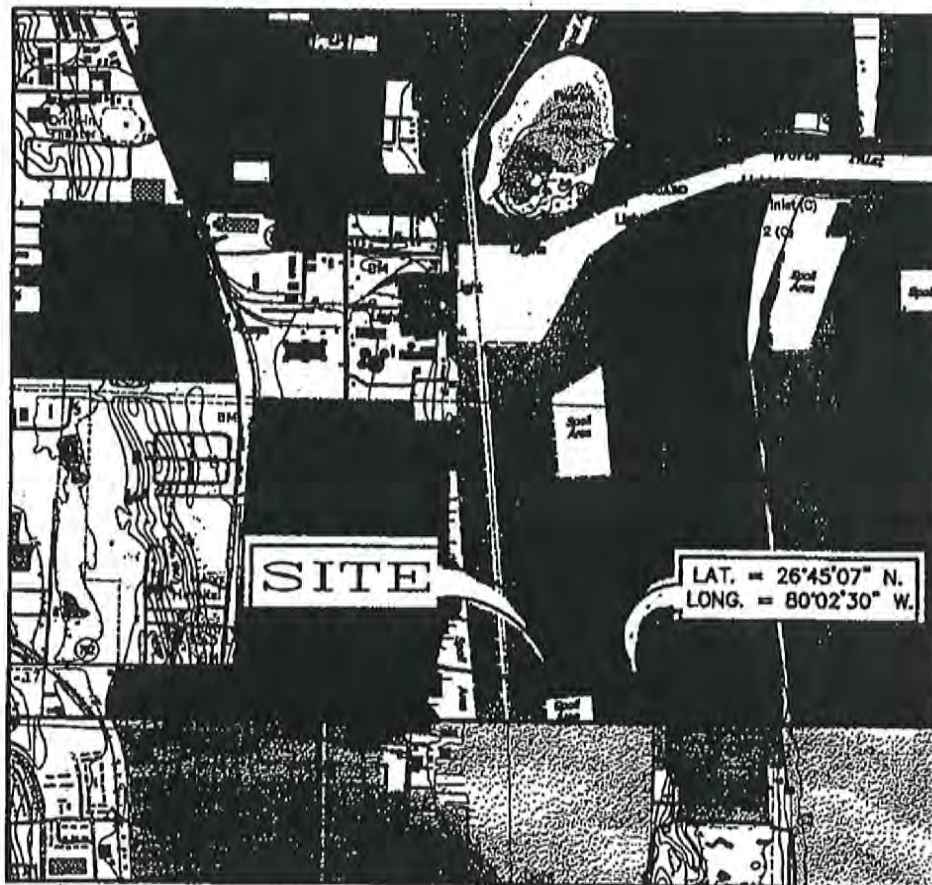
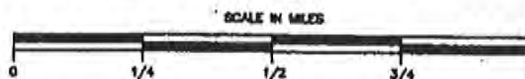


EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

SECTION 3, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



RIVIERA QUADRANGLE
 FLORIDA - PALM BEACH CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)



NOTES:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1980 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/90).

LAT. = LATITUDE
 LONG. = LONGITUDE

NOTE:
 NOT VALID UNLESS ACCOMPANIED
 BY SHEETS 1,2,3,4,5,6,&7 of 8

Attachment A
 Page 5 of 12 Pages
 Easement No. 40295 (5455-50)



AVIROM & ASSOCIATES, INC.
 SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 998-2554, FAX (561) 994-7125

JOB # 7267-56
 DATE 12/04/03
 SHEET 8 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

LAND DESCRIPTION:

A portion of submerged lands lying within Lake Worth, in Section 3, Township 43 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:

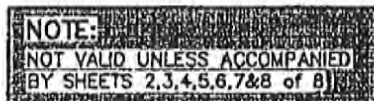
COMMENCING at the southeast corner of Lot D, of the REPLAT OF LOTS 18, 19, C and D, NEW SEARS TRACT according to the plat thereof, as recorded in Plat Book 18, Page 37 of the Public Records of Palm Beach County, Florida; thence N 88°56'14" W, 235.99 feet to the POINT OF BEGINNING being the Mean High Water Line of Lake Worth and the westerly wet-face of an existing concrete sea wall, having a Northing of 880157.877 and an Easting of 968942.387; thence S 51°22'27" W, 30.58 feet; thence S 85°54'09" W, 86.44 feet; thence S 86°47'12" W, 102.34 feet; thence N 89°05'06" W, 276.79 feet thence N 85°05'40" W, 221.79 feet; thence N 87°28'34" W, 405.15 feet; thence N 88°45'11" W, 857.14 feet; thence N 87°44'40" W, 426.82 feet; thence N 85°09'55" W, 391.93 feet; thence N 37°55'23" W, 114.52 feet; thence N 79°39'28" W, 336.54 feet to the Mean High Water Line of Lake Worth; thence N 23°31'29" E along said Mean High Water Line, 20.00 feet; thence S 86°59'19" E, 244.47 feet; thence S 81°46'50" E, 45.44 feet; thence S 44°59'03" E, 48.22 feet; thence S 79°41'23" E, 671.38 feet; thence S 88°19'02" E, 676.74 feet; thence S 88°27'09" E, 1522.95 feet to the Mean High Water Line of Lake Worth and the westerly wet-face of an existing concrete sea wall; thence S 01°39'12" W along said Mean High Water Line and concrete sea wall, 13.20 feet to the POINT OF BEGINNING.


The above described easement is situate in Palm Beach County, Florida and containing 146,616 square feet, 3.366 acres, of submerged land, more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/8/03




ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

Attachment A
Page 6 of 12 Pages
Easement No. 40285 (5455-50)



AVIROM & ASSOCIATES,
SURVEYING & MAPPING
60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33482
TEL. (561) 892-8504, FAX (561) 894-7188

LOG # 7267-56

DATE: 12/04/03

SHEET 1 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

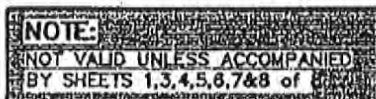
NOTES:

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other Instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. Data shown hereon was compiled from Instrument(s) of record and does not constitute a boundary survey.
4. This is not a M.H.W. Line Survey - Elevations shown for informational purposes only.
5. The land description shown hereon was prepared by the Surveyor.
6. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Traverse Mercator Projection), East Zone, with the south line of Lot D, of New Sears Tract, having a bearing of N 88°56'14" W.
7. Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
8. Benchmark Description: Palm Beach County Benchmark, Brass Disc, stamped "B-310" on concrete sea wall, Elevation = 13.563 feet.
9. This Sketch and Description is designed to encompass the Florida Power and Light subaqueous cable crossing. Cables were located via divers with the assistance of the Florida Power and Light Cable Locating Group. The surveyor certifies that the cables were located as accurately as possible at that time. The surveyor has not physically located the cable crossings.
10. Mean High Water Information was compiled from published datum provided by the Land Boundary Information System Internet web site (www.labins.org). Mean High Water is based upon extending published datum from MHW Data Point ID #38, Palm Beach County, Quad Name Palm Beach, USGS Quad Number 26080G1. Mean High Water = 1.58' N.G.V.D. 1929; Range = 2.70'; Mean Low Water = -1.12' N.G.V.D. 1929.
11. Abbreviation Legend: B.O.S.W.= Bottom Of SeaWall; P.B.C.R.= Palm Beach County Records; C.= Centerline; F.P.L.= Florida Power & Light Company; G.P.S.= Global Positioning System; L.B.= Licensed Business; N.G.V.D.=National Geodetic Vertical Datum; N.W.= Northwest; P.B.= Plat Book; P.O.B.= Point Of Beginning; P.O.C.= Point of Commencement; P.S.M.= Professional Surveyor and Mapper; S.W.= Southwest; T.O.S.W.= Top Of Sea Wall; U.S.G.S.= United States Geological Survey.
12. Coordinates are based on post-processed differential G.P.S. observations surveyed in the field on June 25, 2003, with the positional accuracy meeting or exceeding less than 1 meter (Rms) + 10 ppm times the baseline length.

Equipment

Receiver: Trimble Pathfinder - Pro XR

Software: Trimble Pathfinder Office, Version Number 2.51



Attachment A
Page 7 of 12 Pages
Easement No. 40285 (5455-60)



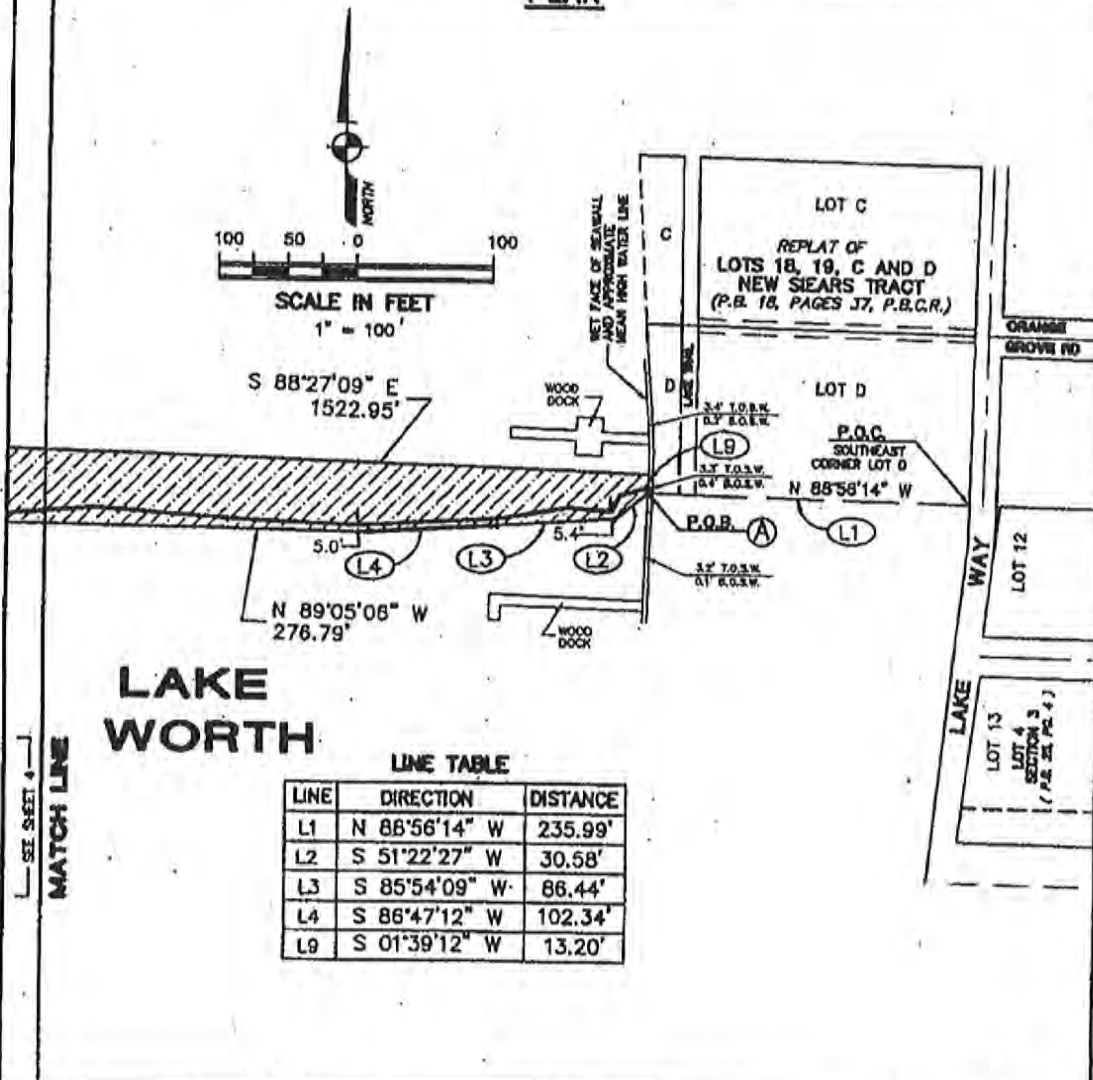
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 992-2024, FAX (561) 994-7120

JOB # 7257-56
DATE: 12/04/03
SHEET 2 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

SECTION 3, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,4,5,6,7&8 of B

STATE PLANE COORDINATES

A	N. 880157.877	E. 988942.387
B	N. 880405.881	E. 985760.194

(SEE NOTE # 6 & # 12 ON SHEET 2 OF 4)

MEAN HIGH WATER = 1.58' N.G.V.D.
 RANGE = 2.70'
 MEAN LOW WATER = -1.12' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 4)



AVROM & ASSOCIATES,
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 1
 BOCA RATON, FLORIDA 33432
 TEL 561-992-2094, FAX 561-

Attachment A
 Page 8 of 12 Pages
 Easement No. 40295 (5455-50)

JOB # 7267-58

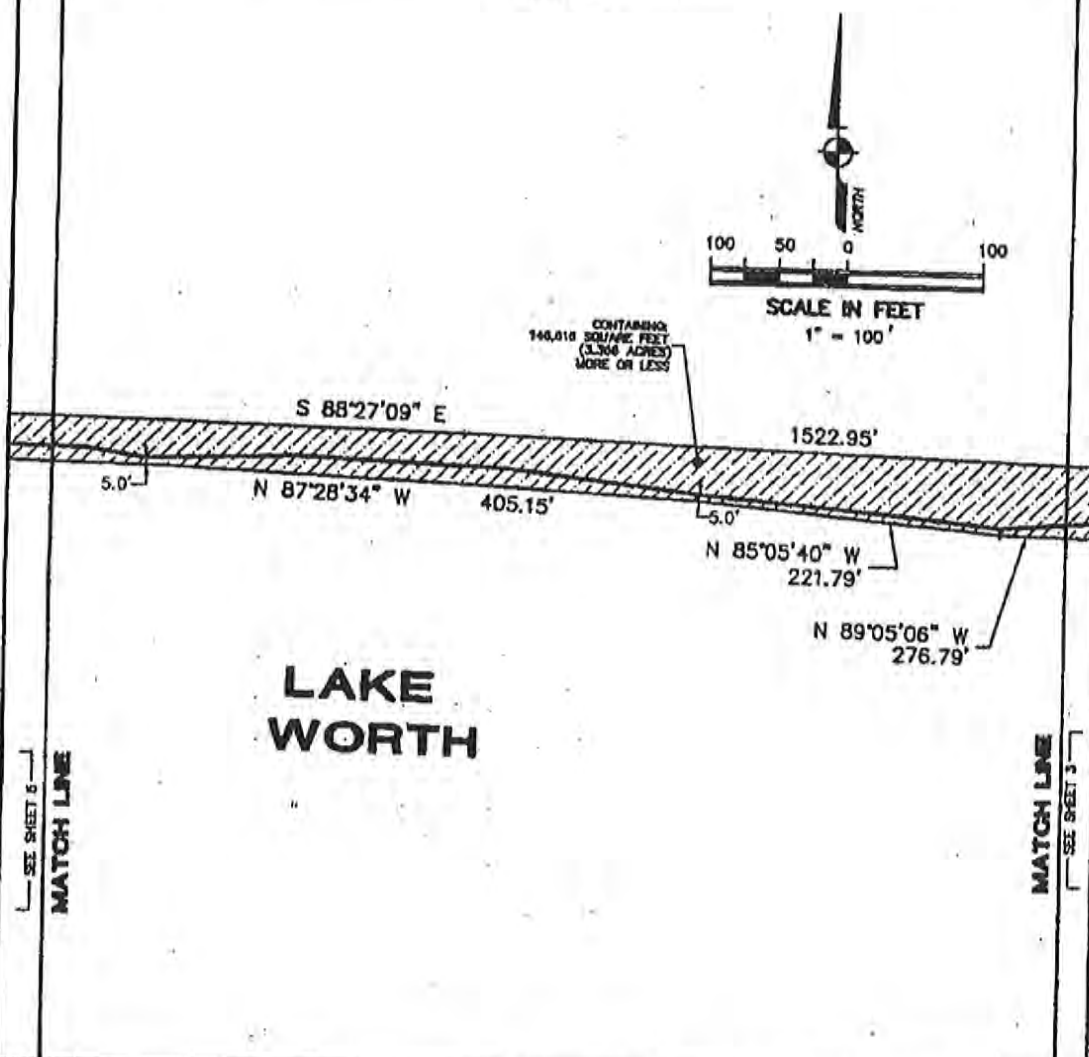
DATE 12/04/03

SHEET 3 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

SECTION 3, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,3,5,6,7&8 of 8

STATE PLANE COORDINATES

A	N. 880157.877	E. 988942.387
B	N. 880405.681	E. 985780.194

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 8)

MEAN HIGH WATER = 1.58' N.G.V.D.
 RANGE = 2.70'
 MEAN LOW WATER = -1.12' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 8)



AVROM & ASSOCIATES,
SURVEYING & MAPPING
 80 S.W. 280 AVENUE, SUITE 10
 BOCA RATON, FLORIDA 33432
 TEL. (561) 992-2684, FAX (561)

Attachment A
 Page 9 of 12 Pages
 Easement No. 40295

JOB # 7267-58

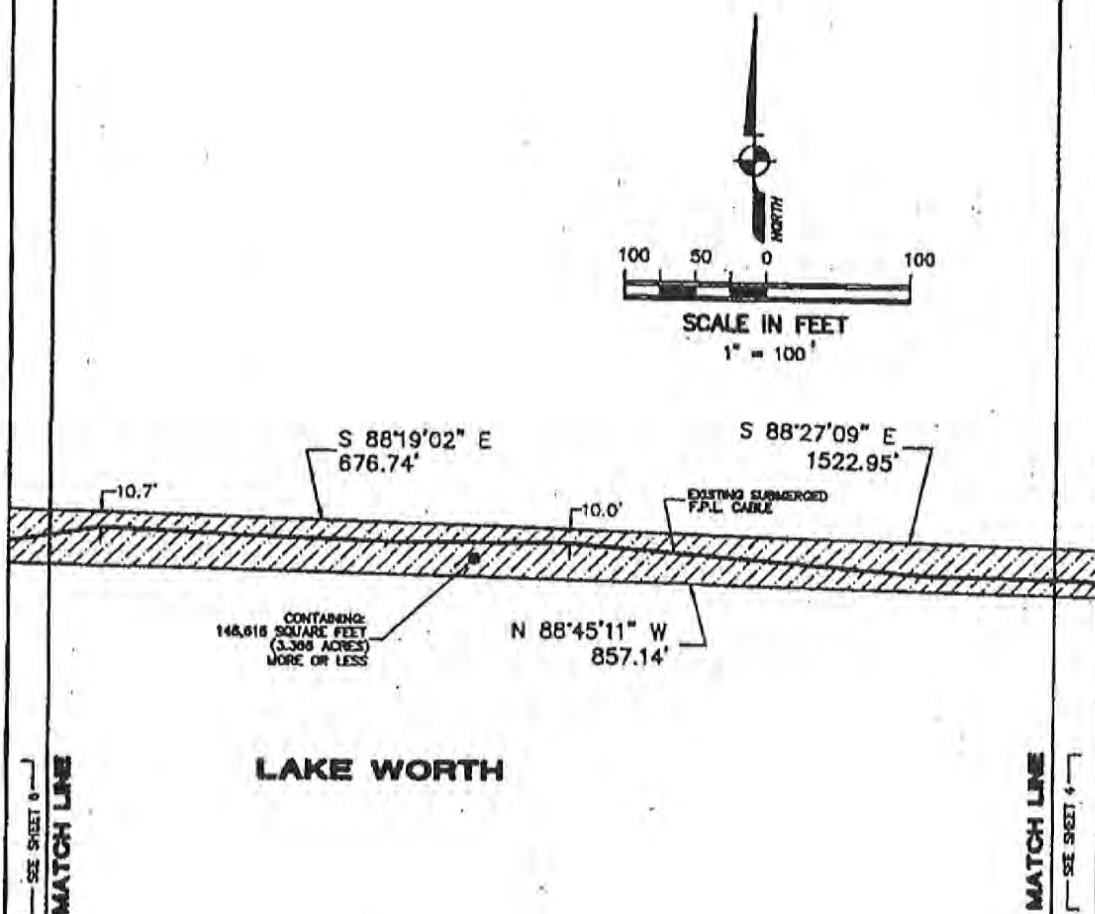
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SHEET 4 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

SECTION 3, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,3,4,6,7&8 of 8

STATE PLANE COORDINATES

A	N. 880157.877	E. 988942.387
B	N. 880405.681	E. 985760.194

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 8)

MEAN HIGH WATER = 1.58' N.G.V.D.
 RANGE = 2.70'
 MEAN LOW WATER = -1.12' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 8)



AVIOM & ASSOCIATES,
SURVEYING & MAPPING
 50 S.W. 2ND AVENUE, SUITE K
 BOCA RATON, FLORIDA 33432
 TEL. (561) 805-2894, FAX (561)

Attachment A
 Page 10 of 12 Pages
 Easement No. 40295

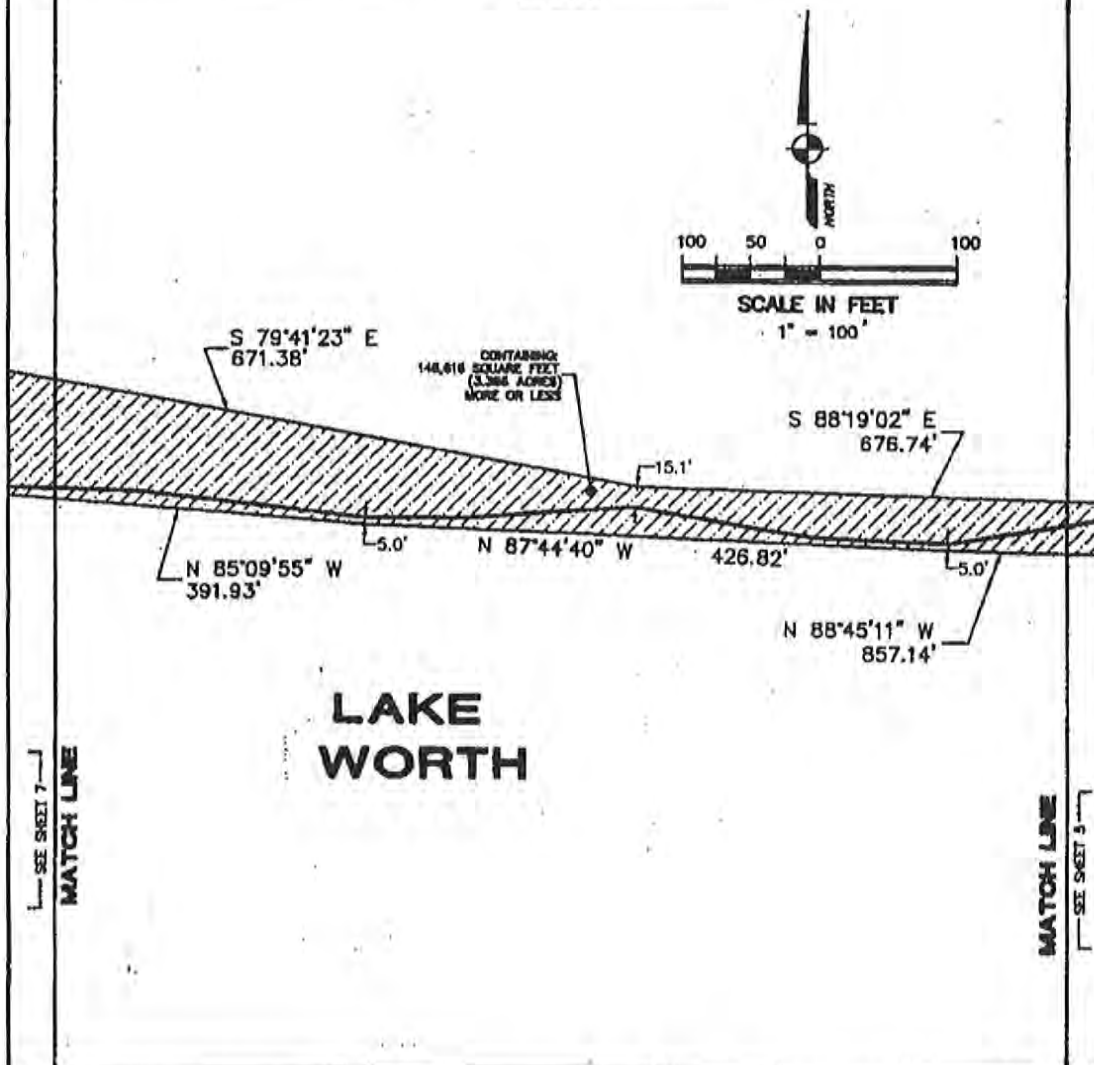
(5755-50)

JOB # 7267-56
 DATE: 12/04/03
 SHEET 5 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

SECTION 3, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,3,4,5,7&8 of 8

STATE PLANE COORDINATES

A	N. 880157.877	E. 988942.387
B	N. 880405.651	E. 985780.104

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 8)

MEAN HIGH WATER = 1.58' N.G.V.D.
 RANGE = 2.70'
 MEAN LOW WATER = -1.12' N.G.V.D.

(SEE NOTE #10 ON SHEET 3 OF 8)



AVIROM & ASSOCIATES,
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 11
 BOCA RATON, FLORIDA 33432
 TEL. (561) 202-2804, FAX (561)

Attachment A
 Page 11 of 12 Pages
 Easement No. 40295

(57/55-50)

JOB # 7267-56

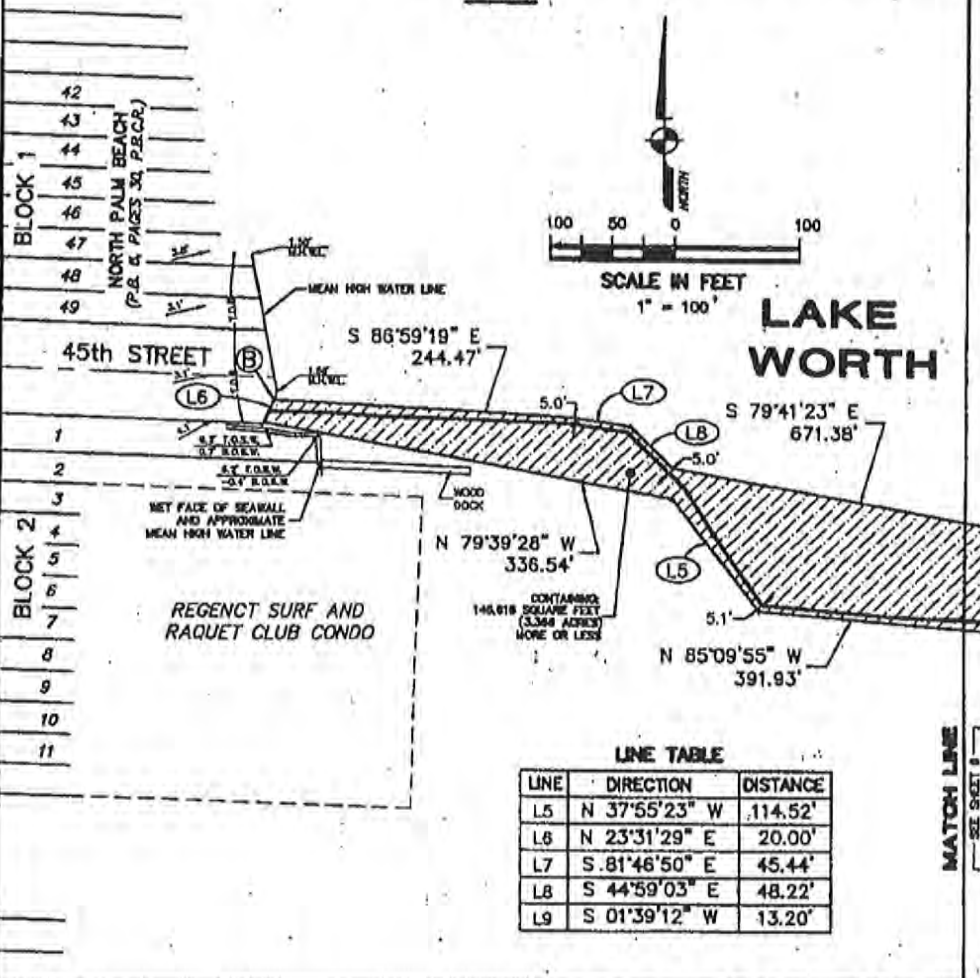
DATE: 12/04/03

SHEET 8 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT 45th STREET

SECTION 3, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,3,4,5,6&8 of 8



AVIROM & ASSOCIATES, SURVEYING & MAPPING
 80 S.W. 2ND AVENUE, SUITE 7
 BOCA RATON, FLORIDA 33432
 TEL: (561) 992-2094, FAX: (561) 992-2095

Attachment A
 Page 12 of 12 Pages
 Easement No. 40295 (5455-50)

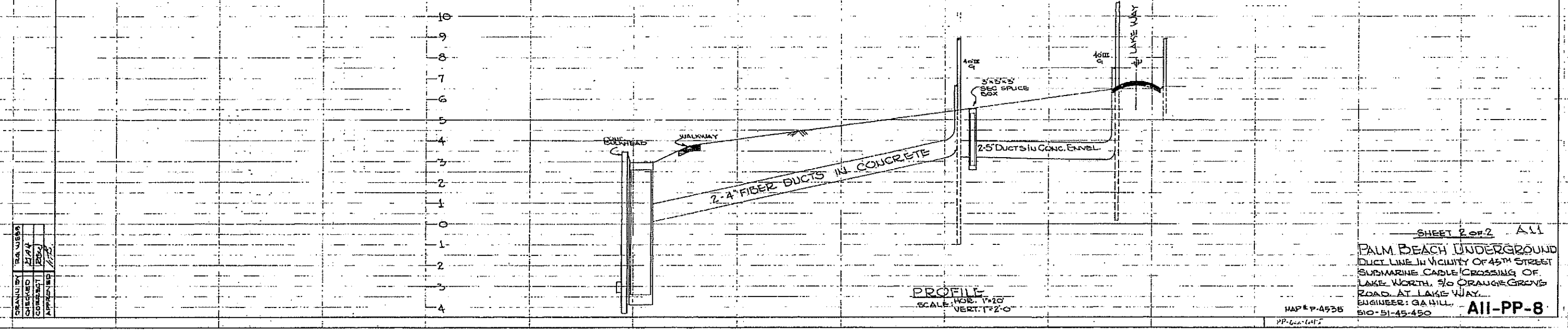
JOB # 7257-56
 DATE: 12/04/03
 SHEET 7 OF 8



Book16498/Page1512

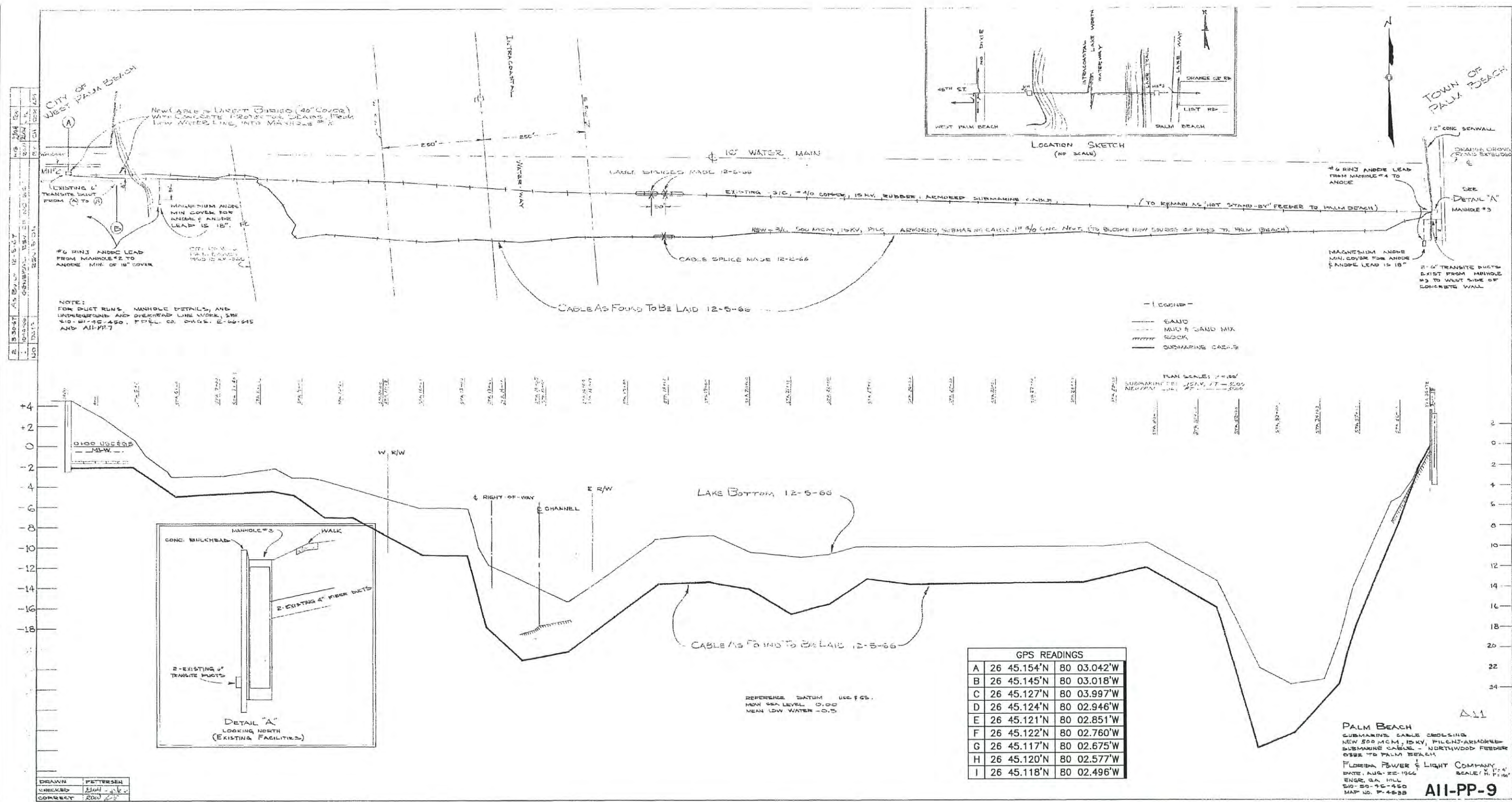
Page 12 of 12

I hereby certify that the foregoing is a true copy of the record in my office this day, Feb 19, 2004.
 DOROTHY H. WILKEN, Clerk of Court, Palm Beach County, Florida
 BY [Signature] Deputy Clerk



MAP # P-4538

— SHEET 2 of 2 — All
PALM BEACH UNDERGROUND
DUCT LINE IN VICINITY OF 45TH STREET
SUBMARINE CABLE CROSSING OF
LAKE WORTH. S/O ORANGE GROVE
ROAD AT LAKE WAY.
ENGINEER: GAHILL. All-PP-8.
510-51-45-450





DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BLVD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

Utility Crossing #5
Attachment #5

August 29, 2017

REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section
SAJ-2017-00810 (RGP-KAE)

Florida Power & Light
c/o Beverly Musser
7200 NW 4th Street
Plantation, FL 33317

Dear Ms. Musser:

Your application for a Department of the Army permit received on March 16, 2017, has been assigned number SAJ-2017-00810 (WR# 7542846). A review of the information and drawings provided shows the proposed work is to repair approximately 100-feet of subaqueous cable (after the fact). The project would affect waters of the United States associated with Intracoastal Waterway outside of the Corp's federal setback of the channel, and west of the intersection of Via Marila and North Lake Way, Lake Worth, in Section 3, Township 43 South, Range 43 East, Palm Beach County, Florida.

Approximate Central Coordinates: Latitude: 26.751435° N Longitude: -80.043205° W

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-14. This authorization is valid until **December 20, 2018**. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-14, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits". Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

- 1. Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be emailed to: CESAJ-ComplyDocs@usace.army.mil submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, FL 33410. The Permittee shall reference this permit number, SAJ-2017-00810 (GP-KAE), on all submittals.
- 2. Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attached) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
- 3. Agency Changes/Approvals:** Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Palm Beach Gardens Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.
- 4. Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 5. FPL shall conduct preconstruction benthic survey and post benthic resource surveys of the area impacted for the cable repair. If seagrass habitat is damaged for the replacement of the failed section, compensatory mitigation may be required. Completion of a functional assessment may be required to ensure that proposed mitigation fully offsets any impacts. Additionally, please provide email notification to the Corps with your post construction survey to assess if benthic resources, federally-listed threatened and/or endangered species, and/or critical habitat has been impacted.**

- 6. Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area into waters of the United States. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas shall be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work is completed and the work areas are stabilized.
- 7. Water Quality Hazard Plan:** The permittee shall follow the attached methods for the protection of water quality for directional bored water crossings (BMPs and frac-out plan).
- 8. Excavated Material:** The permittee shall not place any excavated material in wetlands or surface waters.
- 9. Cultural Resources/Historic Properties:**

 - a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.
 - b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.
 - c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33

CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

10. Manatee Conditions: The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attached).

11. Sea Turtle and Smalltooth Sawfish Conditions: The Permittee shall comply with National Marine Fisheries Service's “Sea Turtle and Smalltooth Sawfish Construction Conditions” dated March 23, 2006, (Attached).

12. All work shall be conducted during daylight hours only.

This authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this RGP permit must qualify for an exemption under section 403.813(1), F.S. or 373.406, F.S., or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local government with delegated authority under section 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This authorization does not include conditions that would prevent the ‘take’ of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife

Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced RGP, please contact please contact Kelly Egan by telephone at 561-472-3514.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,

Kelly Egan
Project Manager

Enclosures
Project Drawings
Self-Certification
Standard Manatee Conditions for In-Water Work – 2011
Sea Turtle and Smalltooth Sawfish Construction Conditions dated March 23, 2006

GENERAL CONDITIONS
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on the **dates identified in the letter.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: RGP-14
Application Number: SAJ-2017-00810

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2017-00810 (GP-KAE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)



Location Map
Palm Beach County, Florida

Emergency Submarine Cable Repair
Florida Power and Light
WR7542846

★ Fault Location

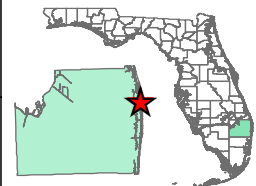
— Approximate Location of Cable Replacement

□ Pre-Construction Benthic Survey Extent

1 inch = 200 feet

Date: 3/16/2017

Section: 03
Township: 43S
Range: 43E



ATKINS

7175 Murrell Road
Melbourne, FL 32940
321.242.4942
Marie.Yarbrough@atkinsglobal.com

Musser, Beverly

From: Douglas, Bo <BDouglas@conshelf.com>
Sent: Friday, March 10, 2017 10:03 AM
To: Musser, Beverly
Cc: Spring, Keith; White, Sharon; Snyder, David; Pennell, Jeff; Peterson, Tina; rbazemore@uesi.com
Subject: SAV Survey 45th Street, WPBch, 3/9/2017
Attachments: 3131_PreConst Google_Image.jpg; _DSC0026-S.jpg; _DSC0049.JPG; _DSC0061.JPG; _DSC0084.JPG

CAUTION - EXTERNAL EMAIL

Beverly,

CSA conducted a Benthic Resource Survey at the location of a cable fault in the site Intracoastal Waterway (ICW) near 45th Street, West Palm Beach, on 03/09/2017. Our team performed the survey 25 ft from each side of a centerline that was approximately 100 ft in length, with the cable break in the center of the survey corridor in the ICW. The cable was oriented in an east and west direction. The cable break was in the ICW channel adjacent to a boat anchorage.

No submerged aquatic vegetation was found in the survey corridor. The substrate throughout the survey area was primarily silty sand and shell. Depths were 12-15 ft in the survey corridor. Please see the attachments for representative images of the cable and survey area.

The following GPS coordinates marked the break location and endpoints of the survey line:

Fault: N 26.7518
W 80.0431

East End: N 26.7518
W 80.0430

West End: N 26.7518
W 80.0433

Please contact me if you have any questions or need additional information.

Thank you,

Bo

Bo Douglas
Project Scientist
772-219-3055
CSA Ocean Sciences Inc.



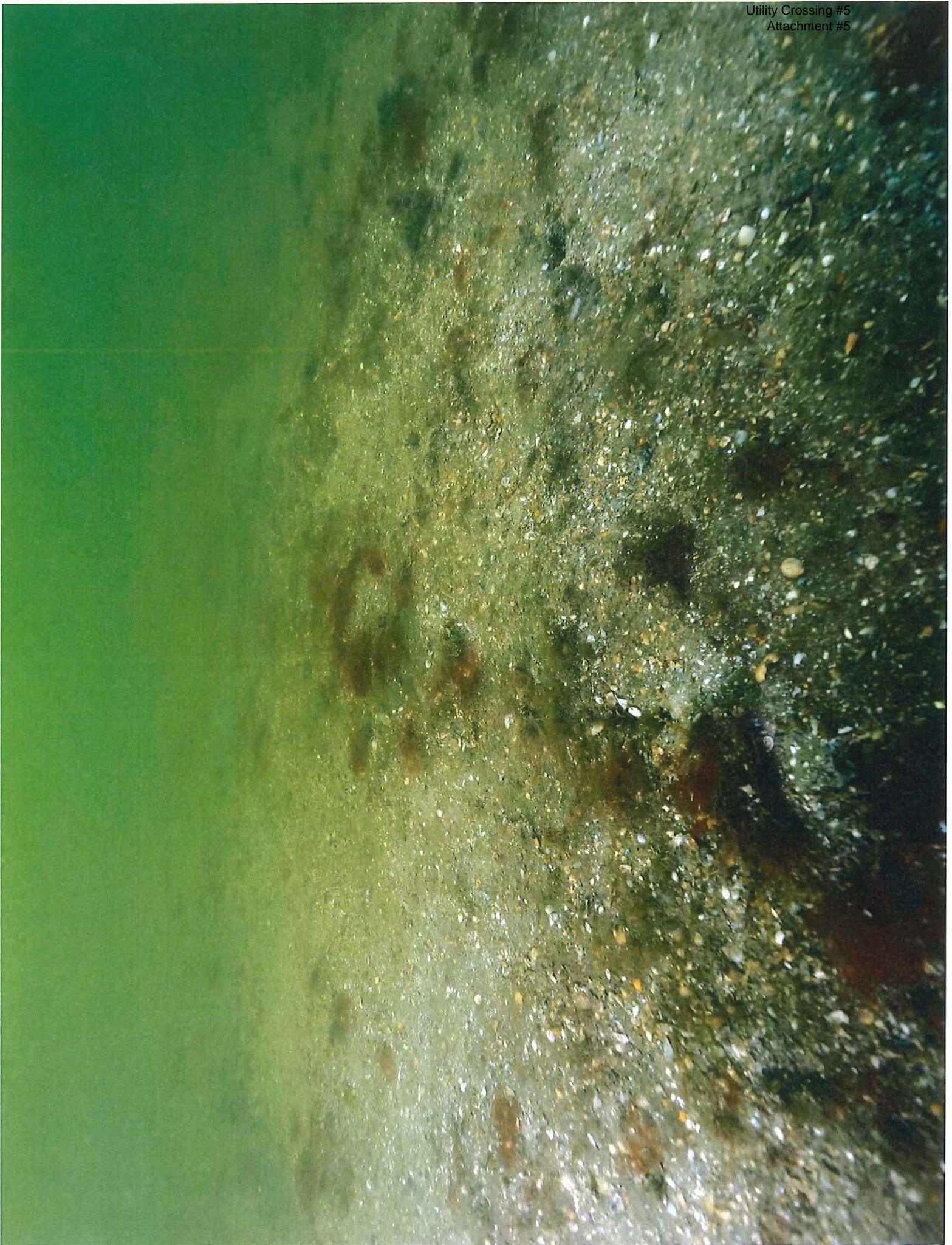
9 March Cab

Google

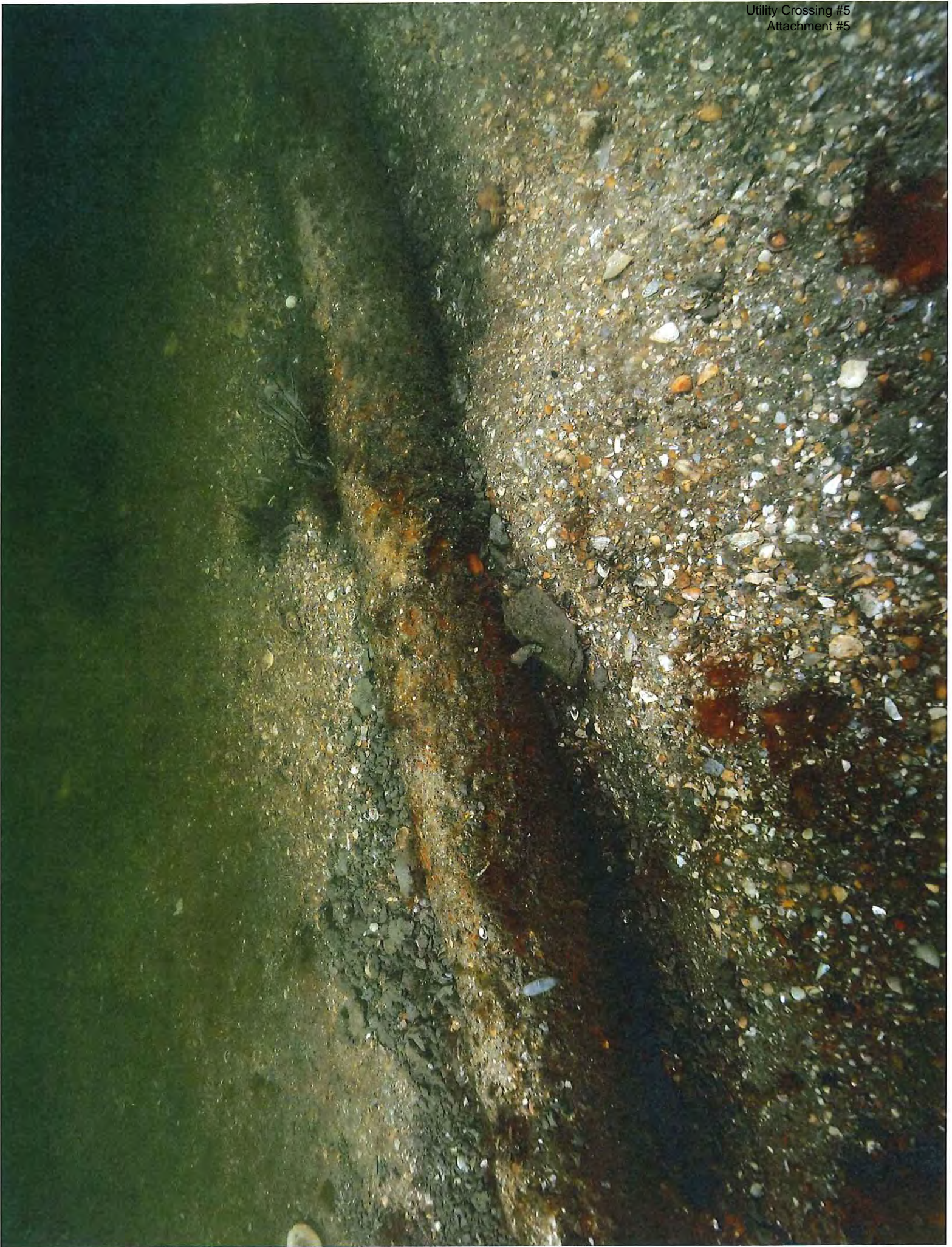
1995

Imagery Date: 2/16/2016 26° 45.017' N 80° 3.780' W Elev: 30 ft





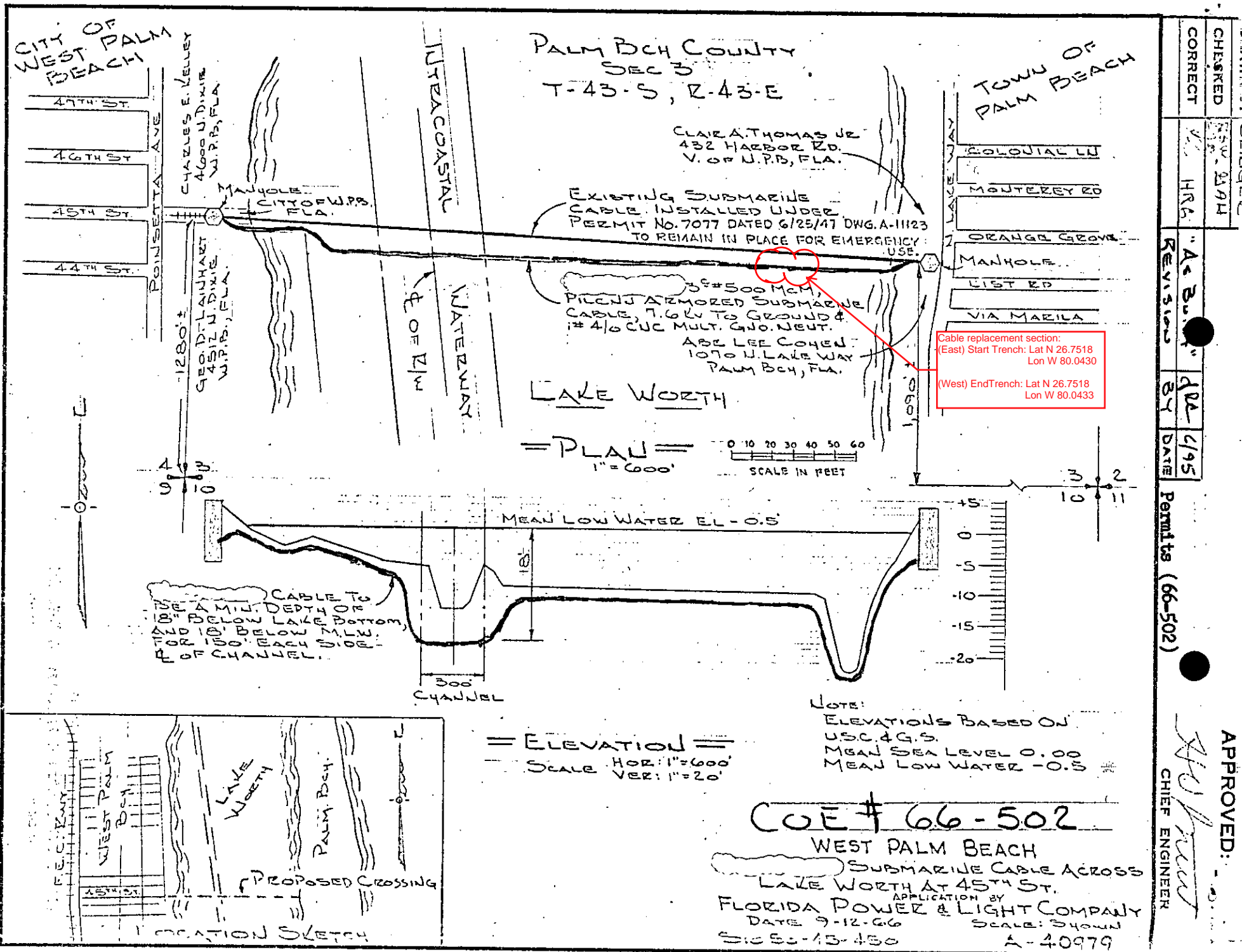




Appendix IV

Emergency Repair Site Plan

FORM 939 7-58 PO 65336



CHECKED	CLINGER
CORRECT	HRG
Rev 1300	As Bld
DATE	4/95
Permits (66-502)	
APPROVED:	CHIEF ENGINEER

Appendix V

Project Typicals

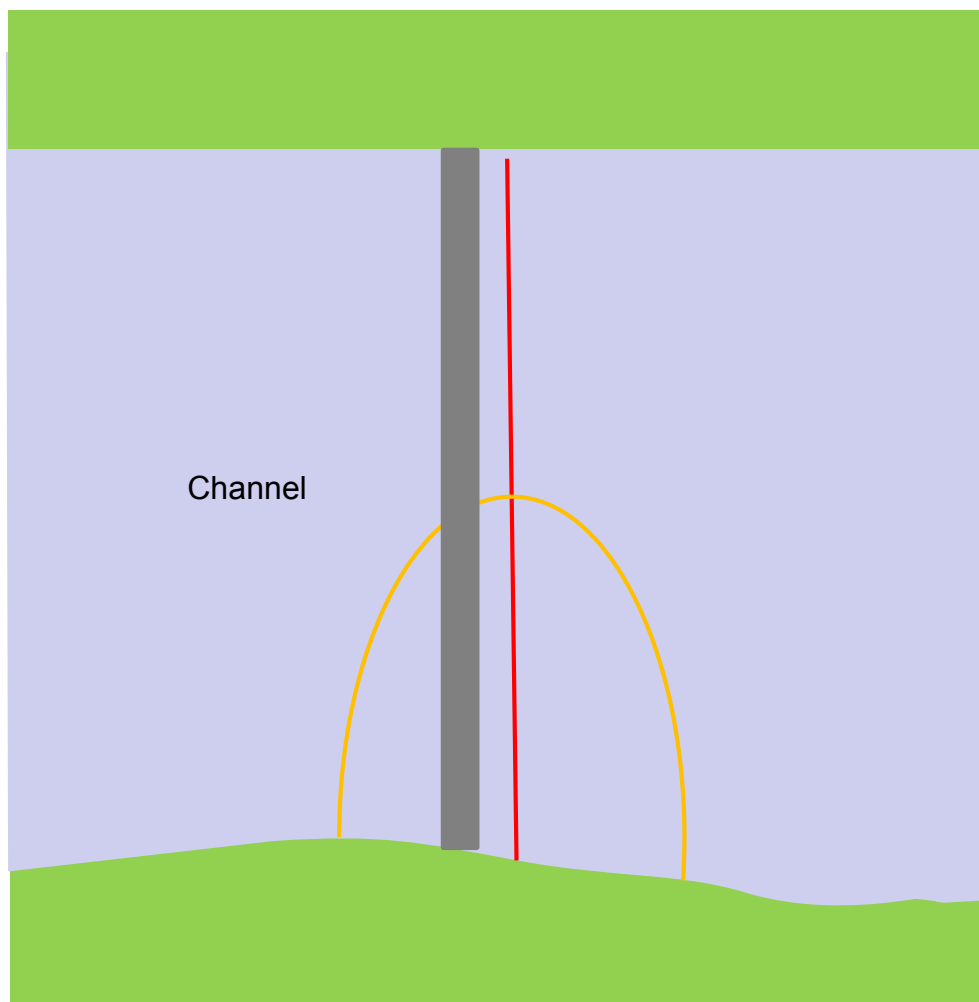
AERIAL VIEW

Not to Scale




Notes:

- Install turbidity curtains as depicted below
- Turbidity curtains should extend to 1 foot off the seafloor bottom
- Plan work around slack tide to minimize current's pull on the turbidity curtains
- Inspect turbidity curtains after deployment to ensure they are properly secured
- Regularly monitor turbidity curtains to avoid protected species entanglement or entrapment (e.g., manatee, sea turtles, smalltooth sawfish)
- Turbidity curtains should remain in place until all suspended sediments are settled and turbidity monitoring results meet state water quality standards
- The entire waterway must not be blocked by turbidity curtains at any time

Configuration while working on east side of Channel



Legend

-  Existing Submerged Cable
-  Turbidity Curtain
- 



Project Typical

ATKINS

2001 NW 107 AVENUE
DORAL, FLORIDA 33172

DESIGNED BY: LDM	DATE: May 4, 2016
MODIFIED BY: ECN	DATE: May 11, 2016
CHECKED BY: SMT	

EROSION CONTROL DETAIL

Figure E-1

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels
IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



1522-15 PERMIT 660000502
FLA POWER+LIGHT CO
SUB ELEC POWER CABLE
IWW/JM-LAKE WORTH
D/A INSTRUMENT NO. 23146
DATE ISSUED 2 DEC 1966
PIF UPON REMOVAL OF STRUCTURE
OR REVOCATION OF PERMIT

DEPARTMENT OF THE ARMY

23146

NOTE.—It is to be understood that this instrument does not give any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State assent to the work authorized. IT MERELY EXPRESSES THE ASSENT OF THE FEDERAL GOVERNMENT SO FAR AS CONCERNS THE PUBLIC RIGHTS OF NAVIGATION. (See *Cummings v. Chicago*, 188 U. S., 410.)

16-18150-6

PERMIT

SAJEP Permits (66-502)

District Engineer, Corps of Engineers.
Jacksonville, Florida
2 December....., 19 66

Florida Power & Light Company
c/o Mr. H. V. Street, Chief Engineer
P. O. Box 3100
Miami, Florida 33101

Gentlemen:

Referring to written request dated 22 September 1966

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army, to install a 7.6 KV submarine power cable, buried in a trench,

(Here describe the proposed structure or work.)

in and across the Intracoastal Waterway, Jacksonville to Miami, Lake Worth,

(Here to be named the river, harbor, or waterway concerned.)

at from the foot of 45th Street at West Palm Beach to the foot of Orange Street
(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

at Palm Beach, in Palm Beach County, Florida,

in accordance with the plans shown on the drawing attached hereto marked: Proposed
(Or drawings; give file number or other definite identification marks.)

Submarine Cable,

subject to the following conditions:

(a) That the work shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pipe, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit therefor must be previously obtained from the Supervisor of New York Harbor, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use by the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the Secretary of the Army, to remove or alter the structural work or obstructions caused thereby without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the United States, and to such extent and in such time and manner as the Secretary of the Army may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the United States on account of any such removal or alteration.

(g) That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

(h) That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the U. S. Coast Guard, shall be installed and maintained by and at the expense of the owner.

(i) That the permittee shall notify the said district engineer at what time the work will be commenced, and as far in advance of the time of commencement as the said district engineer may specify, and shall also notify him promptly, in writing, of the commencement of work, suspension of work, if for a period of more than one week, resumption of work, and its completion.

(j) That if the structure or work herein authorized is not completed on or before the 31st day of December, 1969, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

By authority of the Secretary of the Army:

C. X. Miggins
for **R. P. TAMB**
Colonel, Corps of Engineers
District Engineer

FORM 830 7-56 P.O. 65336

CITY OF WEST PALM BEACH

47TH ST.
46TH ST.
45TH ST.
44TH ST.
POINTEA AVE.

CHARLES E. KELLEY
4600 U.S. HWY.
W.P.B., FLA.

1280' ±
GEO. D. LAMHART
4501 U.S. HWY.
W.P.B., FLA.

MANHOLE
CITY OF W.P.B., FLA.

ULTRACOASTAL

WATERWAY
E OF D/W

PALM BCH COUNTY
SEC 3
T-43-S, R-43-E

CLARE A. THOMAS JR.
432 HARBOR RD.
V. OF U.P.B., FLA.

EXISTING SUBMARINE
CABLE INSTALLED UNDER
PERMIT NO. 7077 DATED 6/25/47 DWG. A-11123
TO REMAIN IN PLACE FOR EMERGENCY USE.

PROPOSED 3" #500 MCM,
PILCHU ARMORED SUBMARINE
CABLE, 7.6KV TO GROUND &
1" 4/0 CUC MULT. GND. NEUT.
ABR LEE COHEN
1070 U. LAKE WAY
PALM BCH, FLA.

LAKE WORTH

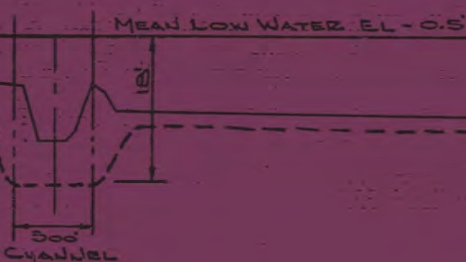
= PLAN =
1" = 600'

0 10 20 30 40 50 60
SCALE IN FEET

TOWN OF PALM BEACH

COLONIAL LU
MONTEREY RD
ORANGE GROVE
MANHOLE
LIST RD
VIA MARILA

PROPOSED CABLE TO
BE A MIN. DEPTH OF
18" BELOW LAKE BOTTOM,
AND 100' BELOW M.L.W.
FOR 100' EACH SIDE
OF CHANNEL.



NOTE:
ELEVATIONS BASED ON
U.S.C. & G.S.
MEAN SEA LEVEL 0.00
MEAN LOW WATER -0.5

= ELEVATION =
HOR: 1" = 600'
VER: 1" = 20'



WEST PALM BEACH
PROPOSED SUBMARINE CABLE ACROSS
LAKE WORTH AT 45TH ST.
APPLICATION BY
FLORIDA POWER & LIGHT COMPANY
DATE: 9-12-66
Scale: 3/4 inch = 1 foot
S10 50-45-450 A-40979

DRAWN BY	C.L. J. G. B. C.
CHECKED	ED. J. J. J.
CORRECT	W. B.

Permit No. (66-502)

APPROVED:
CHIEF ENGINEER

FORM 888 7-68 NO. 6823

CITY OF
WEST PALM
BEACH

47TH ST
46TH ST
45TH ST
44TH ST
PONTIAC AVE

CHARLES E. KELLEY
4000 U.S. HWY.
W. P. B., FLA.

MANHOLE
CITY OF W. P. B., FLA.

1280'±
GEO. D. LAURENCE
4512 U.S. HWY.
W. P. B., FLA.

ULTRACOASTAL

WATERWAY

PALM BEACH COUNTY
SEC 3
T-43-S, R-43-E

**PROPOSED
CABLE**

CLIVE A. THOMAS JR.
432 HARBOR RD.
V. OF U. P. B., FLA.

EXISTING SUBMARINE
CABLE INSTALLED UNDER
PERMIT NO. 7077 DATED 6/25/47 DNG. A-11123
TO REMAIN IN PLACE FOR EMERGENCY
USE.

PROPOSED 3"±500 MCM,
PILCHU ARMORED SUBMARINE
CABLE, 7.6 KV TO GROUND &
1" 4/10 CUC MULT. GND. WENT.
AGE LEE COVERED
1070 U. LAKE WAY
PALM BEACH, FLA.

LAKE WORTH

PLAN
1"=600'

0 10 20 30 40 50 60
SCALE IN FEET

TOWN OF
PALM BEACH

COLONIAL LN
MONTESUY RD
ORANGE GROVE
MANHOLE
LIST RD
VIA MARILA

offset

PROPOSED CABLE TO
BE A MIN. DEPTH OF
18"± BELOW LAKE BOTTOM,
OR 18"± BELOW PALM
OR CHANNEL.

MEAN LOW WATER EL. -0.5'
18"
300'
CHANNEL

**PROPOSED
CABLE**

ELEVATION
SCALE HOR. 1"=600'
SCALE VEE. 1"=20'

NOTE:
ELEVATIONS BASED ON
U.S.C. & G.S.
MEAN SEA LEVEL 0.00
MEAN LOW WATER -0.5

LOCATION SKETCH
WEST PALM BEACH
LAKE WORTH
PALM BEACH
PROPOSED CROSSING

WEST PALM BEACH
PROPOSED SUBMARINE CABLE ACROSS
LAKE WORTH AT 45TH ST.
APPLICATION BY
FLORIDA POWER & LIGHT COMPANY
DATE 9-12-66
SIO 52-45-450
A-40979

DRAWN BY C. J. G. B. C.
CHECKED R. W. B. A. M.
CORRECT H. H. B.

Permits (66-502)

APPROVED:
CHIEF ENGINEER



U.S. DEPARTMENT OF COMMERCE
ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION
COAST AND GEODETIC SURVEY
Atlantic Marine Center
439 West York Street
Norfolk, Virginia 23510

IN REPLY REFER TO:

27 September 1967

Handwritten note: ~~Handwritten note to Chief - maintenance~~

U.S. Army Engineers
District Jacksonville
Post Office Box 4970
Jacksonville, Florida 32201

DD(PCS)		EA	DDE	
ENG	CONST	CH	COMP	RE
CHF	CHF	CHF	AUD	DofG
ASST	ASST CH	ASST	BUD	SFT
MIL	ASST (A)	ASST	MGT	PER
PLN	S&I	STAT	F&A	SUP
SURV	OFF ENG	PLT	COST	OAS
PROG	S.B.R.	NAV	FIN	ADP
CD	DMS	APC	DISB	TLO
SVC		JAX RES	EXAM	IAC
ICS			PROP	

ACTION TAKEN BY _____
IN _____ DATE _____

Gentlemen:

This office has been notified of the completion of the following projects:

- Chart No. 856-SC - Pipe crossing Caloosahatchee River, Permit 66-436 dated 9/26/66.
- Chart No. 854 - Submarine cable across Salt Marsh at Rockland Key Viaduct, Permit 66-644 dated 2/21/67.
- Chart No. 1248 - Submarine cable across Lake Worth, West Palm Beach, Permit 66-502 dated 12/2/66.

In order to expedite the charting of these cables, copies of the permit drawings are being forwarded to your office for action in accordance with Corps of Engineers Regulations No. ER-1145-2-306.

Sincerely,

Handwritten signature
for J. Bull

Director
Atlantic Marine Center

Handwritten mark Enclosures

E	DDE(HCS)	EA	DDE
NG	CONST	CH	COMP RE
CHF	CHF	CH	AUD OotC
ASST	ASST CH	ASST	BUD SET
MIL	ASST (A)	PMIS	MGT PER
DESG	SAI	STAT	F&A SUP
PLAN	OFF ENG	PLT	QDST OAS
SURV	S.B.R.	NAV	FIN ADP
PROG	DMS	APC	DISB TLD
CD		JAX RES	EXAM IAC
GVC			PROP
ICS			

59-291
66-5022
66-245
66-719
67-7

KISCH-ON

ACTION TAKEN BY _____
IN _____ DATE _____

29 June 1967

SUBJECT: Cable Areas in Florida Waters and a Fish Haven in New York Waters

**TO: Commander
U. S. Naval Oceanographic Office
Washington, D. C. 20390**

1. There are inclosed one copy each of portions of USCGS charts upon which are indicated cable areas in Florida waters as follows:

Chart No.

687	St. Johns River
845-SC(2)	Lake Worth
845-SC	Taylor Creek
1254	Big Marco River

It is requested that the cable areas be shown on charts issued by your Department.

2. There is also inclosed a copy of a permit issued on 22 June 1967 to the Department of Conservation and Watersheds, Town of Hempstead, Point Lookout, New York, to construct a fish haven in the Atlantic Ocean off Jones Beach, Nassau County, New York. You will be notified when the work is completed.

3. A similar communication with identical inclosures has been furnished the Department of Commerce for the information of the U. S. Coast and Geodetic Survey.

FOR THE CHIEF OF ENGINEERS:

2 Incis

1. Cys of Portions of
USCGS Charts

687
845-SC(3)
1254

2. Permit

MARK A. GUERER
Chief, Operations Division
Civil Works

cc: South Atlantic Div
Jacksonville Dist
North Atlantic Div
New York Dist

SAJSP Permits (59-291)(66-502)(66-645)
(66-719)(67-7)

12 May 1967

SUBJECT: Charting of Submerged Cables in Inland Waters

TO: Commanding Officer
Southeast Division Naval Facilities Engineering Command
ATTN: Code 32
2144 Melbourne Street
P. O. Box 10068
Charleston, South Carolina 29411

1. Your attention is invited to the inclosed prints showing areas in which submerged cables are laid loosely on or buried beneath the bottom of the waterways.

2. Your views and recommendation are requested as to whether or not the areas should be shown on Coast and Geodetic Survey Charts of the localities, in accordance with the policy set forth in the Joint Board Report 344 dated 8 October 1925.

FOR THE DISTRICT ENGINEER:

4 Incl

1. Excerpt fm Chart 1254
2. Excerpt fm Chart 847-SC
3. Excerpt fm Chart 687
4. 2 Excerpts fm Chart 845-SC

A. L. McKNIGHT
Chief, Operations Division

Mrs. Garrett/ar

Mr. Cooper

Mr. Hartsfield

D. O. FILES IN PERMITS SECTION

CORPS OF ENGINEERS, U. S. ARMY
OFFICE OF THE RESIDENT ENGINEER
JACKSONVILLE, FLORIDA DISTRICT
MIAMI BEACH, FLORIDA

(8315)
(9630)
(9604)

SAJMB Permits (66-288)
(66-502)

SUBJECT: Department of the Army Permit

TO: The District Engineer
Jacksonville, Florida

2 May 1967

DE	DDE(ICS)	EA	DDE
ENG	CONST	CH	COMP
CHF	CHF	CH	AUD
ASST	ASST CH	ASST	BUD
MIL	ASST (A)	PMTS	MGT
DESG	SAT	STAT	FRA
PLAN	OFF ENG	PLT	COST
SURV	S.B.R.	NAV	FIN
PROG	DMS	APC	DISB
CD		JAX RES	TLO
SVC			EXAM
ICS			PROP.

ACTION TAKEN BY
IN

DATE

☐ Inclosed herewith is formal application for Class Department
of the Army Permit from

☒ Inclosed herewith is letter reporting (Completion of work)
(Completion of work) under Department of the Army Permit No. (8315), (9630),
(9604), (66-288), and (66-502), issued to Florida Power & Light Co., West
Palm Beach, Florida.
REMARKS:

Approval (is) (is not) recommended.

E. T. ROSS
Resident Engineer

☒ Incls.
Ltr fm FP&L, 4/26/67

SAJ FL 15
Rev. 11 May 62

FLORIDA POWER & LIGHT COMPANY



West Palm Beach, Florida 33402
April 26, 1967

Mr. L. R. Broadfoot
Engineer in Charge
Clewiston Suboffice
U. S. Army Corps of Engineers
P. O. Box 1327
Clewiston, Florida 33440

Dear Sir:

Following is a list of permits with the Corps of Engineers for which our construction is now complete.

<u>LOCATION</u>	<u>PERMIT NO.</u>	<u>DWG. NO.</u>	<u>DATE COMP.</u>
Submarine crossing Intracoastal Waterway @ A-1-A Bridge, north of Ft. Pierce RWO 374-43-440	8315	A-41591	12-14-66
Submarine crossing Intracoastal Waterway 145' n/o Atlantic Ave. Bridge, Delray RWO 399-42-410	9630	A-37231	11-8-65
Submarine crossing Lake Worth, 105' s/o Lantana Bridge SIO 12-45-410	9604	A-38771	10-18-66
Crossing North Fork of Loxahatchee River SIO 47-45-450	66-288	A-39401-3	10-12-66
Submarine crossing Lake Worth at 45 Street, West Palm Beach SIO 50-45-450	66-502	A-40979	12-5-66

LPB/EJD/bg

Yours very truly,

Louis P. Browning
Louis P. Browning
Division Engineer



DEPARTMENT OF THE ARMY
Jacksonville District, Corps of Engineers
P. O. Box 4970
Jacksonville, Florida 32201

Refer to File No.

SAJSP Permits (66-502)

5 December 1966

Florida Power & Light Company
c/o Mr. H. V. Street, Chief Engineer
P. O. Box 3100
Miami, Florida 33101

U. S. Department of Commerce
Environmental Science Services Administration
Coast & Geodetic Survey - Atlantic Marine Center
409 W. York Street
Norfolk, Virginia 23510

Gentlemen:

PLEASE READ THIS LETTER CAREFULLY AND COMPLY WITH ITS PROVISIONS

There is inclosed a Department of the Army permit authorizing you to perform the work specified therein in accordance with the plans shown on the drawings attached thereto. This permit is issued under the provisions of the Federal laws for the protection and preservation of the navigable waters of the United States, which laws provide that "when plans for any bridge or other structure have been approved by the Chief of Engineers and by the Secretary of the Army,

IT SHALL NOT BE LAWFUL TO DEVIATE FROM SUCH PLANS EITHER
BEFORE OR AFTER COMPLETION OF THE STRUCTURES,

unless modification of said plans has previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of the Army."


Your attention is invited to the conditions under which this permit is issued, particularly to that one requiring you to notify the District Engineer, Corps of Engineers, as follows:

- (1) Of the date of actual commencement of the work,
- (2) Of any suspension and resumption of the work, and date
- (3) Of its final completion.

Compliance with this and other conditions of the permit is essential. Failure to submit the notices requested will tend to invalidate the permit and may result in its revocation.

It is requested that all notices pertaining to the work be mailed in duplicate to **the Resident Engineer, Corps of Engineers, P. O. Drawer 59, Miami Beach, Florida 33139.**

Sincerely yours,


A. L. McKNIGHT
Chief, Operations Division

1 Incl
Permit w/print in 1 sheet

cy to: Res Engr., Miami Beach
(w/cy permit w/print)

SAJ FL 25
Revised 15 Dec 65


Mr. Cooper/ar


Mr. Hartfield

D. O. FILES IN PERMITS SECTION

G. E. DAIL, JR., Executive Director

CENTRAL AND SOUTHERN FLORIDA

FLOOD **C**ONTROL **D**ISTRICT

P. O. BOX 1671
WEST PALM BEACH, FLORIDA 33402



GOVERNING BOARD

RILEY S. MILES, KISSIMMEE
Chairman
R. L. SEARLE, CORAL GABLES
Vice Chairman
T. R. TOMLINSON, MELBOURNE
C. A. THOMAS, LAKE HARBOR
ROBERT W. PADRICK, FORT PIERCE

IN REPLY REFER TO: 5-FCD-41

November 15, 1966

District Engineer, Jacksonville District
Corps of Engineers, U.S. Army
P.O. Box 4970
Jacksonville 1, Florida

Dear Sir:

RE: SAJSP Permits (66-502)

APPLICATION OF: FLORIDA POWER & LIGHT COMPANY
P. O. Box 3100
Miami, Florida 33101

ADDRESS:

DE	DDE(ICS)	EA	DDE
ENG	CONST	ICHP	COMP
CHF	CHF	ASST	AUD
ASST	ASST CH	PMTS	BUD
MIL	ASST (A)	STAT	MGT
DESG	S&I	PLT	F&A
PLAN	OFF ENG	NAV	COST
SURV	S.B.R.	APC	OAS
PROG	DMS	JAK RES	FIN
CD			DISB
SVC			TLO
ICS			EXAM
			IAC
			PROP

ACTION TAKEN BY _____
IN _____ DATE _____

FOR: A PERMIT TO INSTALL A 7.6 KV SUBMARINE POWER CABLE IN AND ACROSS LAKE
WORTH FROM THE FOOT OF 45TH STREET AT WEST PALM BEACH TO THE FOOT OF
ORANGE STREET AT PALM BEACH, IN PALM BEACH COUNTY, FLORIDA.

(Action of Flood Control District indicated by X)

(X) No Protest

() Protest on the following grounds:

Central and Southern Florida Flood
Control District

By:

G. E. Dail, Jr.
Executive Director

cc: to Applicant
to Legal
to Permits

GA WU A

1966 NOV 10 PM 3 09 25

SR NR 1 GOVT PD 10 NOVEMBER 1966

TO FLORIDA POWER AND LIGHT CO 4250 WEST FLAGLER ST MIAMI FLA

REPLY ATTENTION SAJSP PERMITS (66-502).

REURTEL 8 NOVEMBER 1966 DEPARTMENT OF THE ARMY WILL INTERPOSE NO
OBJECTION TO YOUR PROCEEDING AT ONCE AT YOUR OWN RISK WITH
CONSTRUCTION OF SUBMARINE POWER CABLE ACROSS LAKE WORTH AT 43TH STREET
IN WEST PALM BEACH, FLORIDA IN ACCORDANCE WITH PLANS ACCOMPANYING
YOUR APPLICATION DATED 22 SEPTEMBER 1966 PENDING FURTHER ACTION BY
THE DEPARTMENT OF THE ARMY, AND ON THE CONDITION THAT YOU OBTAIN
PERMISSION AS MAY BE NECESSARY FROM THE STATE OF FLORIDA AND LOCAL
AUTHORITIES PRIOR TO COMMENCEMENT OF THE WORK.

DISTRICT ENGINEER U S ARMY ENGINEER DISTRICT

SAJSP *Rodgers* *Hartfield*

OFFICIAL FILE COPY

1966 NOV 8 PM 3 32

*ans by tel
11-10-66
ar*

DE	ODE(ICS)	EA	ODE
ENG	CONST	OFF	COMP RE
CHF	CHF	OFF	AUD Odc
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SURV.	S.D.R.	NAV	FIN ADP
PROG	DMS	APC	DISB TLO
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ACTION TAKEN BY _____
IN _____ DATE _____

U S ENGINEERS

322P EST NOV 8 66 AA300

A GBA214 PD TDGB MIAMI FLO 8 310P EST

DISTRICT ENGINEER, CORPS OF ENGINEERS - U S ARMY

JACKSONVILLE FLO

**REQUEST TELEGRAPHIC APPROVAL TO PROCEED AT OUR OWN RISK TO
CONSTRUCT SUBMARINE CABLE ACROSS LAKE WORTH AT 45TH STREET.**

PALM BEACH, FLORIDA. OUR DRAWING A-40979

H V STREET, CHIEF ENGINEER FLORIDA POWER & LIGHT CO

45TH A-40979

(18).

STATE OF FLORIDA



HAYDON BURNS, Governor
FRED O. DICKINSON, Jr., Comptroller
BROWARD WILLIAMS, Treasurer
EARL FAIRCLOTH, Attorney General
DOYLE CONNER, Commissioner of Agriculture

TRUSTEES OF THE
INTERNAL IMPROVEMENT FUND

ROBERT C. PARKER, Director
ELLIOT BUILDING
TALLAHASSEE, FLORIDA 32304
PHONE 224-2101

November 10, 1966

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SIIRV	S.B.R.	NAV	FIN ADP
PROG	DMS	APC	DISB TLO
CD		JAX RES	EXAM IAC
SVC			PROP
ICS			

ACTION TAKEN BY _____
IN _____ DATE _____

District Engineer
Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32201

Dear Sir:

SAJSP Permits (66-502) Palm Beach County

This is to advise that after review of your notice,
this office has no objection to issuance of the requested permit.

Sincerely,

John DuBose
John DuBose, Chief
Bulkhead Section

JD:fs

cc: Florida Power & Light Company
Post Office Box 3100
Miami, Florida 33101

MEMO ROUTING SLIP		NEVER USE FOR APPROVALS, DISAPPROVALS, CONCURRENCES, OR SIMILAR ACTIONS		ACTION	
1 TO		INITIALS		CIRCULATE	
		DATE		COORDINATION	
Chief, Engineering Division				FILE	
2				INFORMATION	
Design Br				NOTE AND RETURN	
3				PER CON-VERSATION	
Permits Section				SEE ME	
4				SIGNATURE	
REMARKS SAJSP Permits (66-502)					
<p>The attached copy of Public Notice dated 11-8-66 is forwarded for your review and comments.</p> <p>1 Incl Public Notice dtd 11-8-66</p> <p>NO OBJECTION Reviewed for:</p> <p>Date <u>11-9-66</u> Future Planning <input checked="" type="checkbox"/> Flood Control <input checked="" type="checkbox"/> Hydraulics <input checked="" type="checkbox"/> Erosion <input checked="" type="checkbox"/> For: Chief, Design Branch</p> <p>Due to the fact that the Power Commission to "proceed at own risk" we need appropriate early reply</p>					
FROM				DATE	
Chief, Operations Division				11-9-66	
				PHONE	
				219	

DD FORM 95
1 OCT 60

REPLACES PREVIOUS EDITION.

☆GPO 1961-600239

PUBLIC

NOTICE

DEPARTMENT OF THE ARMY
Jacksonville District, Corps of Engineers
P. O. Box 4970
Jacksonville, Florida 32201

SAJSP Permits (66-502)

8 November 1966

NOTICE OF APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

TO WHOM IT MAY CONCERN:

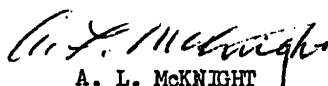
1. Application has been made to the Department of the Army by Florida Power & Light Company, P. O. Box 3100, Miami, Florida 33101, for a permit to install a 7.6 KV submarine power cable in and across Lake Worth from the foot of 45th Street at West Palm Beach to the foot of Orange Street at Palm Beach, in Palm Beach County, Florida. The proposed cable would be placed in a trench with a minimum cover of 18 inches except under the Intracoastal Waterway channel where the top of the pipe would be laid at an elevation of 18 feet below mean low water for a distance of 150 feet each side of the centerline of said waterway. See reverse side of this notice for location and plan of proposed work.

2. Application plans of this work may be seen at the office of the District Engineer, Corps of Engineers, 575 Riverside Avenue, Jacksonville, Florida, and at the office of the Resident Engineer, Corps of Engineers, foot of Collins Avenue, Miami Beach, Florida.

3. This public notice is being distributed to all known interested persons in order to assist in developing facts on which decision by the Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. While a Department of the Army permit merely expresses assent so far as the public rights of navigation are concerned, information from interested persons on aspects of the proposed work other than navigation will be accepted and made a part of the record on the application. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims. Protests or comments regarding the application under consideration should be submitted to the District Engineer, Corps of Engineers, P. O. Box 4970, Jacksonville, Florida, 32201, in time to be received on or before

21 November 1966.

FOR THE DISTRICT ENGINEER:



A. L. McKNIGHT
Chief, Operations Division

CLASS OF SERVICE DESIRED	
FAST TELEGRAM	
DAY LETTER	
NIGHT TELEGRAM	
NIGHT LETTER	
CHARGE F. P. & L. CO.	
COLLECT	

COPY OF TELEGRAM

FLORIDA POWER & LIGHT COMPANY

TO WESTERN UNION TELEGRAPH CO.

PLEASE TRANSMIT THE FOLLOWING MESSAGE UNDER CLASS OF SERVICE INDICATED

FORM 555-B REV. 9-59 PAGE 42-A

PLACE MIAMI, FLORIDA
DATE Nov. 8, 19 66
NUMBER WORDS _____
TIME SENT _____

District Engineer
Corps of Engineers - U. S. Army
Jacksonville, Florida

DE	DDE(RCS)	EA	DDE
ENG	CONST	CH	COMP
CHF	CHF	CHF	AUD
ASST	ASST/CH	ASST	BUD
MIL	ASST (M)	STAT	MGT
DESG	S&T	STAT	F&A
PLAN	OFF ENG	PLT	COST
SURV	S.B.R.	NAV	FIN
PROG	DMS	APC	DISB
CD		JAX RES	EXAM
SVC			IAC
ICS			PROP

ACTION TAKEN BY _____
IN _____ DATE _____

REQUEST TELEGRAPHIC APPROVAL TO PROCEED AT OUR OWN RISK TO CONSTRUCT
SUBMARINE CABLE ACROSS LAKE WORTH AT 45th STREET, PALM BEACH, FLORIDA.
OUR DRAWING A-40979.

CONFIRMATION

H. V. STREET
CHIEF ENGINEER

Dictated BY CDC
Typed BY SB
COPIES TO L. P. Browning
SIO 50-45-450
Signed _____

ACCOUNTING DEPARTMENT
CHARGE TO FLORIDA POWER & LIGHT COMPANY
ACCOUNT 921.1-37

11 16 02 7004 4 10 10 10 10 10

SAJSP Permits (66-502)

APPLICATION ~~XXXXXXXXXXXX~~ WAS MADE ~~XXX~~ BY FLA. POWER & LIGHT CO., P.O. BOX
~~XXXX~~ 3100, Miami 33101 FOR A PERMIT TO INSTALL A 7.6 KV SUBMARINE POWER CABLE
IN AND ACROSS LAKE WORHT FROM THE FOOT OF 45TH ST, W. PALM BCH TO FOOT OF ORANGE ST.
PALM BEACH, PALM BEACH CO.. FLA.

(All places are in Florida unless otherwise indicated)

AREA ENGINEER AND APPLICANT

Resident Engineer
Above-named applicant

Miami Bch (w/ppt)

(66-449)

CONGRESSIONAL

Honorable Spessard L. Holland, U. S. Senate, Washington, D. C. 20510

Honorable Paul G. Rogers House of Representatives, Washington, D.C. 20515

FEDERAL AGENCIES

Chief of Engineers, ATTN: ENGOW-ON, Department of the Army, Washington, D.C. 20315
Commander, 7th Coast Guard District, 51 SW. 1st Ave., Miami 33130 (w/ppt)
Commander, Naval Air Bases, 6th Naval District, Box 10, N.A.S. Jacksonville 32212
Director, Fish & Wildlife Service, Department of the Interior, Interior Building,
Washington, D. C. 20240
Regional Director, Fish & Wildlife Service, Peachtree-Sewell Building, Atlanta,
Ga. 30323 (2 cys - w/ppt)
Field Supervisor, Bureau of Sport Fisheries & Wildlife, 1031 Miracle Mile,
Vero Beach 32960 (w/ppt)
Regional Director, Fish & Wildlife Service, Bureau of Commercial Fisheries,
P.O. Box 6245, St. Petersburg Beach 33706 (w/ppt)
Fish & Wildlife Service, Bureau of Commercial Fisheries, Biological Station,
75 - 33d Avenue, St. Petersburg Beach 33706 (w/ppt)
Federal Water Pollution Control Administration, 50 7th St., Atlanta, Ga.,
30323

STATE AGENCIES

Honorable Haydon Burns, Governor of Florida, Tallahassee
Trustees of the Internal Improvement Fund, Tallahassee
Mr. Randolph Hodges, Director, Florida Board of Conservation, 107 West Gaines
Street, Tallahassee 32301 (w/ppt)
Dr. Robert M. Ingle, Director of Research, Florida Board of Conservation,
West Gaines Street, Tallahassee 32301 (w/ppt)
Colonel H. J. Kelly, Florida Board of Conservation, 107 West Gaines Street,
Tallahassee 32301 (w/ppt)
Mr. W. T. Carlton, Florida Board of Conservation, Division of Research & Survey,
107 West Gaines Street, Tallahassee 32301 (w/ppt)
Mr. Harold Parr, Administrative Assistant, Florida Board of Conservation,
Tallahassee 32301

Mr. O. E. Frye, Jr., Executive Director, Game & Fresh Water Fish Commission,
Tallahassee 32301 (w/prt)
Florida State Road Department, Tallahassee 32301

Department of Coastal Engineering, Bldg. L, University of Florida, Gainesville
32603 (2 cys - w/prt)

Florida Inland Navigation District, 2725 Avenue "E", Riviera Beach 33404 (w/prt)

Robert A. Canon, 1012 Harrison St, Hollywood, Fla. (w/prt)

Chief of Field Services, Workmen's Compensation Division, Florida Industrial
Commission, Tallahassee 32301

Central and Southern Florida Flood Control District, P.O. Box 1671, West Palm
Beach 33402 (w/prt)

Florida State Board of Conservation Marine Laboratory, P.O. Drawer "F",
St. Petersburg 33731 ATTN: Mr. Kenneth Woodburn (w/prt)

Game & Fresh Water Fish Commission, P.O. Box 1840, Vero Beach 32960, ATTN:
Fishery Biologist (w/prt)

East Central Florida Regional Planning Council, 2323 South Washington Avenue,
Titusville 32780

COUNTY AGENCIES

Board of County Commissioners, *Brevard* County, *Fort Lauderdale*

ATTN: County Engineer

County Engineer, *Dade* County Public Works Dept., Engineering Division, Justice
Bldg., Room 823, 1351 NW. 12th Street, Miami 33125

CITIES

City of *Fort Lauderdale*

ATTN: City Manager

OTHERS

Texaco, Inc., 135 E. 42d Street, New York, N. Y. 10017, ATTN: Mr. R.F. Marshman
Mr. O. Lincoln Cone, Asst. Secretary, American Merchant Marine Institute, Inc.,
11 Broadway, New York, N. Y. 10004

Mr. Walter W. Anderson, Bishop Estates Road, Route 5, Box 271, Jacksonville
32216

Bruce W. Strong, 2100 Ave "B", Riviera Beach, Fla.
Fred Nelson, 2010 Ave "B", Riviera Beach, Fla.

CHAMBERS OF COMMERCE

Chamber of Commerce, *Fort Lauderdale*
Riviera Beach
~~Marine Council, Miami-Dade County Chamber of Commerce, 345 NE. 2d Ave., Miami, 33132~~

UTILITIES

American Telephone & Telegraph Co., Long Lines Dept., Room 258, Jacobs Bldg., Jacksonville 32202
~~Florida Gas Transmission Company, P.O. Box 44, Winter Park 32789~~
Florida Power Corporation, Superintendent, Transmission & Distribution, P.O. Box 14042, St. Petersburg 33733
Florida Power & Light Company, P.O. Box 3100, Miami 33169
~~General Telephone Company of Florida, 103 Pine Place, Sarasota 35577~~
~~General Telephone Company of Florida, Telephone Building, 610 Morgan Street, Tampa 33602~~
~~Inter-County Telephone Company, Ft. Myers 33901~~
~~Lee County Electric Cooperative, Inc., P.O. Box 190, Ft. Myers 33902~~
Southern Bell Telephone & Telegraph Company, Room 603, Jacobs Bldg., 421 W. Church Street, Jacksonville 32202, ATTN: State Outside Plant Engineer (T.H.L.) & cys
~~Tampa Electric Company, P.O. Box 111, Tampa 33601~~
Western Union Telegraph Company, 56 Marietta Street, Atlanta, Ga. 30318

NEWSPAPERS

~~Clearwater Sun, Clearwater~~
~~Daytona Beach Journal, Daytona Beach~~
~~Daytona Beach News, Daytona Beach~~
~~Florida Times Union, Jacksonville, ATTN: City Editor~~
~~Ft. Lauderdale Daily News, Ft. Lauderdale~~
~~Ft. Myers News Press, Ft. Myers~~
~~Jacksonville Journal, Jacksonville~~
~~Miami Beach Sun, 1753 Alton Road, Miami Beach 33139~~
~~Miami Daily News, Miami~~
~~Miami Herald, Miami~~
~~Palm Beach Post Times, West Palm Beach~~
~~St. Petersburg Independent, St. Petersburg~~
~~St. Petersburg Times, St. Petersburg~~
~~Tampa Times, Tampa~~
~~Tampa Tribune, Tampa~~

The News Company Beach
The Sun Company Beach

POSTMASTERS

Postmaster,

Fort Lauderdale
Riviera Beach
Company Beach

3

Dr. Her
Florida
Tampa
Mrs. Kat
Loma A
Mr. James
Pass Ro
Mr. Lloyd
Miami 33137
National Audubon Society, 1130 Fifth Avenue, New York, N.Y. 10028
National Audubon Society, 2825 Oak Avenue, Miami 33133
Southeastern Fisheries Association Inc., 224 Center Bldg., 330 South Adams St., Tallahassee 32301
St. Petersburg Audubon Society, 240 - 30th Ave., N., St. Petersburg 33713
The Isaak Walton League of America, Inc., P.O. Box 38, Merritt Island 32952
The Isaak Walton League of America, Inc., 245 Osceola Ave., Stuart 34994
The Isaak Walton League of America, Inc., Florida Keys Chapter, P.O. Box 288, Tavernier 33070
Mr. Walter Michaels, Rt. 1, Box 311, Odessa 33556
Mr. Don Southwell, President, Florida Wildlife Federation, P.O. Box 654, Ormond Beach 32075

CHAMBERS OF COMMERCE

Chamber of Commerce, *Fort Lauderdale*
Burfield Beach
~~Marine Council, Miami-Dade County Chamber of Commerce, 345 NE. 2d Ave., Miami,~~
~~33132~~

UTILITIES

American Telephone & Telegraph Co., Long Lines Dept., Room 258, Jacobs Bldg.,
Jacksonville 32202
~~Florida Gas Transmission Company, P.O. Box 44, Winter Park 32789~~
Florida Power Corporation, Superintendent, Transmission & Distribution, P.O. Box
14042, St. Petersburg 33733
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~~General Telephone Company of Florida, Telephone Building, 610 Morgan Street,~~
~~Tampa 33602~~
~~Inter-County Telephone Company, Ft. Myers 33901~~
~~Pinellas County Electric Cooperative, Inc., P.O. Box 190, Ft. Myers 33902~~
~~Telephone & Telegraph Company, Room 603, Jacobs Bldg., 421 W. Church~~
~~33602, ATTN: State Outside Plant Engineer (T.H.L.) 4 cys~~
~~33601~~
~~St. Louis, Mo., Atlanta, Ga. 30318~~

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

Mr. James
Pass
Mr. Lloyd
Miami 33131
National Audubon Society, 1130 Fifth Avenue, New York, N.Y. 10020
National Audubon Society, 2825 Oak Avenue, Miami 33133
Southeastern Fisheries Association Inc., 224 Center Bldg., 330 South Adams St.,
Tallahassee 32301
St. Petersburg Audubon Society, 240 - 30th Ave., N., St. Petersburg 33716
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The Isaak Walton League of America, Inc., 245 Osceola Ave., Stuart 33994
The Isaak Walton League of America, Inc., Florida Keys Chapter, P.O. Box 200,
Tavernier 33070
Mr. Walter Michaels, Rt. 1, Box 311, Odessa 33556
Mr. Don Southwell, President, Florida Wildlife Federation, P.O. Box 200,
Ormond Beach 32705

CHAMBERS OF COMMERCE

Chamber of Commerce, *Fort Lauderdale*
Shirley Beach
~~Marine Council, Miami-Dade County Chamber of Commerce, 345 NE. 2d Ave., Miami, 33132~~

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~~Miami Daily News, Miami~~
~~Miami Herald, Miami~~
~~Palm Beach Post Times, West Palm Beach~~
~~St. Petersburg Independent, St. Petersburg~~
~~St. Petersburg Times, St. Petersburg~~
~~Tampa Times, Tampa~~
~~Tampa Tribune, Tampa~~

The News, Pompano Beach
The Sun, Pompano Beach

POSTMASTERS

Postmaster, *Fort Lauderdale*
Riviera Bch,
Pompano Beach

SHIPYARDS AND MARINAS

Mr. John Kridor, Member, Florida Waterways Assn., Sanford
Mr. Herbert Gee, Member, Florida Waterways Assn., 2019 Oksechobee Rd.
West Palm Beach
Mr. Robert Fox, President, Florida Waterways Assn., c/o Glidden Co.
Port St. Joe

Mr. M. L. Chadwick, 2260 SE. 17th St., Harbor Beach Plaza, Ft. Lauderdale
Port of Palm Beach District, P.O. Box 9935, West Palm Beach, 33411
City of Ft. Lauderdale, Ft. Lauderdale, ATTN: City Engineer (w/prt)
Outboard Boating Club of America, 307 N. Michigan Ave., Chicago 1, Ill.
ATTN: Mr. Fred B. Lifton, Leg. Coordinator
Mr. Leo Furlong, Jr., Florida Waterways Assn., 1000 NW. 57th Ave., Miami
Mr. Dewey A. Dye, Jr., Member, Florida Waterways Assn., P.O. Box 2100, Bradenton

WILDLIFE ASSOCIATIONS

Dr. Herbert W. Kale II, 408 - 21st Street, SE., Vero Beach 32980
Florida Audubon Society, P.O. Drawer 7, Maitland 32751 (2 yrs)
~~Dr. Herbert W. Kale II, President, Tampa Audubon Society, 1130 Fifth Avenue, New York, N.Y. 10020~~
~~Tampa 33616~~
Mrs. Kathryn P. Knappe, Conservation Committee, Tampa Audubon Society, 4421
Iowa Ave., Tampa 33616
Mr. James D. Neville, President, Florida Nature Conservancy, 6211
Pass Road, Sarasota 33581
Mr. Lloyd Miller, Izaak Walton League of America, Inc., 18601 SW. 7th Place,
Miami 33157
National Audubon Society, 1130 Fifth Avenue, New York, N.Y. 10020
National Audubon Society, 2825 Oak Avenue, Miami 33133
Southeastern Fisheries Association Inc., 224 Center Bldg., 330 South Adams St.,
Tallahassee 32301
St. Petersburg Audubon Society, 240 - 30th Ave., N., St. Petersburg 33711
The Izaak Walton League of America, Inc., P.O. Box 38, Marritt Island 32752
The Izaak Walton League of America, Inc., 245 Osceola Ave., Stuart 34994
The Izaak Walton League of America, Inc., Florida Keys Chapter, P.O. Box 288,
Tavernier 33070
Mr. Walter Michaels, Rt. 1, Box 311, Odessa 33556
Mr. Don Southwell, President, Florida Wildlife Federation, P.O. Box 654,
Ormond Beach 32705

SHIPYARDS AND MARINAS

- Admiralty Yacht Corporation, P.O. Box 5029, Station 3, Ft. Lauderdale 33315
- Allied Marine Corp., 2051 NW. 11th Street, Miami 33125
- Anchorage Yacht Basin, 2491 SW. Highway 84, Ft. Lauderdale 33301
- Atlantic Marine Boat Yard, Inc., 401 SW. Third Ave., Miami 33130
- Banana River Marine Service, Merritt Island 32952
- Bertram Yacht Basin, 3660 NW. 21st Street, Miami 33142
- Biscayne Bay Yacht Club, 2540 South Bayshore Drive, Miami 33133
- Broward Marine Yacht Basin, 1015 Seabreeze Avenue, Ft. Lauderdale 33316
- Causeway Terminal Yacht Basin, 120 MacArthur Causeway, Miami Beach 33139
- Challenger Marine, Inc., 13301 Biscayne Blvd., North Miami 33161
- City Yacht Basin, Miami 33132
- Coral Ridge Yacht Club, P.O. Box 4277, Ft. Lauderdale 33304
- Buona's Off-Shore Marine, P.O. Box 966, Cocoa 32922
- Coral Ridge Marina, 2300 NE. 16th Street, Pompano Beach
- Hillsboro Inlet Yacht Basin, 1776 SE. 15th Street, Pompano Beach
- Lighthouse Marine Center, Pompano Beach
- Pompano Beach Marine Center, 2507 N. Ocean Boulevard, Pompano Beach
- Pompano Beach Yacht Basin & Sands Yachtel, 3107 Atlantic Blvd., Pompano Beach
- Rodi Chris Craft, 1500 N. Federal Highway, Pompano Beach
- Hillsboro Inlet Marina, 2635 North Riverside Drive, Pompano Beach
- Hillsboro Inlet Improvement & Maintenance District, 3801 N. Federal Highway, Pompano Beach
- Hillsboro A-1-A Charter Fleet Assoc., Hillsboro Inlet, Pompano Beach
- Deerfield Yacht Basin, 580 N. Federal Highway, Deerfield Beach
- Cove Yacht Basin, SE. 3rd Street, Deerfield Beach
- Herold Boat Company, 1112 E. Las Olas Blvd., Ft. Lauderdale 33301
- Howard Boat Works, 633 Ballough Road, Daytona Beach 32014
- Indian River Marine Basin, 56 Front Street, Melbourne 32901
- Jungle Queens Sightseeing Boats, Bahia Mar Docks, Ft. Lauderdale Beach 33316
- Keystone Point Marina, 1950 NE. 135th Street, North Miami 33161
- Lauderdale Marina, Inc., 1900 SE. 15th Street, Ft. Lauderdale 33316
- Lauderdale Yacht Basin, Inc., 2000 SW. 20th Street, Ft. Lauderdale 33315
- Lauderdale Yacht Club, P.O. Box 1221, Ft. Lauderdale 33302
- Little River Yacht Basin, 720 NE. 79th Street, Miami 33138
- Merrill-Balfe Division, Merrill-Stevens Dry Dock, 2550 South Bayshore Drive, Coconut Grove, Miami 33134
- Merrill-Stevens Dry Dock, 1270 NW. 11th Street, Miami 33125
- Merrill-Stevens Dry Dock, 3375 Pan American Drive, Miami 33133
- Miami Beach Yacht Corp., 1928 Purdy Avenue, Miami Beach 33139
- Miami Yacht Club, P.O. Box 950, Miami 33101
- Mr. Jacob G. van Hoek, New River Marine, 640 NW. 35th Court, Ft. Lauderdale 33309
- Mr. Robert Fehlhaber, 2337 SW. 27th Avenue, Ft. Lauderdale 33312
- Municipal Yacht Basin, S. Beach Street, Daytona Beach 32014
- Nutas Yacht Basin, 1884 NW. North River Drive, Miami 33125
- Ormond Marina, 1618 John Anderson Drive, Ormond Beach 32074
- Palm Beach Yacht Club, West Palm Beach 33401
- Palm Cove Marina, Inc., P.O. Box 8207, West Palm Beach 33407
- Pier "66", c/o Marina Manager, Drawer 9177, Ft. Lauderdale 33302
- Rodi Boat Company, Davie Blvd., Ft. Lauderdale 33312
- Rodi Boat Company, 100 SW. River Drive, Ft. Lauderdale 33301
- Rybovich & Sons Boat Works, 4200 N. Dixie Highway, West Palm Beach 33407
- Santana Marine Service Dinner Key, Miami 33133
- Spencer Boat Company, Inc., P.O. Box 8207, West Palm Beach 33407
- Sudden Marine Service, 516 W. Las Olas Blvd., Ft. Lauderdale 33312
- West Palm Beach Marine, Flagler Drive, West Palm Beach 33401
- Yacht Haven, 2323 W. State Road 84, Ft. Lauderdale 33301

PUBLIC

NOTICE

DEPARTMENT OF THE ARMY
Jacksonville District, Corps of Engineers
P. O. Box 4970
Jacksonville, Florida 32201

SAJSP Permits (66-502)

8 November 1966

NOTICE OF APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

TO WHOM IT MAY CONCERN:

1. Application has been made to the Department of the Army by Florida Power & Light Company, P. O. Box 3100, Miami, Florida 33101, for a permit to install a 7.6 KV submarine power cable in and across Lake Worth from the foot of 45th Street at West Palm Beach to the foot of Orange Street at Palm Beach, in Palm Beach County, Florida. The proposed cable would be placed in a trench with a minimum cover of 18 inches except under the Intracoastal Waterway channel where the top of the pipe would be laid at an elevation of 18 feet below mean low water for a distance of 150 feet each side of the centerline of said waterway. See reverse side of this notice for location and plan of proposed work.

2. Application plans of this work may be seen at the office of the District Engineer, Corps of Engineers, 575 Riverside Avenue, Jacksonville, Florida, and at the office of the Resident Engineer, Corps of Engineers, foot of Collins Avenue, Miami Beach, Florida.

3. This public notice is being distributed to all known interested persons in order to assist in developing facts on which decision by the Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. While a Department of the Army permit merely expresses assent so far as the public rights of navigation are concerned, information from interested persons on aspects of the proposed work other than navigation will be accepted and made a part of the record on the application. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims. Protests or comments regarding the application under consideration should be submitted to the District Engineer, Corps of Engineers, P. O. Box 4970, Jacksonville, Florida, 32201, in time to be received on or before

21 November 1966.

FOR THE DISTRICT ENGINEER:

Cy to Ch, Engr Div w/prt 11-9-66

Cy to: TLO, Col Tabb, RE, Mi Beh

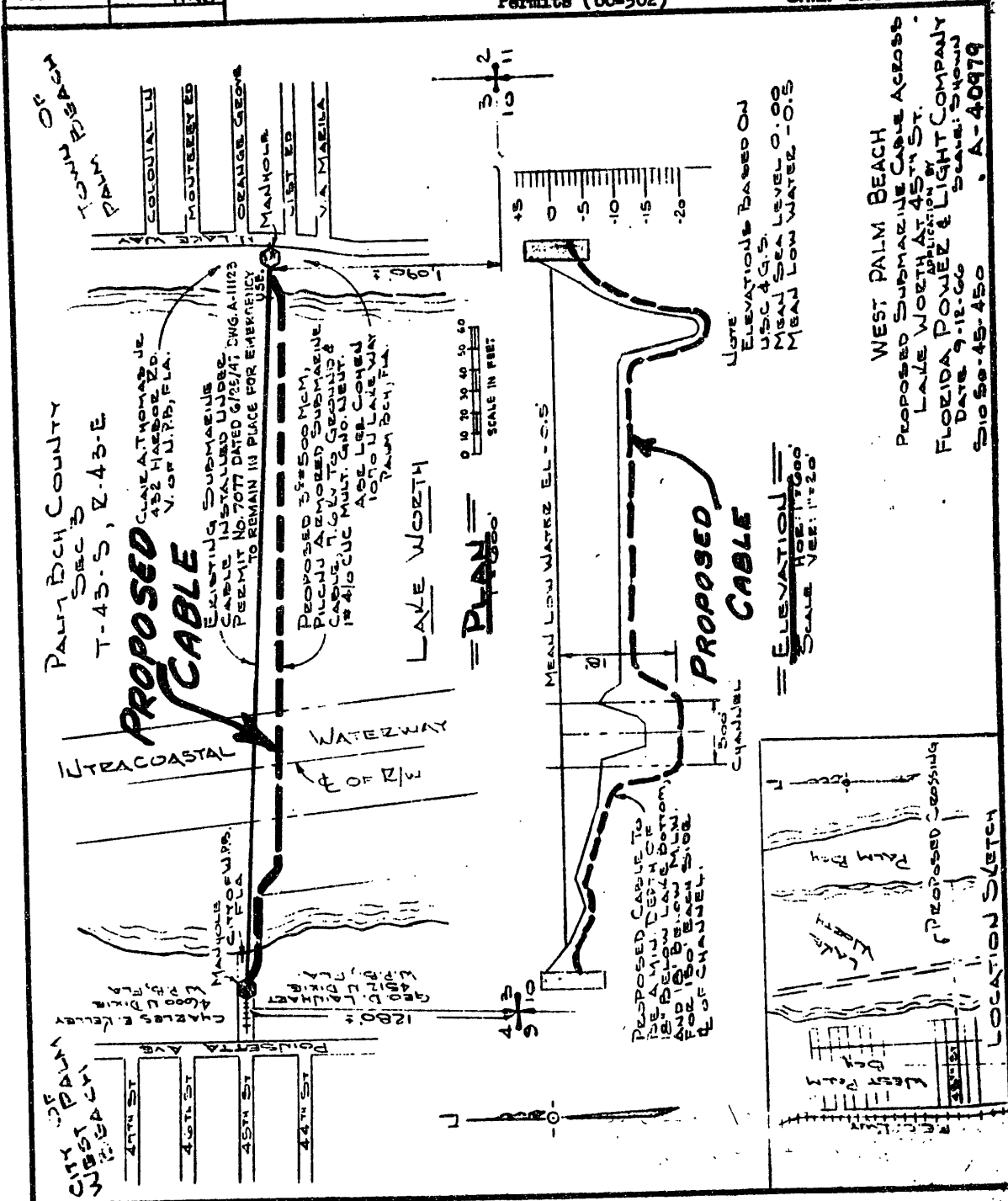
A. L. McKnight
A. L. McKNIGHT
Chief, Operations Division

DRAWN BY	CLWJGR
CHECKED	ROW. MAN
CORRECT	HRB

Permits (66-502)

APPROVED:

CHIEF ENGINEER



234

FLORIDA POWER & LIGHT COMPANY



October 25, 1966

P(66-502)

District Engineer
Corps of Engineers - U.S. Army
Miami Beach Suboffice
Post Office Drawer 59
Miami Beach, Florida

7.6 KV TO GROUND SUBMARINE CABLE
CROSSING LAKE WORTH AT 45TH ST.
WEST PALM BEACH, FLORIDA

Dear Sir:

Please refer to our application dated September 22, 1966
drawing A-40979 dated September 12, 1966 for permission to construct
subject facilities at above location.

We would appreciate your approval of our application
at your earliest convenience.

Yours very truly,

H. V. Street
H. V. Street
Chief Engineer

JFN/1h

PN issued 8 Nov '66
Permit issued 2 Dec '66



CORPS OF ENGINEERS, U. S. ARMY
OFFICE OF THE RESIDENT ENGINEER
JACKSONVILLE, FLORIDA DISTRICT
MIAMI BEACH, FLORIDA

pl 66-502 234

SAJMB Permits

SUBJECT: Department of the Army Permit

TO: The District Engineer
Jacksonville, Florida

27 September 1966

DE	DDERCS)	EA	DDE
ENG	CONST	CH	COMP RE
CHF	CHF	CHF	AUD OofC
ASST	ASST CH	ASST	BUD SFT
MIL	ASST (A)	PMTS	MGY PER
DESG	S&I	STAT	F&A SUP
PLAN	OFF ENG	PLT	COST OAS
SURV	S.B.R.	NAV	FIN ADP
PROG	DMS	APC	DISB TLO
CD		JAX RES	EXAM IAC
SVC			PROP
ICS			
ACTION TAKEN BY _____ DATE _____			

☒ Inclosed herewith is formal application for Class "B" Department of the Army Permit from Florida Power and Light Co., Miami, Florida, to install a submarine power cable across Lake Worth and the Intracoastal Waterway channel from foot of 45th Street in West Palm Beach to a point about midway between Orange Grove Road and List Road in the Town of Palm Beach. The cable will be placed about 18" below the bottom, except where it crosses the Intracoastal Waterway channel, where it will be at -18' elevation for 150' each side of the centerline.

☐ Inclosed herewith is letter reporting (Commencement of work) (Completion of work) under Department of the Army Permit No.

REMARKS:

Approval (is) ~~(disapproved)~~ recommended.

E. T. Ross

E. T. ROSS
Resident Engineer

- 2* Incls.
1. Ltr appln, 9/22/66
2. Tracing w/9 prints

SAJFL 15
Rev. 11 May 62

Rec'd 28 Sept

FLORIDA POWER & LIGHT COMPANY



MIAMI 1, FLORIDA

September 22, 1966

234
P(66-502)

Ref 107

District Engineer
Corps of Engineers - U. S. Army
Miami Beach Suboffice
P.O. Drawer 59
Miami Beach, Florida 33139

7.6 KV TO GROUND SUBMARINE CABLE
CROSSING LAKE WORTH AT 45th ST.
WEST PALM BEACH, FLORIDA

Dear Sir:

This is a formal application for permission to construct above facilities at subject location, as shown on attached tracing and ten prints of our drawing A-40979.

Your early attention to this application will be appreciated.

Very truly yours,

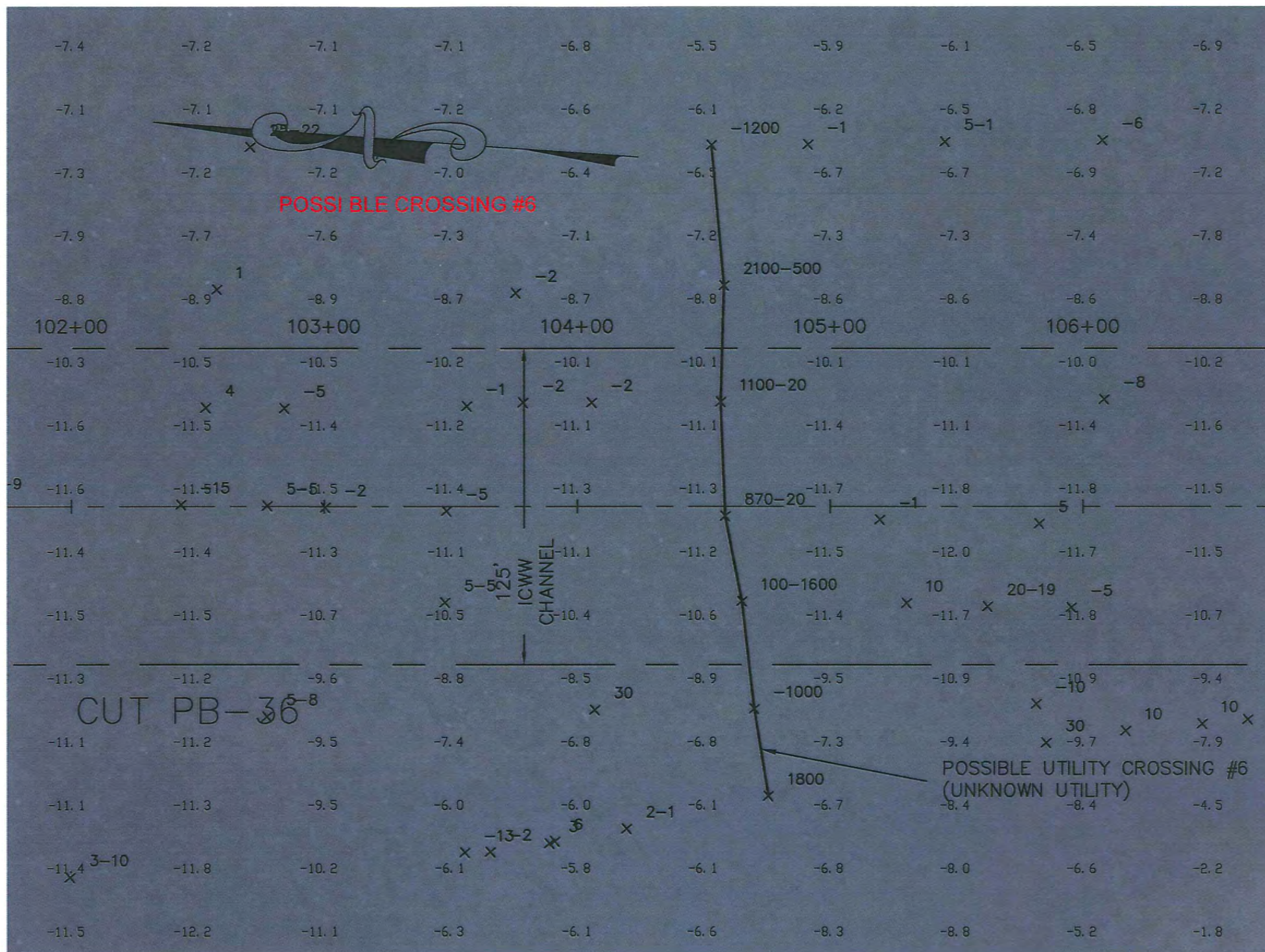
H. V. Street
H. V. Street
Chief Engineer

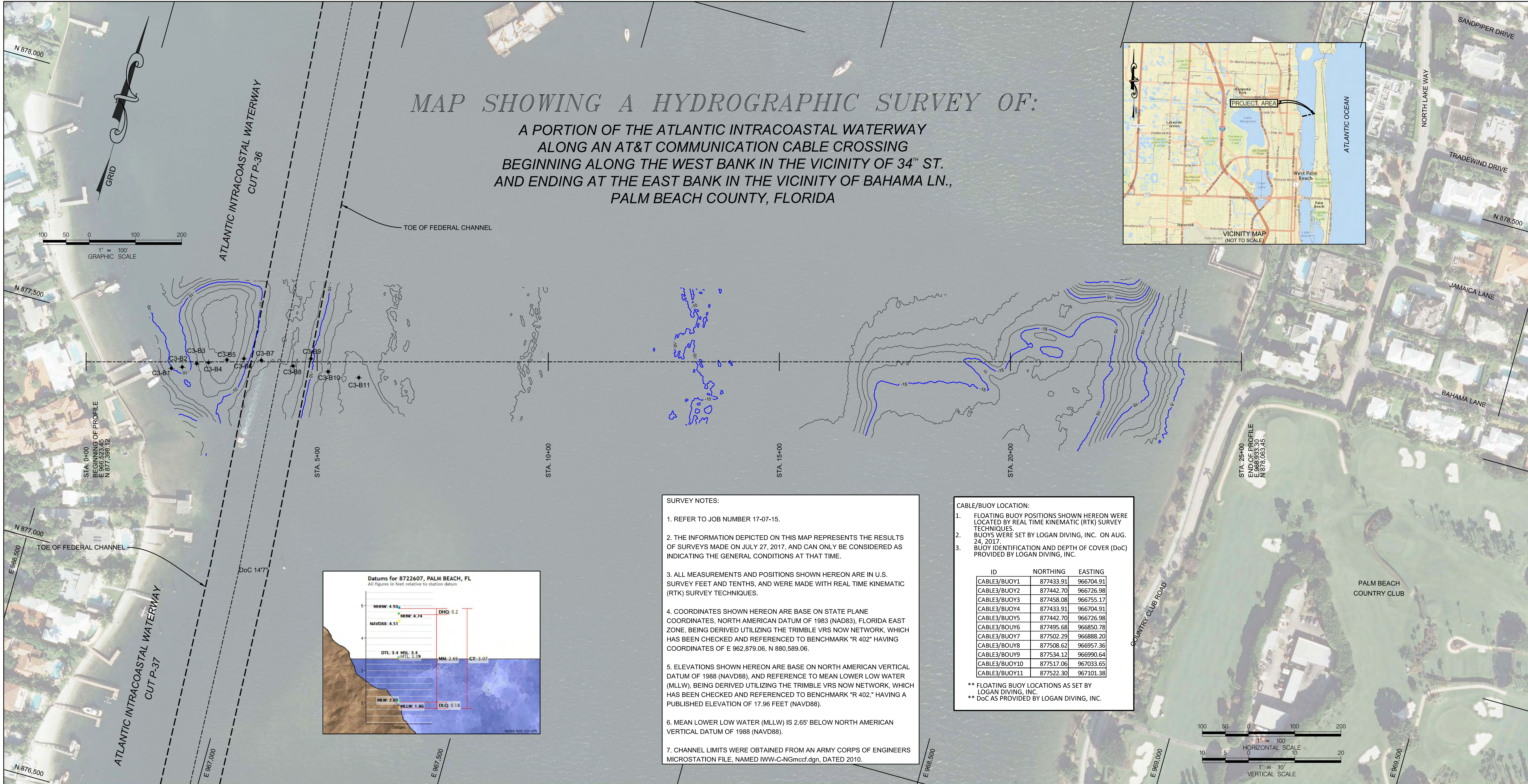
CDC:dp
Encl.



all to ltr, R E, Mr. Bell, 27 Sep 66

Crossing # 6





SURVEY NOTES:

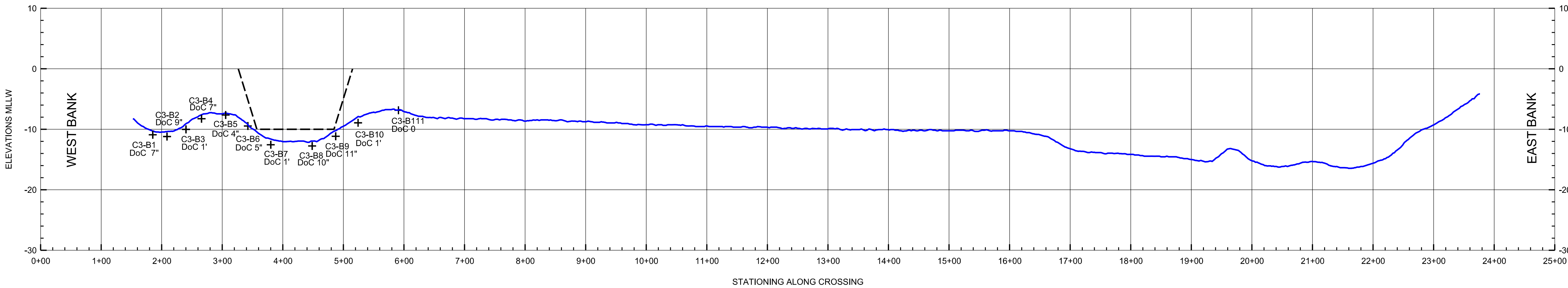
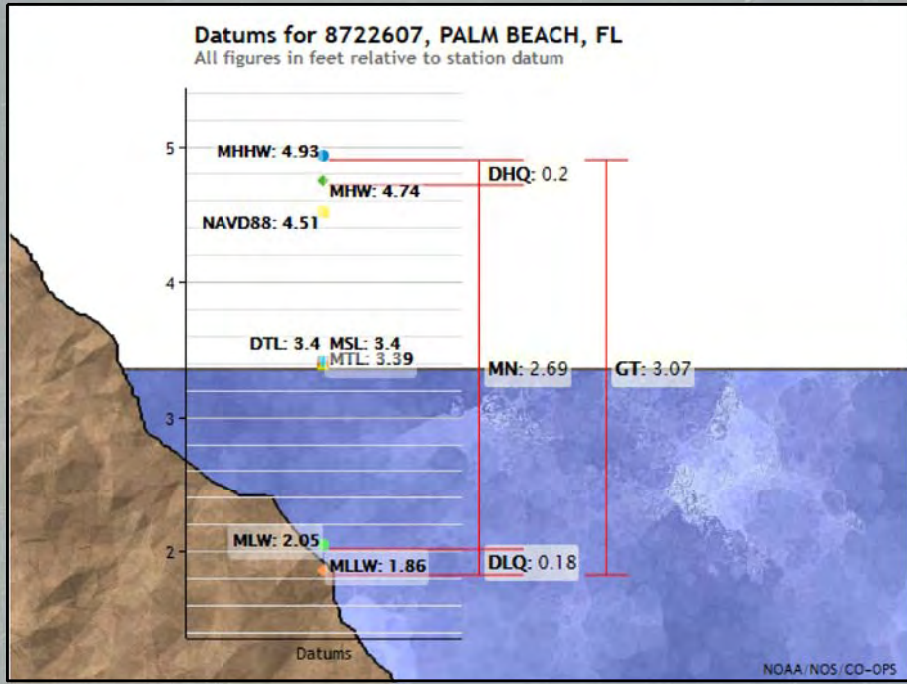
- REFER TO JOB NUMBER 17-07-15.
- THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON JULY 27, 2017, AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
- ALL MEASUREMENTS AND POSITIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND TENTHS, AND WERE MADE WITH REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
- COORDINATES SHOWN HEREON ARE BASE ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE, BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402," HAVING COORDINATES OF E 962,879.06, N 880,589.06.
- ELEVATIONS SHOWN HEREON ARE BASE ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND REFERENCE TO MEAN LOWER LOW WATER (MLLW), BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402," HAVING A PUBLISHED ELEVATION OF 17.96 FEET (NAVD88).
- MEAN LOWER LOW WATER (MLLW) IS 2.65' BELOW NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- CHANNEL LIMITS WERE OBTAINED FROM AN ARMY CORPS OF ENGINEERS MICROSTATION FILE, NAMED IWW-C-NGmccf.dgn, DATED 2010.

CABLE/BUOY LOCATION:

- FLOATING BUOY POSITIONS SHOWN HEREON WERE LOCATED BY REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
- BUOYS WERE SET BY LOGAN DIVING, INC. ON AUG. 24, 2017.
- BUOY IDENTIFICATION AND DEPTH OF COVER (DoC) PROVIDED BY LOGAN DIVING, INC.

ID	NORTHING	EASTING
CABLE3/BUOY1	877433.91	966704.91
CABLE3/BUOY2	877442.70	966726.98
CABLE3/BUOY3	877458.08	966755.17
CABLE3/BUOY4	877433.91	966704.91
CABLE3/BUOY5	877442.70	966726.98
CABLE3/BUOY6	877495.68	966850.78
CABLE3/BUOY7	877502.29	966888.20
CABLE3/BUOY8	877508.62	966957.36
CABLE3/BUOY9	877534.12	966990.64
CABLE3/BUOY10	877517.06	967033.65
CABLE3/BUOY11	877522.30	967101.38

** FLOATING BUOY LOCATIONS AS SET BY LOGAN DIVING, INC.
** DoC AS PROVIDED BY LOGAN DIVING, INC.



PROFILE LEGEND / ABBREVIATIONS

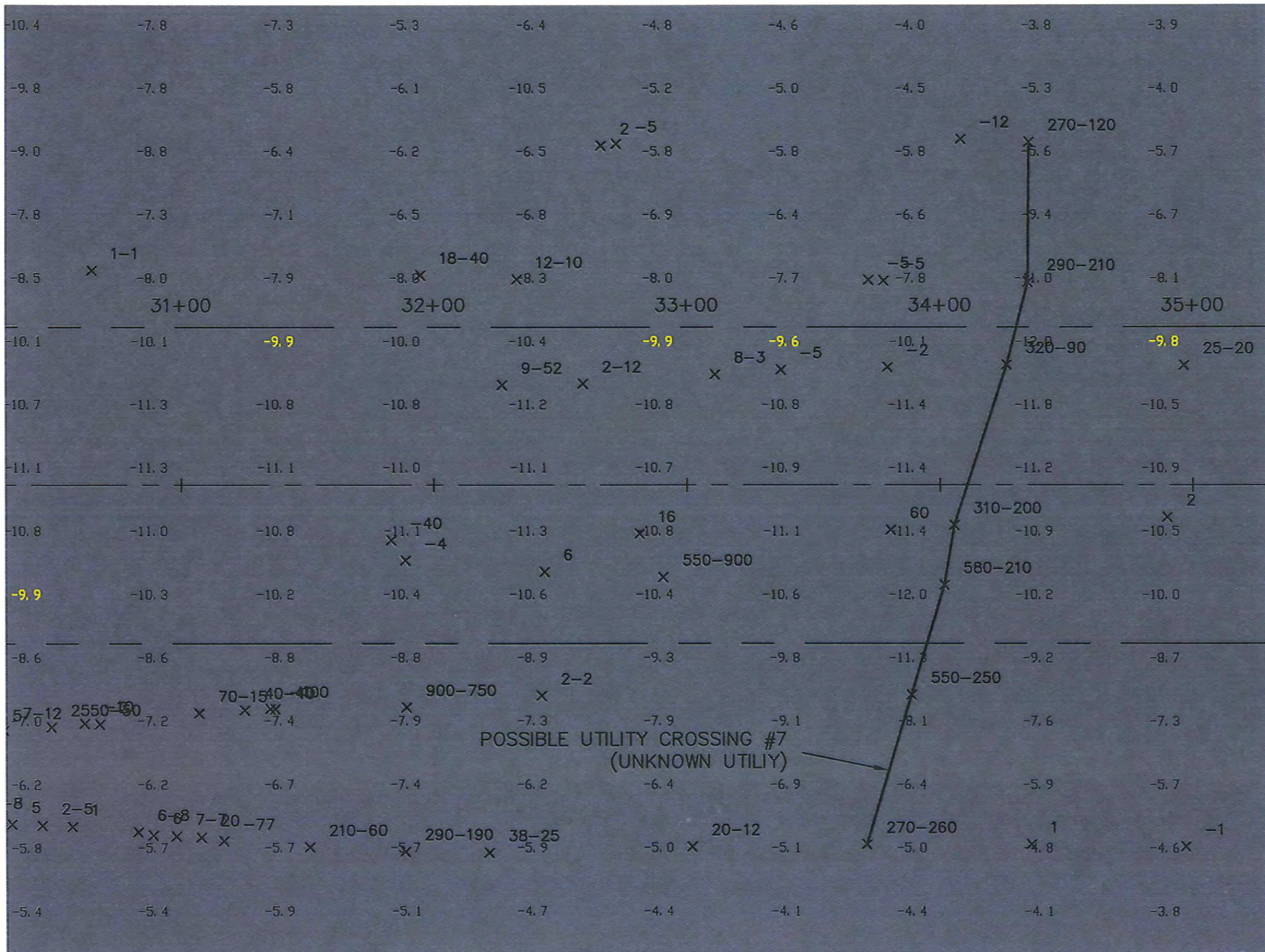
- ARC HYDROGRAPHIC SURVEY
- MLLW, DATED 07/27/17
- AIWW CHANNEL
- 10' MLLW, 2:1 SIDE SLOPES
- OBTAINED FROM ARMY CORPS OF ENGINEERS
- BUOY LOCATION
- C - CABLE #
- B - BUOY #
- DoC
- DEPTH OF COVER FROM EXISTING BOTTOM

LOGAN DIVING NOTE:

All horizontal and vertical locate information was obtained electronically with a Radio Detection RD 7000, TX-10 Transmitter, and DD Underwater antenna. Cable locations noted on this drawing depicts the locations provided electronically by the RD 7000 and DD Underwater antenna. Where light/shallow depth of cover was indicated, the dive team physically uncovered and verified a cable with hands on. On electronic location readings indicating deep cover, the dive team did not excavate to confirm electronic locate readings. All locations are what was indicated electronically by the RD 7000 and DD Underwater antenna on the date of inspection. All TX-10 transmitter connections to induce a tone to the cable was provided by AT&T representatives on site. Individual Cable ID on multiple cable crossings is as provided by AT&T representatives on site. For absolute definitive cable ID and location, the dive team must excavate and put hands on subject cables.

RICHARD J. SAWYER
PROFESSIONAL SURVEYOR AND MAPPER NO. 6131
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Crossing # 7



Crossing # 8



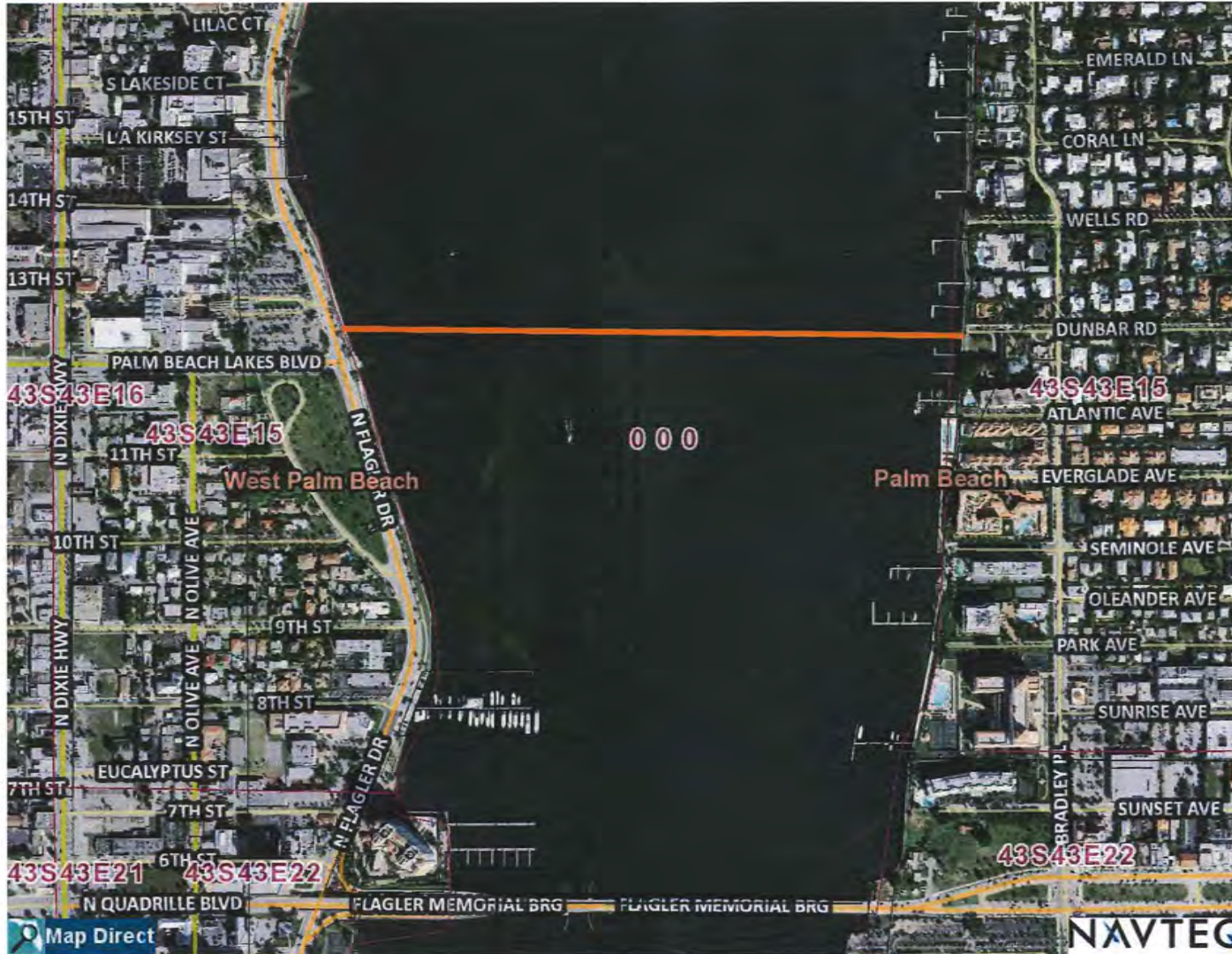
Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSING 8

26°43'42.4862", -80°3'13.4677"

Scale 1:8,186

26°43'40.9073", -80°2'18.4307"



26°43'4.5826", -80°3'14.8242"

1 inch = 682 feet

26°43'3.0038", -80°2'19.7924"



Aerial Imagery 2011-2013

- All Parcel Types (BTLDS)
- Public Land Survey System 2006
- TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Mon, 16 May 2016 16:24:04 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

Return to Grantor

APR-06-1992 11:29am 92-100574

This Instrument Prepared By:
Karen Lee Garrison
Bureau of Submerged Lands and Preserves
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

ORB 7188 Pg 1845

Con 10.00 Doc .60
CLERK OF THE COURT - PB COUNTY, FL

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 00304(4169-50)

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Comcast Cablevision of West Palm Beach, Inc., a Delaware Corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following *Cable's address: 1701 Southpoint Parkway, W. P. B., FL 33407.* legal description:

A parcel of submerged land in Section 15,
Township 43 South, Range 43 East, in Lake Worth,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated August 19, 1991.

TO HAVE THE USE OF the hereinabove described premises for a period of 30 years from December 13, 1991, the effective date of this easement. The terms and conditions of and for which this easement is granted are as follows:

1. The above described parcel of land shall be used solely for the installation and maintenance of a subaqueous cable for television transmission.
2. The consideration for this easement shall be an amount as determined by the rule establishing fees for utility crossings. Once the rule is adopted, payment shall be remitted to the Grantor according to the rule. The established fee shall be assessed retroactively from the effective date of the subject rule.
3. Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement.

9. Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Comcast Cablevision of
West Palm Beach, Inc.
1401 Northpoint Parkway
West Palm Beach, Florida 33407

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. Renewal of this easement is at the sole option of the Grantor. Such renewal shall be subject to the terms, conditions and provisions of current management standards and applicable laws, rules and regulations in effect at that time. In the event that Grantee is in full compliance with the terms of this easement, the Grantee shall be allowed a 30-day grace period after expiration of this easement to apply in writing for a renewal. If the Grantee fails to apply for a renewal within the grace period, or in the event the Grantor does not grant a renewal, the Grantee shall vacate the premises and remove all structures and equipment occupying and erected thereon at its expense.

14. If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

15. No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

16. The Grantee, at its own expense, shall record this easement and any subsequent approved renewal and/or modified easements in the official records of the county within which the easement site is located within ten (10) days after receipt of a fully executed copy of this easement, and shall provide the Grantor with a copy of the recorded easement indicating the book and page at which the easement is recorded.

17. This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

18. SPECIAL EASEMENT CONDITION - Lessee shall comply with the standard construction conditions recommended by the Florida Marine Research Institute for the protection of the endangered manatee.

WITNESSES:

Teresa R. Cook
Original Signature

Teresa R. Cook
Typed/Printed Name of Witness

Roger Lee Garrison
Original Signature

Roger Lee Garrison
Typed/Printed Name of Witness

STATE OF FLORIDA
COUNTY OF LEON

Before me personally appeared Deborah H. Parrish, to me well known and known to me to be the person who executed the foregoing instrument, and acknowledged to and before me that she executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 16 day of March,
A.D., 1992.

APPROVED AS TO FORM AND LEGALITY:

William C. Robinson
DNR Attorney

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE OF
FLORIDA

(SEAL)

BY Deborah H. Parrish
Deborah H. Parrish, Deputy Director,
Division of State Lands, Agent for the
Board of Trustees of the Internal
Improvement Trust Fund

"GRANTOR"

Leigh O'Shields
Notary Public
State of Florida at Large (SEAL)

Leigh O'Shields
Typed/Printed Name of Notary Public
My Commission Expires April 10, 1998
Commission No. CC100616

WITNESSES:

Margie Schweiger
Original Signature

Margie Schweiger
Typed/Printed Name of Witness

Teri B. Calhoun
Original Signature

Teri B. Calhoun
Typed/Printed Name of Witness

STATE OF Florida
COUNTY OF Palm Beach

Before me personally appeared William R. Goetz, Jr. to me well known and known to me to be the person who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 24 day of January,
1992.

My Commission Expires:
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES OCTOBER 31, 1994
BONDED THRU HUCKLEBERRY & ASSOCIATES
Commission No. CC-000451

Comcast Cablevision of West Palm Beach,
Inc., a Delaware Corporation (SEAL)
Grantee

BY William R. Goetz, Jr.
Original Signature of Executing Authority

William R. Goetz, Jr.
Typed/Printed Name of Executing Authority

VICE President
Title of Executing Authority

"GRANTEE"

Teri B. Calhoun
Notary Public
Typed/Printed Name of Notary Public
State of Florida at Large

Crossing # 9



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

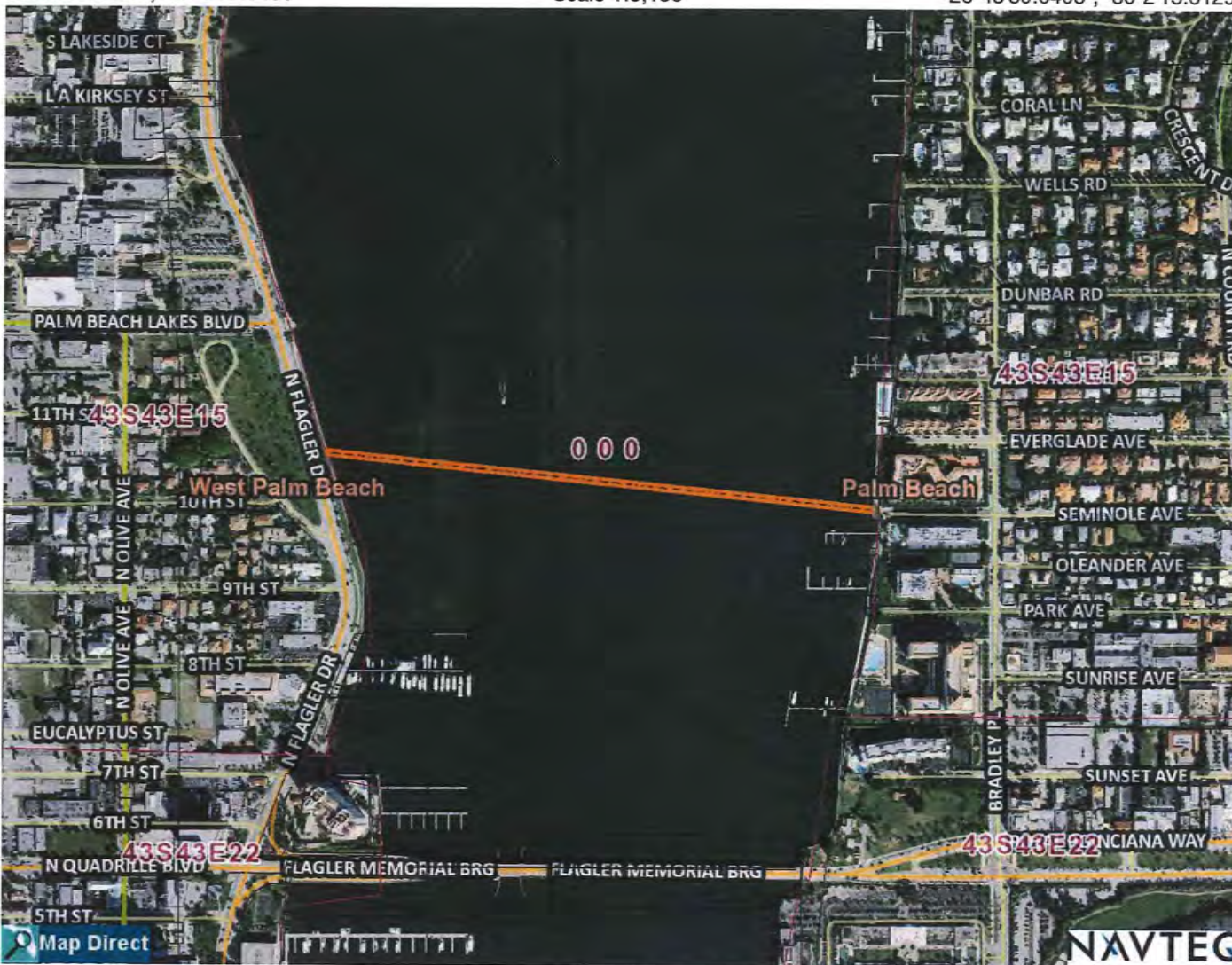
POSSIBLE CROSSING 9



26°43'40.6197", -80°3'10.6496"

Scale 1:8,186

26°43'39.0405", -80°2'15.6129"



26°43'2.7161", -80°3'12.0063"

1 inch = 682 feet

26°43'1.1370", -80°2'16.9748"

Aerial Imagery 2011-2013

- All Parcel Types (BTLDS)
- Public Land Survey System 2006
- TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Mon, 16 May 2016 16:51:03 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

**Document Type: Trustees of the Internal Improvement Trust Fund
Instruments [TFI Coversheet]**

Disposition # _____ FL-SOLARIS # _____ DM ID# _____

Instrument Desc. | EASEMENT

Document # | 41677

Extension | 000

File Number | 6318

Amendment # |

Document Date | 4/24/2014

Original County | Palm Beach | Consideration | N/A

Water Body | Lake Worth Lagoon

Reservation | No | Reverter | Yes | Submerged Land | Yes | Restrictions | No

Section(s) | 15

Township(s) | 43 S

Range(s) | 43 E

Total Area | 44066 | Area Unit | (S) Square Feet

Recording County | B: | P: |

Recording County Instrument # | 1

BOT File # | 500237876

Associated Upland Lease # |

Comments:

Date prepped:
5/23/2014

Flip Card:

Land Use Summary #

--

The information on this page was collected during the prep phase of scanning. Please refer to the document for actual information.

This Instrument Prepared By:
Tiana Brown
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS EASEMENT

NO. 41677 (6318-50)
BOT FILE NO. 500237876
PA NO. 50-0214971-002

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Section 15, Township 43 South, Range 43 East, in Lake Worth Lagoon, Palm Beach County, as is more particularly described and shown on Attachment A, dated November 8, 2013.

TO HAVE THE USE OF the hereinabove described premises for a period of 50 years from March 7, 2014, the effective date of this easement. The terms and conditions on and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for installation and operation of three subaqueous high density polyethylene (HDPE) conduits and Grantee shall not engage in any activity except as described in the State of Florida Department of Environmental Protection General Permit No. 50-0214971-002, dated January 10, 2014, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this easement.

2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.

3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.

4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.

5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts of omissions of Grantor.

9. ASSIGNMENT OF EASEMENT: This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

10. TERMINATION: The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Florida Power & Light Company
700 Universe Blvd.
Juno Beach, Florida 33408

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

11. TAXES AND ASSESSMENTS: The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

12. REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES: If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 10 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

13. ENFORCEMENT OF PROVISIONS: No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

14. AMENDMENT/MODIFICATIONS: This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

15. USACE AUTHORIZATION: Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (USACE) permit if it is required by the USACE. Any modifications to the construction and/or activities authorized herein that may be required by the USACE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

16. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

17. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

M. Sue Jones
Original Signature

M. Sue Jones
Print/Type Name of Witness

Kathy C Griffin
Original Signature

Kathy C Griffin
Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY: Cheryl C McCall (SEAL)

Cheryl C. McCall, Chief, Bureau of Public Land Administration,
Division of State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the
Board of Trustees of the Internal Improvement Trust Fund of the
State of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 24th day of April, 2014, by
Cheryl C. McCall, Chief, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State
of Florida She is personally known to me.

APPROVED AS SUBJECT TO PROPER EXECUTION:

Angela H. H. H. H. 4/2/14
DEP Attorney Date

Kathy C Griffin
Notary Public, State of Florida

Printed, Typed or Stamped Name: Kathy C Griffin
My Commission Expires: 11/27/2015

Commission/Serial No. _____

WITNESSES:

Samantha J. Saucier
Original Signature

Samantha J. Saucier

Typed/Printed Name of Witness

Michelle M. Kahmann
Original Signature

Michelle M. Kahmann

Typed/Printed Name of Witness

STATE OF FL

COUNTY OF Palm Beach

Florida Power & Light Company,
a Florida corporation

(SEAL)

BY:

Dean J. Girard
Original Signature of Executing Authority

Dean J. Girard

Typed/Printed Name of Executing Authority

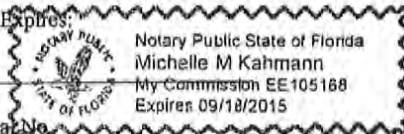
Director, Corporate Real Estate

Title of Executing Authority

"GRANTEE"

The foregoing instrument was acknowledged before me this 14th day of April, 2014, by Dean J. Girard as Director, Corporate Real Estate of Florida Power & Light Company, a Florida corporation, for and on behalf of the corporation. He is personally known to me or who has produced _____, as identification.

My Commission Expires:

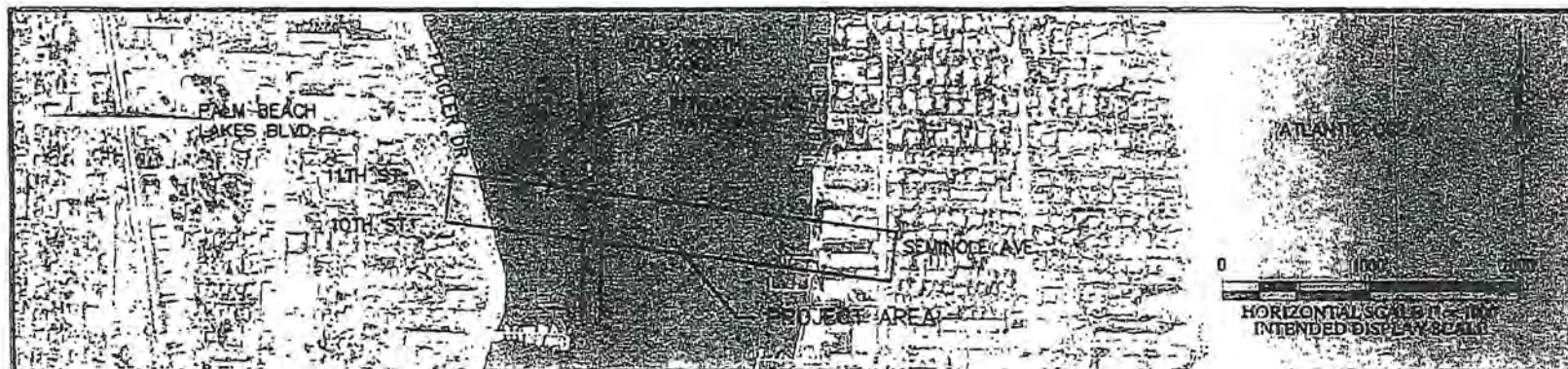


Commission/Serial No.

Michelle M. Kahmann
Notary Public, State of FL

Michelle M. Kahmann

Printed, Typed or Stamped Name



SURVEY NOTES:

1. COORDINATES SHOWN ARE IN FEET, AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011 (NAD 83/11) AND ARE BASED ON CONTROL MONUMENTS AS SHOWN IN THE CONTROL TABLE.
2. BEARINGS ARE BASED UPON A LINE BETWEEN CONTROL POINTS Q 042 AND ST MARYS S 1 BEARING N 42°04'54" E.
3. AERIAL IMAGERY WAS TAKEN IN 2011 AND PROVIDED BY FLORIDA DEPARTMENT OF TRANSPORTATION.
4. AERIAL IMAGERY IS DISPLAYED HEREON FOR INFORMATION PURPOSES ONLY, NO PHOTOGRAPHIC ACCURACY IS IMPLIED BY THIS MAP.
5. UNDERGROUND UTILITIES AND IMPROVEMENTS NOT LOCATED.
6. ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PROHIBITED WITHOUT WRITTEN CONSENT.
7. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. INTRACOASTAL WATERWAY CHANNEL LOCATION TAKEN FROM A U.S. CORPS OF ENGINEERS RECONNAISSANCE SURVEY DATED APRIL, 2000.
9. THIS LEGAL DESCRIPTION IS BASED UPON A FIELD SURVEY.
10. THIS PROPOSED EASEMENT AREA HAS NOT BEEN ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

RECEIVED

DEC 12 2013

FL DEP
WEST PALM BEACH

CONTROL TABLE

MONUMENT	NAD 83/11 SPCS 0901		NAVD 88	US SURVEY FEET
	NORTHING	EASTING	ELEVATION	STAMPING
Q 402	963077.38	878078.80	16.23	Q 402 1991
ST MARYS S 1	955981.46	870220.51		ST MARYS S 1
X 167 9396			8.88	9396 X 167



MORGAN & EKLUND, INC.

PROFESSIONAL SURVEY CONSULTANTS

8745 US HIGHWAY #1
P.O. BOX 1420
WABASSO, FL 32970
PHONE: (772) 388-5384
FAX: (772) 388-3185

1500 S.E. 3RD COURT
SUITE 110
DEERFIELD BEACH, FL 33441
PHONE: (954) 421-8882
FAX: (954) 421-0451

SKETCH OF LEGAL DESCRIPTION
PROPOSED SUBMERGED LAND EASEMENT
LAKE WORTH LAGOON BETWEEN FLAGLER DRIVE
AND SEMINOLE AVE.
FOR FLORIDA POWER AND LIGHT COMPANY

DRAWN BY
LFP

CHECKED BY
JRM

FIELD BOOK PB 82
PAGE NO. 32-40, 57, 58

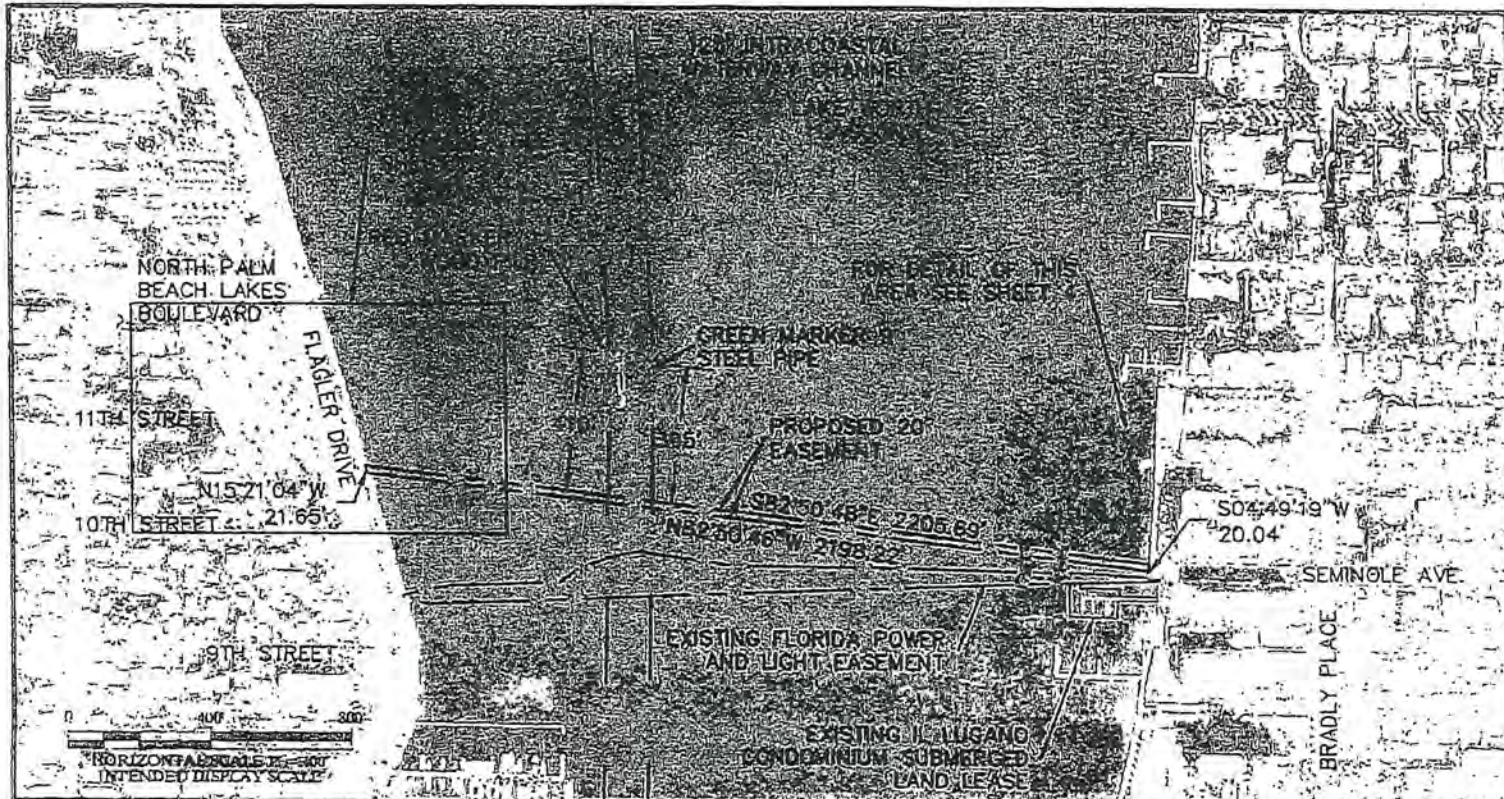
DATE OF SURVEY
10/31/13

COMMISSION NO.
5009.99

SCALE
1" = 1000'

DATE
11/6/13

SHEET 1 OF 5



MORGAN & EKLUND, INC.

PROFESSIONAL SURVEY CONSULTANTS

8743 US HIGHWAY #1
P.O. BOX 1420
WABASSO, FL 32970
PHONE: (772) 388-5384
FAX: (772) 388-3165

1500 S.E. 3RD COURT
SUITE 110
DEERFIELD BEACH, FL 33441
PHONE: (954) 421-6882
FAX: (954) 421-0451

SKETCH OF LEGAL DESCRIPTION
PROPOSED SUBMERGED LAND EASEMENT
LAKE WORTH LAGOON BETWEEN FLAGLER DRIVE
AND SEMINOLE AVE.
FOR FLORIDA POWER AND LIGHT COMPANY

CONVEYANCE NO.
5009.99

SCALE
1" = 400'

DATE
11/6/13

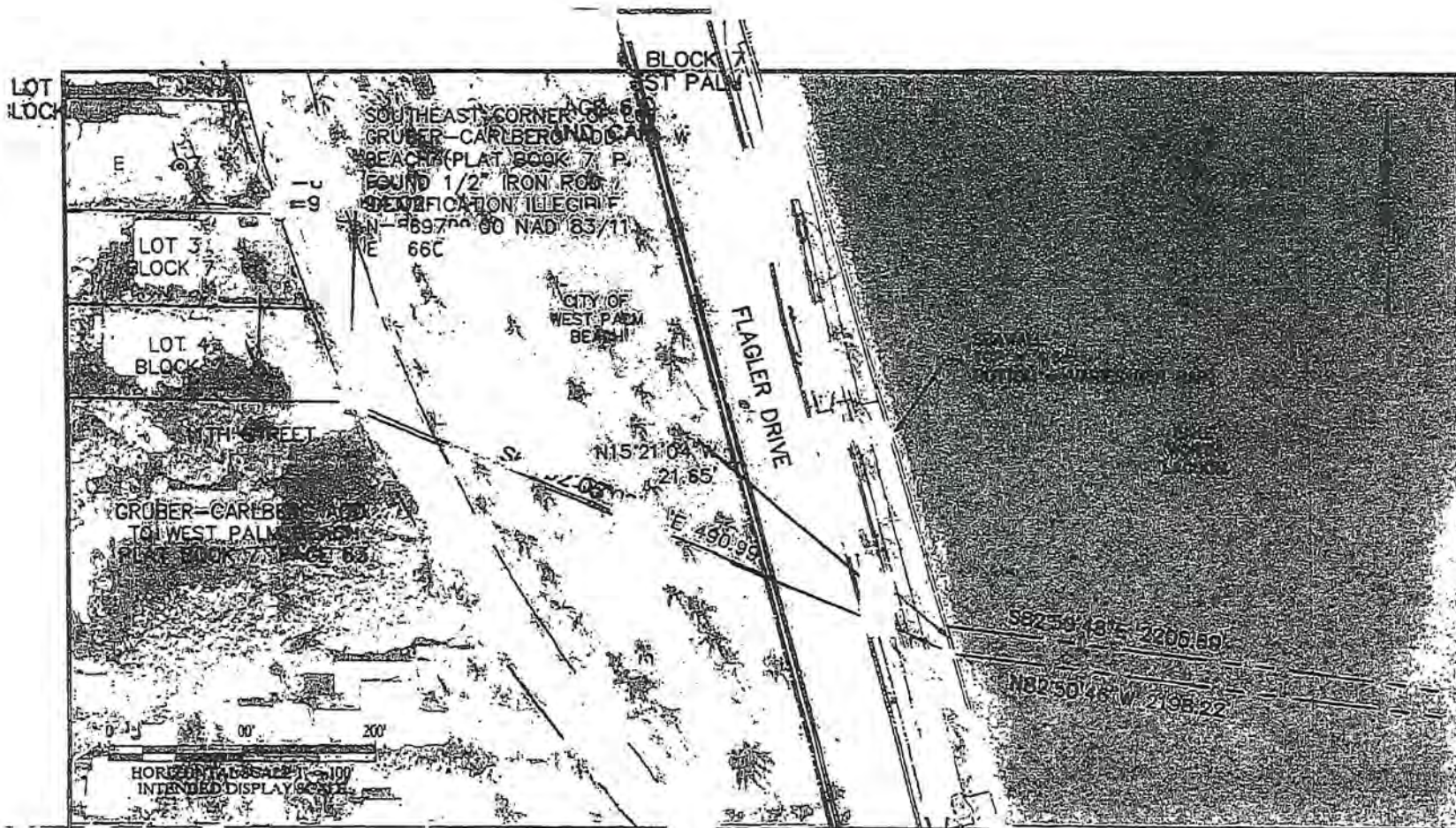
DRAWN BY
LFP

CHECKED BY
JRM

FIELD BOOK PB 82
PAGE NO. 32-40, 57, 58

DATE OF SURVEY
10/31/13

SHEET 2 of 5



MORGAN & EKLUND, INC.



8745 S. HIGHWAY #1
P.O. BOX 1420
WABASSO, FL 32970
PHONE: (772) 388-5364
FAX: (772) 388-3185

1500 S.E. 3RD COURT
SUITE 110
DEERFIELD BEACH, FL 33441
PHONE: (954) 421-6882
FAX: (954) 421-0451

PROFESSIONAL SURVEY CONSULTANTS

SKETCH OF LEGAL DESCRIPTION
PROPOSED SUBMERGED LAND EASEMENT
LAKE WORTH LAGOON BETWEEN FLAGLER DRIVE
AND SEMINOLE AVE.
FOR FLORIDA POWER AND LIGHT COMPANY

DRAWN BY
LFP

CHECKED BY
JRM

FIELD BOOK PB 62
PAGE NO. 32-40, 57, 58

DATE OF SURVEY
10/31/13

COMMISSION NO.
5009.99

SCALE
1" = 100'

DATE
11/6/13

SHEET 3 OF 5

LEGAL DESCRIPTION:

A PORTION OF SUBMERGED LANDS LYING WITHIN THE LAKE WORTH LAGOON IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8" IRON ROD (WITHOUT IDENTIFICATION) FOUND AT THE NORTHWEST CORNER OF SEMINOLE AVENUE, HAVING A NORTHING OF 869352.75 AND EASTING OF 968773.60 REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT; PROCEED ALONG THE WESTERLY PROJECTION OF THE NORTH RIGHT-OF-WAY OF SEMINOLE AVENUE N88°51'34"W FOR A DISTANCE OF 44.72 FEET TO THE POINT OF BEGINNING (HAVING A NORTHING OF 869353.64 AND AN EASTING OF 968728.88 (NAD83/11), SAID POINT BEING ON THE WET FACE OF AN EXISTING SEAWALL AND MEAN HIGH WATER LINE OF THE LAKE WORTH LAGOON (ELEVATION 0.22 NAVD 88)); THENCE ALONG SAID SEAWALL WET FACE AND MEAN HIGH WATER LINE S 04° 49' 19" W FOR A DISTANCE OF 20.04 FEET; THENCE N 82° 50' 46" W FOR A DISTANCE OF 2198.22 FEET TO A POINT ON THE WET FACE OF AN EXISTING SEAWALL AND MEAN HIGH WATER LINE (ELEVATION 0.22 NAVD 88), SAID POINT BEING 490.99 FEET DISTANT FROM AN IRON ROD AND CAP FOUND AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 7 OF GRUBER-CARLBERG ADD. TO WEST PALM BEACH AS FILED IN THE PALM BEACH COUNTY CLERK'S OFFICE IN PLAT BOOK 7, PAGE 63 ALONG A BEARING OF S67°02'05"E; THENCE ALONG SAID SEAWALL WET FACE AND MEAN HIGH WATER LINE N 15° 21' 04" W FOR A DISTANCE OF 21.65 FEET TO A POINT; THENCE S 82° 50' 48" E A DISTANCE OF 2205.69 FEET TO THE POINT OF BEGINNING.

CONTAINING 44,066± SQUARE FEET 1.01± ACRE OF LAND.

CERTIFIED TO:


BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

FLORIDA POWER AND LIGHT COMPANY

CERTIFICATE OF SURVEYOR - I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS IN ACCORDANCE WITH A RECENT FIELD SURVEY MADE UNDER MY DIRECTION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JOHN R. MORGAN, II, PLS
PROFESSIONAL LAND SURVEYOR #3520
STATE OF FLORIDA

11/8/13

 MORGAN & EKLUND, INC. PROFESSIONAL SURVEY CONSULTANTS 8745 US HIGHWAY #1 P.O. BOX 1420 WABASSO, FL 32970 PHONE: (772) 388-5364 FAX: (772) 388-3165 1500 S.E. 3RD COURT SUITE 110 DEERFIELD BEACH, FL 33441 PHONE: (954) 421-8882 FAX: (954) 421-0451		SKETCH OF LEGAL DESCRIPTION PROPOSED SUBMERGED LAND EASEMENT LAKE WORTH LAGOON BETWEEN FLAGLER DRIVE AND SEMINOLE AVE. FOR FLORIDA POWER AND LIGHT COMPANY		COMMISSION NO. 5009.99
				SCALE -
		DATE 11/8/13	SHEET 5 of 5	
DRAWN BY LFP	CHECKED BY JRM	FIELD BOOK PG. 62 PAGE NO. 32-40, 57, 58	DATE OF SURVEY 10/31/13	



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

Utility Crossing #9
Attachment #4

May 3, 2014

REPLY TO
ATTENTION OF

Palm Beach Gardens Section
SAJ-1957-00384 (NW-CF)

Florida Power and Light (FPL)
C/o Beverly Musser
7200 NW 4th Street
Plantation, FL 33317

Dear Ms. Musser:

Your application for a Department of the Army permit received on December 10, 2012, has been assigned number SAJ-1957-00384(GP-CF). A review of the information and drawings provided shows the applicant is requesting to installation of a marine electrical utility transmission line. The installation consists of three (3) 8-inch diameter high density polyethylene (HDPE) conduits via horizontal directional drill (HDD) that shall be installed a minimum of 30-feet below the sediment grade of Lake Worth Lagoon. The total length of the directional bore shall be 2,660-linear feet from entry pit to exit pit, however the crossing beneath the lagoon and wetlands shall be 2,210-linear feet. The project is located in navigable waters of the U.S. within the Intracoastal Waterway. The corridor is from Flagler Avenue in West Palm Beach to Seminole Avenue in the Town of Palm Beach (Sections 15, Township 43 South, Range 43 East, Palm Beach County, Florida. West entrance point (Latitude: 26.72408°, Longitude: -80.04975°) and east entrance point (Latitude: 26.72210, Longitude: -80.04228).

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-14. This authorization is valid until **December 20, 2018**. Please access the Corps' Regulatory webpage to view the special and general conditions for SAJ-14, which apply specifically to this authorization. The website address is as follows:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits." Then you can click on the specific SAJ permit. You must comply with all of the special and general conditions and any project-specific conditions of this authorization or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

-2-

1. Submittals required herein shall be directed to:
U.S. Army Corps of Engineers, Regulatory Division,
Palm Beach Gardens Enforcement Section
4400 PGA Blvd., Suite 500
Palm Beach Gardens, FL 33410

2. Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment A) to the Corps. The drawings shall be signed and sealed by a Florida registered professional engineer or a professional land surveyor registered in the state of Florida and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure and a point at the mean high water line (MHWL) or the face of the bulkhead/seawall, if present. The drawings shall include: (1) The dimensions of the structure, (2) depth of water (at mean low water) at the waterward end of the structure, and (3) the distance from the waterward end of the structure to the near bottom edge of the channel.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

3. Where the proposed subaqueous utility or transmission line is to be installed in a navigable waters of the United States, at least two weeks prior to the start of the authorized work, the permittee must notify the National Oceanic Atmospheric Administration (NOAA) and the Corps' office the work is commencing, and again upon completion of the work. The permittee shall notify the District Engineer at the letterhead address, attention Regulatory Division, and NOAA, at Nautical Data Branch N/CS26, Station 7317, 1315 East-West Highway, Silver Spring, MD 20910-3282. This notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized and must include an accurate (within plus or minus 1 foot) depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.

-3-

4. A portion of the proposed work is located within the Federal right-of-way for the Intracoastal Waterway and requires a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps Real Estate Division for action on the Consent to Easement. Prior to commencement of construction the Permittee shall provide written verification to the Corps that the Consent to Easement has been approved. Failure to obtain the Consent to Easement invalidates this authorization.

5. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Corps. The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. A cultural resources assessment may be required of the permit area, if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO and the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work in the vicinity shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist. The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.

Such activity shall not resume without written authorization from the State Archeologist, SHPO and the Corps.

e. In the unlikely event that human remains are encountered on federal or tribal lands, or in situations where Archaeological Resources Protection Act of 1979, or Native American Graves Protection Repatriation Act of 1990 applies, all work in the vicinity shall immediately cease and the Permittee immediately notify the Corps. The Corps shall then notify the appropriate THPO(s) and SHPO. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. After such notification, project activities on federal lands shall not resume without written authorization from the Corps, and/or appropriate THPO(s), SHPO, and federal manager. After such notification, project activities on tribal lands shall not resume without written authorization from the appropriate THPO(s) and the Corps.

7. The material from the boring shall be placed in a self-contained, upland disposal site, which will prevent the escape of material and associated effluent into wetlands and surface waters.

8. This verification does not authorize the placement of fill or any construction materials in mangroves, emergent wetlands, seagrass beds, or any other special aquatic sites.

9. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

10. The Permittee shall comply with the Frac-Out Contingency Plan for Directional Drilling included as Attachment B. If a frac-out has occurred during construction activities, the permittee shall notify the Corps of Engineers, Palm Beach Gardens Regulatory office, Attn: Jose Riviera at 561-472-3536 within 24 hours of the occurrence. The notification shall include the time of the frac-out, the response time of the underwater diver, and the environmental conditions of the affected area.

11. The Permittee shall install signage at the beginning and terminal point of the Horizontal Directional Drill (HDD) that shall include contact information if the owner needs to be contacted.

12. The Permittee shall comply with U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated February 12, 2004 and provided in Attachment E of this permit."

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15. All gopher tortoise burrows, active or inactive, will be evacuated prior to site manipulation in the vicinity of the burrow. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. All holes, cavities, and snake refugia other than gopher tortoise burrows will be inspected each morning before planned site manipulation of particular area, and, if occupied by an indigo snake, no work will commence until the snake has vacated the vicinity of proposed work.

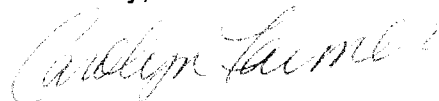
Generally, authorization of activities that have commenced or are under contract to commence in reliance of the GP will remain in effect provided the activity is completed within 12 months of the date a GP expired or was revoked. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification will likely be required.

This authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). Permittees can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced GP, please contact Mrs. Carolyn Farmer by telephone at 561-472-3531.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise.

Sincerely,



Carolyn Farmer
Project Manager

-6-

Enclosures

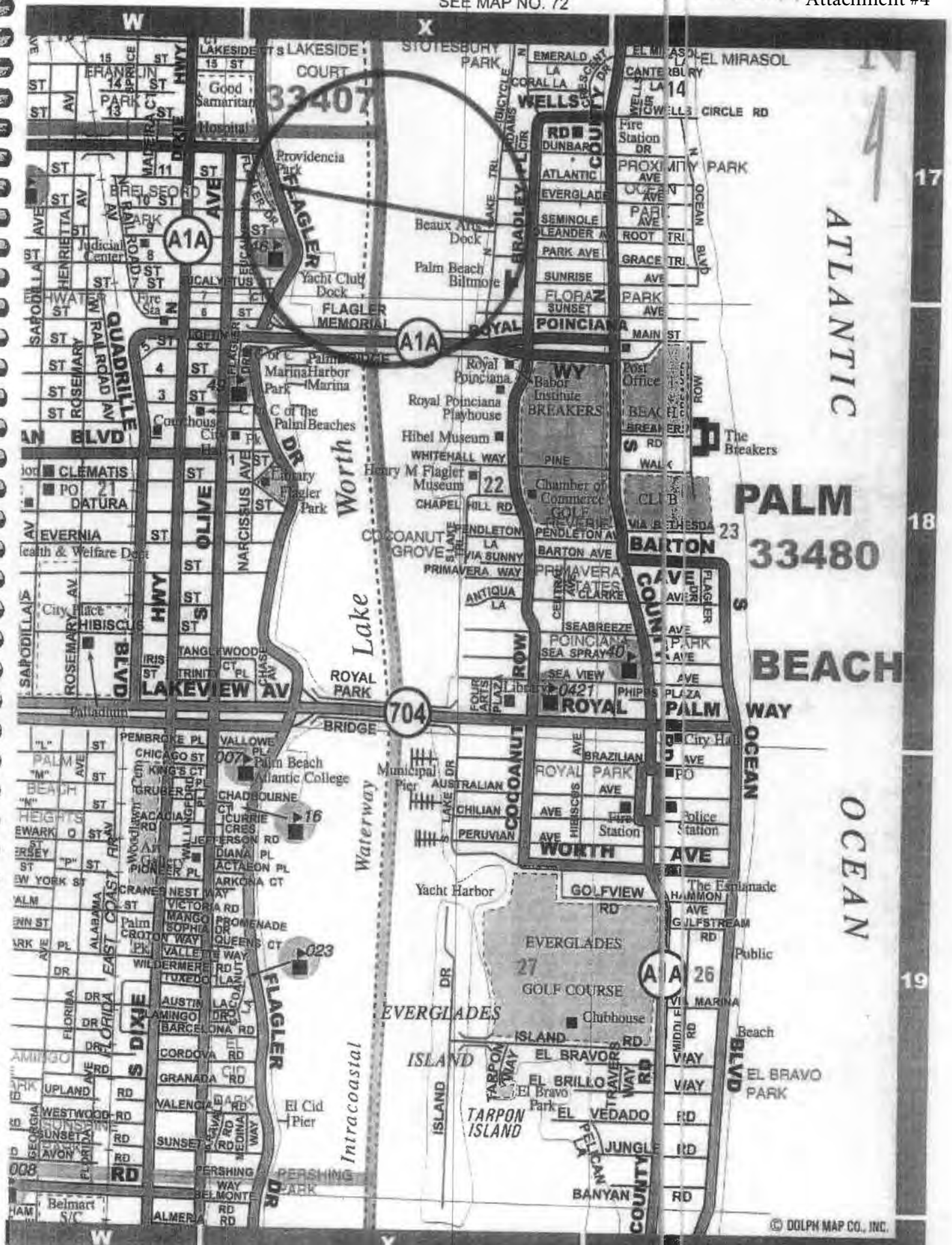
- Project Drawings/Maps
- Attachment A – As-Built Survey
- Attachment B – Frac-Out Plan
- Attachment C – Indigo Snake Construction Conditions

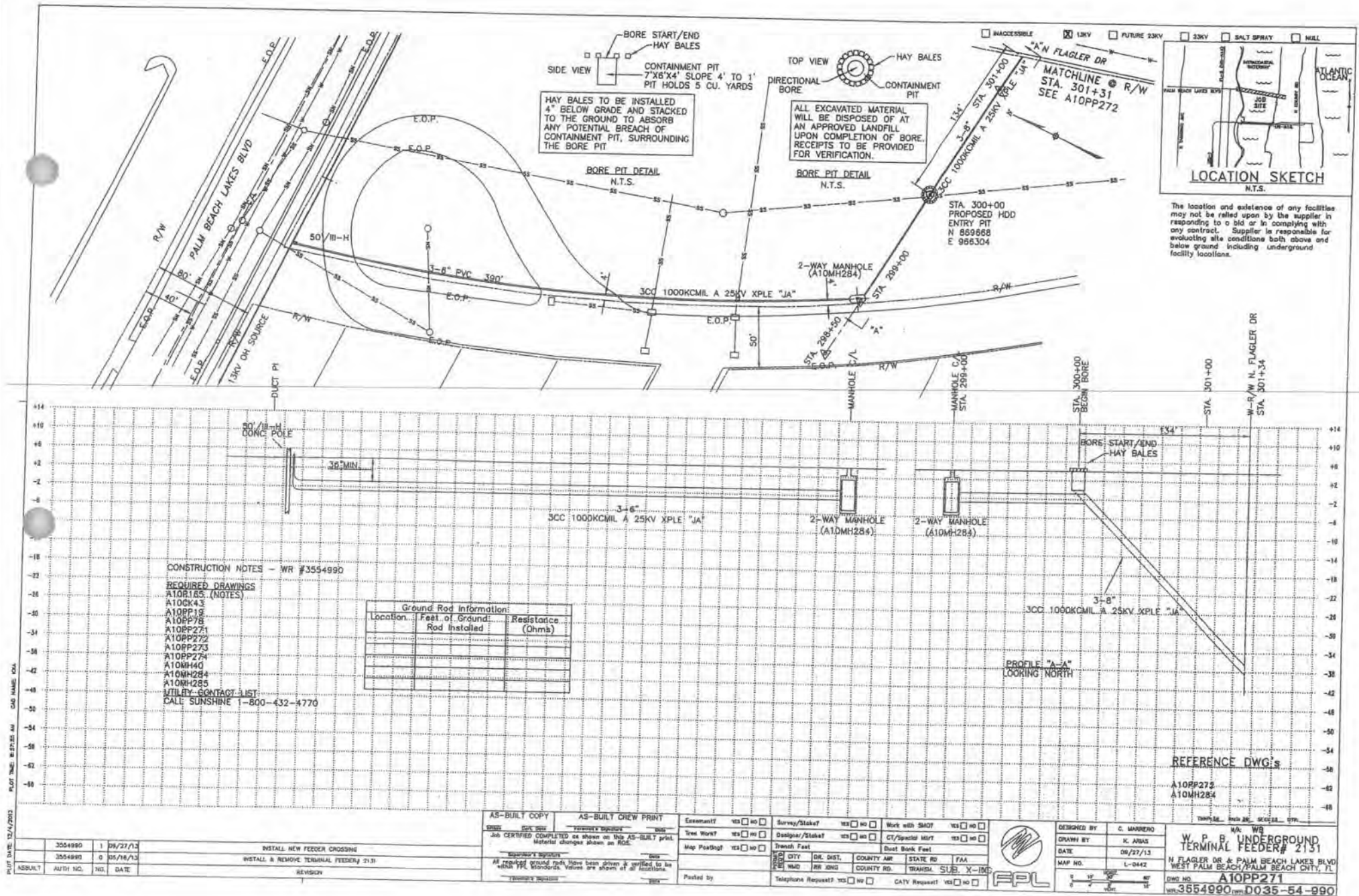
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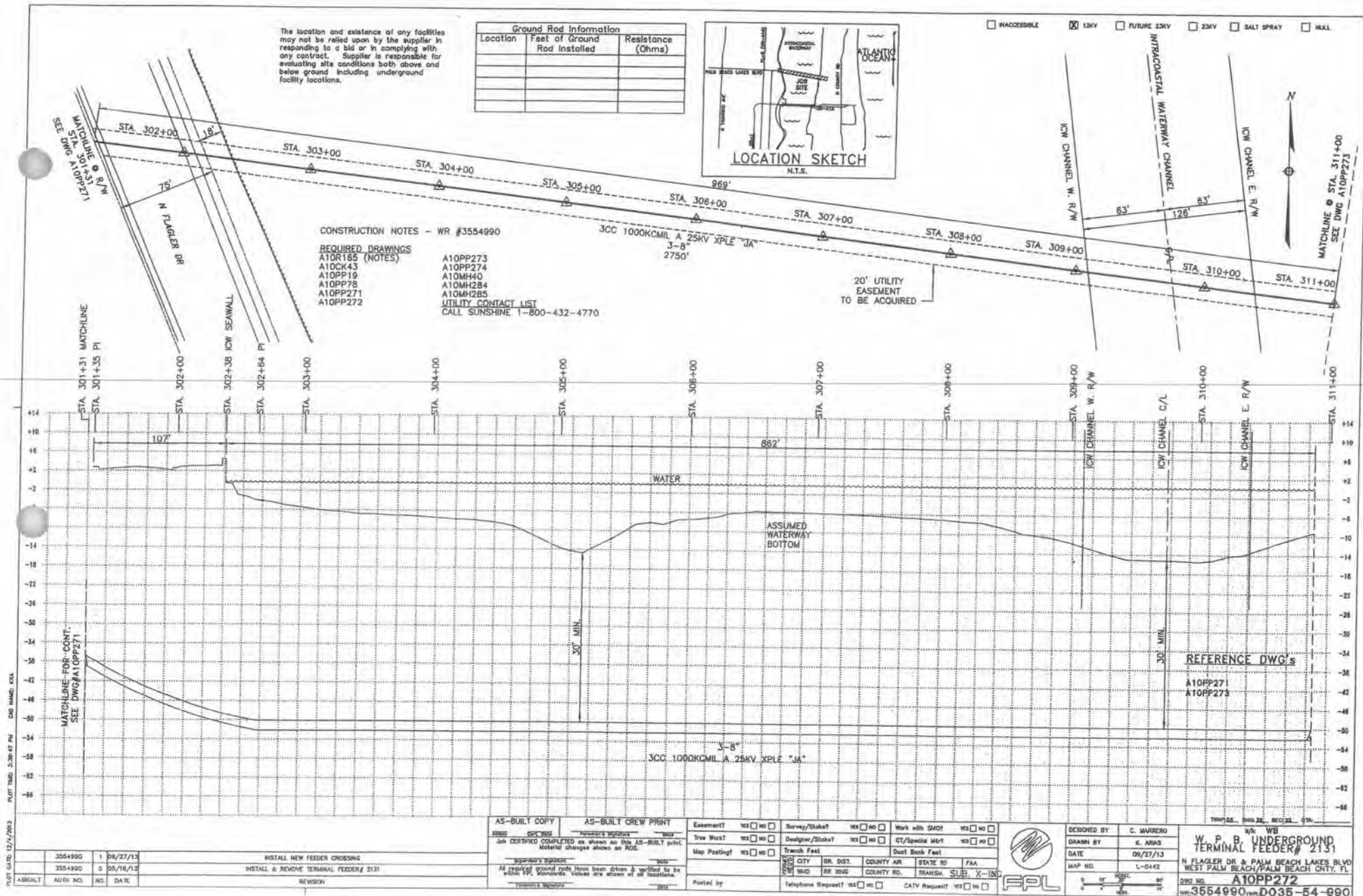
CESAJ-RD-PE

Bertha Miller – CESAJ-RE

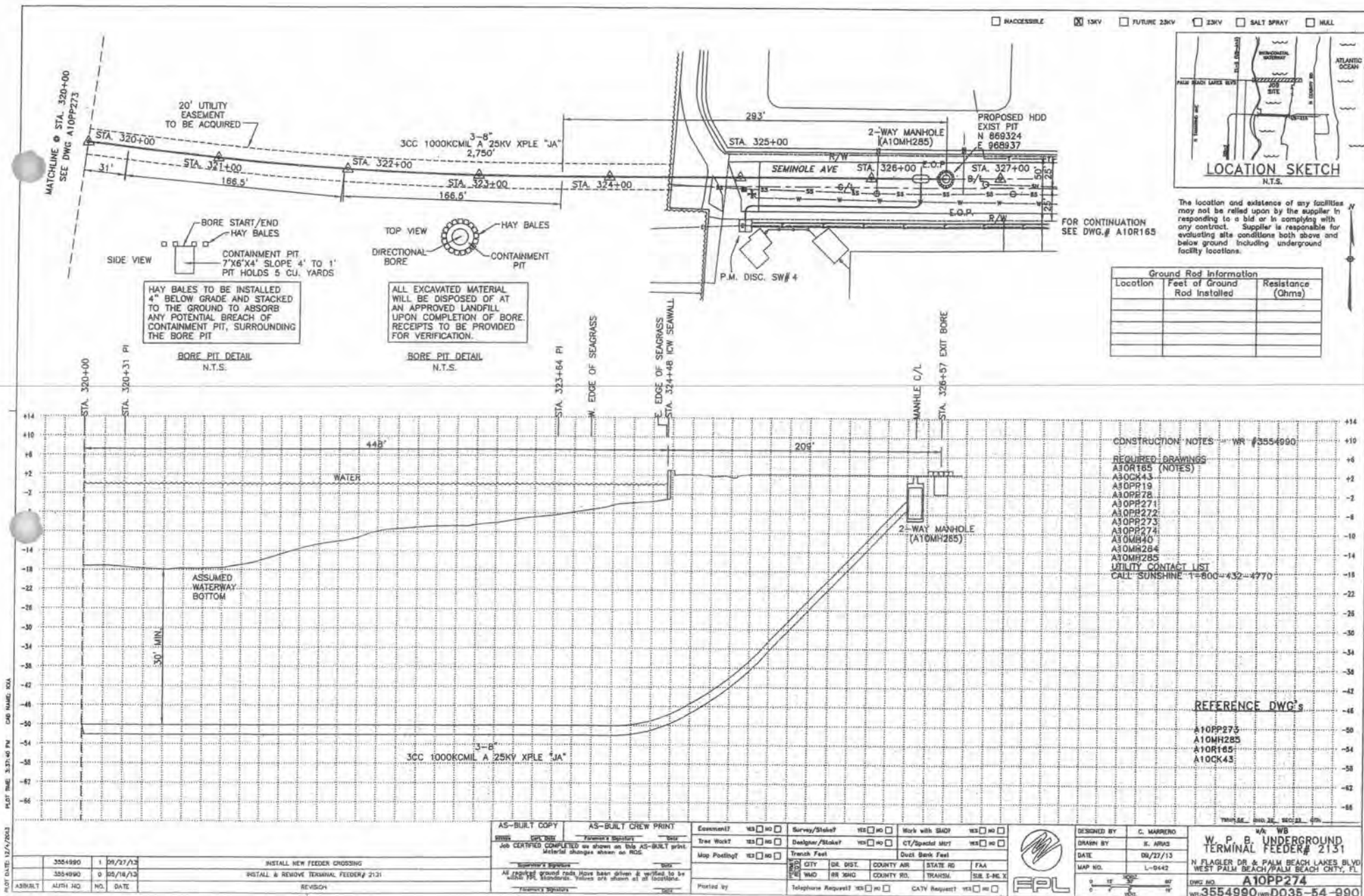
INSTALLATION











Crossing # 10



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSING 10



Aerial Imagery 2011-2013

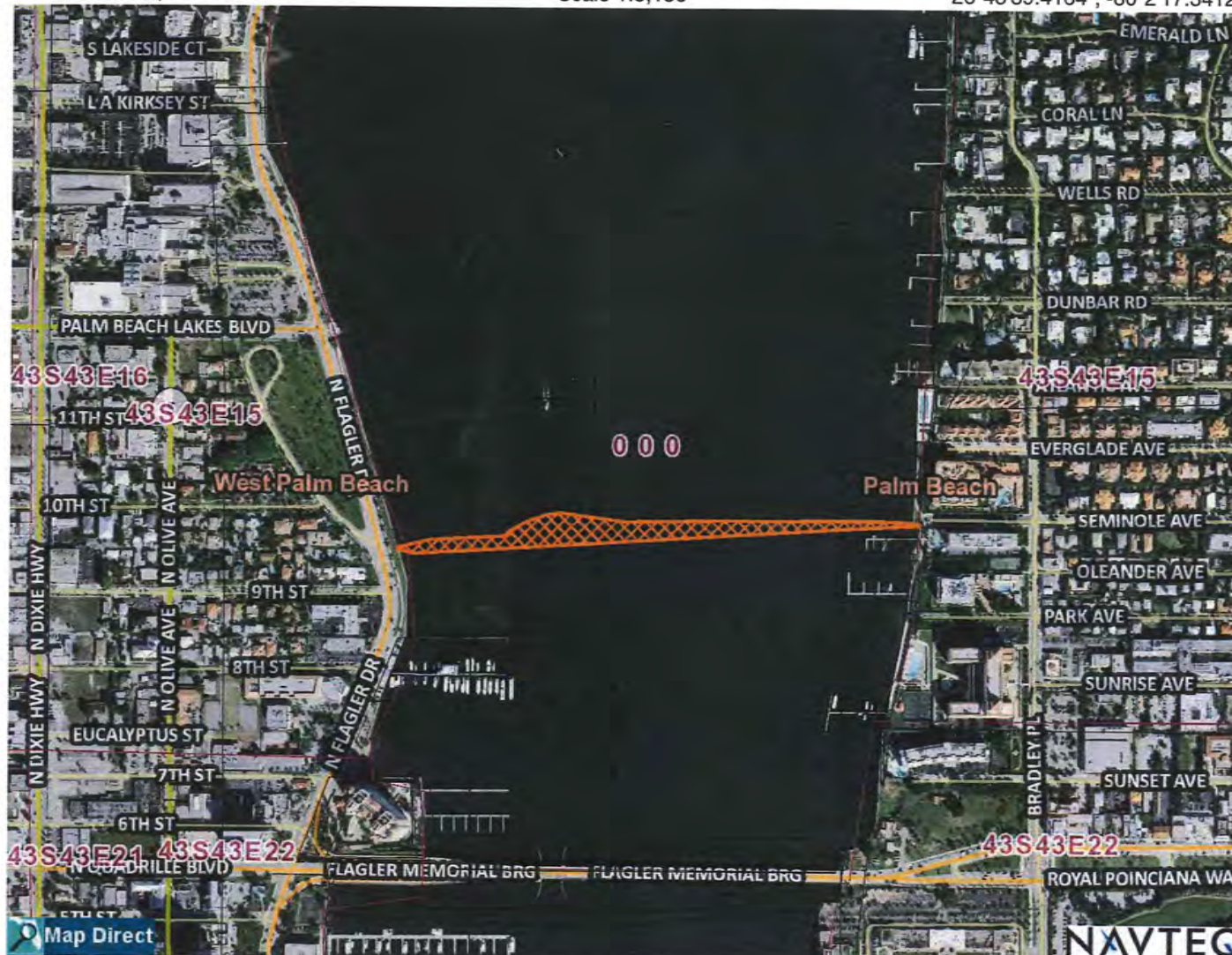
- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013

26°43'40.9954", -80°3'12.3781"

Scale 1:8,186

26°43'39.4164", -80°2'17.3412"



26°43'3.0918", -80°3'13.7346"

1 inch = 682 feet

26°43'1.5129", -80°2'18.7030"

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Mon, 16 May 2016 16:57:21 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: [] Deed [] Lease ☒ Submerged Easement [] Permit [] Management Agreement

[] Use Agreement [] Disclaimer [] Quitclaim [] Dedication [] Release

[] Acts of Legislation [] Other

Instrument Number: 40297

Extension: 000

File Number: 5456

Document Date: 05-27-2003

Consideration: _____

Water Body: Lake Worth

Reservations / Reverter: 4/4

Original County: Palm Beach

Section: 15

Township: 43 S

Range: 43 E

Total Area / Area Unit: _____ (A) Acreage (S) Square Feet

Comments:

Document received in title March 2004

01/30/2004 16:38:26 20040056224
UR BK 16498 PG 1524
Palm Beach County, Florida
Dorothy H Wilken, Clerk of Court

This Instrument Prepared By:
M. Sue Jones
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 40297 65456-50
BOT FILE NO. 500228566
PA NO. _____

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following legal description:

A parcel of submerged land in Section 15,
Township 41 South, Range 43 East, in Lake Worth,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated December 2, 2003.

TO HAVE THE USE OF the hereinabove described premises from May 27, 2003, the effective date of this easement. The terms and conditions of and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above-described parcel of land shall be used solely for a subaqueous electric transmission cable. All of the foregoing subject to the remaining conditions of this easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

[43]

8. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Attn. Warren A. Tittle
Florida Power & Light Company
P.O. Box 8248
Ft. Lauderdale, FL 33340

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. **ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS:** No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. **UPLAND RIPARIAN PROPERTY INTEREST:** During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(49), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

Page 2 of 11 Pages
Easement No. 40227 (5456-50)

WITNESSES:

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY:

Dale Adams, Operations and Management Consultant
Manager, Bureau of Public Land Administration,
Division of State Lands, Department of Environmental
Protection, as agent for and on behalf of the Board of Trustees of
the Internal Improvement Trust Fund of the State of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 21st day of January, 2004, by
Dale Adams, Operations and Management Consultant, Bureau of Public Land Administration, Division of State Lands,
Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust
Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

DEP Attorney

Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires  Florence L. Davis
MY COMMISSION # CC74540 EXPIRES
October 11, 2004
BONDED THROUGH TFCM INSURANCE, INC.

Commission/Serial No.

WITNESSES:

Original Signature

Typed/Printed Name of Witness

Original Signature

Typed/Printed Name of Witness

STATE OF Florida

COUNTY OF Palm Beach

Florida Power & Light Company, a Florida corporation (SEAL)

Original Signature of Executing Authority

J. W. Molyneux
Typed/Printed Name of Executing Authority

Assistant Secretary
Title of Executing Authority

"GRANTEE"

The foregoing instrument was acknowledged before me this 21st day of January, 2004, by
J. W. Molyneux as Assistant Secretary of Florida Power & Light Company, a Florida corporation, for and on behalf of the
corporation. He is personally known to me or who has produced _____ as identification.

My Commission Expires:

Commission/Serial No.

Notary Public, State of FLORIDA

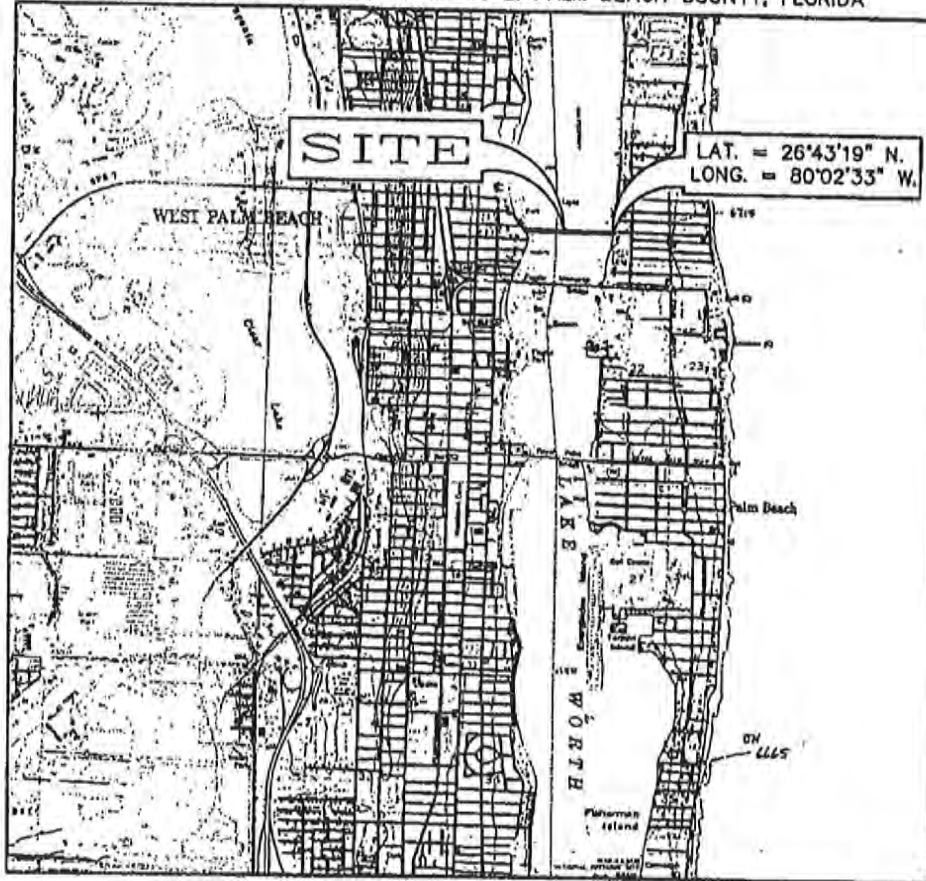
M. LOURDES MOLLNER
Printed, Typed or Stamped Name

Page 4 of 11 Pages
Easement No. 40227 (5456-50)



EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT SEMINOLE AVENUE

SECTION 15, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



PALM BEACH QUADRANGLE
 FLORIDA - PALM BEACH CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)



NOTES:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1980 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/80).

LAT. = LATITUDE
 LONG. = LONGITUDE

NOTE:
 NOT VALID UNLESS ACCOMPANIED
 BY SHEETS 1, 2, 3, 4, 5 & 6 OF 7

Attachment A
Page 5 of 11 Pages
Easement NO. 40297 (5456-50)



AVIOM & ASSOCIATES, INC.
SURVEYING & MAPPING
 50 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 392-2894, FAX (561) 894-7125

JOB # 7267-53

DATE 12/02/03

SHEET 7 OF 7

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT SEMINOLE AVENUE

LAND DESCRIPTION:

A portion of submerged lands lying within Lake Worth, in Section 15, Township 43 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:

COMMENCING at the northwest corner of Lot 24, Block 4 of OCEAN PARK according to the plat thereof, as recorded in Plat Book 6, Page 78 of the Public Records of Palm Beach County, Florida; thence S 88°30'29" W, 5.34 feet to the POINT OF BEGINNING being the Mean High Water Line of Lake Worth and the westerly wet-face of an existing concrete sea wall, having a Northing of 869301.339 and an Easting of 968753.651; thence S 88°30'29" W, 303.93 feet; thence S 87°46'10" W, 1470.27 feet; thence S 88°13'28" W, 273.14 feet; thence N 76°10'59" W, 65.09 feet to the Mean High Water Line of Lake Worth and the easterly wet-face of an existing concrete sea wall; thence N 15°09'54" W along said Mean High Water Line and concrete sea wall, 3.18 feet; thence S 77°51'49" W along said Mean High Water Line and concrete sea wall, 2.03 feet; thence N 15°26'07" W along said Mean High Water Line and concrete sea wall, 6.92 feet; thence N 71°24'48" E along said Mean High Water Line and concrete sea wall, 2.00 feet; thence N 78°01'30" E, 139.81 feet; thence N 88°25'27" E, 296.46 feet; thence N 50°57'14" E, 38.27 feet; thence N 62°05'22" E, 69.31 feet; thence N 71°58'49" E, 81.45 feet; thence N 82°12'23" E, 60.07 feet; thence S 81°13'29" E, 267.08 feet; thence S 89°31'28" E, 352.13 feet; thence S 88°49'08" E, 664.07 feet; thence S 86°18'16" E, 142.13 feet to the Mean High Water Line of Lake Worth and the westerly wet-face of an existing concrete sea wall; thence S 04°44'12" W along said Mean High Water Line and concrete sea wall, 5.33 feet; thence S 87°08'29" E along said Mean High Water Line and concrete sea wall, 29.93 feet; thence S 03°53'29" W along said Mean High Water Line and concrete sea wall, 5.64 feet to the POINT OF BEGINNING.

The above described easement is situate in Palm Beach County, Florida and containing 129,757 square feet, 2.979 acres, of submerged land, more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/2/03

NOTE:
NOT VALID UNLESS ACCOMPANIED
BY SHEETS 2,3,4,5,6 & 7 OF 7

ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



AVIROM & ASSOCIATES, I
SURVEYING & MAPPING
50 S.W. 550 AVENUE, SUITE 105
BOCA RATON, FLORIDA 33432
TEL. (561) 992-2524, FAX (561) 994-7125

Attachment A
Page 6 of 11 Pages
Easement NO. 40297 (5456-50)

B # 7267-53

DATE: 12/02/03

SHEET 1 OF 7

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT SEMINOLE AVENUE

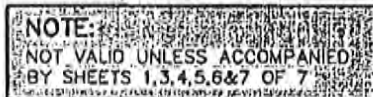
NOTES:

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
4. This is not a M.H.W. Line Survey - Elevations shown for informational purposes only.
5. The land description shown hereon was prepared by the Surveyor.
6. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Traverse Mercator Projection), East Zone, with the north line of Lot 24, Block 4, of Ocean Park, having a bearing of N 88°52'08" W.
7. Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
8. Benchmark Description: U.S.C.G. Brass Disc, stamped "X-315" on concrete sea wall north of Tanger avenue, Elevation = 4.577 feet.
9. This Sketch and Description is designed to encompass the Florida Power and Light subaqueous cable crossing. Cables were located via divers with the assistance of the Florida Power and Light Cable Locating Group. The surveyor certifies that the cables were located as accurately as possible at that time. The surveyor has not physically located the cable crossings.
10. Mean High Water Information was compiled from published datum provided by the Land Boundary Information System internet web site (www.labin.org). Mean High Water is based upon extending published datum from MHW Data Point ID #40, Palm Beach County, Quad Name Palm Beach, USGS Quad Number 26080F1. Mean High Water = 1.65' N.G.V.D. 1929; Range = 2.65'; Mean Low Water = -1.0' N.G.V.D. 1929.
11. Abbreviation Legend: B.O.S.W.= Bottom Of SeaWall; P.B.C.R.= Palm Beach County Records; C.= Centerline; F.P.L.= Florida Power & Light Company; G.P.S.= Global Positioning System; L.B.= Licensed Business; N.G.V.D.=National Geodetic Vertical Datum; N.W.= Northwest; P.B.= Plat Book; P.O.B.= Point Of Beginning; P.O.C.= Point of Commencement; P.S.M.= Professional Surveyor and Mapper; S.W.= Southwest; T.O.S.W.= Top Of Sea Wall; U.S.G.S.= United States Geological Survey.
12. Coordinates are based on post-processed differential G.P.S. observations surveyed in the field on June 25, 2003, with the positional accuracy meeting or exceeding less than 1 meter (Rms) + 10 ppm times the baseline length.

Equipment

Receiver: Trimble Pathfinder - Pro XR

Software: Trimble Pathfinder Office, Version Number 2.51



Attachment A
Page 7 of 11 Pages
Easement NO. 40287 (5452-58)



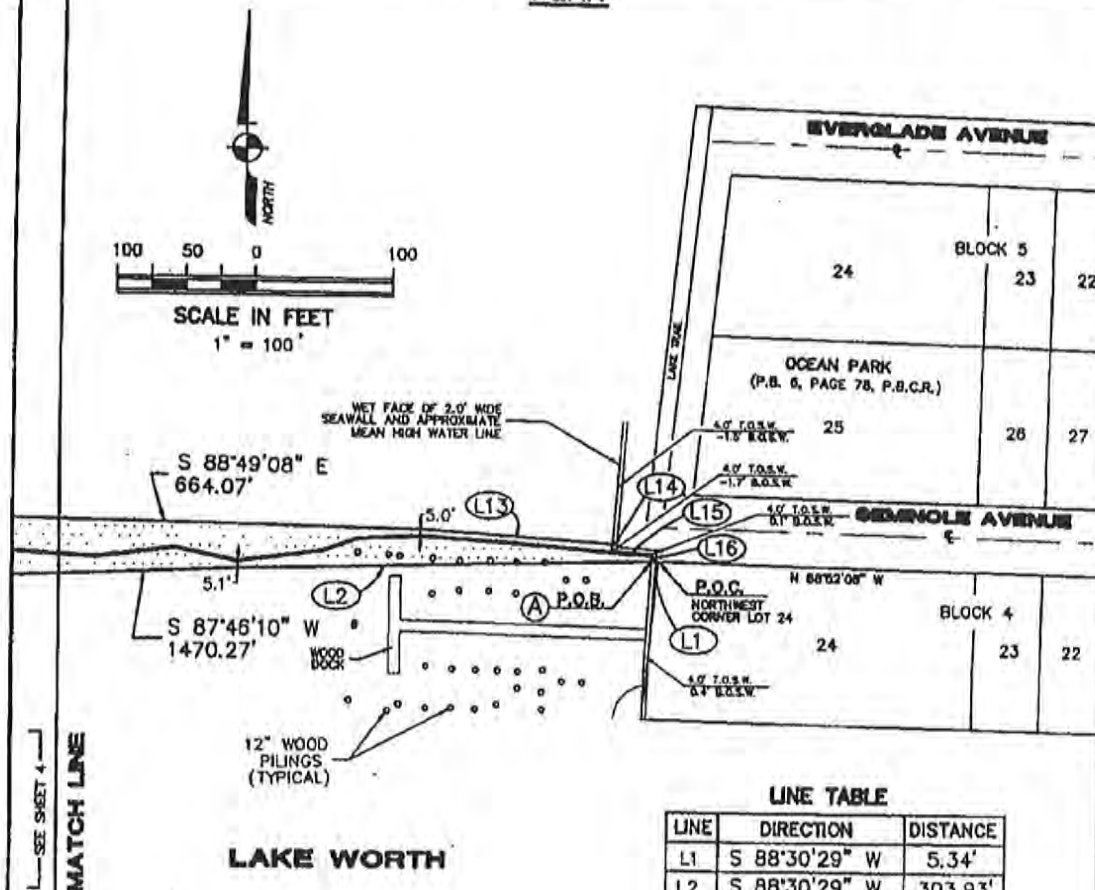
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
60 S.W. 82ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33482
TEL. (561) 892-2004, FAX (561) 894-7125

JOB # 7267-53
DATE 12/02/03
SHEET 2 OF 7

EXHIBIT "A" **SUBMERGED LAND EASEMENT** **CROSSING OF LAKE WORTH** **AT SEMINOLE AVENUE**

SECTION 15, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 88°30'29" W	5.34'
L2	S 88°30'29" W	303.93'
L13	S 86°18'16" E	142.13'
L14	S 04°44'12" W	5.33'
L15	S 87°08'29" E	29.93'
L16	S 03°53'39" W	5.64'

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1, 2, 4, 5, 6 & 7 OF 7

STATE PLANE COORDINATES

A	N. 869301.339	E. 968753.651
B	N. 869252.600	E. 968639.798

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 4)

MEAN HIGH WATER = 1.85' N.G.V.D.
 RANGE = 2.65'
 MEAN LOW WATER = -1.00' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 4)



AVIROM & ASSOCIATES, II
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33488
 TEL. (561) 892-2894, FAX (561) 892-2895

Attachment A

Page 8 of 11 Pages

Easement NO. 40287 (5456 50)

11 7267-53

12/02/03

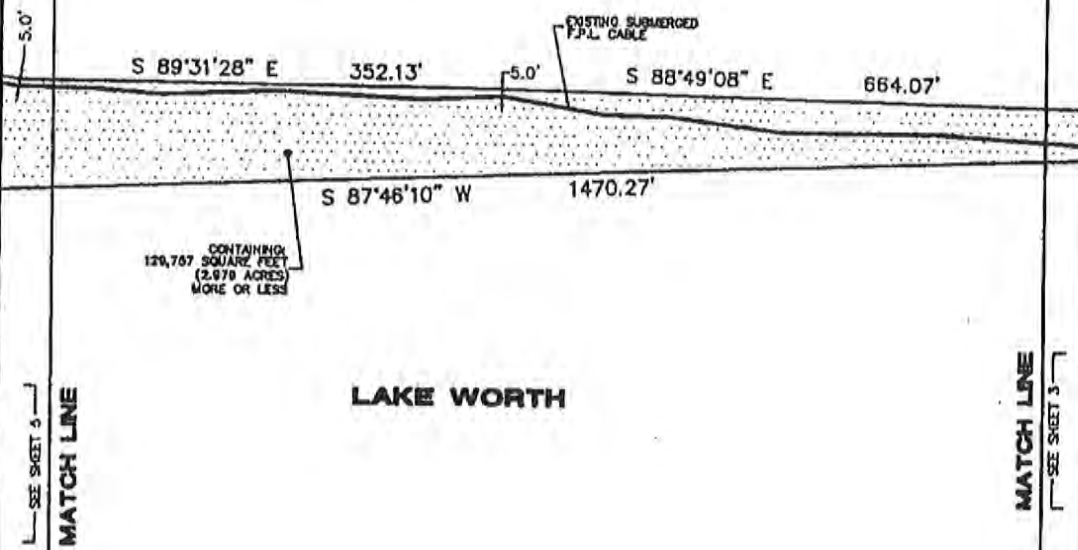
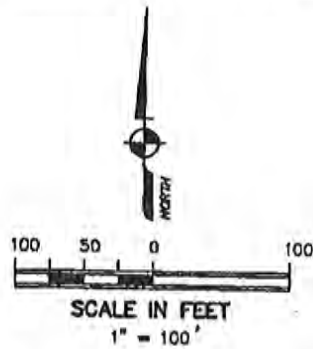
SET 3 OF 7

EXHIBIT "A"

SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH AT SEMINOLE AVENUE

SECTION 15, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,3,5,6&7 OF 7

STATE PLANE COORDINATES

A	N. 869301.339	E. 868753.851
B	N. 869252.800	E. 868839.788

(SEE NOTE # 6 & # 12 ON SHEET 3 OF 4)

MEAN HIGH WATER = 1.65' N.G.V.D.
RANGE = 2.65'
MEAN LOW WATER = -1.00' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 4)



AVIROM & ASSOCIATES
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 1
BOCA RATON, FLORIDA 33481
TEL 561 992-2594, FAX 561

Attachment A

Page 9 of 11 Pages

Easement NO. 40297 (545650)

JOB # 7267-53

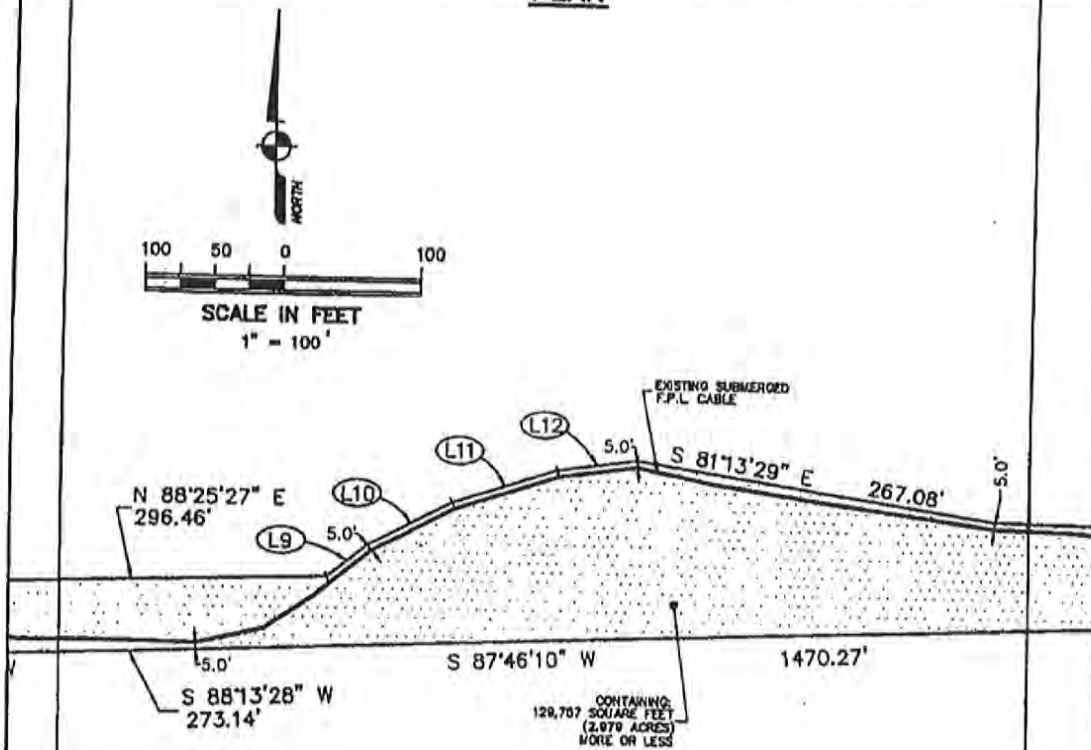
DATE: 12/02/03

SHEET 4 OF 7

EXHIBIT "A" **SUBMERGED LAND EASEMENT** **CROSSING OF LAKE WORTH** **AT SEMINOLE AVENUE**

SECTION 15, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



LAKE WORTH

LINE TABLE

LINE	DIRECTION	DISTANCE
L9	N 50°57'14" E	38.27'
L10	N 62°05'22" E	69.31'
L11	N 71°58'49" E	81.45'
L12	N 82°12'23" E	60.07'

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,3,4,6&7 OF 7

STATE PLANE COORDINATES

A	N. 889301.339	E. 968753.651
B	N. 889252.600	E. 968639.798

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 4)

MEAN HIGH WATER = 1.65' N.G.V.D.
 RANGE = 2.65'
 MEAN LOW WATER = -1.00' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 4)



AVIROM & ASSOCIATES,
SURVEYING & MAPPING
 60 S.W. 2ND AVENUE, SUITE K
 BOCA RATON, FLORIDA 33488
 TEL (561) 895-8894, FAX (561)

Attachment A

Page 10 of 11 Pages

Easement NO. 40297 (57156-58)

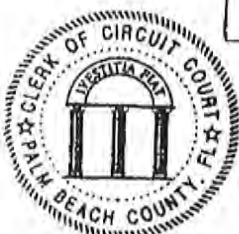
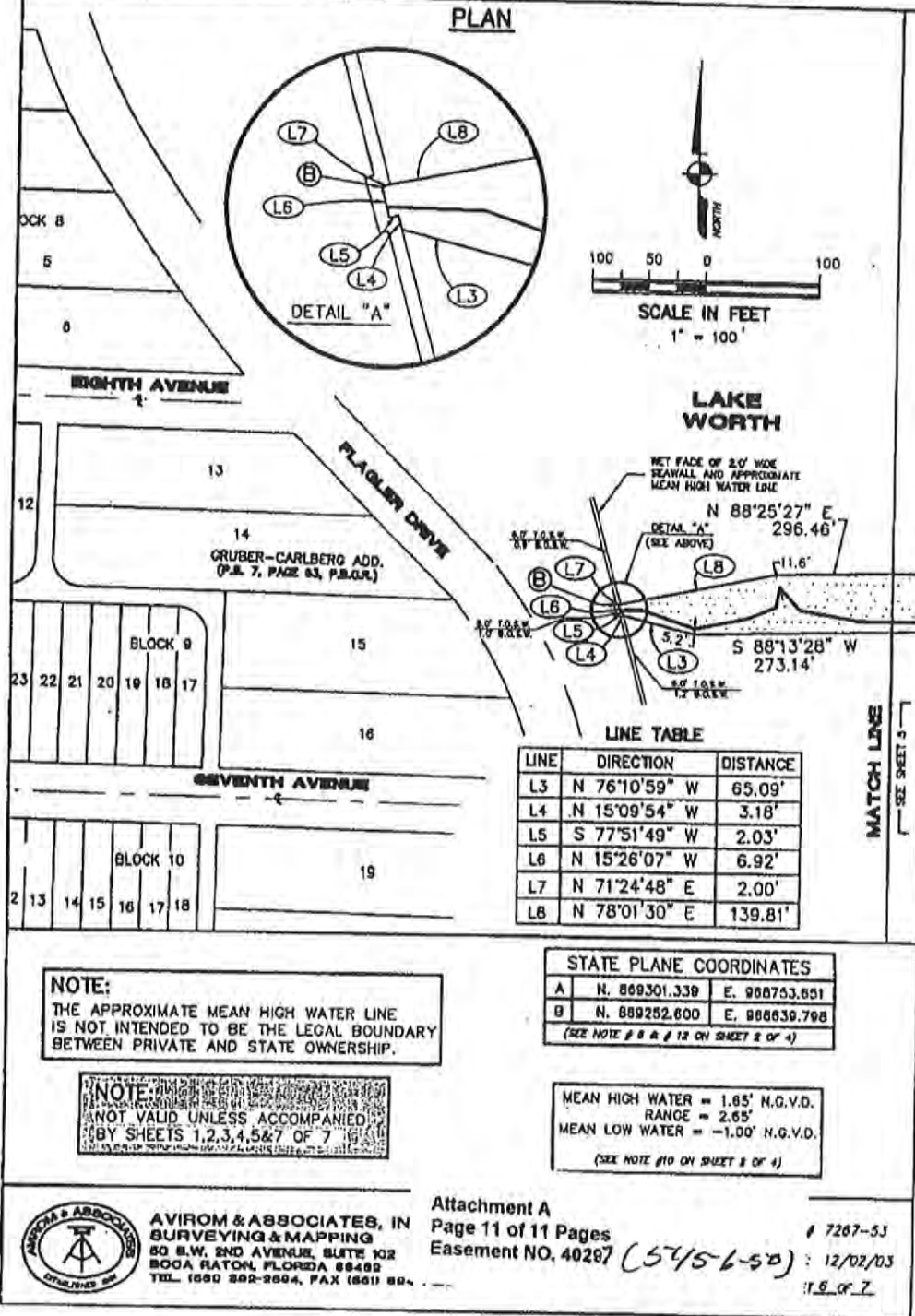
KB # 7267-53

DATE: 12/02/03

SHEET 5 OF 7

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT SEMINOLE AVENUE

SECTION 15, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

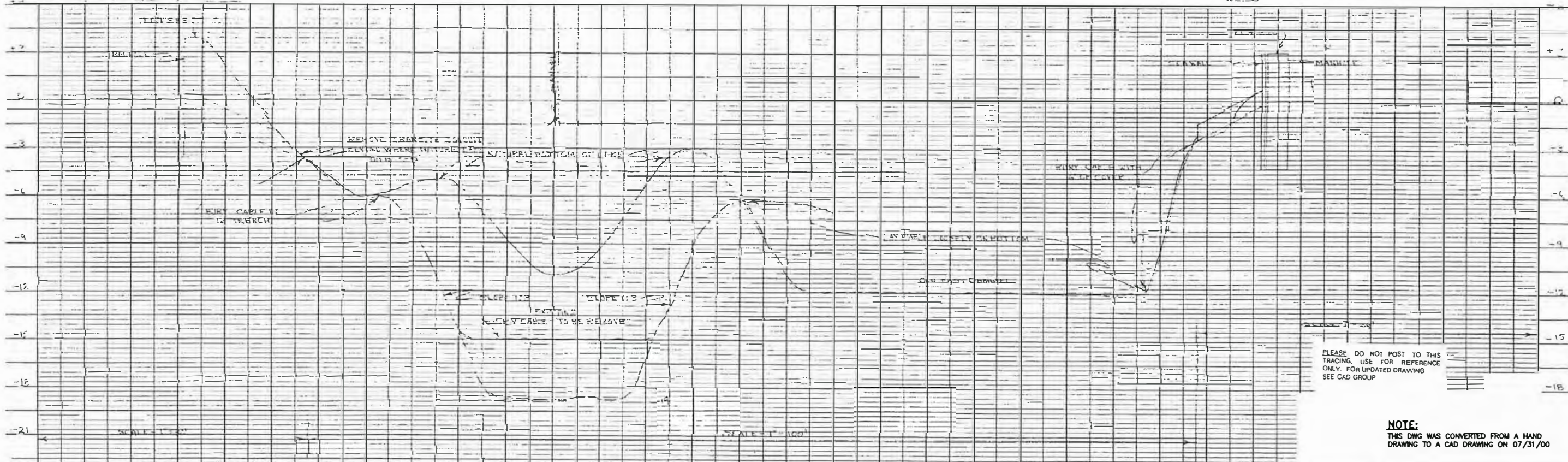
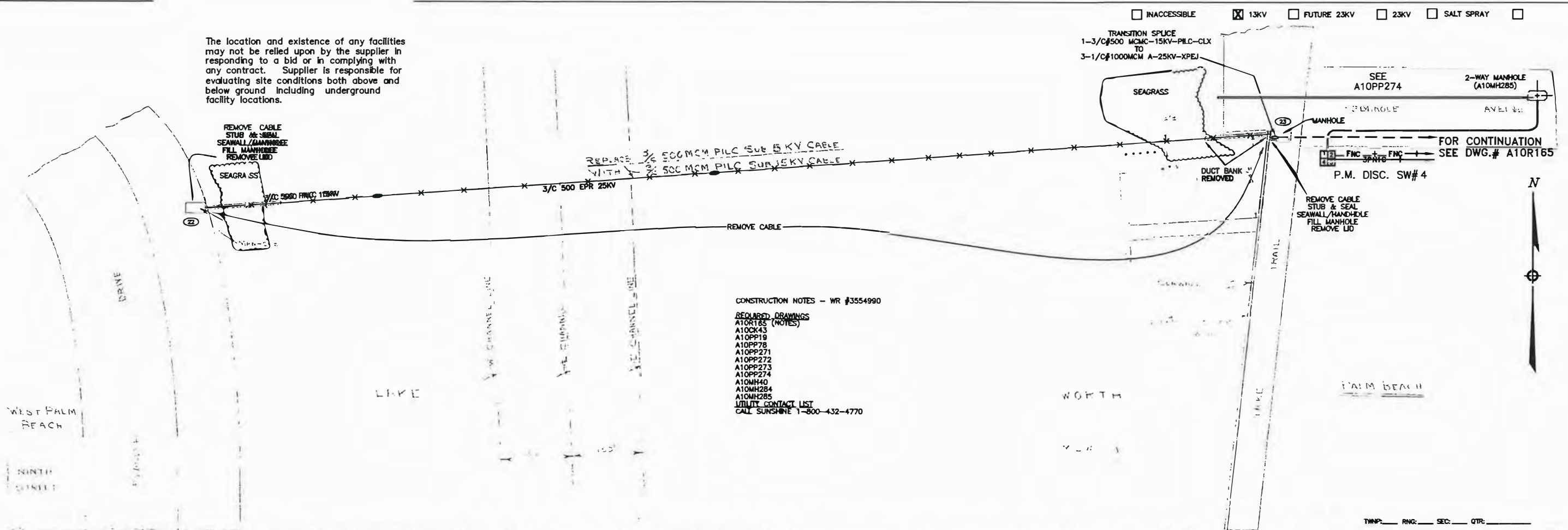


Book16498/Page1534


Page 11 of 11

I hereby certify that the foregoing is a true copy
 of the record in my office this day, Feb 19, 2004.
 DOROTHY H. WILKEN, Clerk of Court, Palm Beach County, Florida
 BY [Signature] Deputy Clerk

The location and existence of any facilities may not be relied upon by the supplier in responding to a bid or in complying with any contract. Supplier is responsible for evaluating site conditions both above and below ground including underground facility locations.



PLOT DATE: 11/19/2013 PLOT TIME: 8:02:43 AM CAD NAME: RFR

3554990		5	09/27/13	INSTALL NEW FEEDER CROSSING		AS-BUILT COPY		AS-BUILT CREW PRINT		Easement? YES <input type="checkbox"/> NO <input type="checkbox"/>		Survey/Stake? YES <input type="checkbox"/> NO <input type="checkbox"/>		Work with SMO? YES <input type="checkbox"/> NO <input type="checkbox"/>			DESIGNED BY C. MARRERO		W/A: WB L'ERMITAGE SOUTH BLDG TERMINAL FEEDER# 2131 N/S/O SEMINOLE AVE. W/S/O BRADLEY PL. DWG NO. A10PP19 WR: 3554990 IWR: D035-54-990	
3554990		4	05/15/13	INSTALL & REMOVE TERMINAL FEEDER# 2131		Job: OBSERVED/COMPLETED as shown on this AS-BUILT print. Material changes shown on ROS.		Tree Work? YES <input type="checkbox"/> NO <input type="checkbox"/>		Designer/Stake? YES <input type="checkbox"/> NO <input type="checkbox"/>		CT/Special Mtr? YES <input type="checkbox"/> NO <input type="checkbox"/>		DRAWN BY K. ARIAS						
2925713		3	08/18/08	AS-BUILT INSTALL 2 SPLICE BOX'S @ L'ERMITAGE		Map Posting? YES <input type="checkbox"/> NO <input type="checkbox"/>		Trench Feet		Duct Bank Feet		DATE 09/27/13		MAP NO. L-0442						
8469-04-454		2	07/31/00	CONVERTION TO UG		All required ground rods have been driven & verified to be within FPL standards. Values are shown at all locations.		CITY DR. DIST. COUNTY AIR STATE RD FAA		WMD RR XING COUNTY RD. TRANS. SUB. X-ING X		Telephone Request? YES <input type="checkbox"/> NO <input type="checkbox"/>		CATV Request? YES <input type="checkbox"/> NO <input type="checkbox"/>						
0220-03-450		1	10/16/57	ORIGINAL JOB		AS-BUILT		AUTH. NO. NO. DATE		REVISION		FPL								



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

Utility Crossing #10
Attachment #5

REPLY TO
ATTENTION OF

OCTOBER 7, 2013

Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section
SAJ-1957-00384 (NW-CF)

Florida Power & Light
c/o Beverly Musser
PO Box 8248
Fort Lauderdale, Florida 33340

Dear Ms. Musser:

The U.S. Army Corps of Engineers (Corps) assigned your application for a Department of the Army permit, which the Corps received on April 16, 2013, the file number SAJ-1957-00384 (NW-CF). A review of the information and drawings provided indicates that the proposed work is an after-the-fact repair of 400-linear feet and 60-linear feet of subaqueous power cable. The cable was jetted into the sand and no dredging was proposed for placement. The project is located in waters of the Intracoastal Waterway (ICWW) in Section 15, Township 43 south, Range 43 east, Palm Beach Gardens, Palm Beach County, Florida. The project coordinates are from 26.721898°/-80.048840° to 26.721886°/-80.047682° and 26.721936°/-80.045072° to 26.721936°/-80.044898°.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 12 (Utility Line Activities). In addition, project specific conditions have been enclosed. This verification is valid until **March 18, 2017**. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Internet page to access Internet links to view the Final Nationwide Permits, Federal Register Vol. 77, dated February 21, 2012, specifically pages 10270 – 10290, the Corrections to the Final Nationwide Permits, Federal Register 77, March 19, 2012, and the List of Regional Conditions. The Internet page address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this

-2-

verification for NWP 12. Enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

- 1. Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 4400 PGA Blvd., Suite 500, Palm Beach Gardens, FL 33410. The Permittee shall reference this permit number, SAJ-1957-00384(NW-CF), on all submittals.
- 2. As-Built with X-Y Coordinates:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and complete the enclosed As-Built Certification Form to the Corps. The drawings shall be signed and sealed by a Florida registered professional engineer or a professional land surveyor registered in the state of Florida confirming the actual location of all authorized work/structures with respect to the Federal channel and within the Federal easement and include the following:
 - a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X-Y State Plane coordination points of the most waterward point of the structure. The drawings shall include the dimensions of the structure, depth of water (at mean low water) at the waterward end of the structure, and the distance from the waterward end of the structure to the near design edge of the Federal channel.
 - b. List any deviations between the work authorized by this permit and the work as constructed. In the event the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form do not constitute approval of any deviations by the Corps.
 - c. The Department of the Army Permit number.
- 3.** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee

-3-

will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

4. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

5. Manatee Conditions: The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2009” provided in Attachment B of this permit.

-4-

6. Sea Turtle and Smalltooth Sawfish Conditions: The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and provided in Attachment C of this permit.

7. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

8. Fill Material: The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

9. No additional work will be completed under this permit authorization.

10. Regulatory Agency Changes: Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Palm Beach Gardens Regulatory Office.

11. Consent to Easement: A portion of the proposed work is located within the Federal right-of-way for the Intracoastal Waterway and requires a Department of the Army Consent to Easement. By copy of this permit, the project plan is being forwarded to the U.S. Army Corps of Engineers (Corps) Real Estate Division for action on the Consent to Easement. Prior to commencement of construction the Permittee shall provide a copy of the Corps' approved Consent to Easement to the address identified in Special Condition 1. Failure to obtain the Consent to Easement invalidates this authorization.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this Nationwide permit must qualify for an exemption under section 403.813(1), Florida Statutes or 373.406, Florida Statutes, or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, Florida Statutes, by the Department of Environmental Protection, a water management district under section 373.069, Florida Statutes, or a local government with delegated authority under section 373.441, Florida Statutes, and receive Water Quality Certification and applicable Coastal Zone Consistency Concurrence or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter

-5-

253, Florida Statutes, and, as applicable, Chapter 258, Florida Statutes. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

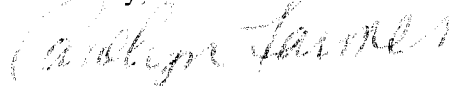
This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fna.gov/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact me by telephone at 561-472-3508.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Again, please be aware this Internet address is case sensitive and should be entered as it appears above.

Sincerely,



Carolyn Farmer
Project Manager

Enclosures:

- Project Drawings
- Attachment A – As-Built Certification of Compliance
- Attachment B – Manatee Conditions for In-Water Work
- Attachment C – Sea Turtle and Smalltooth Sawfish Special Conditions

Sect. 15
Twn. 43S
Rge. 43E



10th Street



Flagler Memorial Bridge

Site #1 (4001f)
Emergency cable repairs
west of ICWW & south of 10th Street
in West Palm Beach, Palm Beach County

Copyright (c) 1997 Horizons Technology, Inc.

Palm Beach County - Florida

USGS - Palm Beach

NTS



POWER SYSTEMS
ENVIRONMENTAL

Emergency cable repair

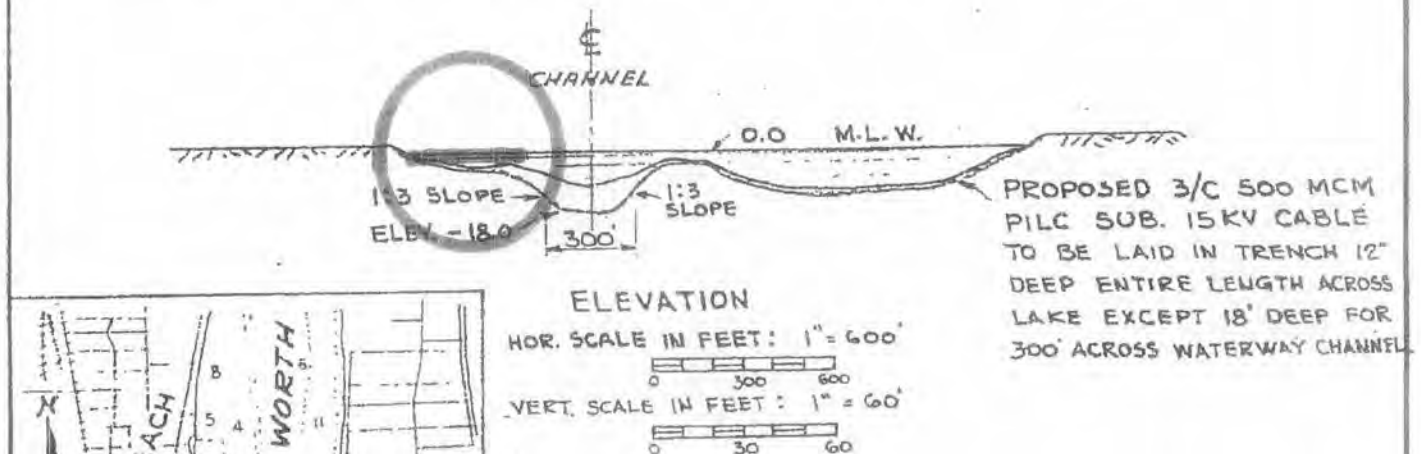
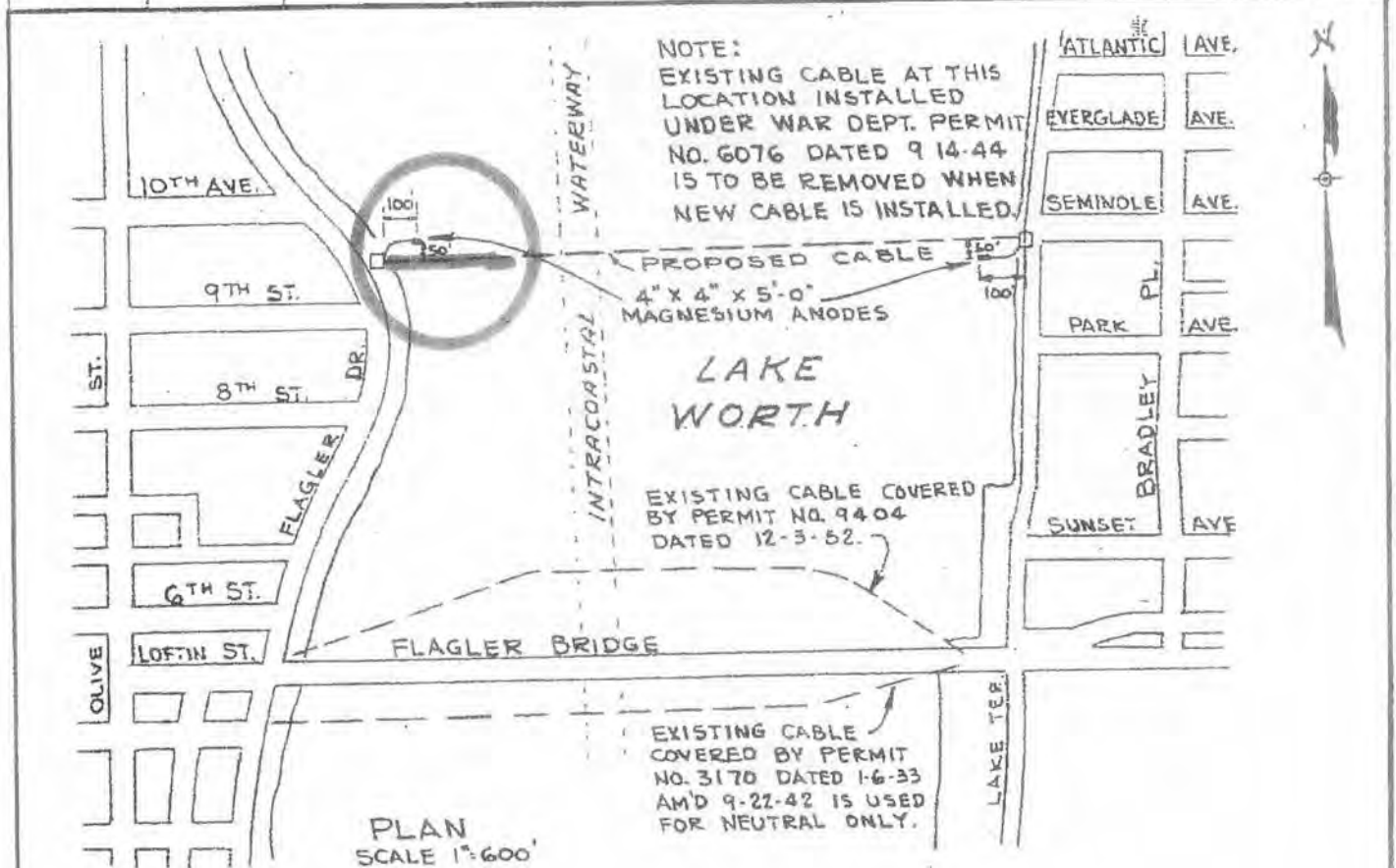
Date : 4/30/13
Beverly Musser

APPROVED:

H. J. Hunt

CHIEF ENGINEER

DRAWN	K.C.J.
CHECKED	<i>[Signature]</i>
CORRECT	H.P.M.



NOTE: THIS DRAWING SUPERSEDES
DWG. A-9382 DATED 8-22-44.

WEST PALM BEACH DISTRIBUTION
PROPOSED SUBMARINE CABLE ACROSS
LAKE WORTH ABOUT 1400 FT. NORTH
OF FLAGLER BRIDGE
APPLICATION BY

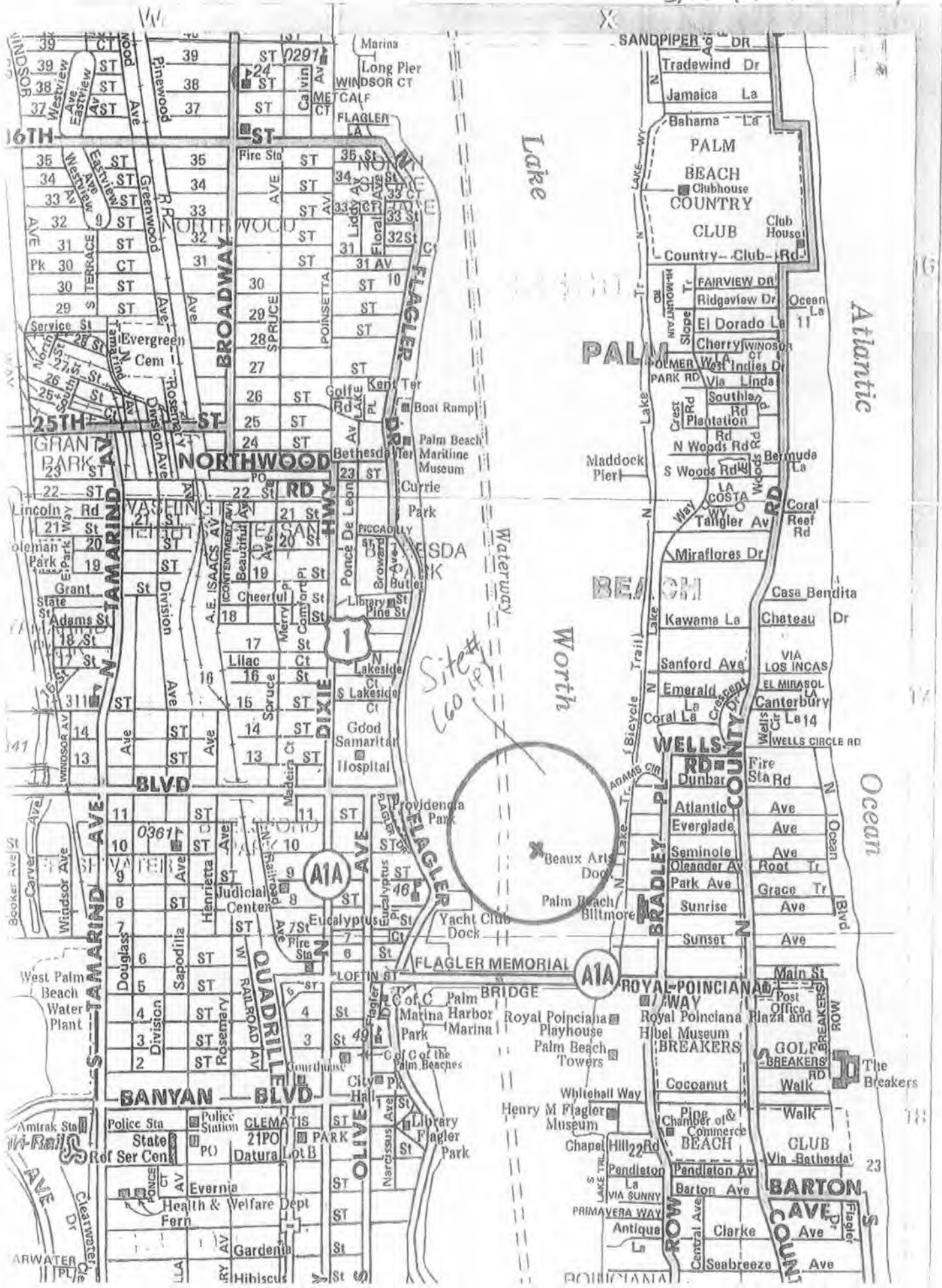
FLORIDA POWER & LIGHT COMPANY

DATE- AUG. 26, 1957

SCALE SHOWN
A-21649

SEE MAP NO 26

SAS-1957-00384





Sect. 15
Twn. 43S
Rge. 43E



Seminole Ave

Flegler Memorial Bridge

Site #1 (601F)
Emergency cable repairs at ICWW west of
Seminole Avenue in West Palm Beach,
Palm Beach County

Copyright (c) 1997 Horizons Technology, Inc.

Palm Beach County - Florida

USGS - Palm Beach

NTS



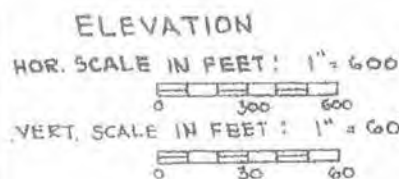
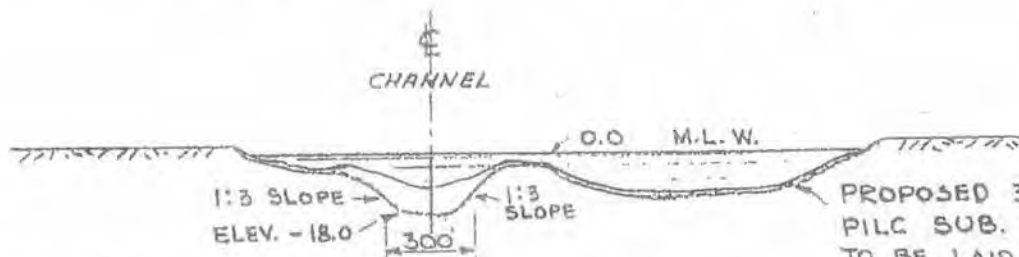
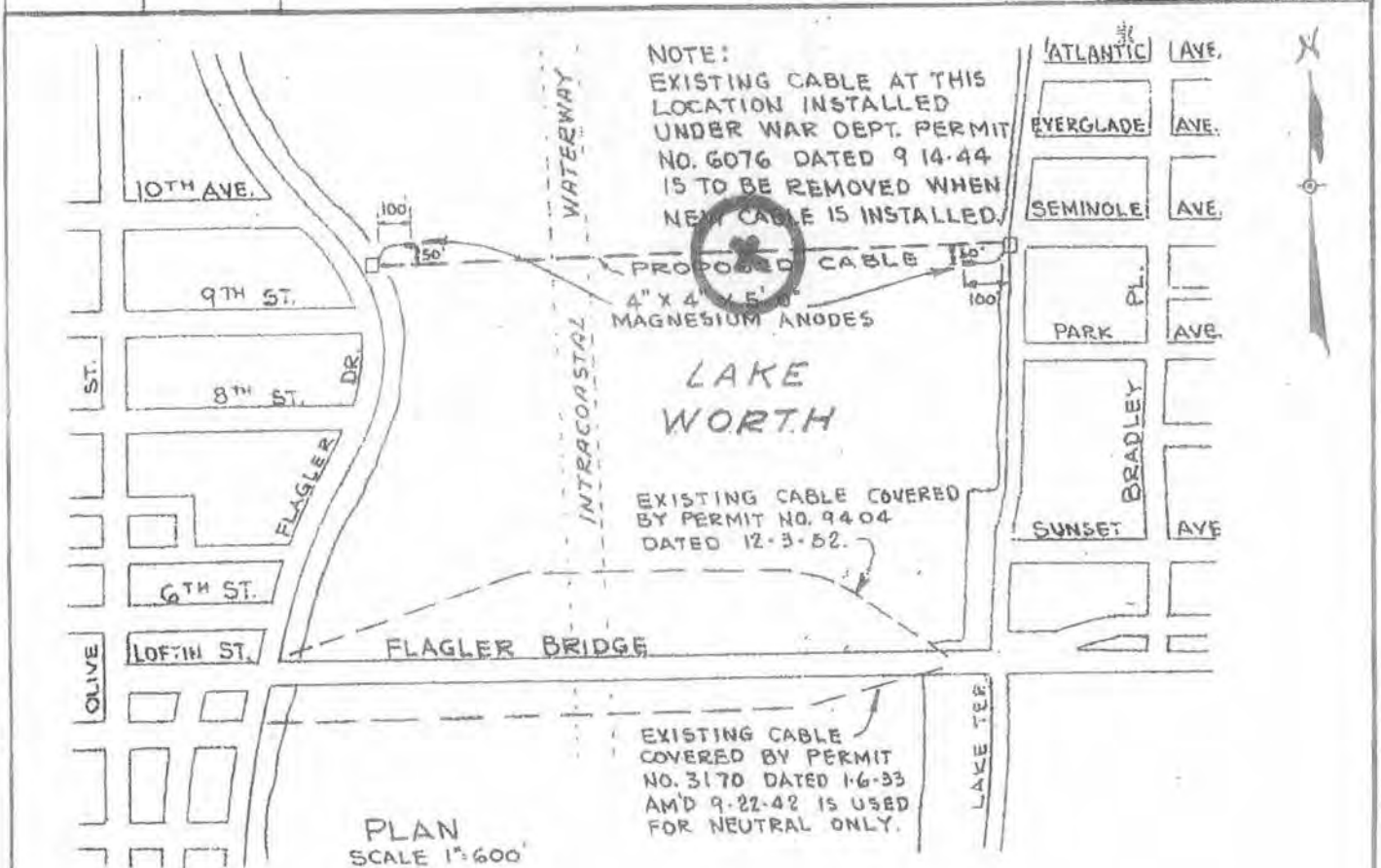
POWER SYSTEMS
ENVIRONMENTAL

Emergency cable repair

Date : 4/16/13
Donna Wilcox

DRAWN	K.C.J.
CHECKED	8/23
CORRECT	H.P.M.

CHIEF ENGINEER



NOTE: THIS DRAWING SUPERSEDES DWG. A-9382 DATED 8-22-44.

WEST PALM BEACH DISTRIBUTION
PROPOSED SUBMARINE CABLE ACROSS
LAKE WORTH ABOUT 1400 FT. NORTH
OF FLAGLER BRIDGE
APPLICATION BY
FLORIDA POWER & LIGHT COMPANY
DATE: AUG. 26, 1957 SCALE SHOWN
A-21649

Crossing # 11



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSING 11

26°43'35.2331", -80°3'13.1899"

Scale 1:8,186

26°43'33.6542", -80°2'18.1539"



26°42'57.3295", -80°3'14.5463"

1 inch = 682 feet

26°42'55.7506", -80°2'19.5156"



Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 12:25:59 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: ☐ Deed ☐ Lease ☒ Modification of Easement ☐ Permit

☐ Management Agreement ☐ Use Agreement ☐ Disclaimer

☐ Quitclaim ☐ Dedication ☐ Release ☐ Acts of Legislation ☐ Other

Instrument Number: 30728

Extension: 000

File Number: 5927

Document Date: 06/30/2010

Consideration: N/A

Water Body: Lake Worth

Reservations / Reverter: N/Y

Submerged Land: ☒ (Y) ☐ (N)

Original County: Palm Beach

Section: 15 & 22

Township: 43S

Range: 43E

Total Area / Area Unit: 1.020 (A) Acreage (S) Square Feet

Comments: BOT File # 500225039

w/c 186

This Instrument Prepared By:
Tauran J. Lewis
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

CFN 20100255328
OR BK 23947 PG 1889
RECORDED 07/13/2010 14:11:08
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1889 - 1900; (12pgs)

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS EASEMENT
MODIFICATION TO REDUCE SQUARE FOOTAGE AND CHANGE DESCRIPTION OF USE

WPB 09540
NO. 30728 (5927-50)
BOT FILE NO. 500225039
PA NO. 50-0298458-001

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to City of West Palm Beach, Florida, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Sections 15 and 22, Township 43 South, Range 43 East, in Lake Worth Lagoon, Palm Beach County, as is more particularly described and shown on Attachment A, dated November 4, 2009.

TO HAVE THE USE OF the hereinabove described premises from April 16, 2010, the effective date of this modified easement, through September 26, 2052, the expiration date of this modified easement. The terms and conditions on and for which this modified easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for the placement of a subaqueous water main and the dredging thereof and Grantee shall not engage in any activity except as described in the State of Florida Department of Environmental Protection, Consolidated Environmental Resource Permit No. 50-0298458-001, dated April 16, 2010, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.
8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense. Each party is responsible for all personal injury and property damage attributable to the negligent acts or omissions of that party and the officers, employees and agents thereof. Nothing herein shall be construed as an indemnity or a waiver of sovereign immunity enjoyed by any party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims.

9. VENUE: Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. ASSIGNMENT OF EASEMENT: This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. TERMINATION: The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

CITY OF WEST PALM BEACH
1000 45th Street, Suite 15
West Palm Beach, Florida 33407

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. TAXES AND ASSESSMENTS: The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES: If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. ENFORCEMENT OF PROVISIONS: No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. RECORDATION OF EASEMENT: The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. AMENDMENT/MODIFICATIONS: This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. ACOE AUTHORIZATION: Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Theresa M. Brady
Original Signature

Theresa M. Brady
Print/Type Name of Witness

Kathy C Griffin
Original Signature

Kathy C Griffin
Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY: Jeffery M. Gentry
Jeffery M. Gentry, Operations and Management Consultant
Manager, Bureau of Public Land Administration, Division
Division of State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the Board
of Trustees of the Internal Improvement Trust Fund of the State
of Florida

STATE OF FLORIDA
COUNTY OF LEON

"GRANTOR"

The foregoing instrument was acknowledged before me this 30th day of June, 2010, by
Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State
Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the
Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

Sam L. Griffin
DEP Attorney

Kathy C Griffin
Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires

Notary Public State of Florida
Kathy C Griffin
My Commission DD727692
Expires 10/30/2011

Commission/Serial No.

WITNESSES:

Steve Kaufman
Original Signature

Steve Kaufman
Typed/Printed Name of Witness

Barbara Dugan
Original Signature

Barbara Dugan
Typed/Printed Name of Witness

STATE OF Florida

COUNTY OF Palm Beach

City of West Palm Beach, Florida

(SEAL)

BY: Lois J. Frankel
Original Signature of Executing Authority

Lois J. Frankel

Typed/Printed Name of Executing Authority

Mayor

Title of Executing Authority

"LESSEE"

The foregoing instrument was acknowledged before me this 14 day of JUNE, 2010, by
Lois J. Frankel as Mayor, for and on behalf of the City of West Palm Beach, Florida. She is personally known to me or who has
produced _____ as identification.

My Commission Expires:

Linda L. Schaffer
Signature of Notary Public
Linda L. Schaffer
Commission DD 279789
Expires June 4, 2011
Notary Public, State of Florida
Bonded thru my Professional Insurance \$50,000.00

Commission/Serial No.

Printed, Typed or Stamped Name

CITY ATTORNEY'S OFFICE
Approved as to form
and legal sufficiency
By: Neil
Date: 6/10/10

EXHIBIT "A" **SUBMERGED LAND EASEMENT** **WATERMAIN RELOCATION** **CROSSING LAKE WORTH**

SECTIONS 15 & 22, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA



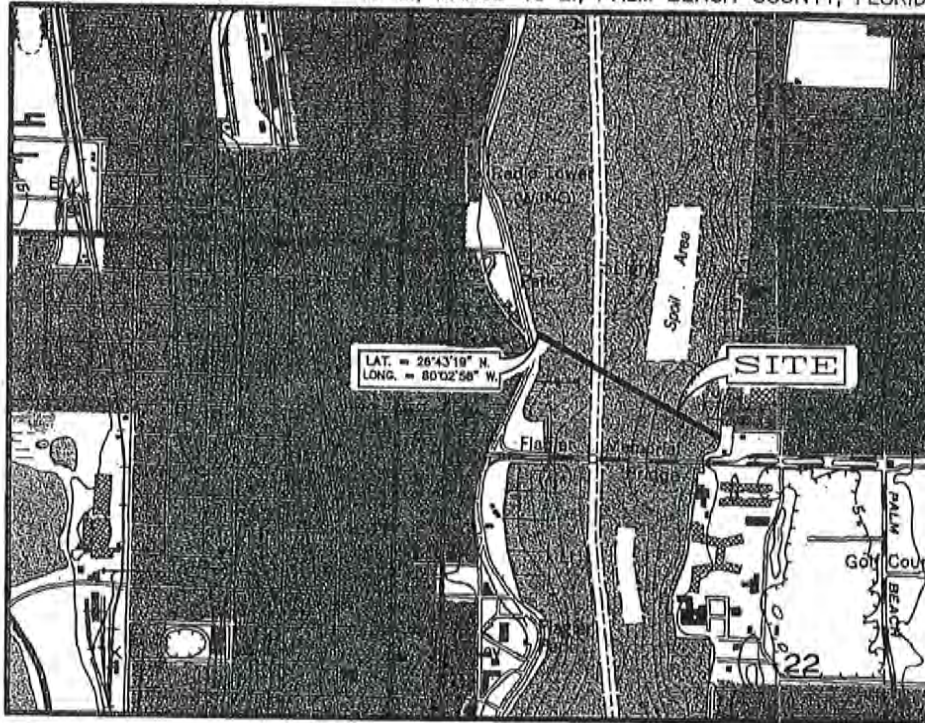
LOCATION SKETCH
NOT TO SCALE

PAGE 1 OF 9

REVISIONS	<div data-bbox="571 1415 716 1535" data-label="Image"> </div> <div data-bbox="727 1409 1117 1562" data-label="Text"> <p>AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com © 2009 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.</p> </div>	<div data-bbox="1123 1388 1346 1562" data-label="Text"> <p>SCALE 1" = 100' DATE 10/30/09 BY A.M.R. CK'D. M.D.A. F.B. - PG. - JOB NO. 8627</p> </div>

EXHIBIT "A" **SUBMERGED LAND EASEMENT** **WATERMAIN RELOCATION** **CROSSING LAKE WORTH**

SECTIONS 15 & 22, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA



PALM BEACH QUADRANGLE
 FLORIDA - PALM BEACH CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)



NOTES:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1990 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/90).

LAT. = LATITUDE
 LONG. = LONGITUDE

PAGE 2 OF 9


REVISIONS 	 <p>AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com © 2009 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.</p>	SCALE 1" = 100'
		DATE 10/30/09
		BY A.M.R.
		CK'D. M.D.A.
		F.B. PG. -
		JOB NO. 8627

EXHIBIT "A"

SUBMERGED LAND EASEMENT WATERMAIN RELOCATION CROSSING LAKE WORTH

LAND DESCRIPTION

A portion of submerged lands lying within Lake Worth, in Sections 15 and 22, Township 43 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:


COMMENCING at the Northeast corner of Lot 15, Block 9 of GRUBER-CARLBERG ADDITION according to the plat thereof, as recorded in Plat Book 7, Page 63 of the Public Records of Palm Beach County, Florida; thence N 74°17'03" E, 142.04 feet to the POINT OF BEGINNING being the Mean High Water Line of Lake Worth and the wet-face of an existing concrete sea wall, having a Northing of 869294.570 and an Easting of 966631.896; thence N 15°22'34" W, along said Mean High Water Line and concrete sea wall, 28.07 feet; thence S 60°49'25" E, 2226.43 feet to the Mean High Water Line of Lake Worth and the wet-face of an existing concrete sea wall; thence S 04°30'01" W, along said Mean High Water Line and concrete sea wall, 13.97 feet; thence S 04°49'16" W, along said Mean High Water Line and concrete sea wall, 8.02 feet; thence N 60°49'25" W, 2215.88 feet to the POINT OF BEGINNING.

The above described easement is situate in Palm Beach County, Florida and containing 44,423 square feet, 1.020 acres, of submerged land, more or less.

CERTIFICATION

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction.
I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 11/04/09


MICHAEL D. AVIROM, P.L.S.
Florida Registration No. 3268
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

PAGE 3 OF 9

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EXHIBIT "A"

SUBMERGED LAND EASEMENT WATERMAIN RELOCATION CROSSING LAKE WORTH

SURVEYOR'S REPORT.

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
4. This is not a M.H.W. Line Survey - Elevations shown for informational purposes only.
5. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Transverse Mercator Projection), East Zone(901), with the north line of lot 15, block 9 having a bearing of N 88°47'42" W.
6. Elevations shown hereon are based on the North Geodetic Vertical Datum of 1929.
7. Benchmark Description: A closed loop bench run from Palm Beach County Engineering Department benchmark "Breakers", Elevation = 15.80 feet(N.A.V.D. 88) and Palm Beach County Engineering Department benchmark "IWP 99(use), Elevation = 14.89 feet(N.A.V.D. 88).
8. Mean High Water information was compiled from published datum provided by the Land Boundary Information System internet web site (www.labin.org). Mean High Water is based upon extending published datum from MHW Data Point ID #40, Palm Beach County, Quad Name Palm Beach, USGS Quad Number 26080F1. Mean High Water = 1.79' N.G.V.D. 1929; Range = 2.62'; Mean Low Water = -0.83' N.G.V.D. 1929.
9. Abbreviation Legend: B.O.S.W.= Bottom Of SeaWall at sand bottom; P.B.C.R.= Palm Beach County Records; C.=Centerline; F.P.L.=Florida Power & Light Company; G.P.S.= Global Positioning System; L.B.= Licensed Business; N.A.V.D.=North American Vertical Datum; P.B.= Plot Book; P.S.M.= Professional Surveyor and Mapper; T.O.S.W.= Top Of Sea Wall; U.S.G.S.= United States Geological Survey.
10. Data shown hereon was established by a Real-time Kinematic (RTK) GPS Control Survey which is certified to a 2 centimeter local accuracy, relative to the nearest control point within the National Geodetic Survey (NGS) Geodetic Control Network.
 - A.) Method: Wide Area Continuously Operating GPS Station Network.
 - B.) Equipment Used: Trimble R8 5800, Serial Number 4347129118 (Dual Frequency Receiver)
 - C.) Processing Software: Trimble Geomatics Office, Version 1.61
 - D.) Ties were made to National Geodetic Control Point "Paramount" (PID A08437).

PAGE 4 OF 9

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			DATE	10/30/09
			BY	A.M.R.
			CK'D.	M.D.A.
			F.B.	PG.
			JOB NO.	8627

EXHIBIT "A"

SUBMERGED LAND EASEMENT WATERMAIN RELOCATION CROSSING LAKE WORTH

STATE PLANE COORDINATES			
LETTER	NORTHING	EASTING	DESCRIPTION
A	869256.096	966495.168	P.O.C.
B	869294.570	966631.896	P.O.B./M.H.W.L.
C	868214.333	968566.632	M.H.W.L.
D	868964.704	967263.722	CENTER CHANNEL
E	868942.057	967263.256	CENTER CHANNEL

(SEE NOTE # 5 & # 10 ON SHEET 4 OF 9)

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE
IS NOT INTENDED TO BE THE LEGAL BOUNDARY
BETWEEN PRIVATE AND STATE OWNERSHIP.

MEAN HIGH WATER = 1.79' N.G.V.D. 29
RANGE = 2.62'
MEAN LOW WATER = -0.83' N.G.V.D. 29

(SEE NOTE # 8 ON SHEET 4 OF 9)

LEGEND

- CONCRETE UTILITY POLE
- EXISTING ELEVATION
- ☀ LIGHT POLE
- ⊙ SANITARY MANHOLE
- SIGN (UNLESS NOTED)
- ⋈ VALVE

PAGE 5 OF 9

REVISIONS	 AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com © 2009 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.	SCALE 1" = 100'
		DATE 10/30/09
		BY A.M.R.
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		F.B. PG. -
		JOB NO. 8627

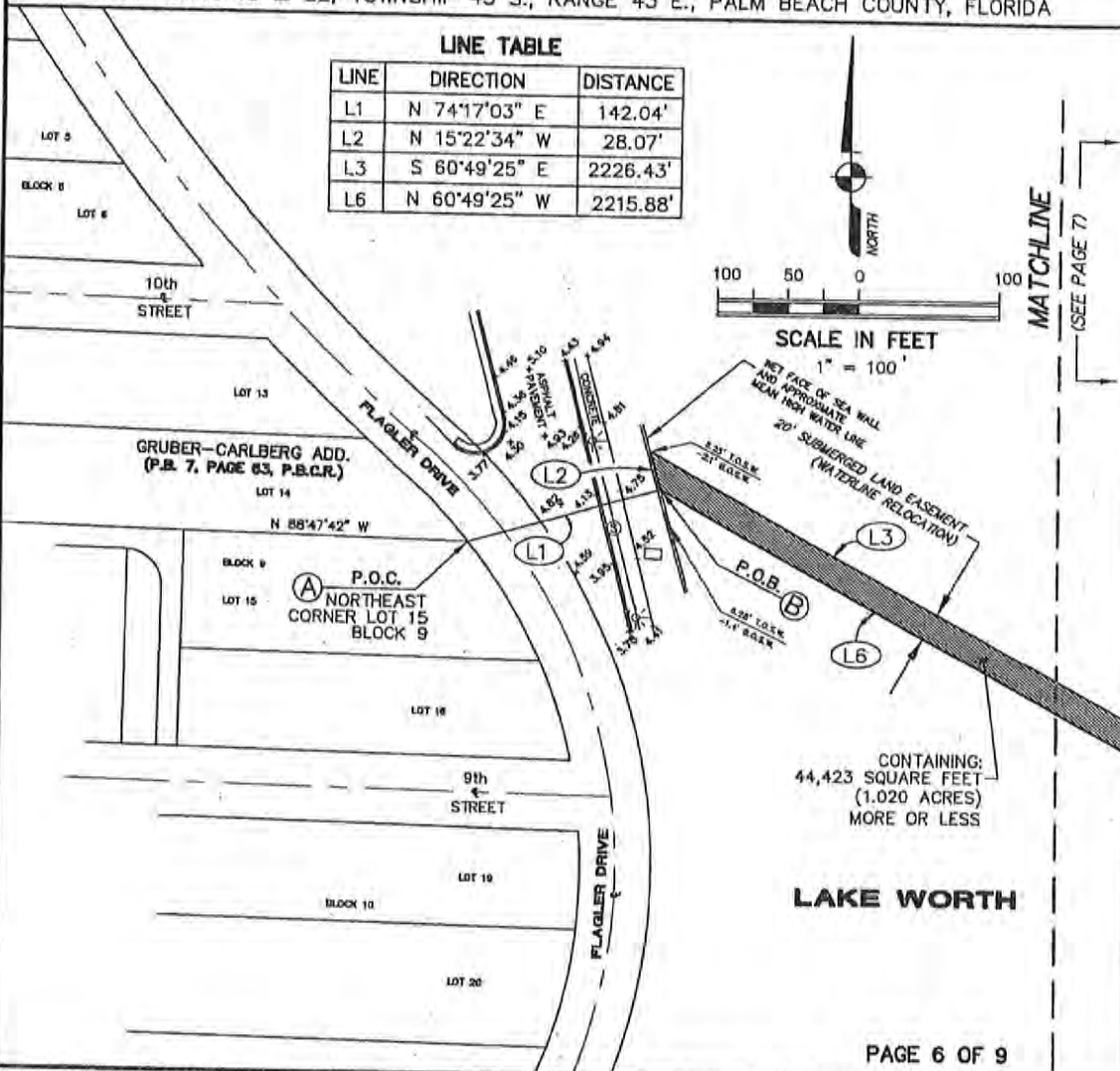
EXHIBIT "A"

SUBMERGED LAND EASEMENT WATERMAIN RELOCATION CROSSING LAKE WORTH

SECTIONS 15 & 22, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N 74°17'03" E	142.04'
L2	N 15°22'34" W	28.07'
L3	S 60°49'25" E	2226.43'
L6	N 60°49'25" W	2215.88'



PAGE 6 OF 9

REVISIONS



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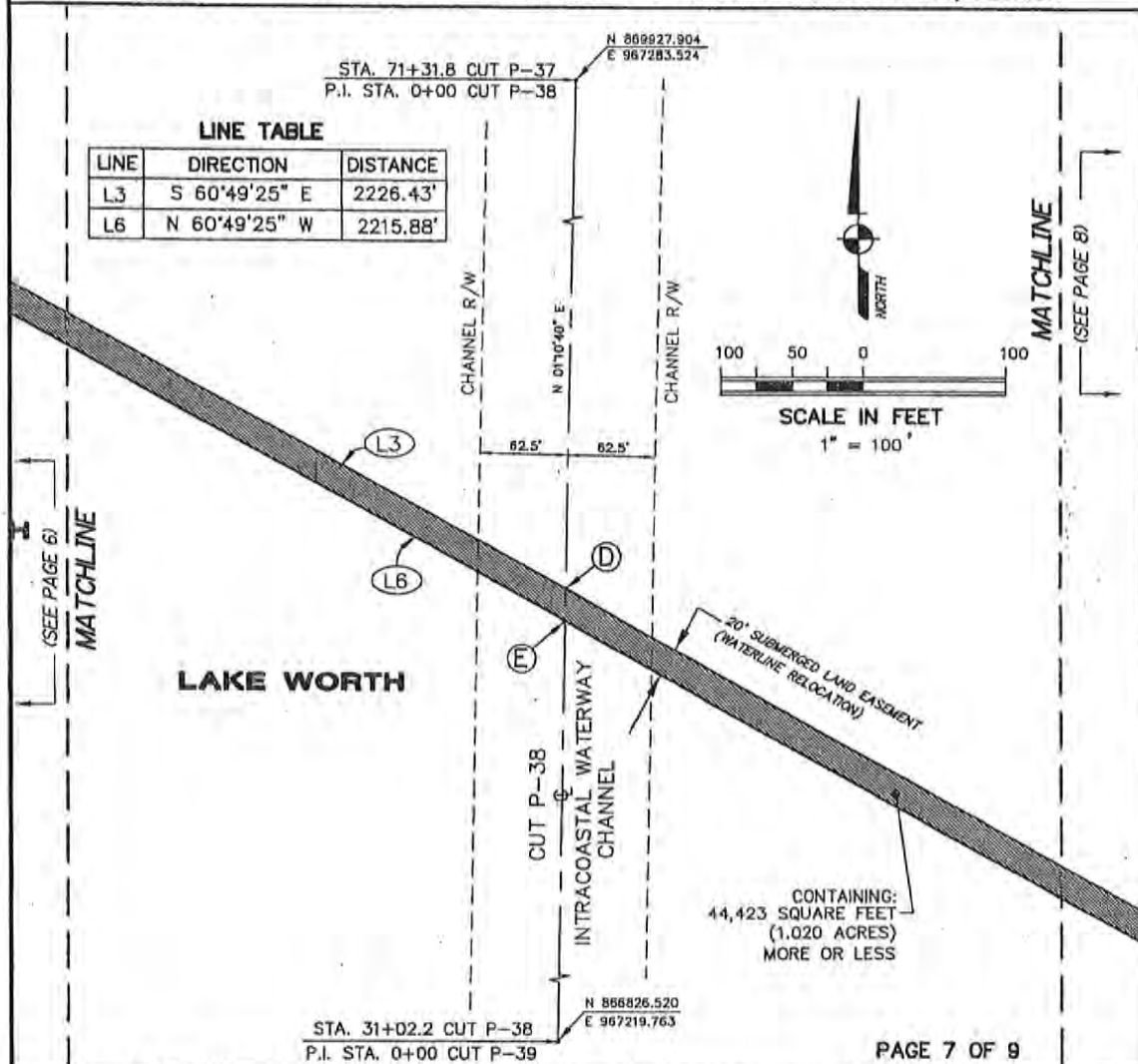
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SCALE	1" = 100'
DATE	10/30/09
BY	A.M.R.
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JOB NO.	8627

EXHIBIT "A" **SUBMERGED LAND EASEMENT** **WATERMAIN RELOCATION** **CROSSING LAKE WORTH**

SECTIONS 15 & 22, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA



REVISIONS		AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com © 2009 AVIROM & ASSOCIATES, INC. ALL RIGHTS RESERVED.	SCALE 1" = 100'
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EXHIBIT "A" **SUBMERGED LAND EASEMENT** **WATERMAIN RELOCATION** **CROSSING LAKE WORTH**

SECTIONS 15 & 22, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA

LINE TABLE

LINE	DIRECTION	DISTANCE
L3	S 60°49'25" E	2226.43'
L6	N 60°49'25" W	2215.88'



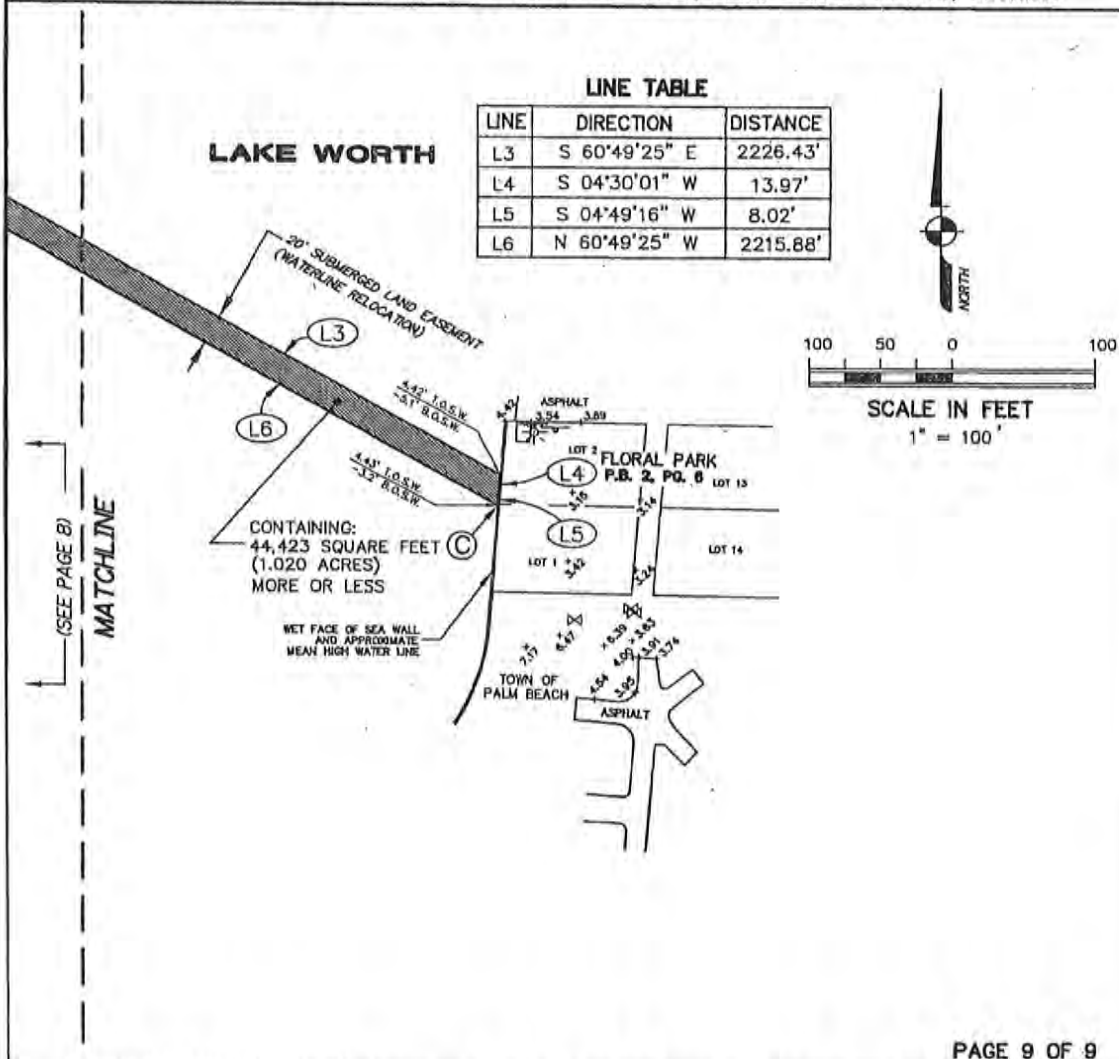
PAGE 8 OF 9

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	BOCA RATON, FLORIDA 33432	BY A.M.R.
	TEL. (561) 392-2594, FAX (561) 394-7125	CK'D. M.D.A.
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EXHIBIT "A"

SUBMERGED LAND EASEMENT WATERMAIN RELOCATION CROSSING LAKE WORTH

SECTIONS 15 & 22, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA



PAGE 9 OF 9

REVISIONS	AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING	SCALE 1" = 100'
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REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BLVD, STE 500
PALM BEACH GARDENS, FLORIDA 33410

DEC 03 2009

Palm Beach Gardens Regulatory Section
SAJ-2009-04112 (GP-KDS)

City of West Palm Beach
c/o Jonathan Bramley
401 Clematis Street, 4th Floor
West Palm Beach, FL 33401

Dear Mr. Bramley,

Your application for a Department of the Army permit received on November 25, 2009, has been assigned number SAJ-2009-04112 (GP-KDS). A review of the information and drawings provided shows the proposed work is to perform the following activities:

1. Abandon the existing watermain located south of Flagler Memorial Bridge.
2. Install a 24-inch watermain via horizontal directional drill (HDD) 20 feet below the bottom contours of Lake Worth and the Intracoastal Waterway. The HDD will start from Landing #2 on the eastern shoreline and continue 2,800 feet west to Landings #1 on the western shore, as depicted in Attachment A page 1 of 9. Both Landings are located in uplands.
3. Install 7 to 10 temporary pilings to stabilize the floating watermain during installation.

The water main pipe will be assembled and floated in a deep portion of the waterway where submerged aquatic vegetation does not occur. A shallow draft barge will be utilized to install and remove the temporary pilings. The barge will maintain a 1 foot minimum clearance between the bottom of the barge and the bottom of the waterway. The project is located in north of the Flagler Memorial Bridge, Palm Beach, Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-14 and 17. This authorization is valid until November 7, 2011. Please access the Corps' Regulatory webpage to view the special and general

-2-

conditions for SAJ-14 and 17, which apply specifically to this authorization. The website address is as follows:

<http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm>.

Once there you will need to click on "General Permits." Then you can click on the specific SAJ permit. You must comply with all of the special and general conditions and any project-specific conditions of this authorization or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. **Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - July 2005" provided in Attachment B of this permit.
2. **Sea Turtle and Smalltooth Sawfish Conditions:** The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and provided in Attachment B of this permit.
3. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within one foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.
4. **As-Built with X-Y Coordinates:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment C) to the Corps. The drawings shall be signed and sealed by a Florida registered professional engineer or a professional land surveyor registered in the state of Florida and include the following:
 - a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane

-3-

coordination points of the most waterward point of the structure and a point at the mean high water line (MHWL) or the face of the bulkhead/seawall, if present. The drawings shall include: (1) The dimensions of the structure, (2) depth of water (at mean low water) at the waterward end of the structure, and (3) the distance from the waterward end of the structure to the near bottom edge of the channel.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

5. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. **Dredged Material Disposal:** The Permittee shall place all dredged material in the self-contained, upland disposal. The Permittee shall maintain the upland disposal site to

-4-

prevent the discharge of dredged material and associated effluent into waters of the United States.

7. **Consent to Easement:** A portion of the proposed work is located within the Federal right-of-way for the Intracoastal Waterway and requires a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps Real Estate Division for action on the Consent to Easement. Prior to commencement of construction the Permittee shall provide written verification to the Corps that the Consent to Easement has been approved. Failure to obtain the Consent to Easement invalidates this authorization.
8. **Pre-Construction Meeting:** The Permittee shall conduct a pre-construction meeting prior to the commencement of construction operations in order to notify in-house staff, vessel operators, field crews, contractors, subcontractors, and all persons involved in the construction of the conditions of this permit. The Permittee shall inform staff members and contractors of the characteristics and location of any adjacent mangroves and seagrass beds to be avoided as shown on the attached permit drawings. Complete copies of the permit shall be displayed at the construction site.
9. **Frac-Out Plan:** The *Proposed Methods for Protection of Water Quality for Directional Bores Water Crossings (BMPs and Frac-out Plan)*, provided in attachment D, shall be implemented and included as a special condition of any authorization of this project
10. If a frac-out has occurred during construction activities, the permittee shall notify the Corps of Engineers, Palm Beach Gardens Regulatory office, Attn: Krista Sabin at 561-472-3518 within 24 hours of the occurrence. The notification shall include the time of the frac-out, the response time of the underwater diver, and the environmental conditions of the affected area.
11. This permit does not authorize any impacts to aquatic resources, i.e., submerged aquatic resources, wetlands, special aquatic sites, as a result of the project, including construction methodologies. If any impacts to aquatic resources occur, the permittee shall contact the Corps of Engineers, Palm Beach Gardens Regulatory office,

-5-

Attn: Krista Sabin at 561-472-3518 within three business days of the occurrence.

12. Upon receipt of such information, the Corps will determine if direct adverse impacts to seagrass or other EFH in the pipeline route has occurred as a result of the pipeline construction methodologies. In the event that direct adverse impacts has occurred, the permittee shall coordinate with the Corps to determine whether the direct adverse impact is expected to be permanent and therefore require the development of a mitigation plan to offset the direct adverse impacts to EFH. The mitigation plan shall be submitted to the Corps of Engineers, Palm Beach Gardens Regulatory office, Attn: Krista Sabin at 561-472-3518 within 30 days of the occurrence.
13. Where the proposed subaqueous utility or transmission line is to be installed in a navigable waters of the United States, at least two weeks prior to the start of the authorized work, the permittee must notify the National Oceanic Atmospheric Administration (NOAA) and the Corps' office the work is commencing, and again upon completion of the work. The permittee shall notify the District Engineer at the letterhead address, attention Regulatory Division, and NOAA, at Nautical Data Branch N/CS26, Station 7317, 1315 East-West Highway, Silver Spring, MD 20910-3282. This notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized and must include an accurate (within plus or minus 1 foot) depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.
14. Potential navigational hazards to vessels traveling throughout the area shall be minimized by the use of day shapes and lights as required under federal law. All U.S. Coast Guard and Florida Marine Patrol requirements for navigation and vessels safety must be strictly adhered to. All structures that are potentially hazardous to navigation of vessels throughout the area must be lighted and clearly visible at night.

-6-

15. Within 14 days from the date of initiating the authorized work, the Permittee shall provide to the United States Coast Guard a written notification of the date of commencement of work authorized by this permit. The USCG may be reached at the following address and telephone number: Commander, Seventh Coast Guard District, 51 S.W. First Avenue, Miami, Florida 33130-1608.

Generally, authorization of activities that have commenced or are under contract to commence in reliance of the GP will remain in effect provided the activity is completed within 12 months of the date a GP expired or was revoked. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification will likely be required.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this GP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under S. 373.069, F.S., or a local government with delegated authority under S. 373.441, F.S. and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereof, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated WQC or CZCC. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced GP, please contact Krista Sabin by telephone at 561-472-3518.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: <http://regulatory.usacesurvey.com/>. Your input is appreciated - favorable or otherwise.

-7-

Sincerely,

A handwritten signature in black ink, appearing to read "Krista Sabin". The signature is fluid and cursive, with the first name "Krista" and last name "Sabin" clearly distinguishable.

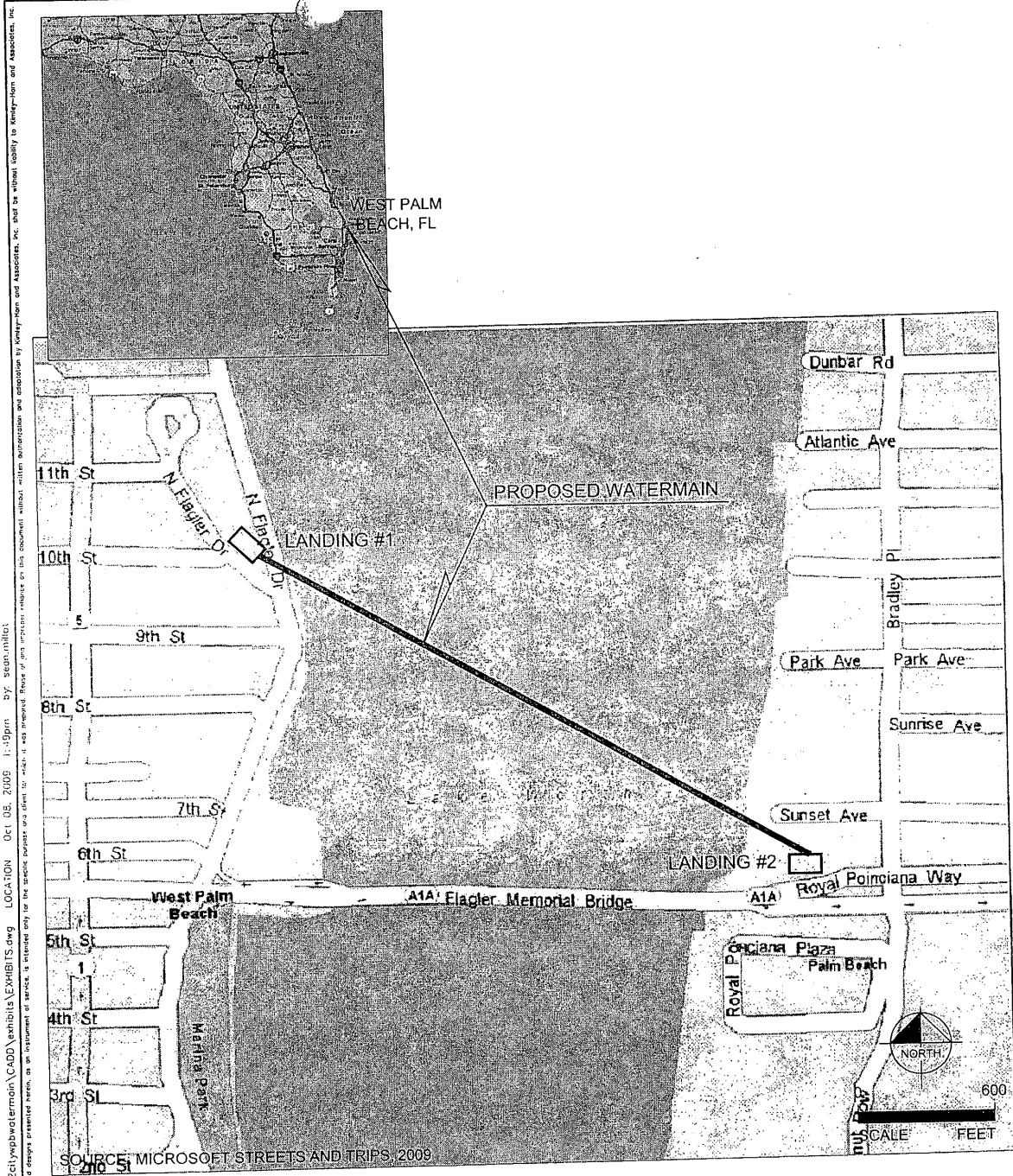
Krista Sabin
Project Manager

Enclosures

Copies Furnished:

Mike Kiefer, Kimley-Horn & Associates,
Mike.Kiefer@kimley-horn.com

CESAJ-RD-PE
CESAJ-RE-M



SECTION 12, TOWNSHIP 3 SOUTH, RANGE 14 EAST
PALM BEACH COUNTY, FLORIDA

LEGEND:
 PROPOSED WATERMAIN
 APPROXIMATE LANDING AREA

SCALE AS NOTED
 DESIGNED BY MEK
 DRAWN BY SIMM
 CHECKED BY MEK

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and Associates, Inc.
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 4431 EMBARCADERO DRIVE, WEST PALM BEACH, FL 33407
 PHONE (561) 845-0665 FAX (561) 863-8175
 WWW.KIMLEY-HORN.COM CA 00000696

DATE
10-7-09
 PROJECT NO.
144391002

CITY OF WEST PALM BEACH
 PROPOSED WATERMAIN
 RELOCATION
 LOCATION MAP



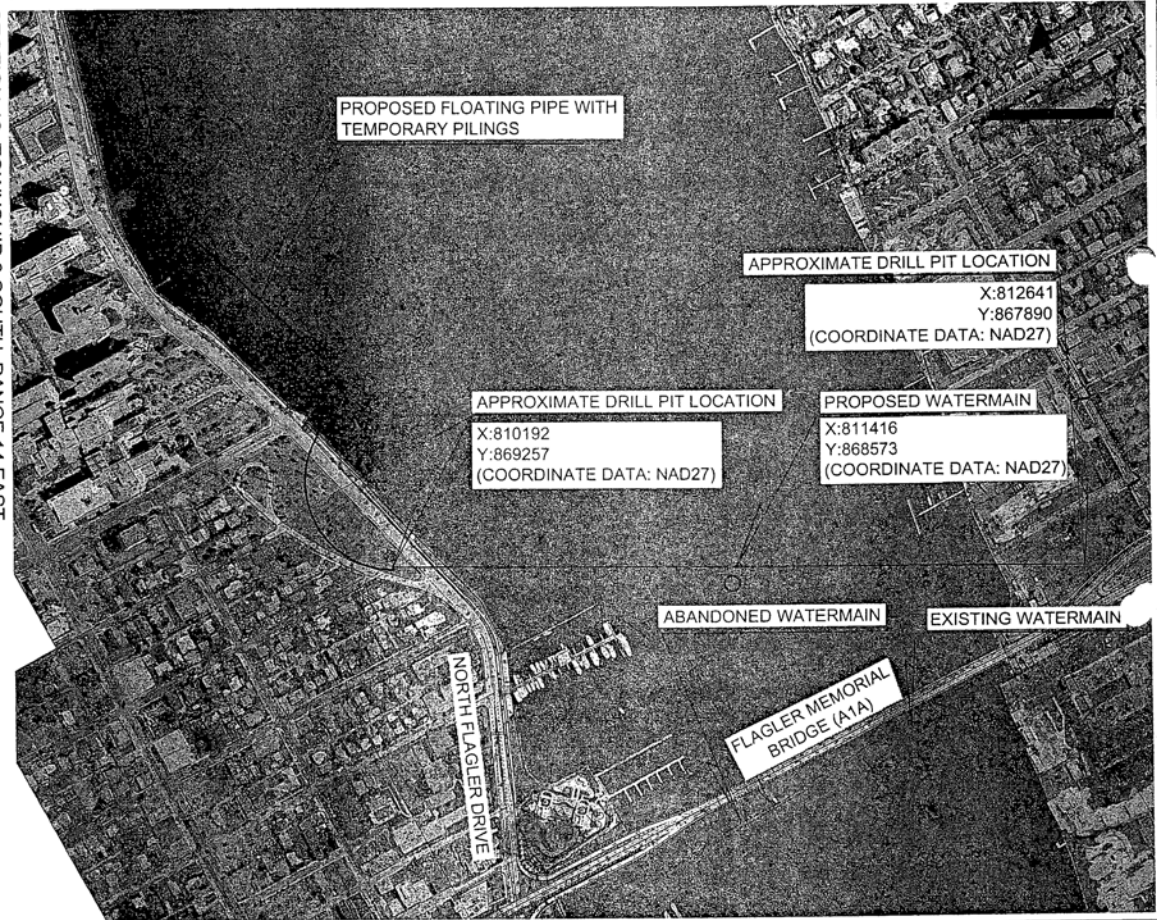
File # SAJ-2009-04112 (6P -KDS)
 Attachment A : Location map
 Page 1 of 9

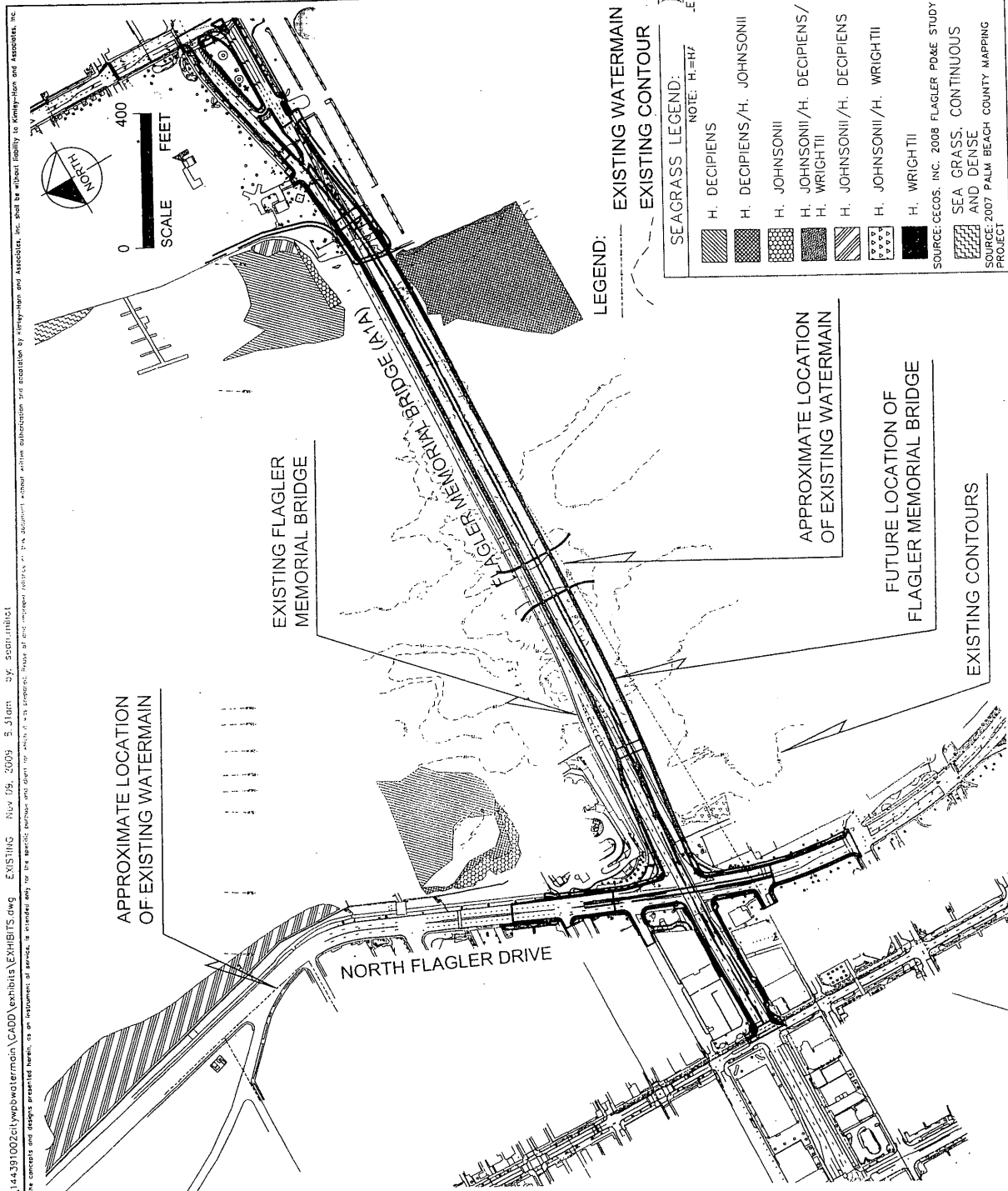
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SECTION 12, TOWNSHIP 3 SOUTH, RANGE 14 EAST
PALM BEACH COUNTY, FLORIDA

SCALE AS NOTED
DESIGNED BY: MCK
CHECKED BY: MCK
KIMLEY-HORN
and Associates, Inc.
144391002
DATE: 10-7-06
PROJECT NO. 144391002

CITY OF WEST PALM BEACH
PROPOSED WATERMAIN
RELOCATION
AERIAL
File # S-1-2006-0-0113 (69-KDS)
Attachment A: Aerial
Page 2 of 9





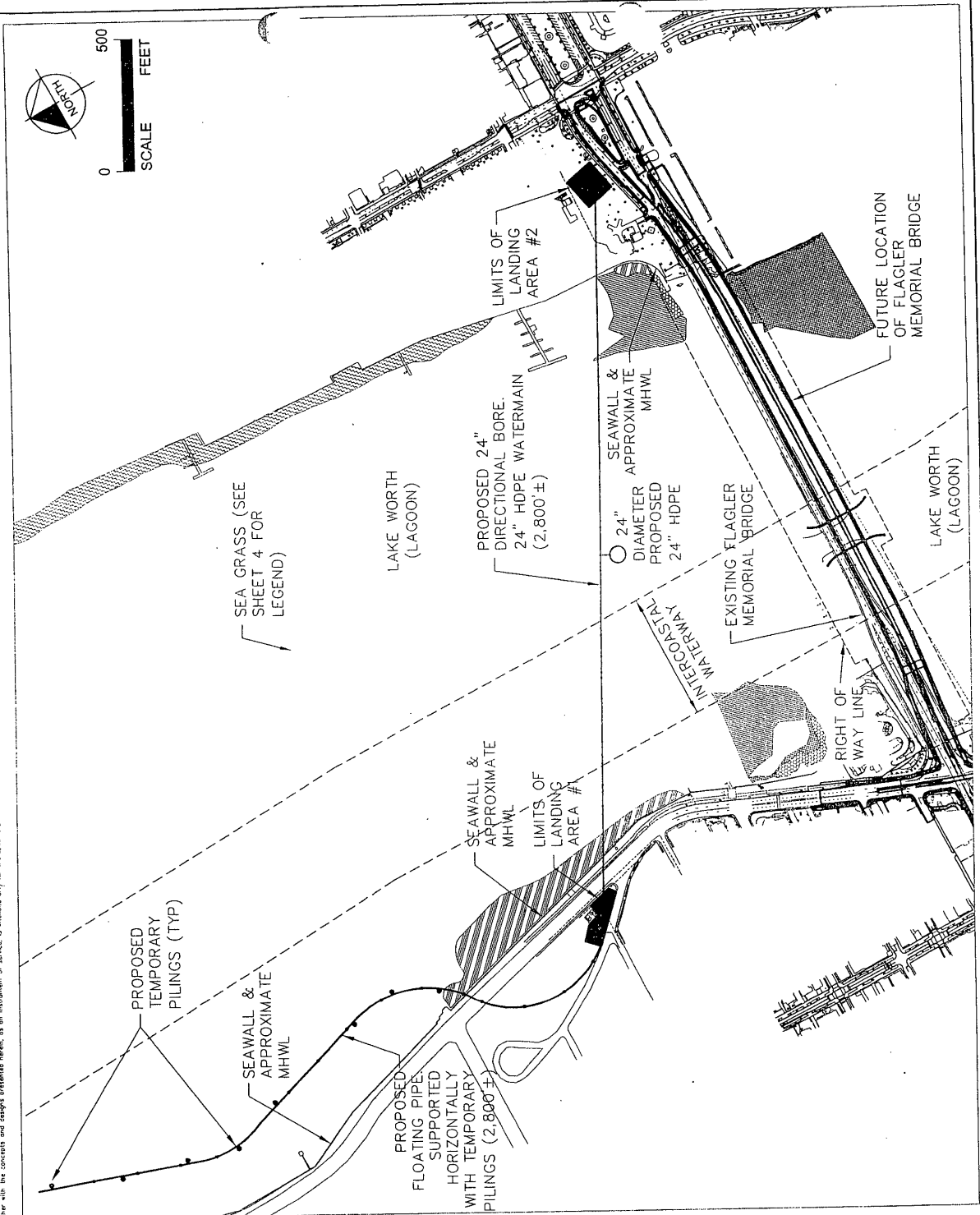
LEGEND:

EXISTING WATERMAIN	SEAGRASS LEGEND:
EXISTING CONTOUR	NOTE: H=H'
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	H. DECIPIENS/H. JOHNSONII
	H. JOHNSONII
	H. JOHNSONII/H. DECIPIENS/
	H. WRIGHTII
	H. JOHNSONII/H. DECIPIENS
	H. JOHNSONII/H. WRIGHTII
	H. WRIGHTII
	SOURCE: CECOS, INC. 2008 FLAGLER PD&E STUDY
	SEA GRASS, CONTINUOUS
	AND DENSE
	SOURCE: 2007 PALM BEACH COUNTY MAPPING PROJECT

SECTION 12, TOWNSHIP 3 SOUTH, RANGE 14 EAST
PALM BEACH COUNTY, FLORIDA

Drawing name: K:\VRB-Environmental\144391002\citypwbwatermain\CA00\exhibits\EXHIBITS.dwg DESIGNED BY: MEK DRAWN BY: SMM CHECKED BY: MEK	SCALE AS NOTED © 2009 KIMLEY-HORN AND ASSOCIATES, INC. 4431 EMBARCADERO DRIVE, WEST PALM BEACH, FL 33407 PHONE (561) 845-0865 FAX (561) 863-8175 WWW.KIMLEY-HORN.COM CA 00000686	DATE: 10-7-09 PROJECT NO: 144391002	CITY OF WEST PALM BEACH PROPOSED WATERMAIN RELOCATION EXISTING WATERMAIN File # SAJ-2009-04112 (P -KDS) Attachment A : Seagrass Location Page 3 of 9
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Drawing name: K:\VRB_Environmental\144391002\citywatermain\CADD\exhibits\EXHIBITS.dwg PLAN Nov 08, 2009 6:31pm by: smm:rtt:llc
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PALM BEACH COUNTY, FLORIDA**

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CHECKED BY	MEK

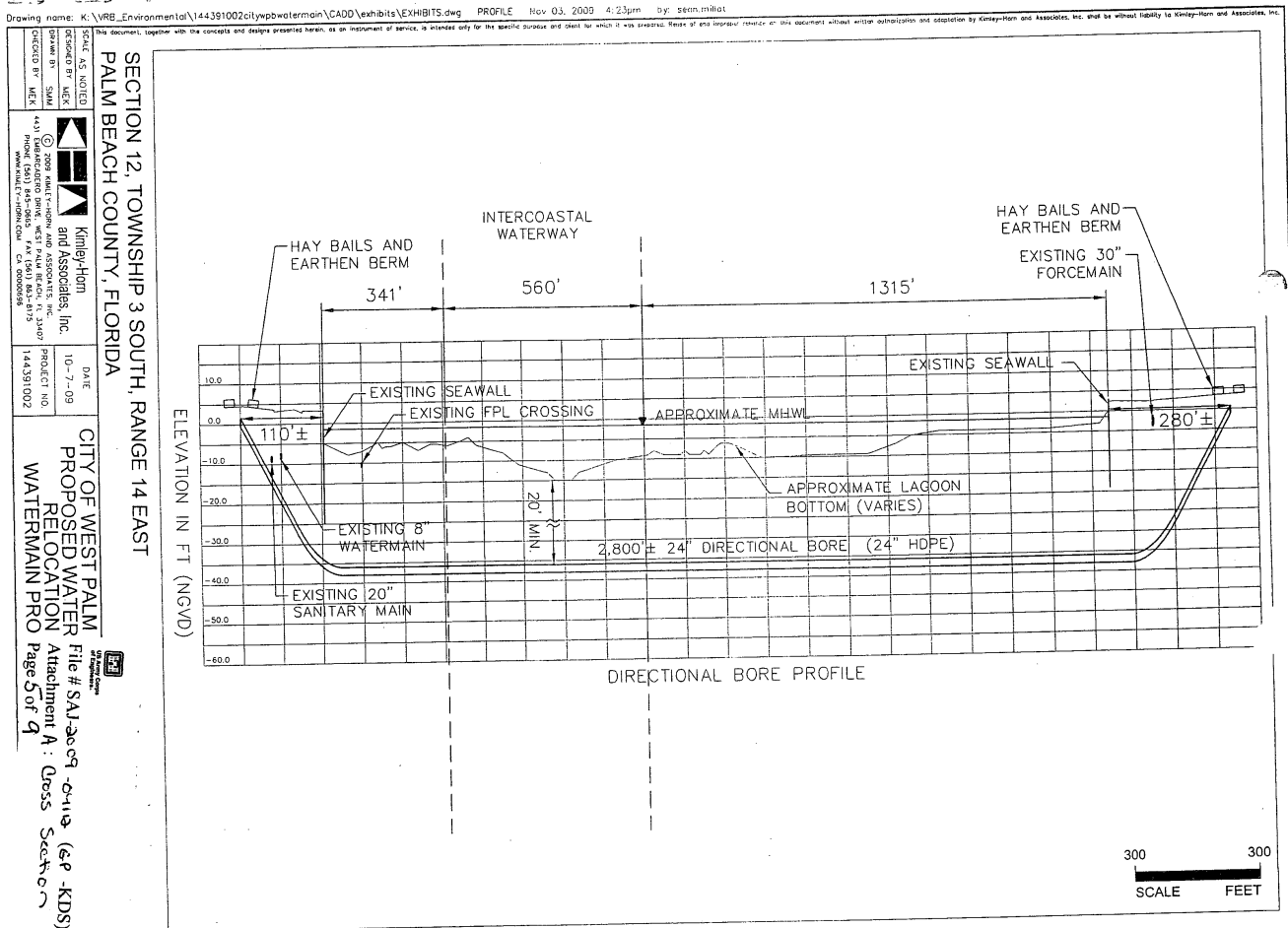

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DATE	10-7-09
PROJECT NO.	144391002

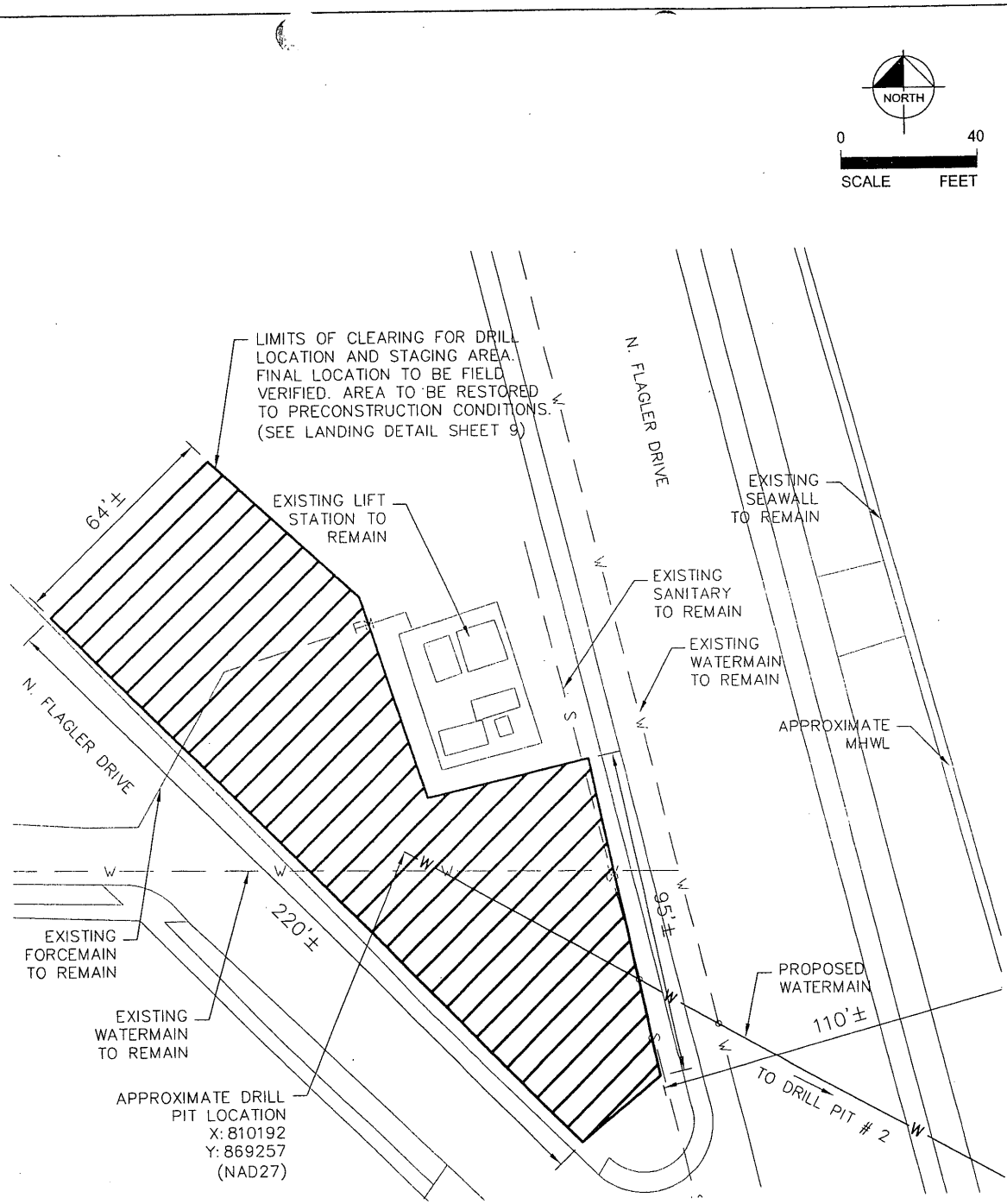
CITY OF WEST PALM BEACH
PROPOSED WATERMAIN
RELOCATION
WATERMAIN PLAN



File # SAJ-2009-04112 (6P -KDS)
 Attachment A: Plan View
 Page 4 of 9



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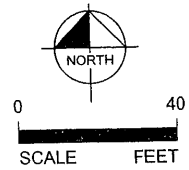
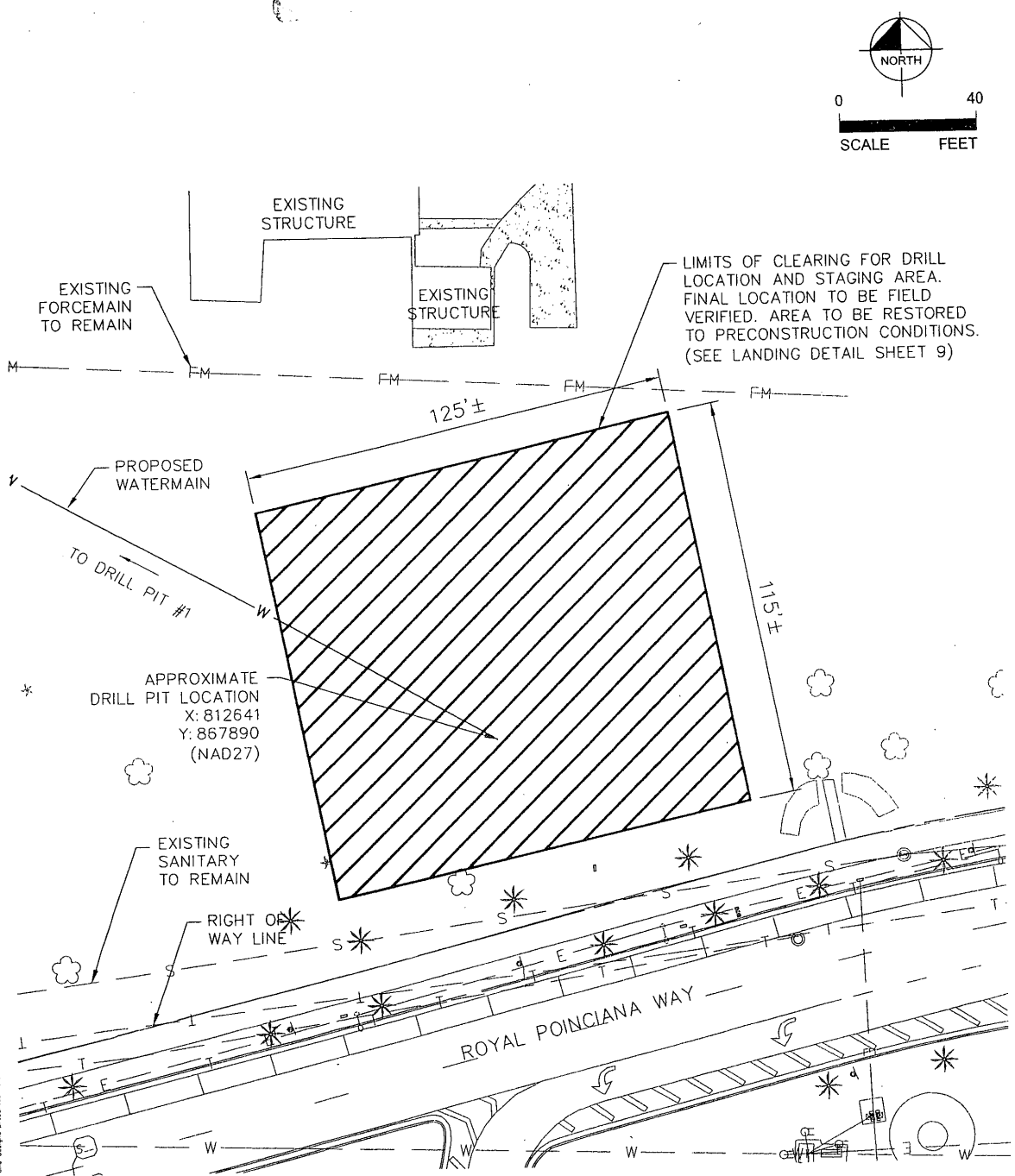
DATE 10-7-09
PROJECT NO. 144391002

CITY OF WEST PALM BEACH
PROPOSED WATER RELOCATION
LANDING AREA



File # SAJ-2009-04112 (GP-KDS)
Attachment A: Landing Area 1
Page 6 of 9

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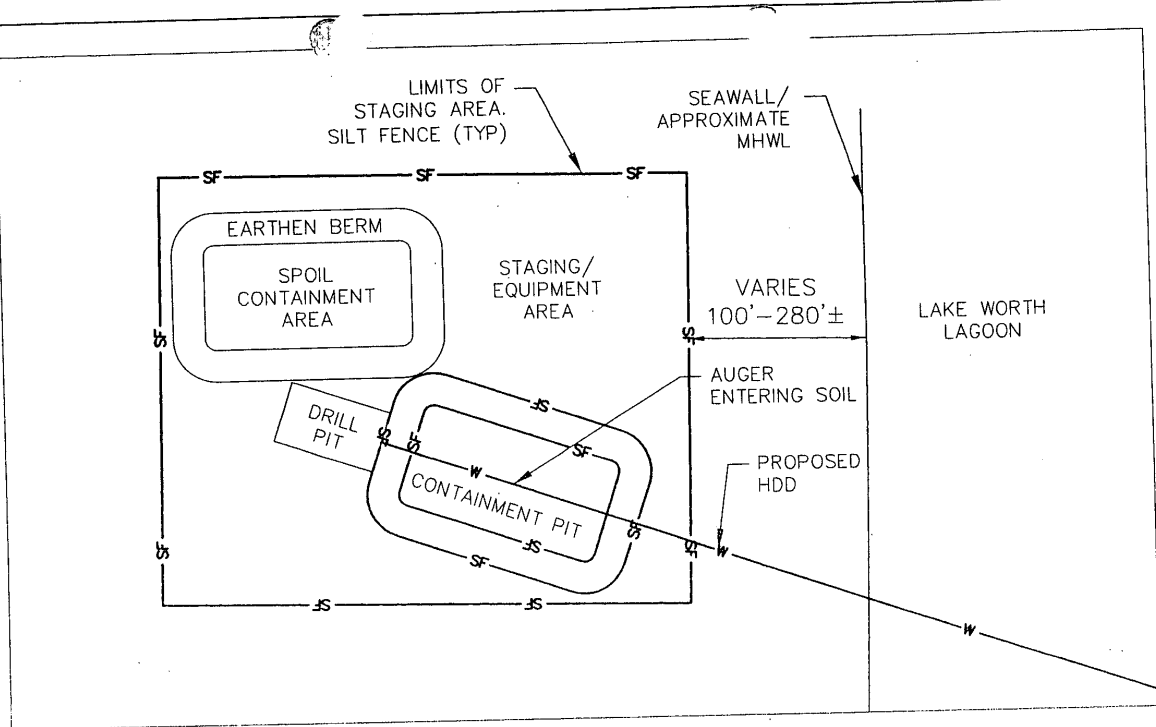
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PROJECT NO.	144391002

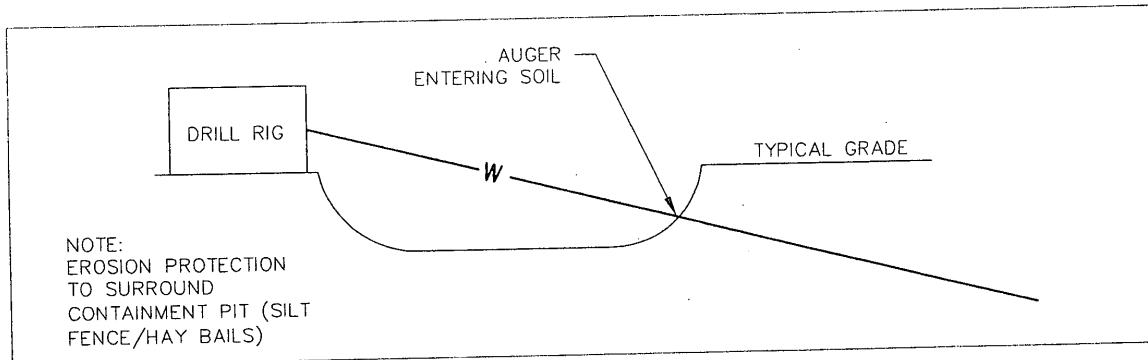
CITY OF WEST PALM BE
PROPOSED WATERMA
RELOCATION
LANDING AREA 2



File # SAI-2009-04112 (6P-KDS)
 Attachment A: Landing Area 2
 Page 7 of 9



PLAN VIEW



PROFILE VIEW

SECTION 12, TOWNSHIP 3 SOUTH, RANGE 14 EAST
PALM BEACH COUNTY, FLORIDA

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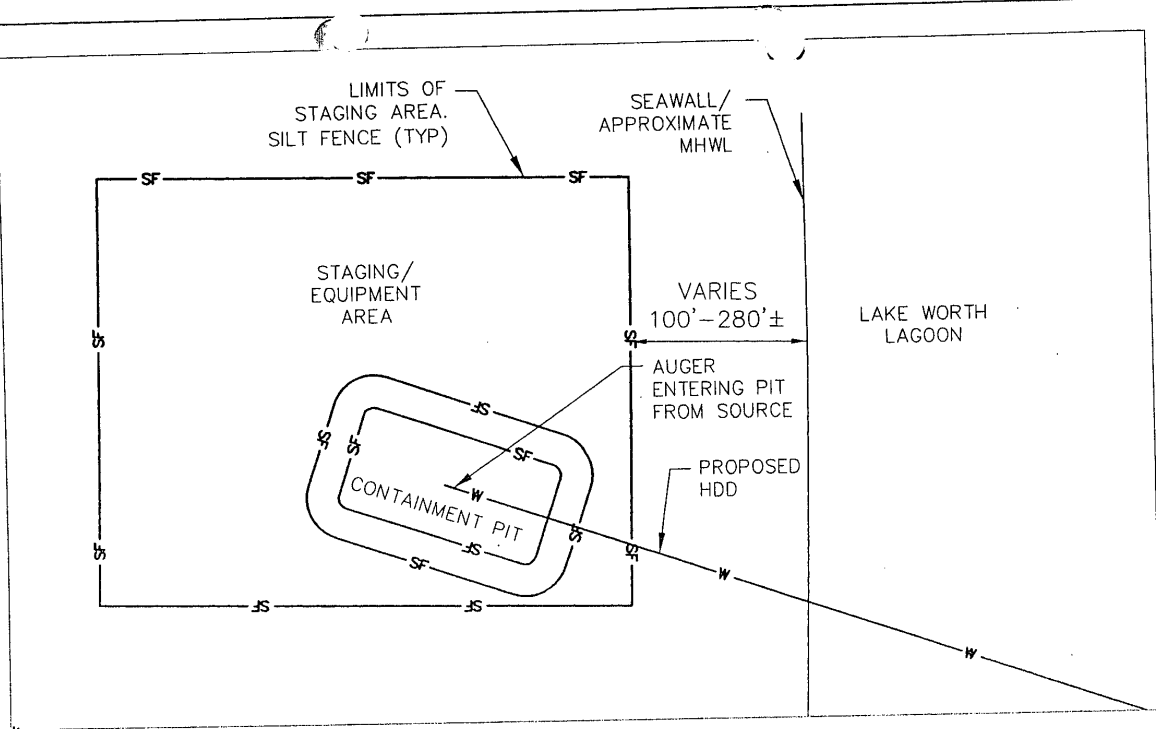
DATE
10-7-09

PROJECT NO.
144391002

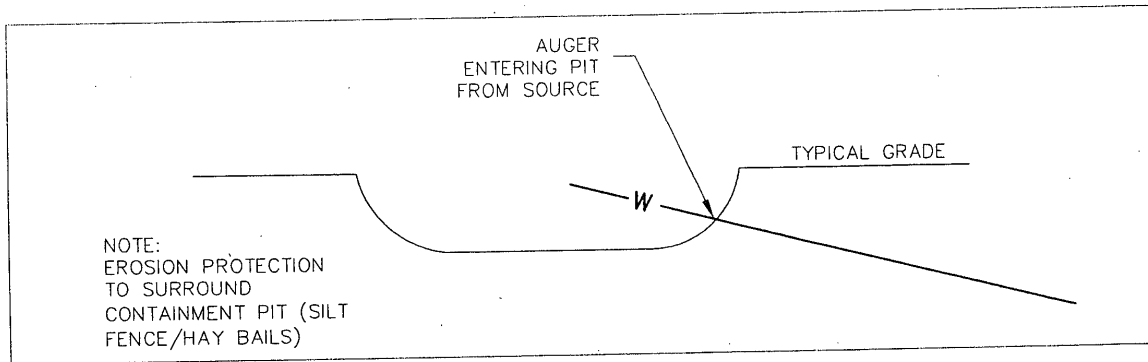
CITY OF WEST PALM BEACH
PROPOSED WATERM RELOCATION
TYPICAL LANDING/STA



File # SAJ-2009-04112 (GP -KDS)
Attachment A: Staging
Page 8 of 9



PLAN VIEW



PROFILE VIEW

SECTION 12, TOWNSHIP 3 SOUTH, RANGE 14 EAST
PALM BEACH COUNTY, FLORIDA

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PROJECT NO.
144391002

CITY OF WEST PALM BEACH
PROPOSED WATER RELOCATION
TYPICAL LANDING/ST.



File # SAJ-2009-04112 (6P -KDS)
Attachment A: staging
Page 9 of 9



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



File # SAJ-2001-04112 (GP -KDS)
Attachment B: Conditions
Page 1 of 3

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2009

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.



CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



Crossing # 12



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSING 12



Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
 - ☐ Public Land Survey System 2006
 - ☐ TIGER 2010 Places
- Aerial Imagery Flight Dates
2011-2013



Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 12:28:51 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: ☐ Deed ☐ Lease ☒ Easement ☐ Permit ☐ Management Agreement

☐ Use Agreement ☐ Disclaimer ☐ Quitclaim ☐ Dedication ☐ Release

☐ Acts of Legislation ☐ Other

Instrument Number: 41292

Extension: 000

File Number: 5954

Document Date: 11-01-2010

Consideration: N/A

Water Body: Lake Worth

Reservations / Reverter: N/Y

Submerged Land: (Y) ☒ (N) ☐

Original County: Palm Beach

Section: 15 & 22

Township: 43S

Range: 43E

Total Area / Area Unit: 2.171 (A) Acreage (S) Square Feet

Comments: BOT File Number: 500235286

This Instrument Prepared By:
M. Sue Jones
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

CFN 20100433891
OR BK 24196 PG 1729
RECORDED 11/16/2010 10:52:50
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1729 - 1747; (19pgs)

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS EASEMENT

EASEMENT NO. 41292 (5954-50)
BOT FILE NO. 500235286
PA NO. 50-0300853-001

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Town of Palm Beach, Florida, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Sections 15 and 22,
Township 43 South, Range 43 East, in Lake Worth Lagoon,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated March 29, 2010 and July 2, 2010.

TO HAVE THE USE OF the hereinabove described premises for a period of 50 years from September 14, 2010, the effective date of this easement. The terms and conditions on and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for two parcels/sites for 2 subaqueous force mains and the dredging thereof and Grantee shall not engage in any activity except as described in the State of Florida Department of Environmental Protection, Consolidated Environmental Resource Permit No. 50-0300853-001, dated September 14, 2010, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this easement.

2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.

3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.

4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.

5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense. Each party is responsible for all personal injury and property damage attributable to the negligent acts or omissions of that party and the officers, employees and agents thereof. Nothing herein shall be construed as an indemnity or a waiver of sovereign immunity enjoyed by any party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims.

9. VENUE: Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. ASSIGNMENT OF EASEMENT: This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. TERMINATION: The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Town of Palm Beach
360 South County Road, 2nd Floor
Palm Beach, Florida 33480

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. TAXES AND ASSESSMENTS: The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES: If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. ENFORCEMENT OF PROVISIONS: No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. RECORDATION OF EASEMENT: The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. AMENDMENT/MODIFICATIONS: This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. ACOE AUTHORIZATION: Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Theresa M. Brady
Original Signature

Theresa M. Brady
Print/Type Name of Witness

Kathy C. Griffin
Original Signature

Kathy C. Griffin
Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY: Jeffery M. Gentry
Jeffery M. Gentry, Operations and Management Consultant
Manager, Bureau of Public Land Administration, Division
Division of State Lands, State of Florida, Department of
Environmental Protection, as agent for and on behalf of the Board
of Trustees of the Internal Improvement Trust Fund of the State
of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 1st day of November, 2010, by
Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State
Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the
Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

Samuel J. Jura
DEP Attorney

Kathy C. Griffin
Notary Public, State of Florida

Printed, Typed or Stamped Name of Notary Public State of Florida
Kathy C. Griffin
My Commission Expires 10/30/2011

Commission/Serial No. _____

WITNESSES:

Peter B. Elwell
Original Signature

PETER B. ELWELL
Typed/Printed Name of Witness

Anne Bayles
Original Signature

Anne Bayles
Typed/Printed Name of Witness

STATE OF Florida
COUNTY OF Palm Beach

Town of Palm Beach, Florida (SEAL)

BY: John McDonald
Original Signature of Executing Authority

John McDonald
Typed/Printed Name of Executing Authority

Mayor
Title of Executing Authority

"GRANTEE"

The foregoing instrument was acknowledged before me this 13th day of October, 2010, by
John McDonald as Mayor, for and on behalf of Town of Palm Beach, Florida. He is personally known to me or who has
produced _____, as identification.

My Commission Expires:

Commission/Serial No. _____

Patricia Gayle-Gordon
Notary Public, State of _____

Printed, Typed or Stamped Name

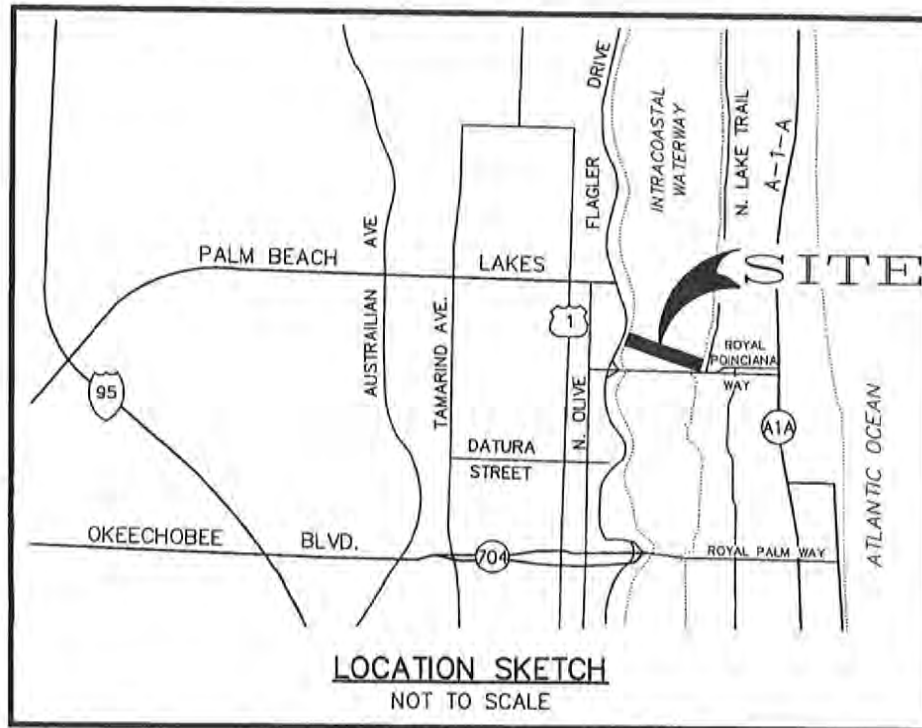


EXHIBIT "A"

SUBMERGED LAND EASEMENT

(FOR FORCEMAIN CROSSING LAKE WORTH)

LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA



REVISIONS



AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING

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JOB NO. 8627-1

SCALE 1" = 100'

DATE 03/19/2010

BY M.M.K.

CK'D. M.D.A.

F.B. N/A PG. N/A

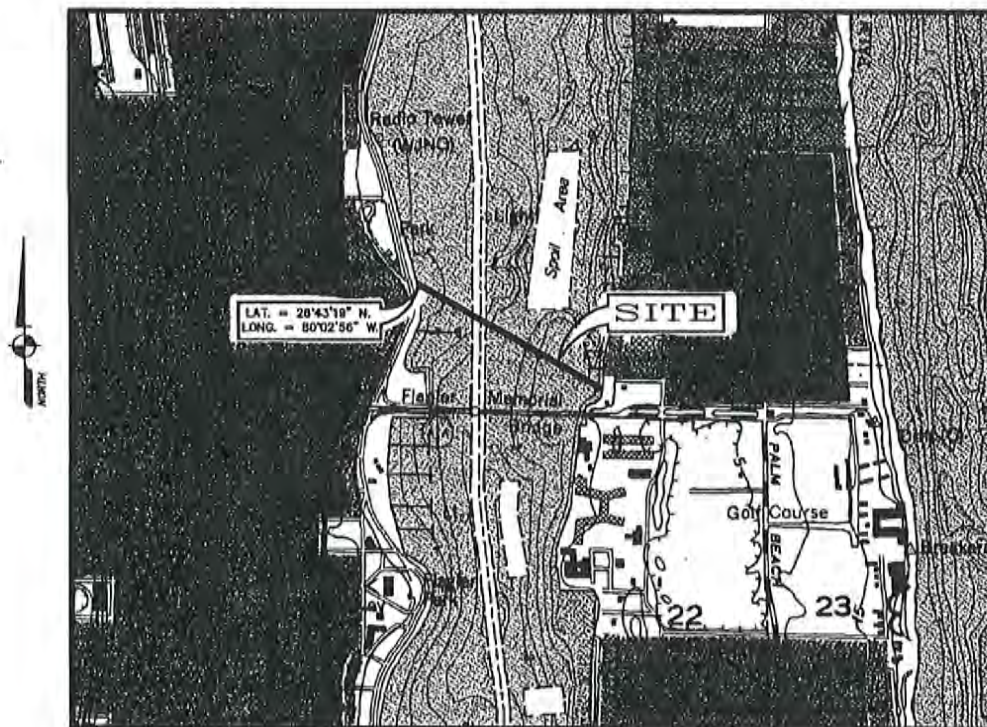
SHEET 1 OF 8

EXHIBIT "A"

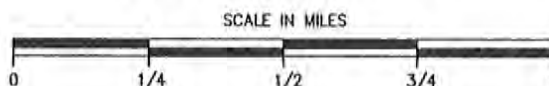
SUBMERGED LAND EASEMENT

(FOR FORCEMAIN CROSSING LAKE WORTH)

LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA



PALM BEACH QUADRANGLE
FLORIDA - PALM BEACH COUNTY
7.5 MINUTE SERIES (TOPOGRAPHIC)



NOTE:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1990 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/90). LAT. = LATITUDE & LONG. = LONGITUDE

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JOB NO. 8627-1

SCALE 1" = 100'

DATE 03/19/2010

BY M.M.K.

CK'D. M.D.A.

F.B. N/A PG. N/A

SHEET 2 OF 2

EXHIBIT "A"

SUBMERGED LAND EASEMENT

(FOR FORCEMAIN CROSSING LAKE WORTH)

LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of submerged lands lying within Lake Worth, in Sections 15 and 22, Township 43 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:

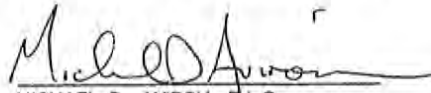
COMMENCING at the northeast corner of Lot 15, Block 9 of GRUBER-CARLBERG ADDITION, according to the plat thereof, as recorded in Plat Book 7, Page 63 of the Public Records of Palm Beach County, Florida; thence N74°17'03"E, 142.04 feet, more or less, to the POINT OF BEGINNING, said point being at the Mean High Water Line of Lake Worth and the wet-face of an existing concrete sea wall, having a Northing of 869294.57 and an Easting of 966631.90; thence S60°49'25"E, 2215.88 feet to the Mean High Water Line of Lake Worth and the wet-face of an existing concrete sea wall; thence S04°49'16"W, along said Mean High Water Line and wet face, 21.95 feet; thence N60°49'25"W, 2205.24 feet, more or less, to the Mean High Water Line of Lake Worth and the wet-face of an existing concrete sea wall; thence N15°22'34"W, along said Mean High Water Line and wet-face, 28.07 feet to the POINT OF BEGINNING.

The above described easement is situate in Palm Beach County, Florida and containing 44,211 square feet, 1.015 acres, of submerged land, more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 5J-17.05, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 03/18/10



MICHAEL D. AVIROM, P.L.S.
Florida Registration No. 3268
AVIROM & ASSOCIATES, INC.
L.B. No. 3300


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			SCALE 1" = 100'
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			BY M.M.K.
			CK'D. M.D.A.
			F.B. N/A PG. N/A
			SHEET 3 OF 8

EXHIBIT "A"

SUBMERGED LAND EASEMENT

(FOR FORCEMAIN CROSSING LAKE WORTH)

LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

SURVEYOR'S REPORT

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
4. This is not a M.H.W. Line Survey - Elevations shown for informational purposes only.
5. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Transverse Mercator Projection), East Zone(901), with the north line of lot 15, block 9 having a bearing of N88°47'42"W.
6. Data shown hereon was established by a Real-time Kinematic (RTK) GPS Control Survey which is certified to a 2 centimeter local accuracy, relative to the nearest control point within the National Geodetic Survey (NGS) Geodetic Control Network.
 - a) Method: Wide Area Continuously Operating GPS Station Network.
 - b) Equipment Used: Trimble R8 5800, Serial Number 4347129118 (Dual Frequency Receiver)
 - c) Processing Software: Trimble Geomatics Office, Version 1.61
 - d) Ties were made to National Geodetic Control Point "Paramount" (PID ADB437).
7. Elevations shown hereon are in feet and is based on the North Geodetic Vertical Datum of 1929.
8. Benchmark Description: A closed loop bench run from Palm Beach County Engineering Department benchmark "Breakers", Elevation = 15.80 feet(N.A.V.D. 88) and Palm Beach County Engineering Department benchmark "IWP 99(use)", Elevation = 14.89 feet(N.A.V.D. 88).
9. Mean High Water information was compiled from published datum provided by the Land Boundary Information System internet web site (www.labin.org). Mean High Water is based upon extending published datum from MHW Data Point ID #40, Palm Beach County, Quad Name Palm Beach, USGS Quad Number 26080F1, Mean High Water = 1.79' N.G.V.D. 1929; Range = 2.62'; Mean Low Water = -0.83' N.G.V.D. 1929.
10. Abbreviation Legend: B.O.S.W.= Bottom Of SeaWall at sand bottom; P.B.C.R.= Palm Beach County Records; CL = Centerline; F.P.L.= Florida Power & Light Company; G.P.S.= Global Positioning System; L.B.= Licensed Business; N.A.V.D.=North American Vertical Datum; P.B.= Plat Book; P.S.M.= Professional Surveyor and Mapper; T.O.S.W.= Top Of Sea Wall; U.S.G.S.= United States Geological Survey.

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE
IS NOT INTENDED TO BE THE LEGAL BOUNDARY
BETWEEN PRIVATE AND STATE OWNERSHIP.

MEAN HIGH WATER = 1.79' N.G.V.D. 29
RANGE = 2.62'
MEAN LOW WATER = -0.83' N.G.V.D. 29
(SEE SURVEYOR'S REPORT #9 ON THIS SHEET)

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			SCALE 1" = 100'
			DATE 03/19/2010
			BY M.M.K.
			CK'D. M.D.A.
			F.B. N/A PG. N/A
			SHEET 4 OF 8

EXHIBIT "A"

SUBMERGED LAND EASEMENT (FOR FORCEMAIN CROSSING LAKE WORTH) LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST PALM BEACH COUNTY, FLORIDA

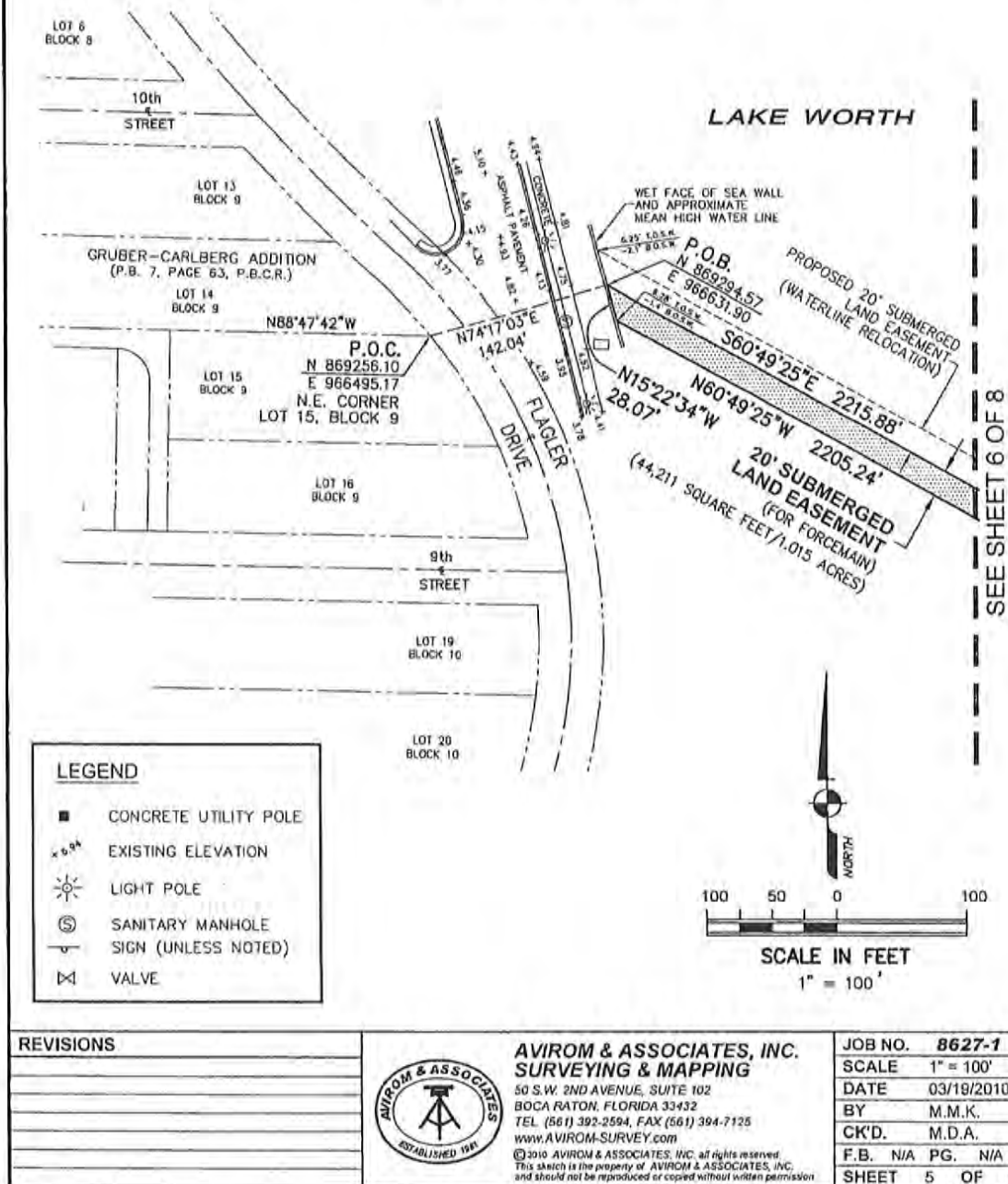
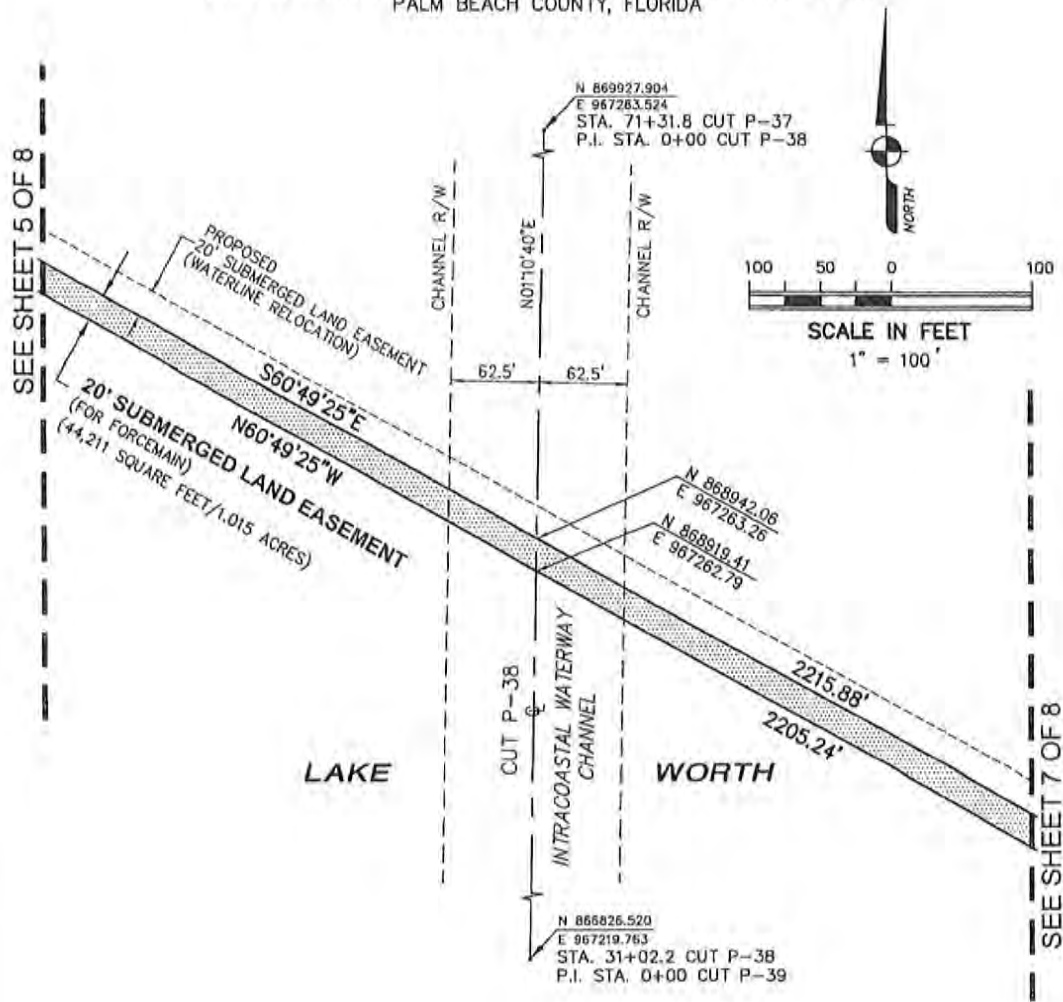


EXHIBIT "A"

SUBMERGED LAND EASEMENT

(FOR FORCEMAIN CROSSING LAKE WORTH)
LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA



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JOB NO. **8627-1**

SCALE 1" = 100'

DATE 03/19/2010

BY M.M.K.

CK'D. M.D.A.

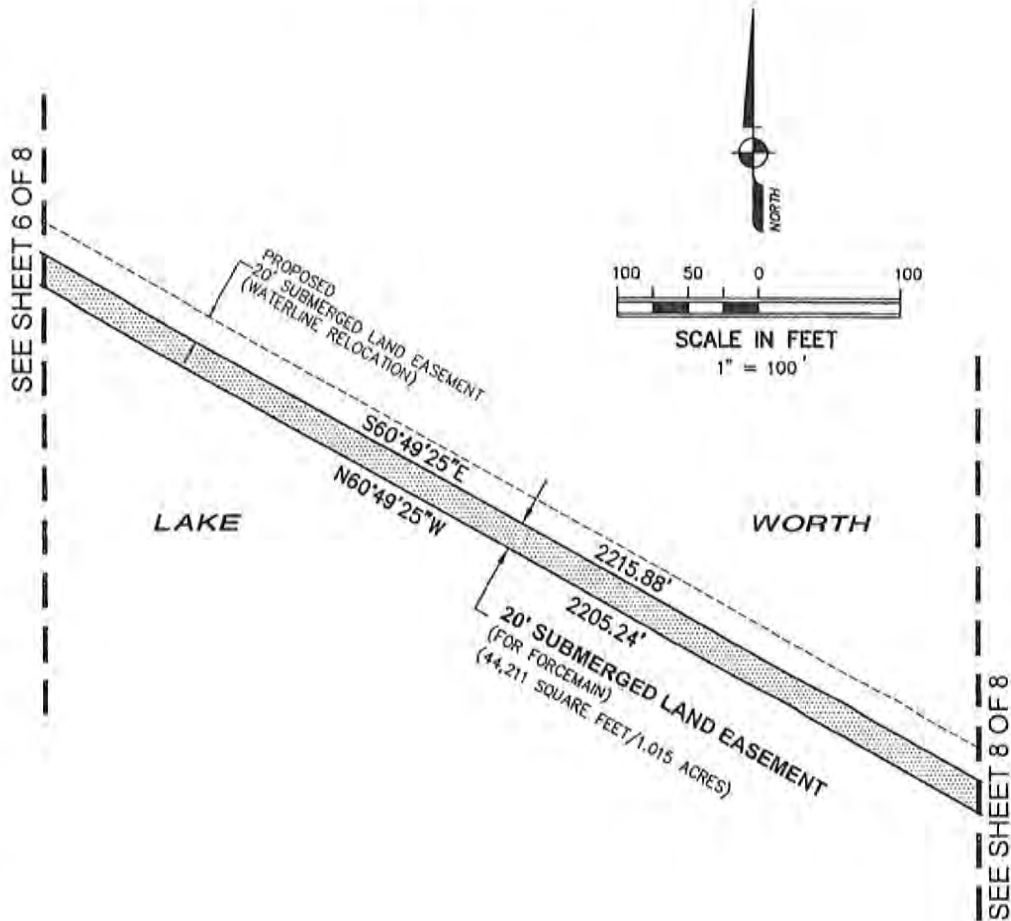
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SHEET 6 OF 8

EXHIBIT "A"

SUBMERGED LAND EASEMENT

(FOR FORCEMAIN CROSSING LAKE WORTH)
LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA



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JOB NO. **8627-1**

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DATE 03/19/2010

BY M.M.K.

CK'D. M.D.A.

F.B. N/A PG. N/A

SHEET 7 OF 8

EXHIBIT "A"

SUBMERGED LAND EASEMENT

(FOR FORCEMAIN CROSSING LAKE WORTH)
LYING IN SECTIONS 15 & 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

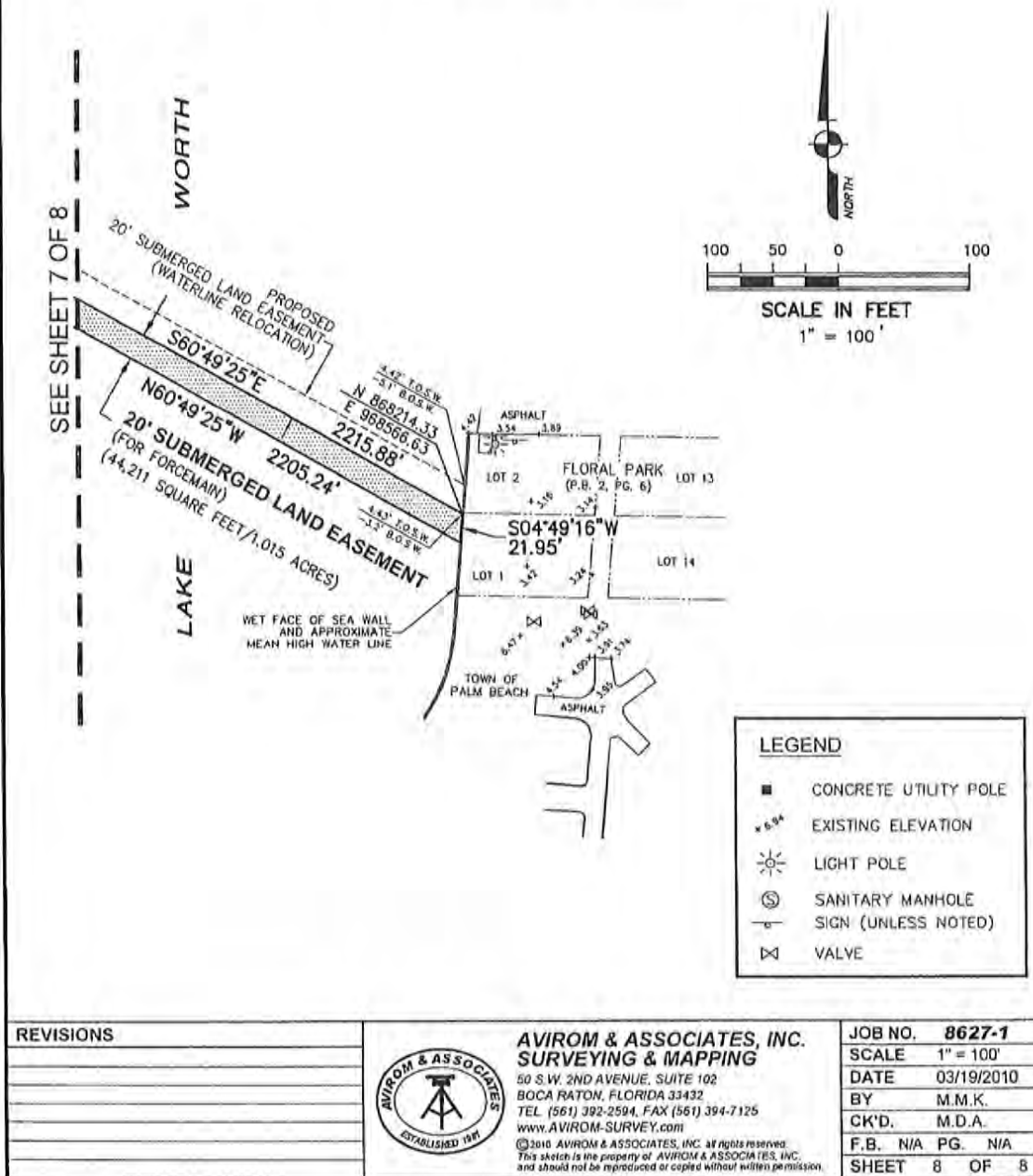
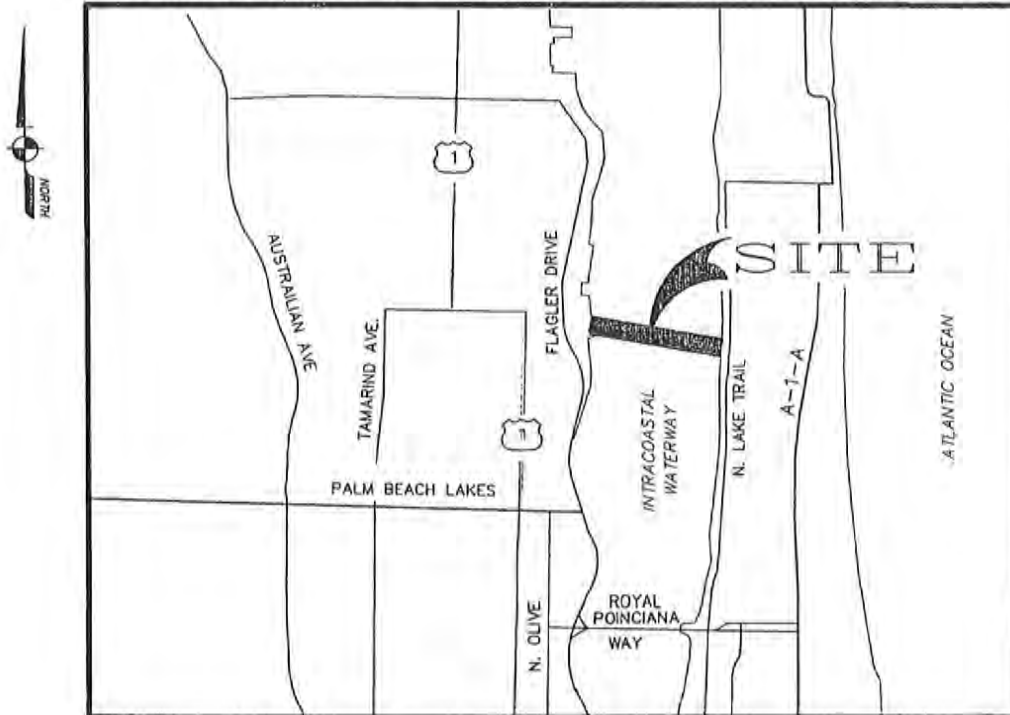


EXHIBIT "A"
SUBMERGED LAND EASEMENT
FORCEMAIN
CROSSING LAKE WORTH

SECTION 15, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA

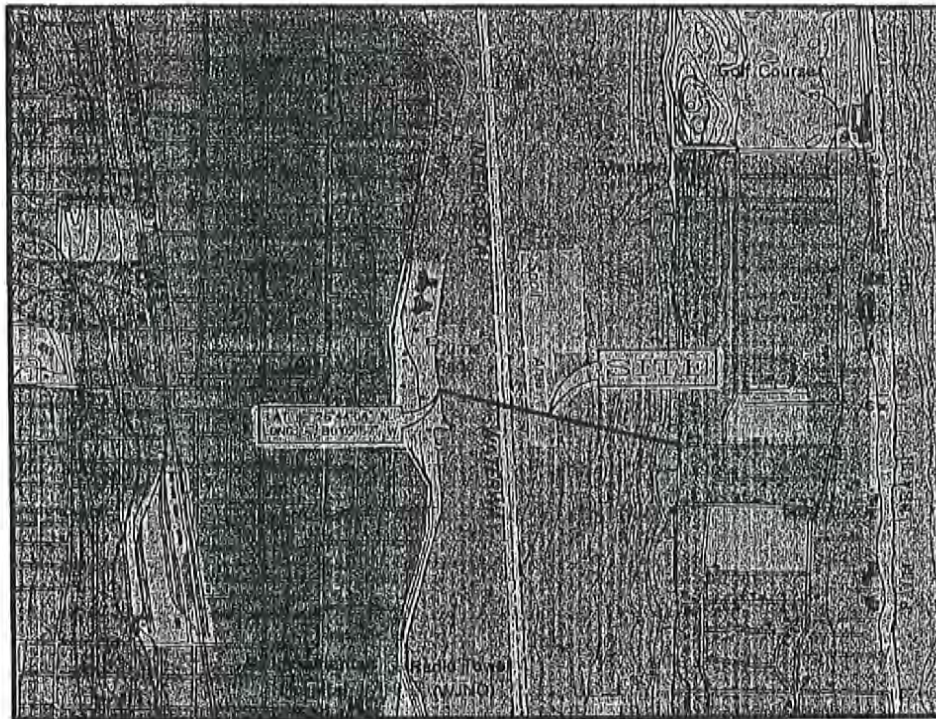


LOCATION SKETCH
NOT TO SCALE

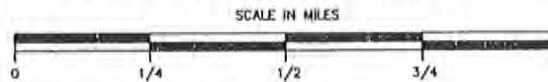
REVISIONS	<div></div> <p>AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com</p> <p><small>©2010 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.</small></p>	<table><tr><td>JOB NO.</td><td>8627-2</td></tr><tr><td>SCALE</td><td>1" = 100'</td></tr><tr><td>DATE</td><td>07/02/10</td></tr><tr><td>BY</td><td>A.M.R.</td></tr><tr><td>CK'D.</td><td>M.D.A.</td></tr><tr><td>F.B.</td><td>1543 PG. 02</td></tr><tr><td>SHEET</td><td>1 OF 8</td></tr></table>	JOB NO.	8627-2	SCALE	1" = 100'	DATE	07/02/10	BY	A.M.R.	CK'D.	M.D.A.	F.B.	1543 PG. 02	SHEET	1 OF 8
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SHEET	1 OF 8															

EXHIBIT "A"
SUBMERGED LAND EASEMENT
FORCEMAIN
CROSSING LAKE WORTH

SECTION 15, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA



PALM BEACH QUADRANGLE
 FLORIDA — PALM BEACH CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)



NOTES:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1980 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/90).

LAT. = LATITUDE
 LONG. = LONGITUDE


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BY	A.M.R.															
CK'D.	M.D.A.															
F.B. 1543 PG.	2															
SHEET	2 OF 8															

EXHIBIT "A"
SUBMERGED LAND EASEMENT
FORCEMAIN
CROSSING LAKE WORTH

LAND DESCRIPTION:

A portion of submerged lands lying within Lake Worth, in Section 15, Township 43 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:

COMMENCING at the Northeast corner of Lot 11, Block 4 of BETHESDA PARK according to the plat thereof, as recorded in Plat Book 1, Page 136 of the Public Records of Palm Beach County, Florida; thence S 88°26'10" E, 540.86 feet to the POINT OF BEGINNING being the Westerly Mean High Water Line of Lake Worth and the wet-face of an existing concrete sea wall, having a Northing of 873777.819 and an Easting of 966512.251; thence N 05°35'27" W, along said Westerly Mean High Water Line and concrete sea wall, 21.16 feet; thence S 76°33'52" E, 2518.12 feet to the Easterly Mean High Water Line of Lake Worth and the wet-face of an existing concrete sea wall; thence S 00°15'18" E, along said Easterly Mean High Water Line and concrete sea wall, 20.58 feet; thence N 76°33'52" W, 2516.09 feet to the POINT OF BEGINNING.

The above described easement is situate in Palm Beach County, Florida and containing 50,342 square feet, 1.156 acres, of submerged land, more or less.


CERTIFIED TO:

The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 5J-17.05, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 07/02/2010


ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300


REVISIONS		AVIROM & ASSOCIATES, INC.	JOB NO. 8627-2
		SURVEYING & MAPPING	SCALE 1" = 100'
		50 S.W. 2ND AVENUE, SUITE 102	DATE 07/02/10
		BOCA RATON, FLORIDA 33432	BY A.M.R.
		TEL. (561) 392-2594, FAX (561) 394-7125	CK'D. M.D.A.
		www.AVIROM-SURVEY.com	F.B. 1543 PG. 02
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EXHIBIT "A"
SUBMERGED LAND EASEMENT
FORCEMAIN
CROSSING LAKE WORTH

SURVEYOR'S REPORT:

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
4. This is not a M.H.W. Line Survey - Elevations shown for informational purposes only.
5. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Transverse Mercator Projection), East Zone(901), with the centerline of 23rd Street having a bearing of N 88°43'35" W.
6. Elevations shown hereon are based on the North Geodetic Vertical Datum of 1929.
7. Benchmark Description: A closed loop bench run from Palm Beach County Engineering Department benchmark "Breakers", Elevation = 15.80 feet(N.A.V.D. 88) and Palm Beach County Engineering Department benchmark "IWP 99(use), Elevation = 14.89 feet(N.A.V.D. 88).
8. Mean High Water information was compiled from published datum provided by the Land Boundary Information System internet web site (www.labins.org). Mean High Water is based upon extending published datum from MHW Data Point ID #40, Palm Beach County, Quad Name Palm Beach, USGS Quad Number 26080F1. Mean High Water = 1.79' N.G.V.D. 1929; Range = 2.62'; Mean Low Water = -0.83' N.G.V.D. 1929.
9. Abbreviation Legend: B.O.S.W.= Bottom Of SeaWall at sand bottom; P.B.C.R.= Palm Beach County Records; Q= Centerline; F.P.L.= Florida Power & Light Company; G.P.S.= Global Positioning System; L.B.= Licensed Business; N.A.V.D.=North American Vertical Datum; P.B.= Plat Book; P.S.M.= Professional Surveyor and Mapper; T.O.S.W.= Top Of Sea Wall; U.S.G.S.= United States Geological Survey.
10. Data shown hereon was established by a Real-time Kinematic (RTK) GPS Control Survey which is certified to a 2 centimeter local accuracy, relative to the nearest control point within the National Geodetic Survey (NGS) Geodetic Control Network.
 - A.) Method: Wide Area Continuously Operating GPS Station Network.
 - B.) Equipment Used: Trimble R8 5800, Serial Number 4347129118 (Duel Frequency Receiver)
 - C.) Processing Software: Trimble Geomatics Office, Version 1.63
 - D.) Ties were made to National Geodetic Control Point "Paramount" (PID AD8437).


REVISIONS	 <p>AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com © 2010 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.</p>	JOB NO. 8627-2
		SCALE 1" = 100'
		DATE 07/02/10
		BY A.M.R.
		CK'D. M.D.A.
		F.B. 1543 PG. 02
		SHEET 4 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
FORCEMAIN
CROSSING LAKE WORTH

STATE PLANE COORDINATES			
LETTER	NORTHING	EASTING	DESCRIPTION
A	873792.580	965971.596	P.O.C.
B	873777.819	966512.251	P.O.B./M.H.W.L.
C	873193.199	968959.482	M.H.W.L.
D	873654.378	967115.052	CENTER CHANNEL
E	873633.591	967115.992	CENTER CHANNEL

(SEE NOTE # 5 & # 10 ON SHEET 4 OF 8)

NOTE:
 THE APPROXIMATE MEAN HIGH WATER LINE
 IS NOT INTENDED TO BE THE LEGAL BOUNDARY
 BETWEEN PRIVATE AND STATE OWNERSHIP.

MEAN HIGH WATER = 1.79' N.G.V.D. 29
 RANGE = 2.62'
 MEAN LOW WATER = -0.83' N.G.V.D. 29
 (SEE NOTE #6 ON SHEET 4 OF 8)

REVISIONS	 <p>A VIROM & ASSOCIATES, INC. SURVEYING & MAPPING 60 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com</p> <p><small>© 2010 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.</small></p>		JOB NO. 8627-2
			SCALE 1" = 100'
			DATE 07/02/10
			BY A.M.R.
			CK'D. M.D.A.
			F.B. 1543 PG. 02
			SHEET 5 OF 8

SECTION 15, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA

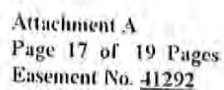
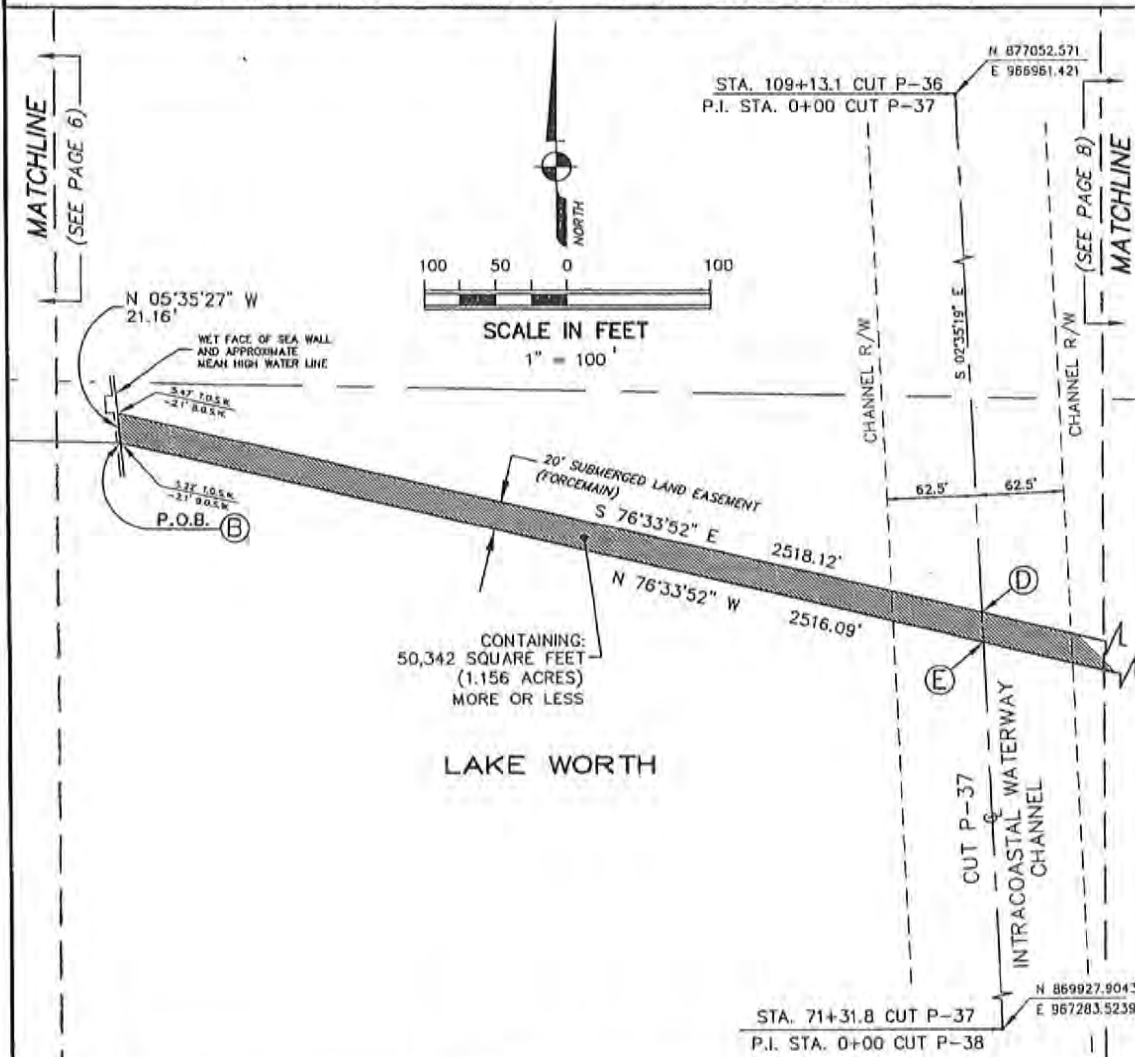


EXHIBIT "A"

SUBMERGED LAND EASEMENT FORCEMAIN CROSSING LAKE WORTH

SECTION 15, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA



REVISIONS



AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING

60 S.W. 2ND AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
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JOB NO. 8627-2

SCALE 1" = 100'

DATE 07/02/10

BY A.M.R.

CK'D. M.D.A.

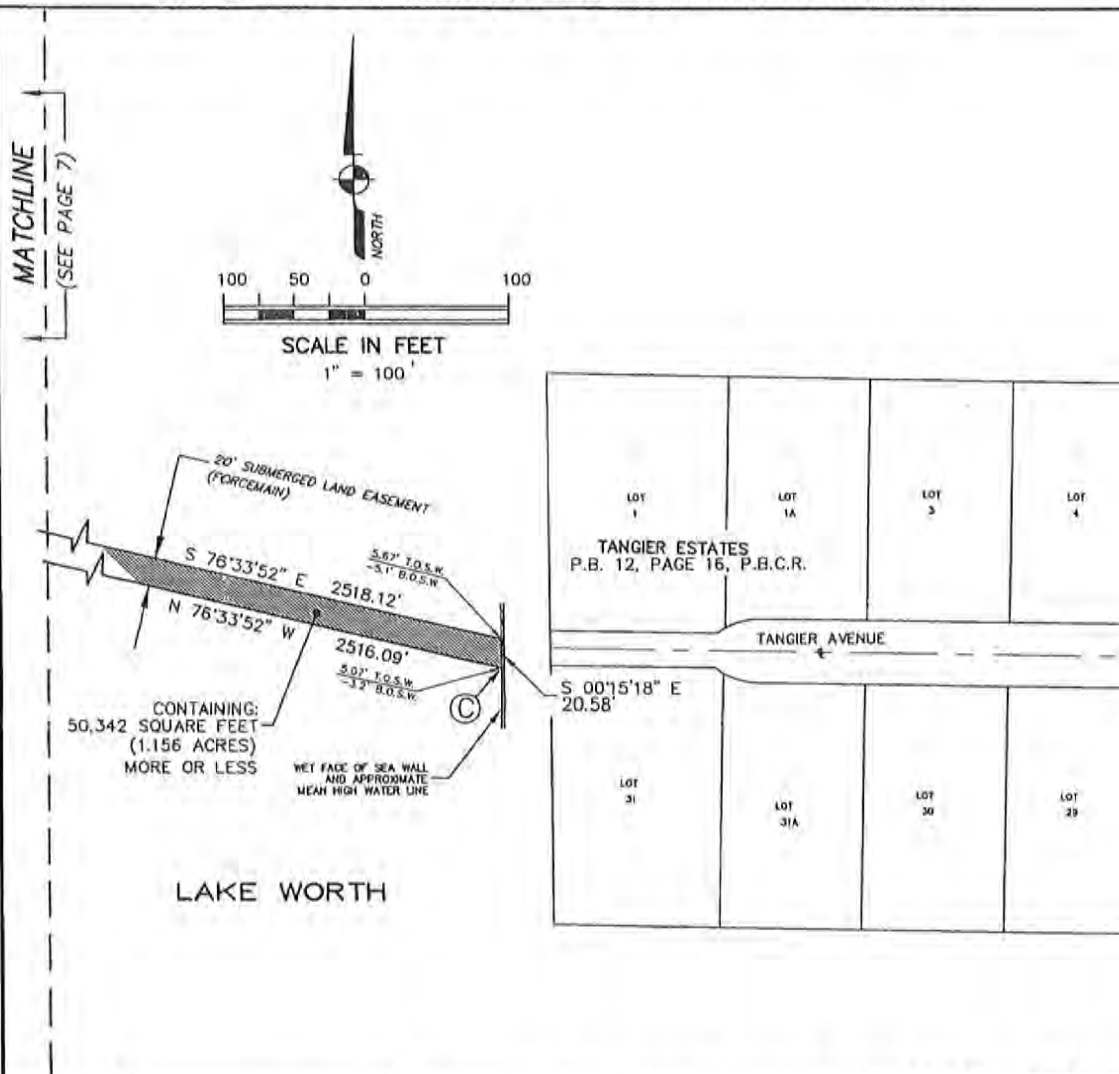
F.B. 1543 PG. 02


SHEET 7 OF 8

EXHIBIT "A"

SUBMERGED LAND EASEMENT FORCEMAIN CROSSING LAKE WORTH

SECTION 15, TOWNSHIP 43 S., RANGE 43 E., PALM BEACH COUNTY, FLORIDA



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			SCALE 1" = 100'
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			CK'D. M.D.A.
			F.B. 1543 PG. 02
			SHEET 8 OF 8



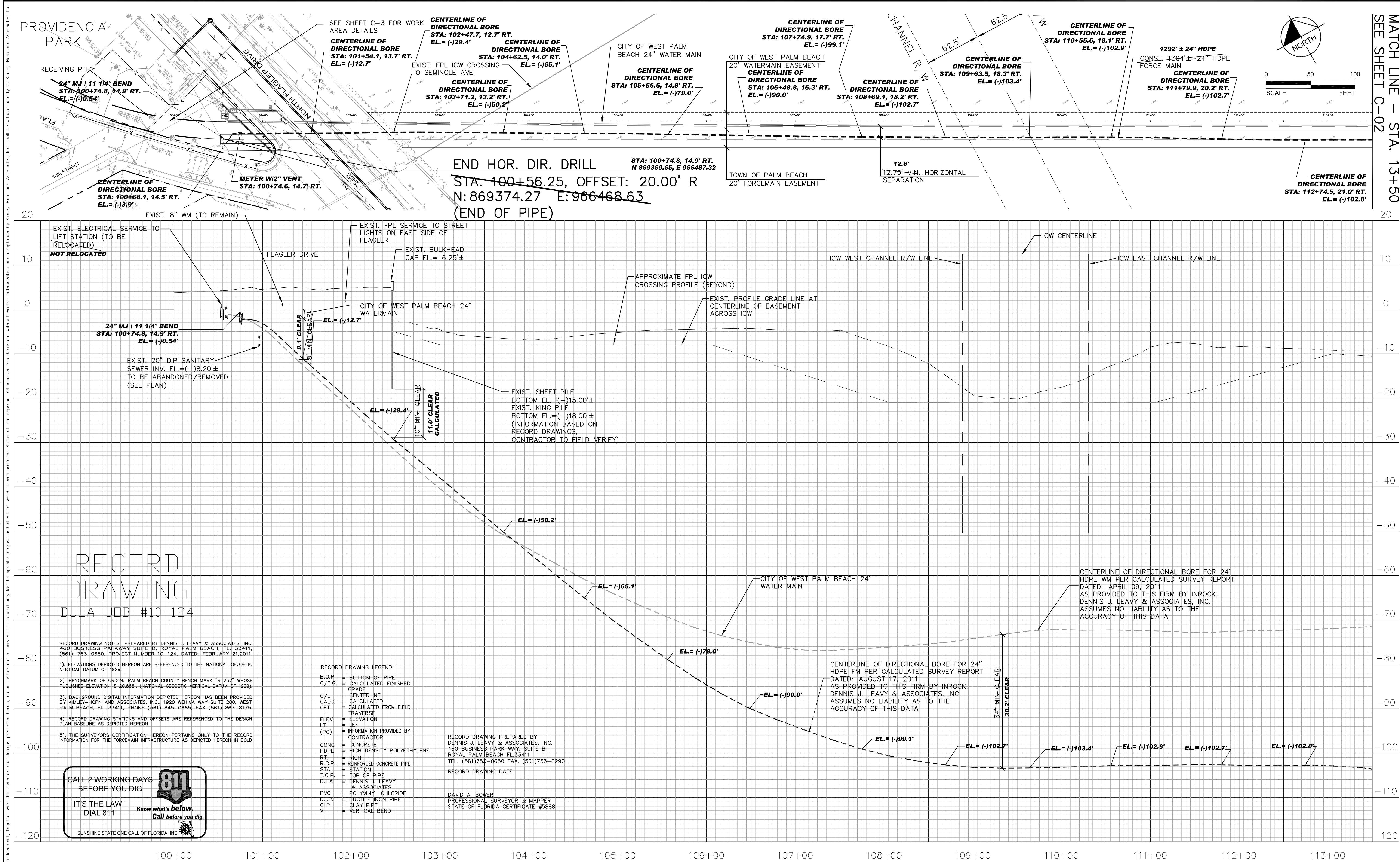
STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 14th DAY OF NOV, 2010

SHARON R. BOCK
CLERK & COMPTROLLER

BY [Signature] DEPUTY CLERK



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DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

REPLY TO
ATTENTION OF

MAY 26 2010

Palm Beach Gardens Section
SAJ-2010-01418 (GP-MJW)

Town of Palm Beach
c/o Peter Elwell
360 South County Road
Second Floor
Palm Beach, FL 33480

Dear Mr. Elwell:

Your application for a Department of the Army permit received on May 17, 2010, has been assigned number SAJ-2010-01418 (GP-MJW). A review of the information and drawings provided shows the applicant proposes the following: 1) to install one 24" forcemain between the Town of Palm Beach and the City of West Palm Beach. The forcemain will be installed via a 36" horizontal directional drill (HDD) underneath Lake Worth. 2) To install seven (7) to ten (10) temporary pilings to moor the forcemain when it is floated prior to pulling it through the HDD. The existing forcemain will remain in place but will be abandoned and kept for emergency situations.

The project is located adjacent to and under the Lake Worth Lagoon and Intracoastal Waterway (Section 22, Township 43 South, Range 43 East) Palm Beach County, Florida. Landing #1 will be near the intersection of N. Flagler Drive and 10th Street in West Palm Beach. Landing #2 is located along Royal Poinciana in the Town of Palm Beach.

Landing 1 -

Latitude: 26°43'21.06"N, Longitude: 80°02'56.92"W.

Landing 2 -

Latitude: 26°43'06.48"N, Longitude: 80°02'35.56"W.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permits (GP) SAJ-14 and SAJ-17. This authorization is valid until November 7, 2011. Please access the Corps' Regulatory webpage to view the special and general conditions for SAJ-14 and SAJ-17, which apply specifically to this authorization. The website address is as follows:

<http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm>.

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Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click on "General Permits." Then you can click on the specific SAJ permit. You must comply with all of the special and general conditions and any project-specific conditions of this authorization or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. **Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - 2009" provided in Attachment A of this permit.
2. **Sea Turtle and Smalltooth Sawfish Conditions:** The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and provided in Attachment B of this permit.
3. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within one foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.
4. **As-Built with X-Y Coordinates:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment C) to the Corps. The drawings shall be signed and sealed by a Florida registered professional engineer or a professional land surveyor registered in the state of Florida and include the following:
 - a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure and a point at the mean high water line (MHWL) or the face of the

-3-

bulkhead/seawall, if present. The drawings shall include:
(1) The dimensions of the structure, (2) depth of water (at mean low water) at the waterward end of the structure, and
(3) the distance from the waterward end of the structure to the near bottom edge of the channel.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

5. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. Dredged Material Disposal: The Permittee shall place all dredged material in the self-contained, upland disposal site. The Permittee shall maintain the upland disposal site to prevent the discharge of dredged material and associated effluent into waters of the United States.

7. Consent to Easement: A portion of the proposed work is located within the Federal right-of-way for the Intracoastal

-4-

Waterway and requires a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps Real Estate Division for action on the Consent to Easement. Prior to commencement of construction the Permittee shall provide written verification to the Corps that the Consent to Easement has been approved. Failure to obtain the Consent to Easement invalidates this authorization.

8. **Pre-Construction Meeting:** The Permittee shall conduct a pre-construction meeting prior to the commencement of construction operations in order to notify in-house staff, vessel operators, field crews, contractors, subcontractors, and all persons involved in the construction of the conditions of this permit. The Permittee shall inform staff members and contractors of the characteristics and location of any adjacent mangroves and seagrass beds to be avoided as shown on the attached permit drawings. Compete copies of this permit shall be displayed at the construction site.
9. **Frac-Out Plan:** The Proposed Methods for Protection of Water Quality for Directional Bores Water Crossings (BMP's and Frac-out Plan) provided in Attachment D, shall be implemented and included as a special condition of any authorization of this project.
10. If a frac-out has occurred during construction activities, the permittee shall notify the Corps of Engineers, Palm Beach Gardens Regulatory Office, Attn: Melody White at 561-472-3508 within 24 hours of occurrence. The notification shall include the time of the frac-out, the response time of the underwater dive, and the environmental conditions of the affected area.
11. This permit does not authorize any impacts to aquatic resources, i.e., submerged aquatic resources, wetlands, special aquatic sites, oyster beds, as a result of the project, including construction methodologies. If any impacts to aquatic resources occur, the permittee shall contact the Corps of Engineers, Palm Beach Gardens Regulatory Office, Attn: Melody White at 561-472-3508 within three business days of the occurrence.
12. Upon receipt of such information, the Corps will determine if direct adverse impacts to seagrass or other EFH in the pipeline route has occurred as a result of the pipeline

-5-

construction methodologies. In the event that direct adverse impacts have occurred, the permittee shall coordinate with the Corps to determine whether the direct adverse impact is expected to be permanent and therefore require the development of a mitigation plan to offset the direct adverse impacts to EFH. The mitigation plan shall be submitted to the Corps of Engineers, Palm Beach Gardens Regulatory Office, Attn: Melody White at 561-472-3508 within 30 days of the occurrence.

13. Where the proposed subaqueous utility or transmission line is to be installed in a navigable water of the United States, at least two weeks prior to the start of the authorized work, the permittee must notify the National Oceanic and Atmospheric Administration (NOAA) and the Corps' office the work is commencing, and again upon completion of the work. The permittee shall notify the District Engineer at the letterhead address, attention Regulatory Division, and NOAA, at Nautical Data Branch N/CS26, Station 7313, 1315 East-West Highway, Silver Spring, MD 20910-3282. This notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized and must include an accurate (within plus or minus 1 foot) depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.
14. Potential navigational hazards to vessels traveling throughout the area shall be minimized by the use of day shapes and lights as required under federal law. All U.S. Coast Guard and Florida Marine Patrol requirements for navigation and vessels safety must be strictly adhered to. All structures that are potentially hazardous to navigation of vessels throughout the area must be lighted and clearly visible at night.
15. Within 14 days from the date of initiating the authorized work, the Permittee shall provide the United States Coast Guard a written notification of the date of commencement of work authorized by this permit. The USCG may be reached at the following address and telephone number: Commander, Seventh Coast Guard District, 51 SW First Avenue, Miami, Florida 33130

-6-

16. The temporary pilings will be removed from the site within seven days of placing the forcemain into the HDD.

Generally, authorization of activities that have commenced or are under contract to commence in reliance of the GP will remain in effect provided the activity is completed within 12 months of the date a GP expired or was revoked. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification will likely be required.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this GP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under §. 373.069, F.S., or a local government with delegated authority under §. 373.441, F.S. and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereof, as well as any authorizations required for the use of sovereign submerged lands that must be obtained as part of the associated WQC or CZCC. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

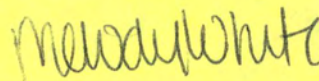
If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced GP, please contact Melody White by telephone at 561-472-3508.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: <http://per2.nwp.usace.army.mil/survey.html>. Your input is appreciated - favorable or otherwise. Again, please be aware

-7-

this web address is case sensitive and should be entered as it appears above.

Sincerely,



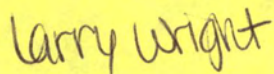
Melody White
Project Manager

Enclosures

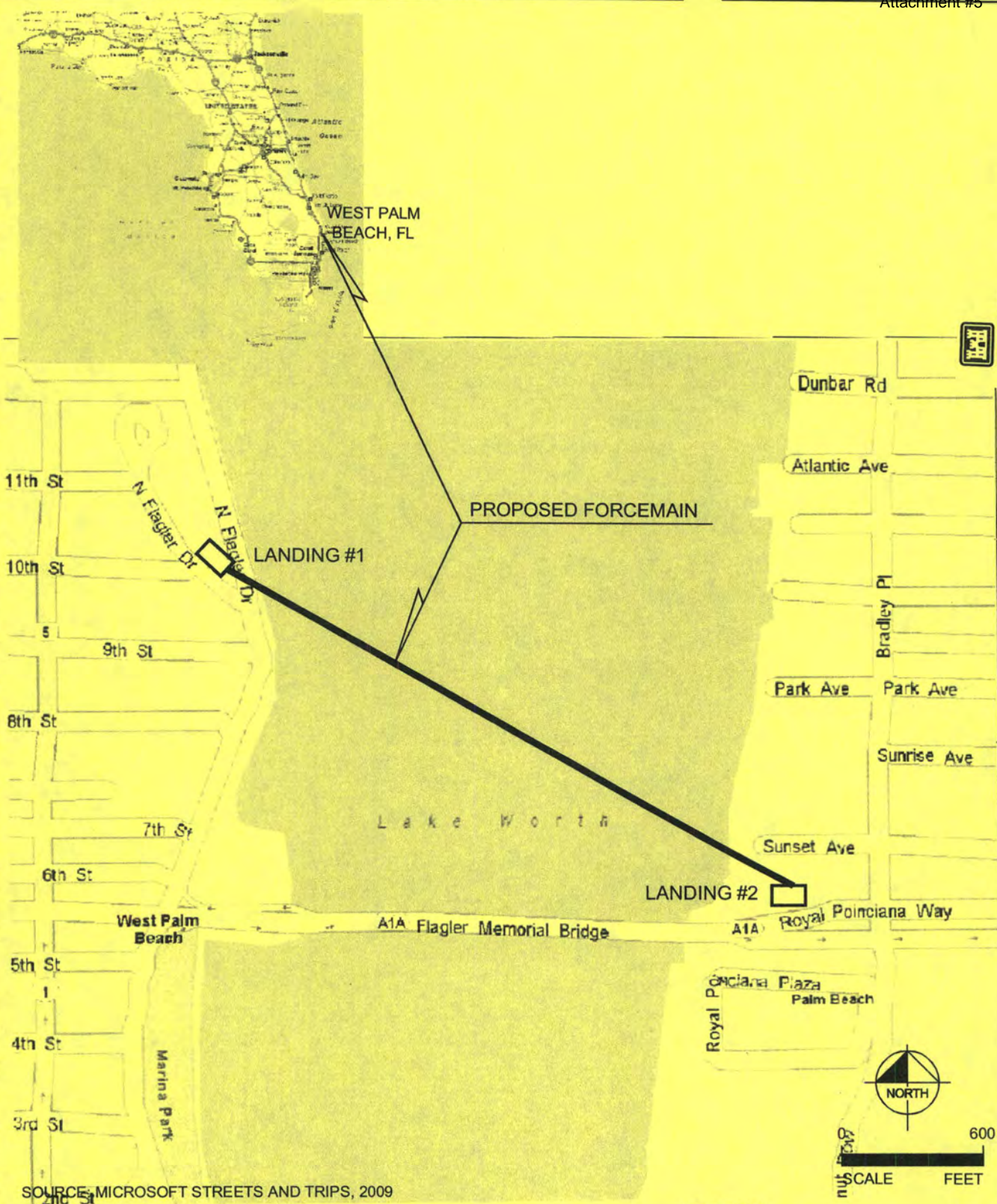
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Michael E. Kiefer, Jr.
Kimley-Horn And Associates, Inc.
445 24th Street
Suite 200
Vero Beach, Fl. 32960

CESAJ-RD-PE





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SOURCE: MICROSOFT STREETS AND TRIPS, 2009

LEGEND:

-  PROPOSED FORCEMAIN
-  APPROXIMATE LANDING AREA

SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

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DESIGNED BY MEK
DRAWN BY SMM
CHECKED BY MEK



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PHONE (561) 845-0665 FAX (561) 863-8175
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DATE
4-13-10
PROJECT NO.
044063060

**TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
LOCATION MAP**

DESIGN ENGINEER:
KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:
60251

SHEET NUMBER
1

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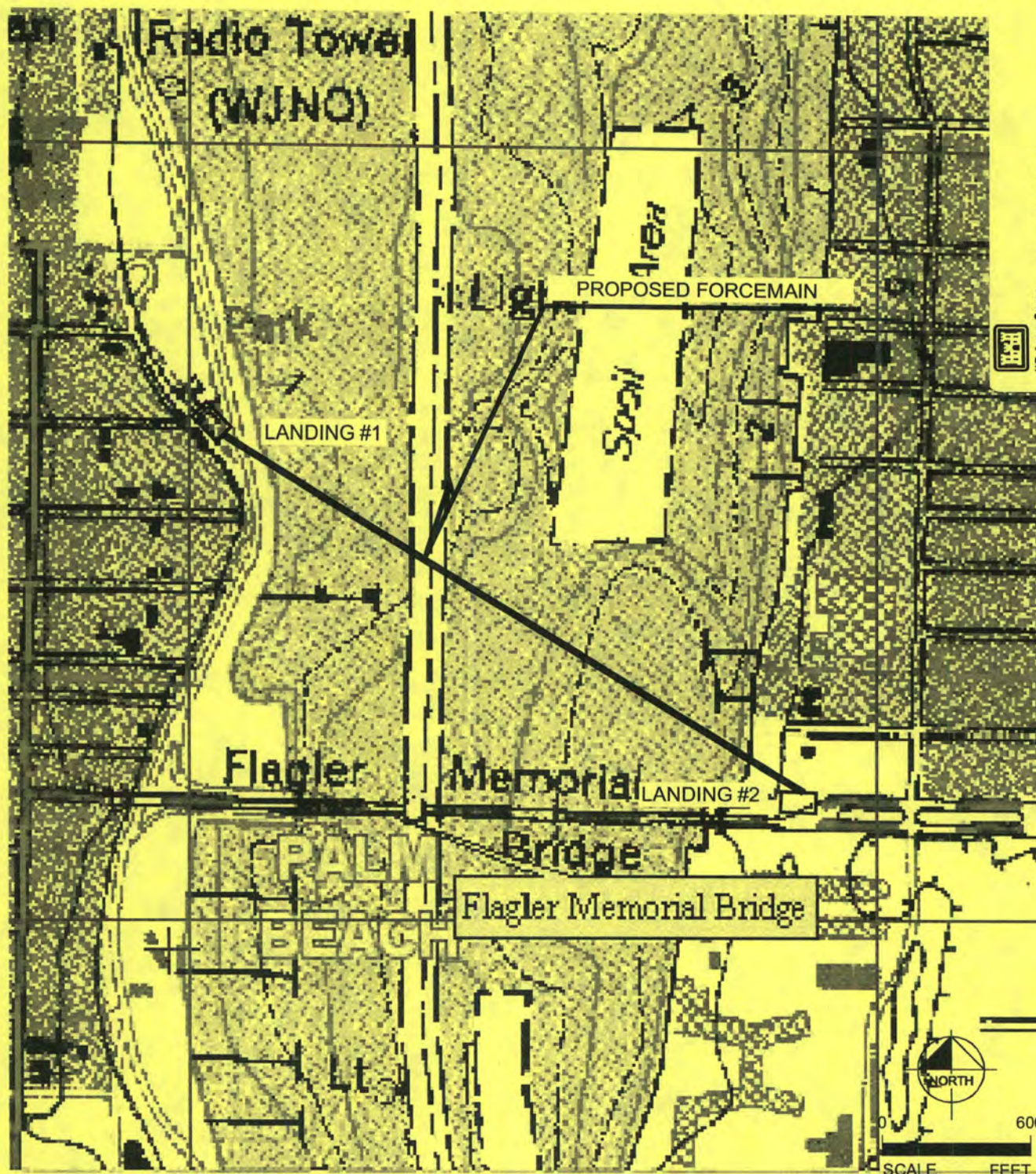


US Army Corps
of Engineers

May 20, 2010

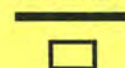
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Drawing 1 of 10



SOURCE: 3D TOPOQUADS COPYRIGHT 1999

LEGEND:



PROPOSED FORCEMAIN
APPROXIMATE LANDING
AREA

SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

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DATE
4-13-10
PROJECT NO.
044063060

TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
QUADRANGLE MAP

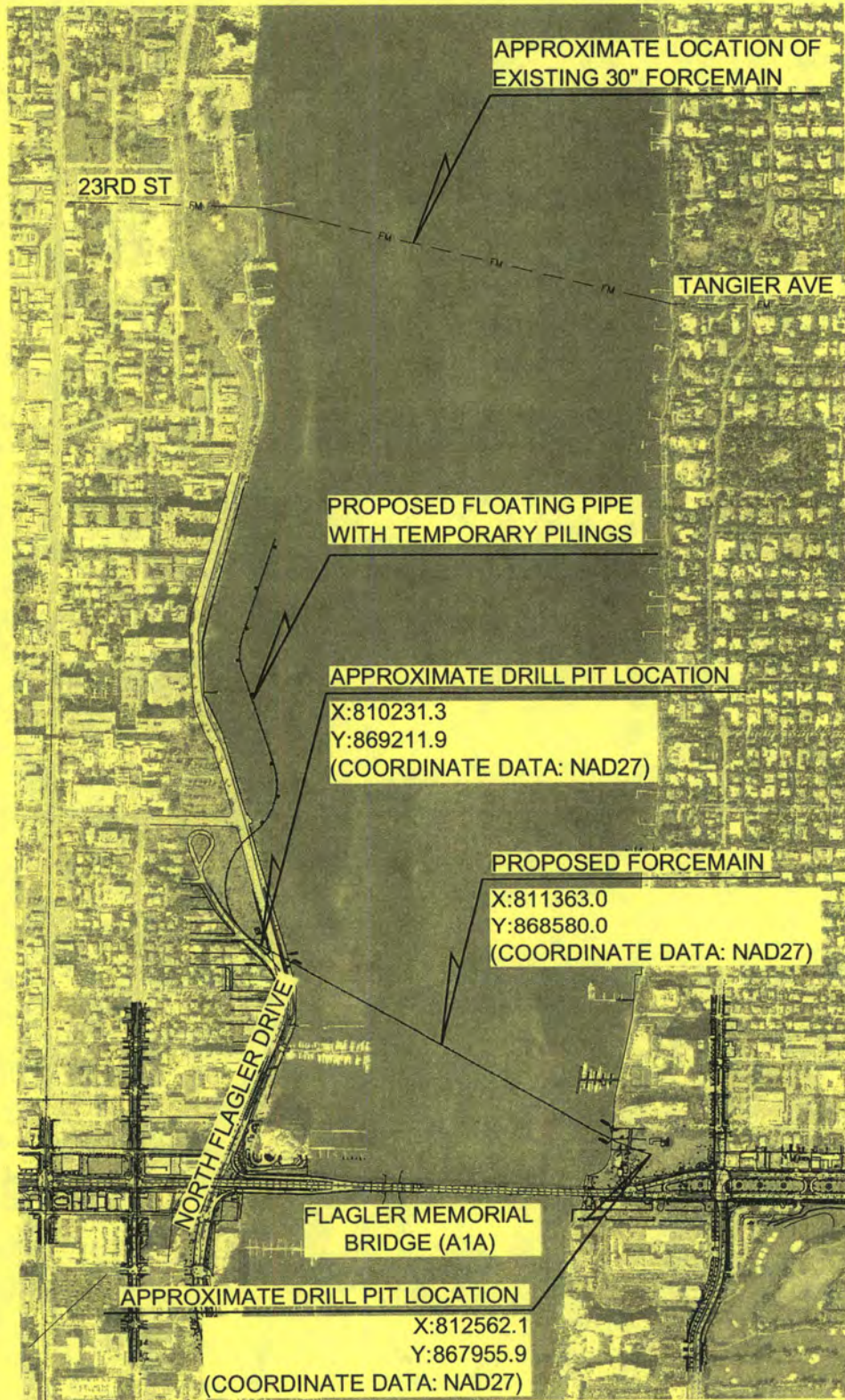
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FLORIDA P.E. LICENSE NUMBER:
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SCALE FEET



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File # SAJ-2010-01418(GP-MJW)
Drawing 3 of 10

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PALM BEACH COUNTY, FLORIDA

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4-13-10
PROJECT NO.
044063060

TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
AERIAL

DESIGN ENGINEER:
KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:
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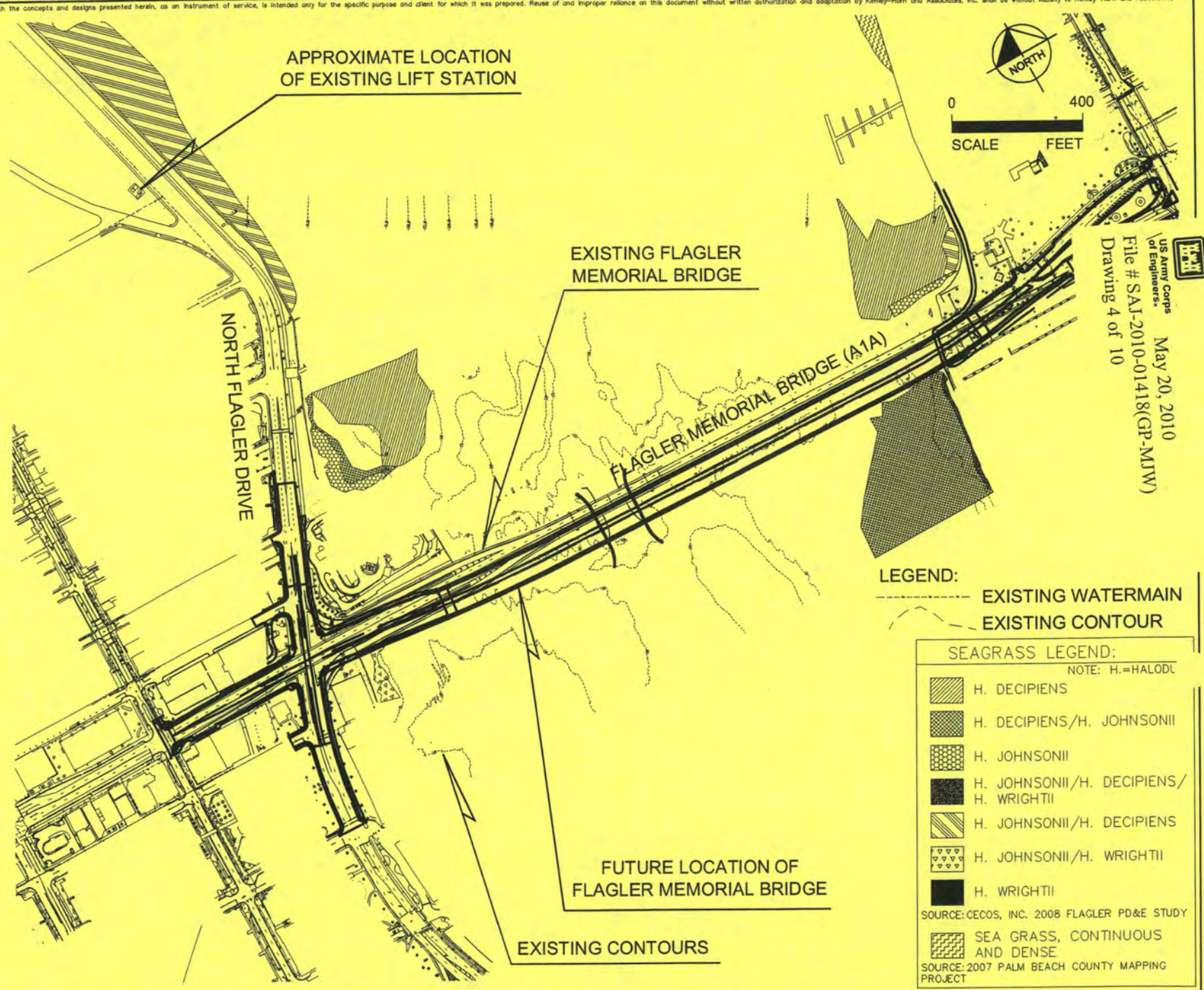
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PALM BEACH COUNTY, FLORIDA

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DRAWN BY: SAM	PROJECT NO.
CHECKED BY: MEX	044063060

TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
EXISTING CONDITIONS

DESIGN ENGINEER: KEVIN SCHANEN, P.E. FLORIDA P.E. LICENSE NUMBER: 60251	SHEET NUMBER 4
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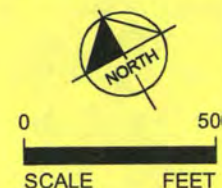
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File # SAJ-2010-01418(GP-MJW)
Drawing 4 of 10

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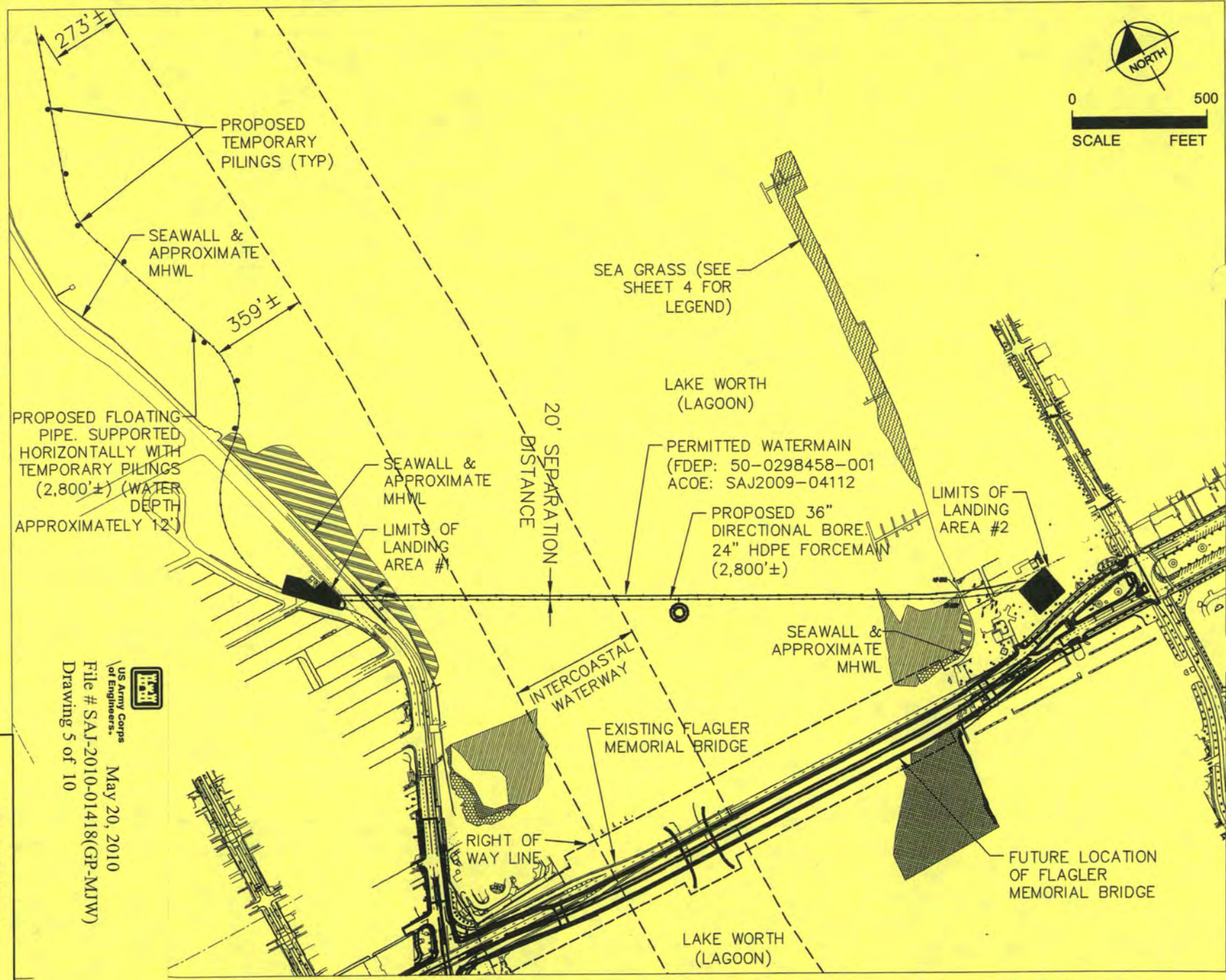
DATE: 4-13-10
PROJECT NO.: 044063060

TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
FORCEMAIN PLAN

DESIGN ENGINEER:
KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:
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U.S. Army Corps of Engineers
May 20, 2010
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Drawing 5 of 10

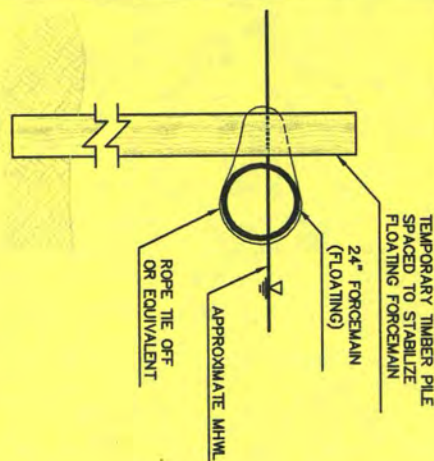
US Army Corps
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File # SAJ-2010-01418(GP-MJW)
Drawing 6 of 10



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FLOATING PIPE & PILE CROSS SECTION



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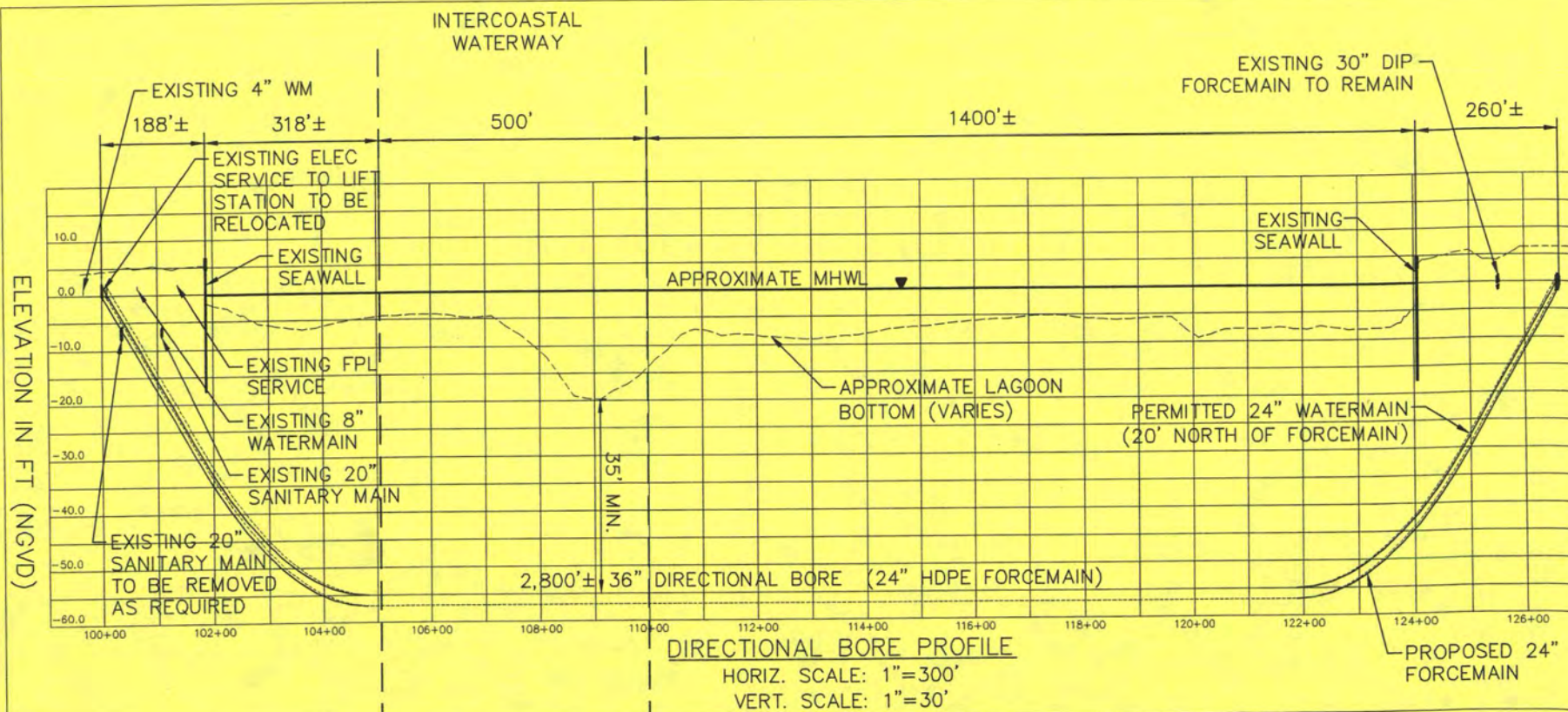
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DATE 4-13-10
PROJECT NO. 044063060

TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
FORCEMAIN PROFILE

DESIGN ENGINEER:
KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:
60251

SHEET NUMBER
6



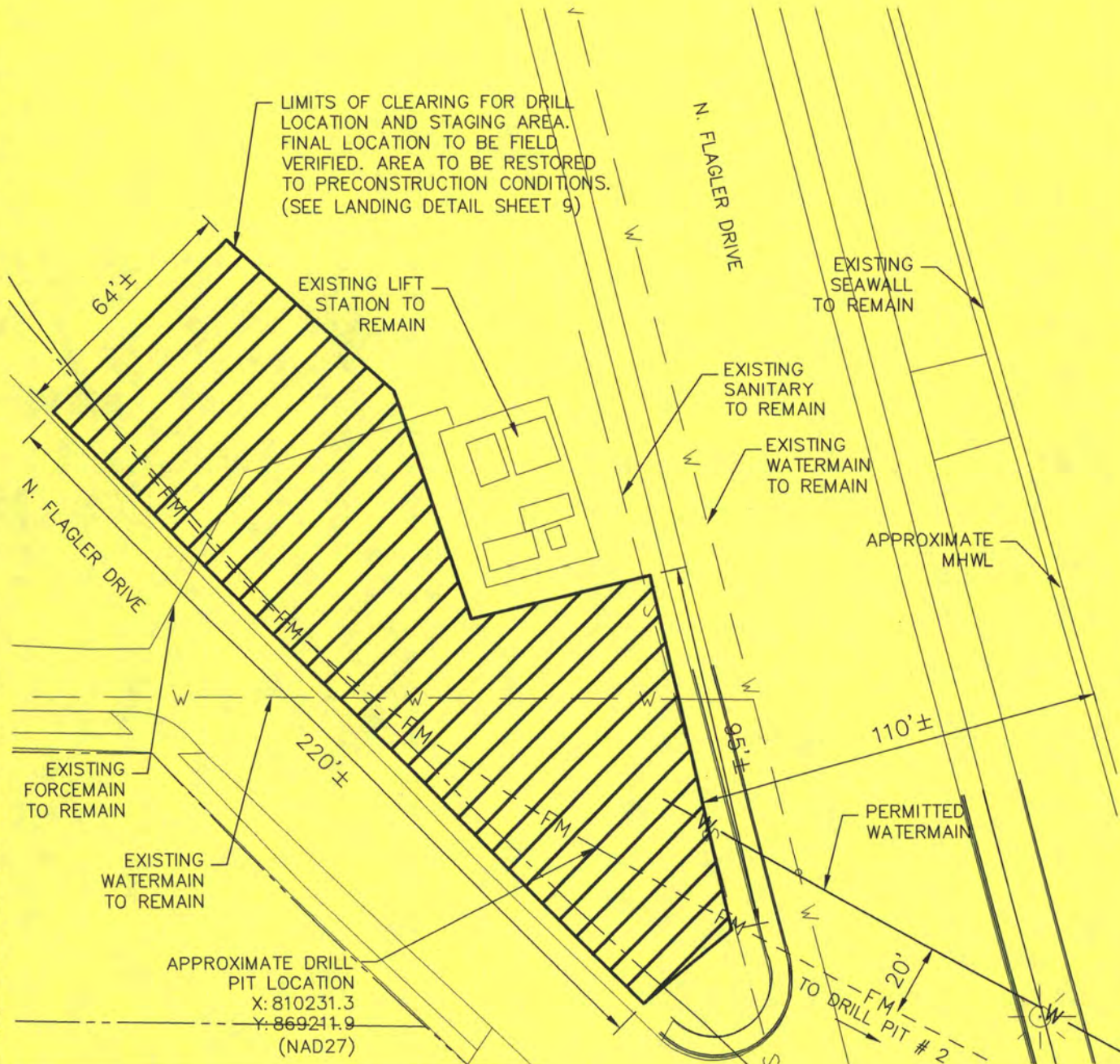


US Army Corps
of Engineers
May 20, 2010
File # SAJ-2010-01418(GP-MJW)
Drawing 7 of 10



0 40
SCALE FEET

LIMITS OF CLEARING FOR DRILL
LOCATION AND STAGING AREA.
FINAL LOCATION TO BE FIELD
VERIFIED. AREA TO BE RESTORED
TO PRECONSTRUCTION CONDITIONS.
(SEE LANDING DETAIL SHEET 9)



NOTE:

1. CONTRACTOR TO OBTAIN PROPER PERMITS FROM THE TOWN OF PALM BEACH FOR DEMOLITION AND TREE REMOVAL.
2. LAYOUT FOR CONCEPTUAL PRESENTATION ONLY.

**SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA**

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DATE
4-13-10
PROJECT NO.
044063060

**TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
LANDING AREA 1**

DESIGN ENGINEER:
KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:
60251

SHEET NUMBER
7



US Army Corps
of Engineers

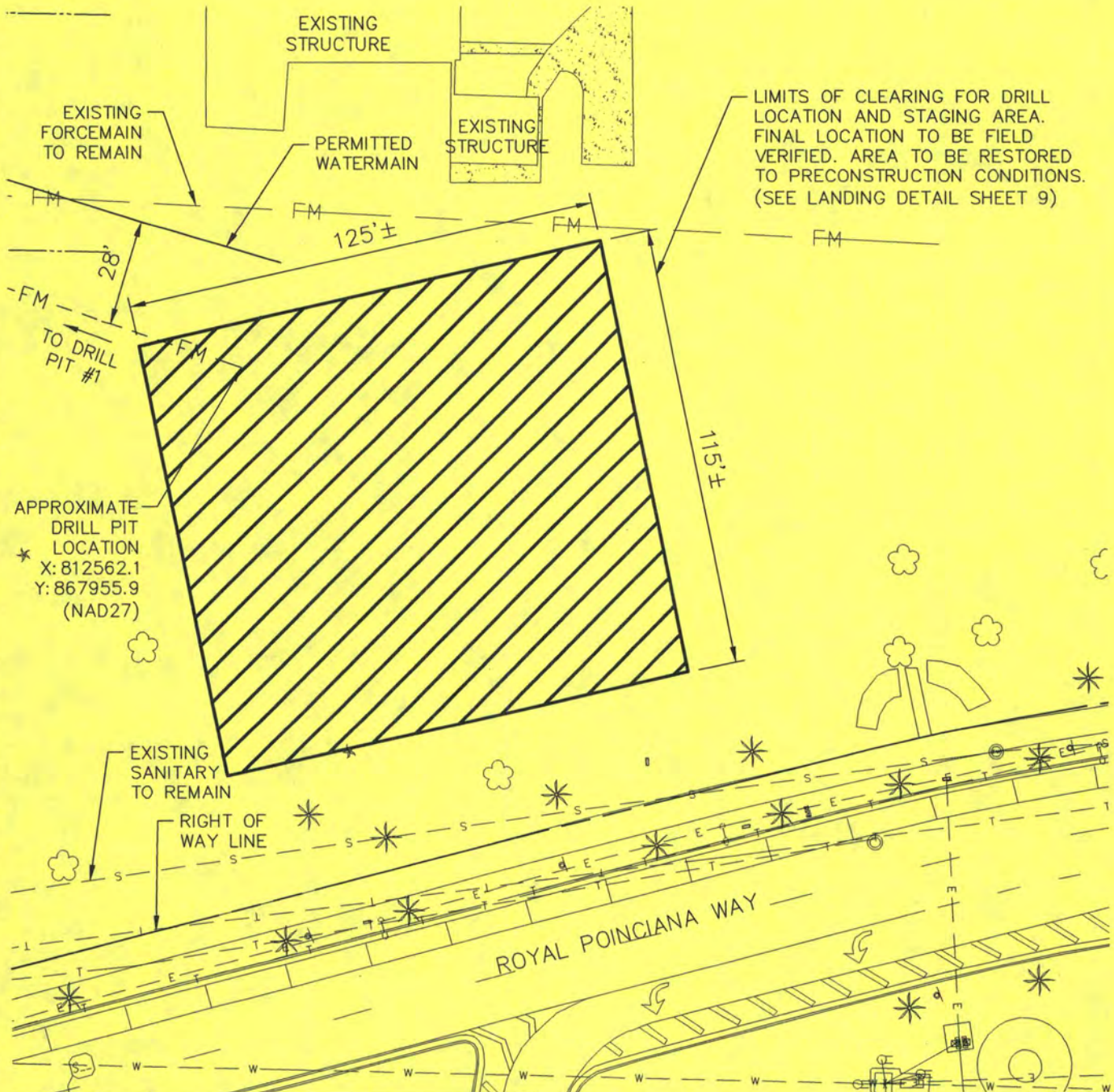
May 20, 2010

File # SAJ-2010-01418(GP-MJW)

Drawing 8 of 10



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SCALE FEET



NOTE:

1. CONTRACTOR TO OBTAIN PROPER PERMITS FROM THE TOWN OF PALM BEACH FOR DEMOLITION AND TREE REMOVAL.
2. LAYOUT FOR CONCEPTUAL PRESENTATION ONLY.

SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

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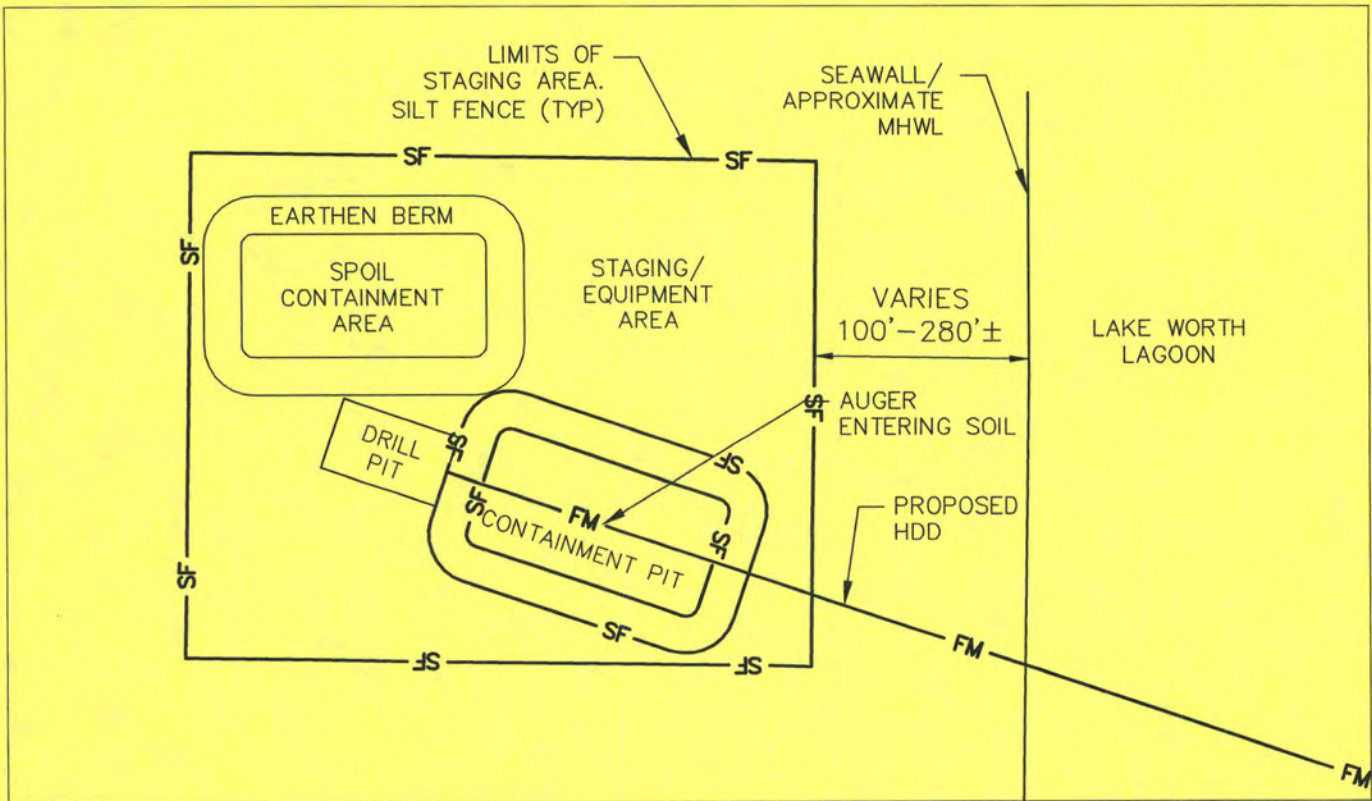
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PROJECT NO.
044063060

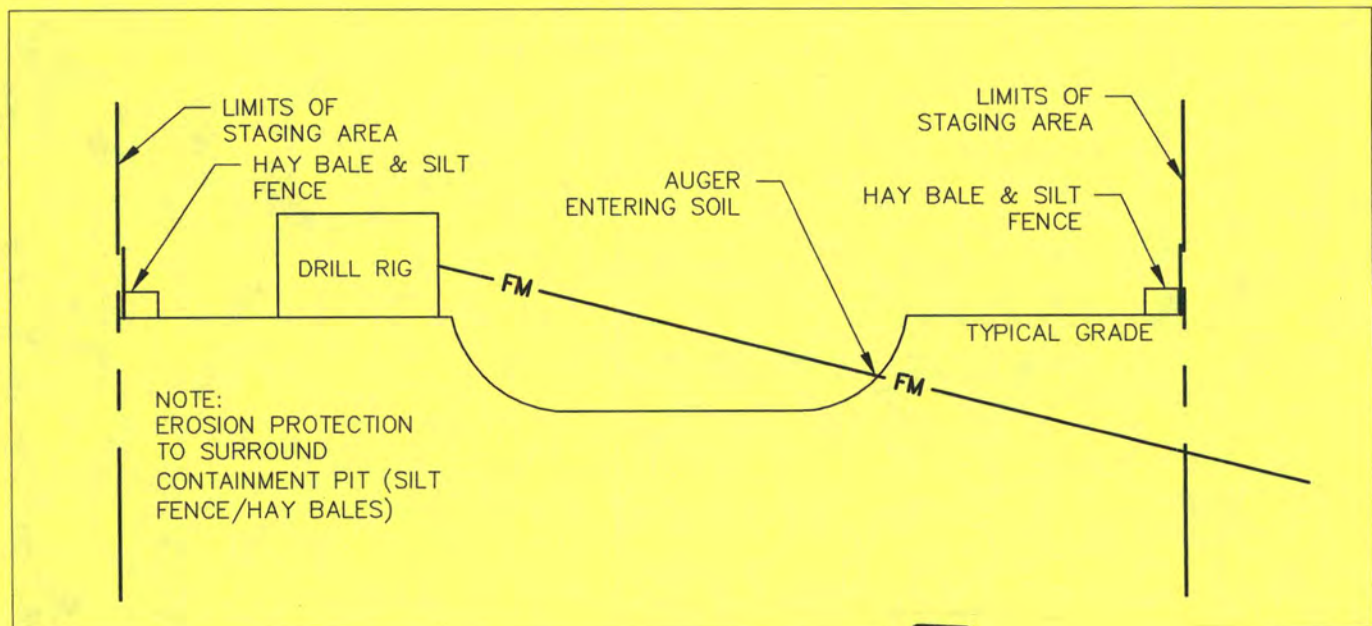
TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
LANDING AREA 2

DESIGN ENGINEER:
KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:
60251

SHEET NUMBER
8



PLAN VIEW



PROFILE VIEW

NOTE:

1. CONTRACTOR TO OBTAIN PROPER PERMITS FROM THE TOWN OF PALM BEACH FOR DEMOLITION AND TREE REMOVAL.
2. LAYOUT FOR CONCEPTUAL PRESENTATION ONLY.



US Army Corps
of Engineers.
May 20, 2010
File # SAJ-2010-01418(GP-MJW)
Drawing 9 of 10

SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA
DRILL PIT

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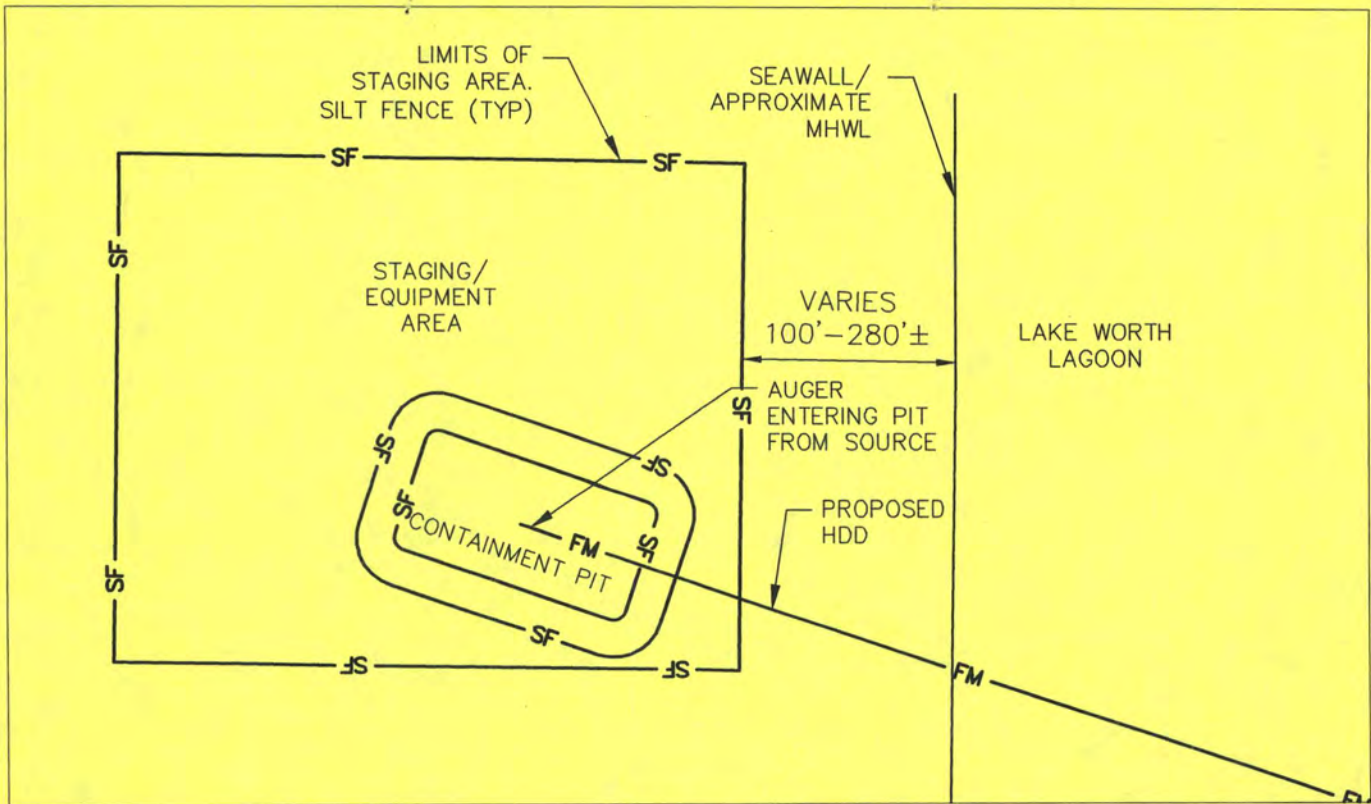
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DATE
4-13-10
PROJECT NO.
044063060

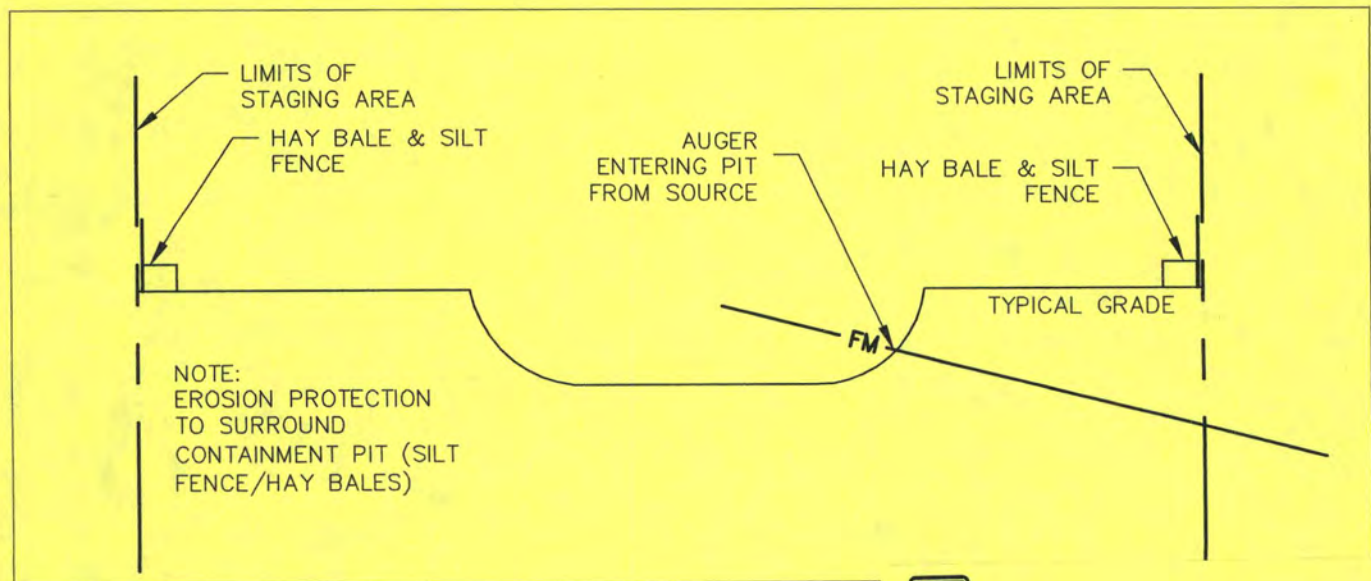
TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
TYPICAL LANDING/STAGING

DESIGN ENGINEER:
KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:
60251

SHEET NUMBER
9



PLAN VIEW



PROFILE VIEW

NOTE:

1. CONTRACTOR TO OBTAIN PROPER PERMITS FROM THE TOWN OF PALM BEACH FOR DEMOLITION AND TREE REMOVAL.
2. LAYOUT FOR CONCEPTUAL PRESENTATION ONLY.



US Army Corps
of Engineers

May 20, 2010

File # SAJ-2010-01418(GP-MJW)

Drawing 10 of 10

SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

RECEIVING PIT

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DATE	4-13-10
PROJECT NO.	044063060

TOWN OF PALM BEACH
24" FORCEMAIN INTRACOASTAL
CROSSING PIPELINE REPLACEMENT
TYPICAL LANDING/STAGING

DESIGN ENGINEER:	KEVIN SCHANEN, P.E.
FLORIDA P.E. LICENSE NUMBER:	60251

SHEET NUMBER	10
--------------	----

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2009

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. Personnel associated with the project shall be instructed about the presence of manatees and special zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harassment, harming, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. Vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Temporary safety barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. Permittee personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) is within 50 feet of the operation. Activities will not resume until the manatee(s) has moved outside the 50 foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed.
- e. Collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-800-352-2257. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
- f. Warning signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location readily visible to all personnel engaged in water-related activities.



ALL project vessels
IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



US Army Corps
of Engineers

May 20, 2010

File # SAJ-2010-01418(GP-MJW)

Attachment A

Manatee Conditions Page 2 of 2

Crossing # 13 - 17



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

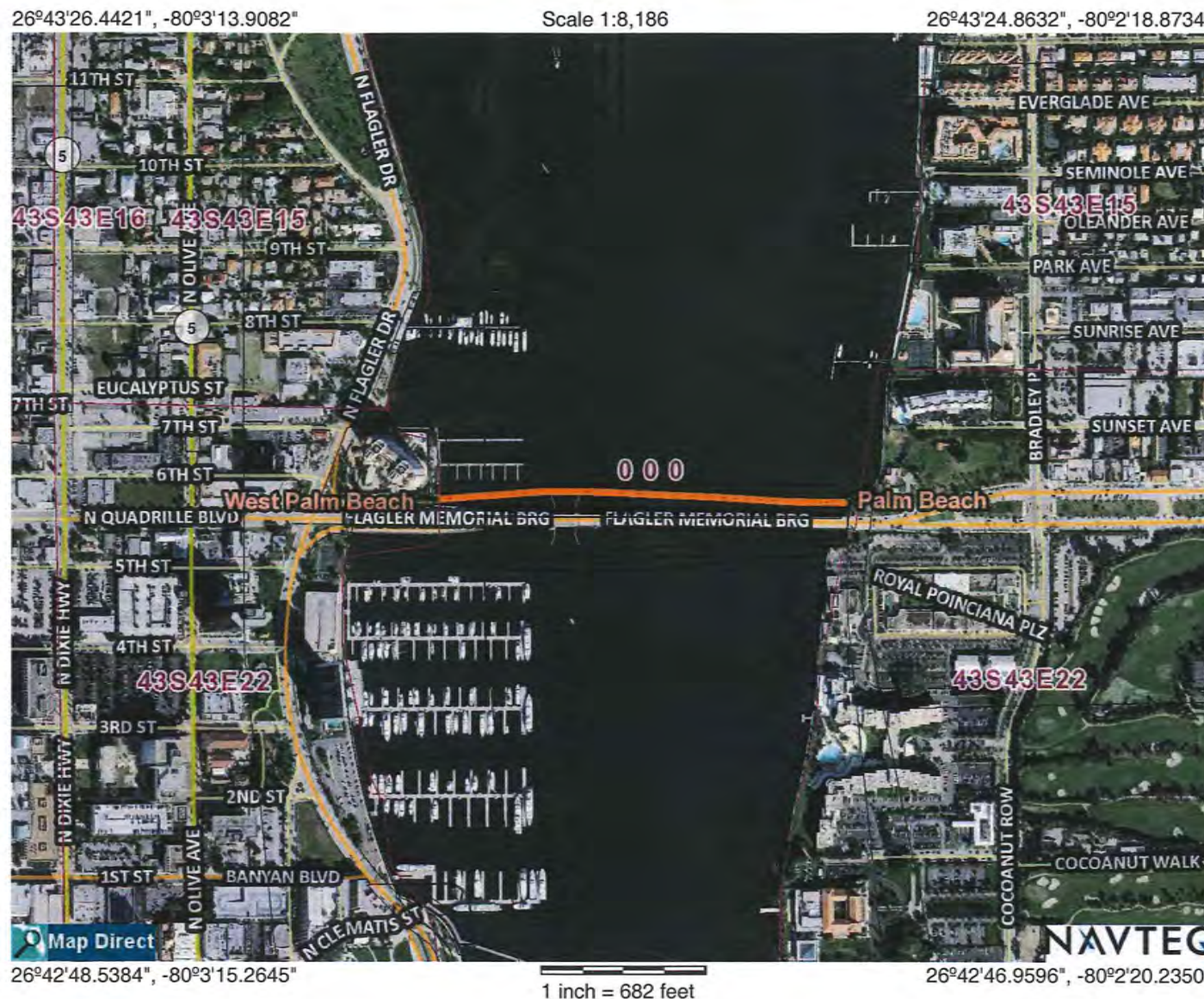
POSSIBLE CROSSINGS 13-17



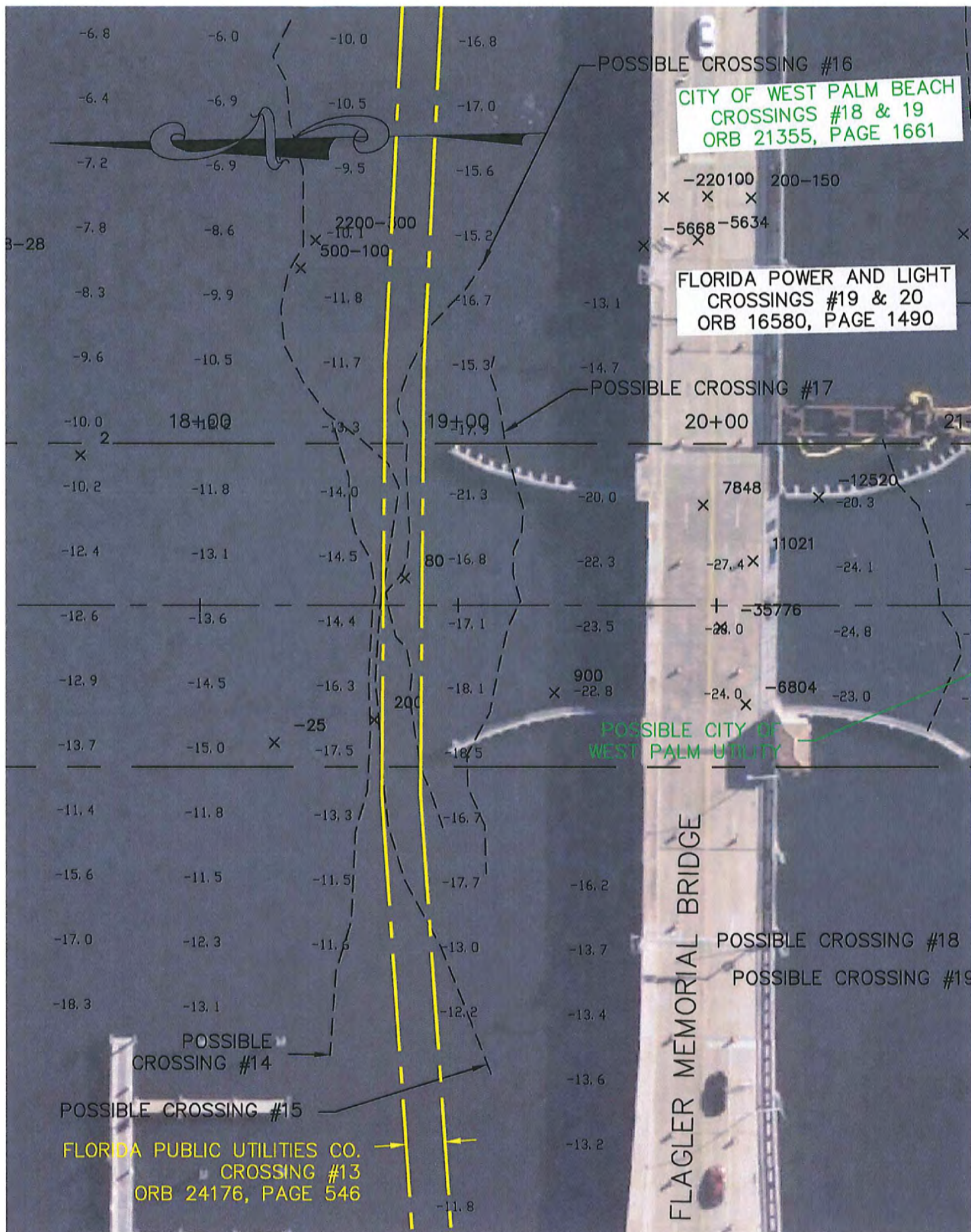
Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013



Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 13:21:56 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.



TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: [] Deed [] Lease ☒ Easement [] Permit [] Management Agreement

[] Use Agreement [] Disclaimer [] Quitclaim [] Dedication [] Release

[] Acts of Legislation [] Other

Instrument Number: 41273

Extension: 000

File Number: 5964

Document Date: 10-12-2010

Consideration: N/A

Water Body: Lake Worth

Reservations / Reverter: N/Y

Submerged Land: (Y) ✓ (N) _____

Original County: Palm Beach

Section: 22

Township: 43 S

Range: 43 E

Total Area / Area Unit: 25160 (A) Acreage (S) Square Feet

Comments: BOT File Number: 500235086



CFN 20100419761
 OR BK 24176 PG 0546
 RECORDED 11/04/2010 11:33:24
 Palm Beach County, Florida
 Sharon R. Bock, CLERK & COMPTROLLER
 Pgs 0546 - 554; (9pgs)

This Instrument Prepared By:
Taurean J. Lewis
 Recurring Revenue Section
 Bureau of Public Land Administration
 3900 Commonwealth Boulevard
 Mail Station No. 125
 Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
 OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS EASEMENT

NO. 41273
 BOT FILE NO. 500735086
 PA NO. 50-0298884-001

(5964-50)

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Public Utilities Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under, and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Section 22, Township 41 South, Range 41 East, in Lake Worth, Palm Beach County, as is more particularly described and shown on Attachment A, dated March 23, 2010.

TO HAVE THE USE OF the hereinabove described premises for a period of 50 years from July 21, 2010, the effective date of this easement. The terms and conditions on and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for a subaqueous natural gas pipeline and the dredging thereof, and Grantee shall not engage in any activity except as described in the State of Florida Department of Environmental Protection, Consolidated Environmental Resource Permit No. 50-0298884-001, dated July 21, 2010, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this easement.

2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.

3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.

4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.

5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

[48]

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 10 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

FLORIDA PUBLIC UTILITIES COMPANY
909 Silver Lake Boulevard
Dover, Delaware 19904

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. **ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS:** No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. **UPLAND RIPARIAN PROPERTY INTEREST:** During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Theresa M. Brady
Original Signature
Theresa M. Brady
Print/Typed Name of Witness
Kathy C Griffin
Original Signature
Kathy C Griffin
Print/Typed Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY: Jeffery M. Gentry
Jeffery M. Gentry, Operations and Management Consultant,
Manager, Bureau of Public Land Administration, Division of
State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the Board
of Trustees of the Internal Improvement Trust Fund of the State
of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 12th day of October, 2010, by
Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State
Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the
Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

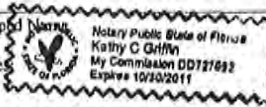
David Hiler
Notary Public, State of Florida
DEF Attorney

Kathy C Griffin
Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires

Commission/Serial No.



WITNESSES:

Bonnie L. Erdek
Original Signature
Bonnie L. Erdek
Typed/Printed Name of Witness
Sharon Fitzgerald
Original Signature
SHARON FITZGERALD
Typed/Printed Name of Witness

Florida Public Utilities Company, a Florida corporation (SEAL)

BY: Jeffery Householder
Original Signature of Executing Authority
Jeffery Householder
Typed/Printed Name of Executing Authority
President
Title of Executing Authority

"GRANTEE"

STATE OF Florida
COUNTY OF Palm Beach

Jeffery Householder as President of Florida Public Utilities Company, a Florida corporation, for and on behalf of the corporation.
He is personally known to me or who has produced _____ as identification.

My Commission Expires:

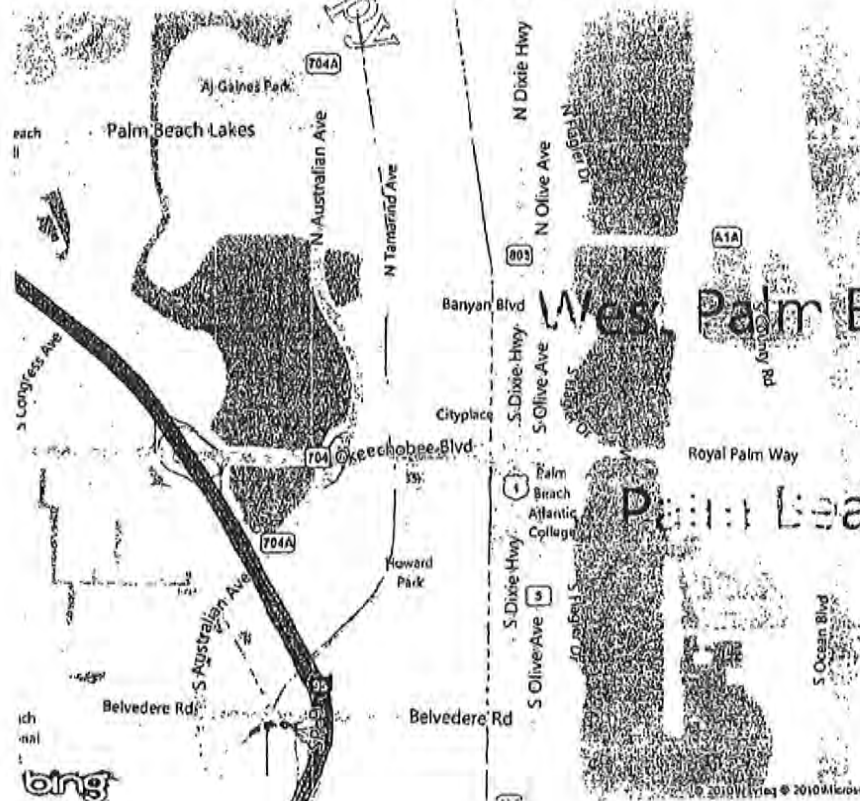
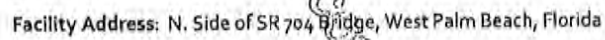
April 04, 2011
Commission/Serial No. DD619440

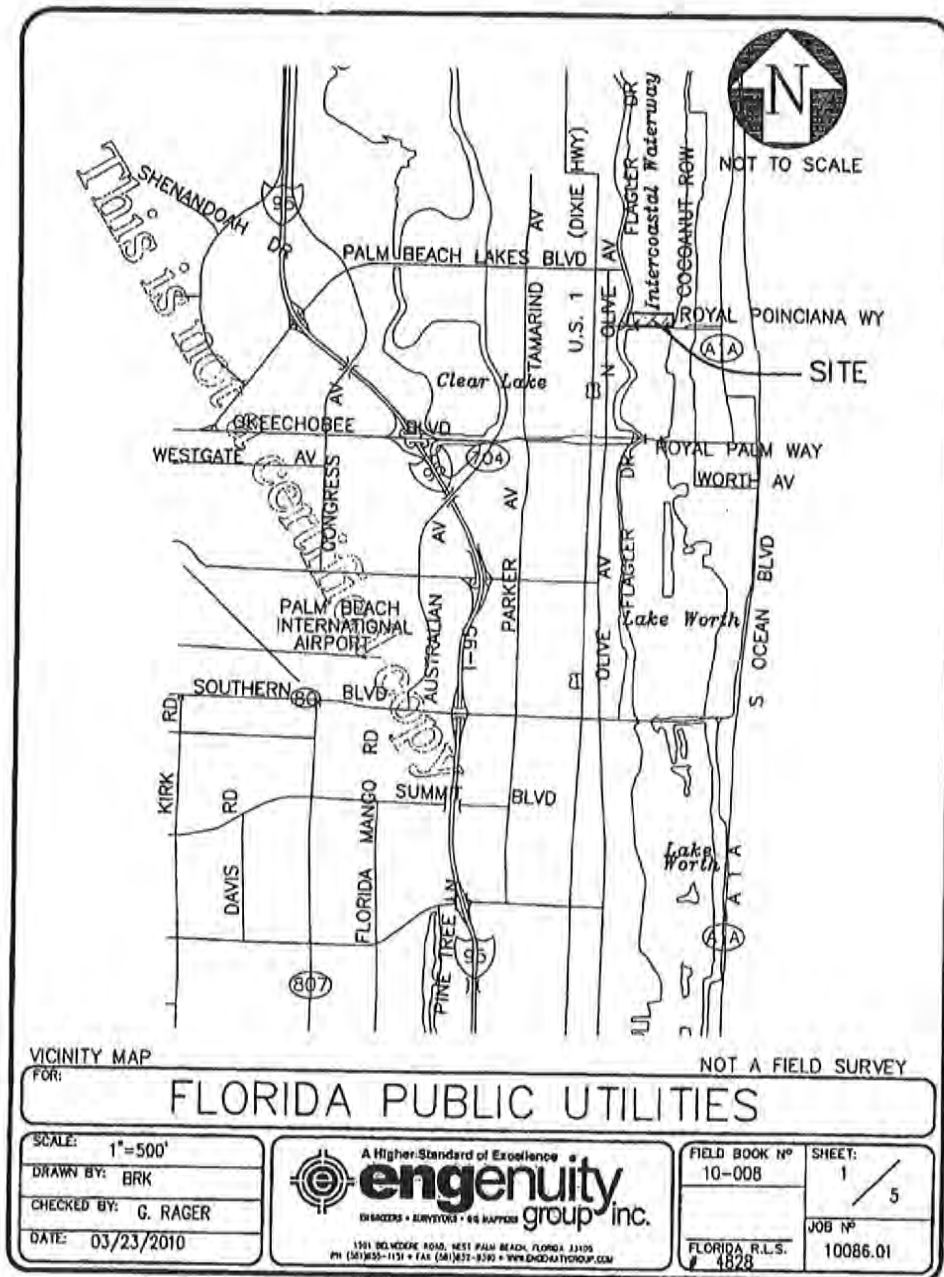
Bonnie L. Erdek
Notary Public, State of Florida
Bonnie L. Erdek
Printed, Typed or Stamped Name

Page 2 of 2 Pages
Easement No. 41273



Range: 43 East





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LEGAL DESCRIPTION:

A STRIP OF SUBMERGED LAND 15.00 FEET WIDE, LYING IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, IN THE WATERS OF LAKE WORTH, PALM BEACH COUNTY, FLORIDA. COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22, RUN S00°55'49"W ALONG THE WEST LINE OF SAID SECTION 22, AND THE SURVEY BASE LINE OF DIXIE HIGHWAY (U.S. HWY NO. 1) AS PER FDOT PROJECT NO. 93020-MAINT., A DISTANCE OF 482.61 FEET; THENCE S88°52'38"E ALONG THE SURVEY BASE LINE OF LOFTIN STREET AND FLAGLER BRIDGE (A-1-A) FDOT PROJECT NO. 93060-2527, A DISTANCE OF 1037.76 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE WESTERLY SHORE OF THE INTRACOASTAL WATERWAY; THENCE N01°42'03"W, ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 76.48 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. THENCE N01°42'03"W, CONTINUING ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 15.00 FEET; THENCE N87°14'44"E, DEPARTING SAID MEAN HIGH WATER LINE, A DISTANCE OF 441.56 FEET; THENCE S88°21'17"E A DISTANCE OF 166.73 FEET; THENCE S86°04'12"E A DISTANCE OF 532.15 FEET; THENCE S85°05'05"E A DISTANCE OF 303.32 FEET; THENCE S87°39'53"E A DISTANCE OF 233.51 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE EASTERLY SHORE OF THE INTRACOASTAL WATERWAY; THENCE S02°05'58"E, ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 15.05 FEET; THENCE N87°39'53"W, DEPARTING SAID MEAN HIGH WATER LINE, A DISTANCE OF 235.01 FEET; THENCE N85°05'05"W A DISTANCE OF 303.52 FEET; THENCE N86°04'12"W A DISTANCE OF 531.73 FEET; THENCE N88°21'17"W A DISTANCE OF 165.85 FEET; THENCE S87°14'44"W A DISTANCE OF 441.26 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE WESTERLY SHORE OF THE INTRACOASTAL WATERWAY AND THE POINT OF BEGINNING. SAID HEREIN DESCRIBED STRIP OF LAND CONTAINING 25160 SQUARE FEET, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

NOTE:

- 1) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
- 2) THE SURVEY IS BASED ON INFORMATION PROVIDED BY THE CLIENT OR CLIENT'S REPRESENTATIVE.
- 3) THIS SURVEY IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- 4) BEARINGS SHOWN HEREON ARE BASED UPON THE WEST LINE OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, HAVING A BEARING OF S00°55'49"W AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

GARY A. RAGER P.S.M. #4828
STATE OF FLORIDA
LB 6603

LEGAL DESCRIPTION

NOT A FIELD SURVEY

FOR:

FLORIDA PUBLIC UTILITIES

SCALE: 1"=500'

DRAWN BY: BRK

CHECKED BY: G. RAGER

DATE: 03/23/2010



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group inc.
ENGINEERS • SURVEYORS • MAPPERS

1301 BOLIVIERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)555-1131 • FAX (561)555-8350 • WWW.ENGUTYGROUP.COM

FIELD BOOK NO
10-008

SHEET:

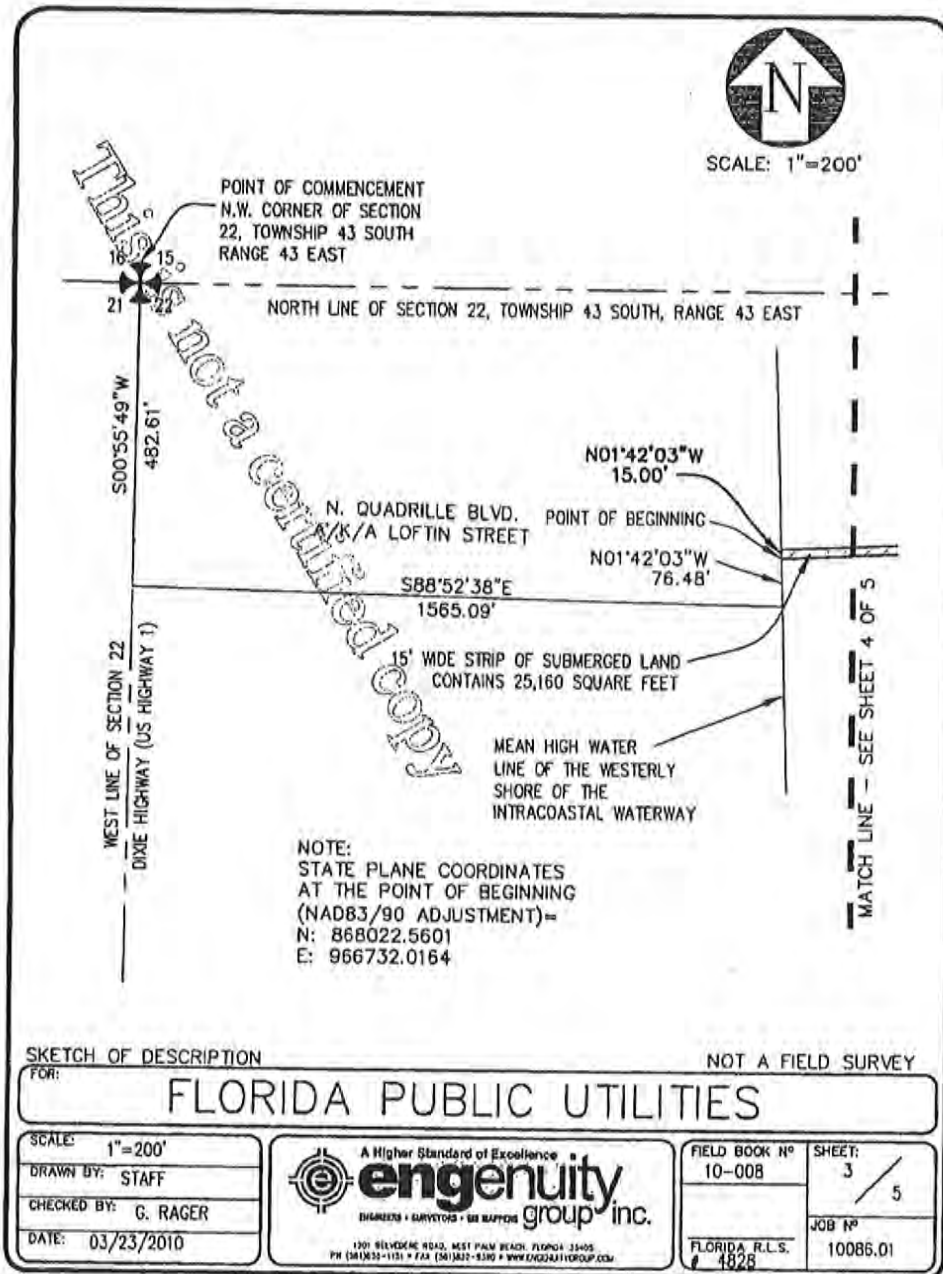
2 / 5

JOB NO

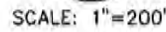
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FLORIDA R.L.S.
4828

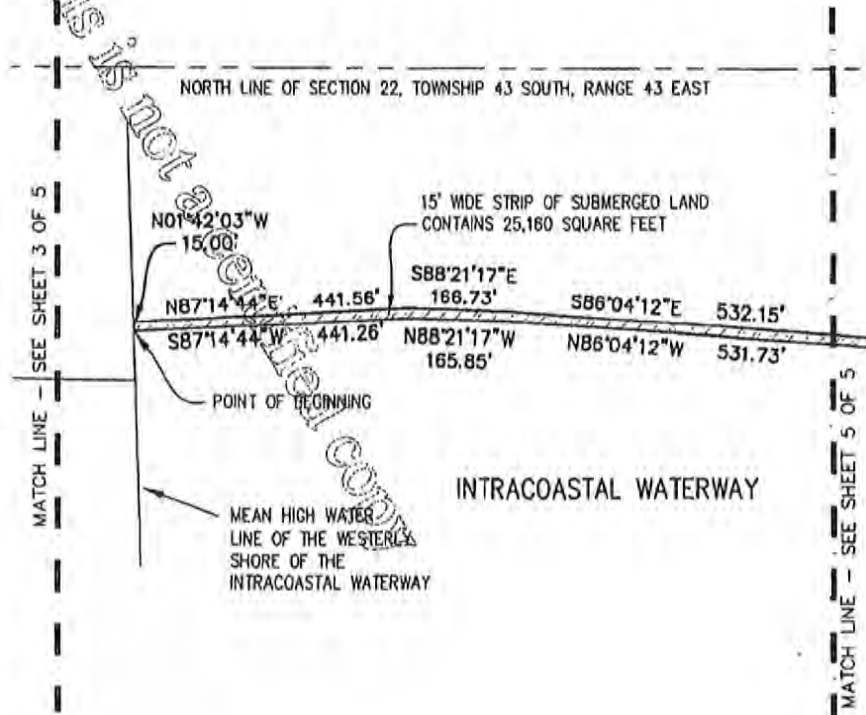
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MATCH LINE - SEE SHEET 3 OF 5
 This is not a
 NO 1
 NO 8
 S 8
 13

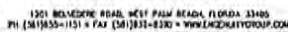


NOT A FIELD SURVEY

FOR:

FLORIDA PUBLIC UTILITIES

DATE: 03/23/2010



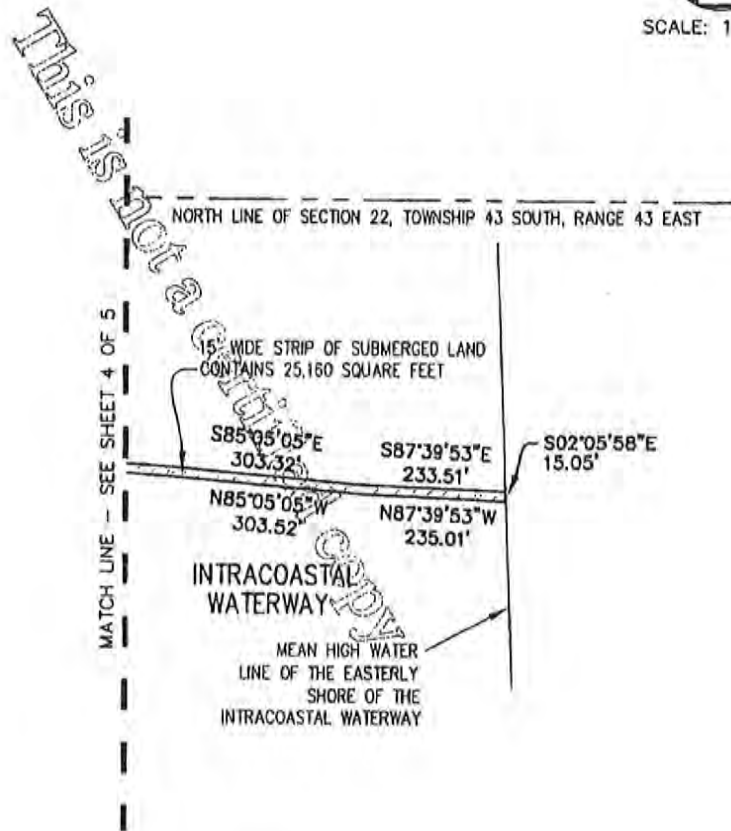
FLORIDA R.L.S.
4828

10086.01

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SCALE: 1"=200'



SKETCH OF DESCRIPTION

NOT A FIELD SURVEY

FOR:

FLORIDA PUBLIC UTILITIES

SCALE: 1"=200'

DRAWN BY: STAFF

CHECKED BY: G. RAGER

DATE: 03/23/2010



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group inc.

ENGINEERS • SURVEYORS • GIS MAPPERS
3701 BRIDGE ROAD, WEST PALM BEACH, FLORIDA 33409
PH (561) 822-1131 • FAX (561) 822-9200 • WWW.ENGUENITYGROUP.COM

FIELD BOOK N°
10-008

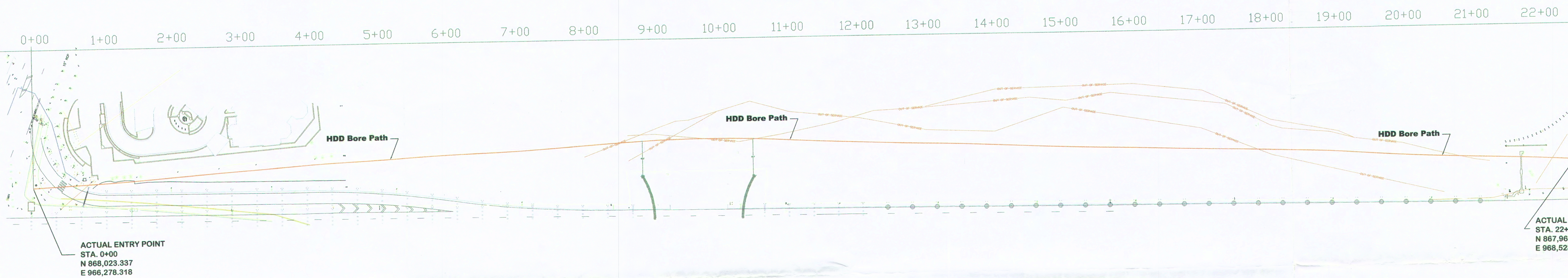
SHEET:
5 / 5

FLORIDA R.L.S.
4828

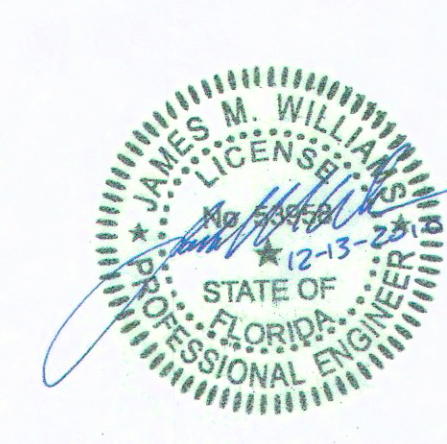
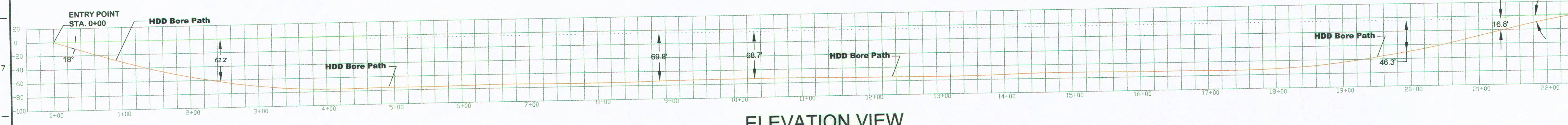
JOB N°
10086.01

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PLAN VIEW



ELEVATION VIEW



THE INFORMATION PROVIDED TO ME REGARDING HORIZONTAL AND VERTICAL LOCATION OF THE PIPELINE IS SHOWN ACCURATELY ON THIS RECORD DRAWING IN ACCORDANCE WITH CH. 471 F.S. & CH. 61G15-23 OF THE FBPE.
JAMES M. WILLIAMS, PE
920 MEMORIAL CITY WAY, STE. 650
HOUSTON, TX 77024
615-943-0155

SOIL CONDITIONS:	ROCK	DRAWN:	T.PRANGER	MEARS GROUP INC./H.D.D. DIRECTIONAL DRILLING SERVICES
MINIMUM DEPTH:	-50'	DATE:	11-29-2010	4500 N. MISSION RD., ROSELAND, MICHIGAN 48878
MINIMUM RADIUS:	1000'	CHECKED BY:	CHK	INFRASOURCE
LENGTH OF BORE:	2249.54'	APPROVED BY:	APP	FLAGLER DRIVE INTRACOASTAL WATER
PIPE SPECIFICATION:	6" STEEL X52 0.28 WALL			WEST PALM BEACH, FL
ACAD FILE:	ACADFILE	JOB NUMBER:	9201053202	SCALE:
				1"=140'
				SHEET:

As-Drilled



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FL. 33410

REPLY TO
ATTENTION OF

MAY 03 2010

Palm Beach Gardens Regulatory Section
SAJ-2010-00057 (GP-DLR)

Florida Public Utilities Company
Attn: Chris Canino
401 S. Dixie Highway
West Palm Beach, FL 33401

Dear Mr. Canino:

Your application for a Department of the Army permit received on 6 January 2010 has been assigned number SAJ-2010-00057 (GP-DLR). A review of the information and drawings provided shows the proposed work is to install a subaqueous 6-inch gas main under the Lake Worth/Intracoastal Waterway via a 2,250-foot directional bore leveling off at approximately -49-feet NAVD below the waterway bottom. The project is located in the Lake Worth/Intracoastal Waterway adjacent to the Flagler Memorial Bridge (S. R. A-1-A), City of West Palm Beach to the Town of Palm Beach, (Section 22, Township 43 South, Range 43 East) Palm Beach County Florida. Latitude: 26.719° N; Longitude: 80.047°W.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-14. This authorization is valid until 7 November 2011. Please access the Corps' Regulatory webpage to view the special and general conditions for SAJ-14, which apply specifically to this authorization. The website address is as follows:

<http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm>.

Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click on "General Permits." Then you can click on the specific SAJ permit. You must comply with all of the special and general conditions and any project-specific conditions of this authorization or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers.

-2-

Mail the completed form to the Regulatory Division, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019.

2. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. The material from the boring shall be placed in a self-contained, upland disposal site, which will prevent the escape of material and associated effluent into wetlands and surface waters.

4. This verification does not authorize the placement of fill or any construction materials in mangroves, emergent wetlands, seagrass beds, or any other special aquatic sites.

5. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

6. The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - July 2009" Attachment A.

7. The Permittee shall comply with the "Sea Turtle and Smalltooth Sawfish Construction Conditions - March 2006" Attachment B.

8. The Permittee shall comply with the BMP and Frac-Out Plan for Directional Drilling included as Attachment C. If a frac-out has occurred during construction activities, the

-3-

permittee shall notify the Corps of Engineers, Palm Beach Gardens Regulatory office, Attn: Dana Rankin at 561-472-3526 within 24 hours of the occurrence. The notification shall include the time of the frac-out, the response time of the underwater diver, and the environmental conditions of the affected area.

9. Where the proposed subaqueous utility or transmission line is to be installed in a navigable waters of the United States, at least two weeks prior to the start of the authorized work, the permittee must notify the National Oceanic Atmospheric Administration (NOAA) and the Corps' office the work is commencing, and again upon completion of the work. The permittee shall notify the District Engineer at the letterhead address, attention Regulatory Division, and NOAA, at Nautical Data Branch N/CS26, Station 7317, 1315 East-West Highway, Silver Spring, MD 20910-3282. This notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized and must include an accurate (within plus or minus 1 foot) depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.

10. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at; <http://www.cr.nps.gov/nr/research/nris.htm>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at fmsfile@dos.state.fl.us or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the appropriate Army Corps of Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in

-4-

accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

Generally, authorization of activities that have commenced or are under contract to commence in reliance of the GP will remain in effect provided the activity is completed within 12 months of the date a GP expired or was revoked. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification will likely be required.

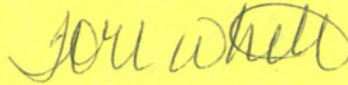
This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this GP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under §. 373.069, F.S., or a local government with delegated authority under §. 373.441, F.S. and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereof, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated WQC or CZCC. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced GP, please contact Dana Rankin by telephone at 561-472-3526.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: <http://per2.nwp.usace.army.mil/survey.html>. Your input is appreciated - favorable or otherwise. Again, please be aware this web address is case sensitive and should be entered as it appears above.

-5-

Sincerely,

A handwritten signature in cursive script, appearing to read "Tori White".

Tori White
Chief, Palm Beach Gardens Section

Enclosures:

Drawings (11 pages)

Manatee conditions for in water work - Attachment A

Sea turtle and smalltooth sawfish conditions - Attachment B

BMP and Frac-Out Plan - Attachment C

Self-certification

Copy Furnished:

Coastal Tech (Agent) 3625 20th St., Vero Beach, FL 32960

CESAJ-RD-PE

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

General Permit Number: SAJ-14

Application Number: SAJ-2010-00057 (GP-DLR)

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

Description of the Work (e.g. bank stabilization, residential or
commercial filling, docks, dredging, etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States:

Describe Mitigation completed (if applicable): _____

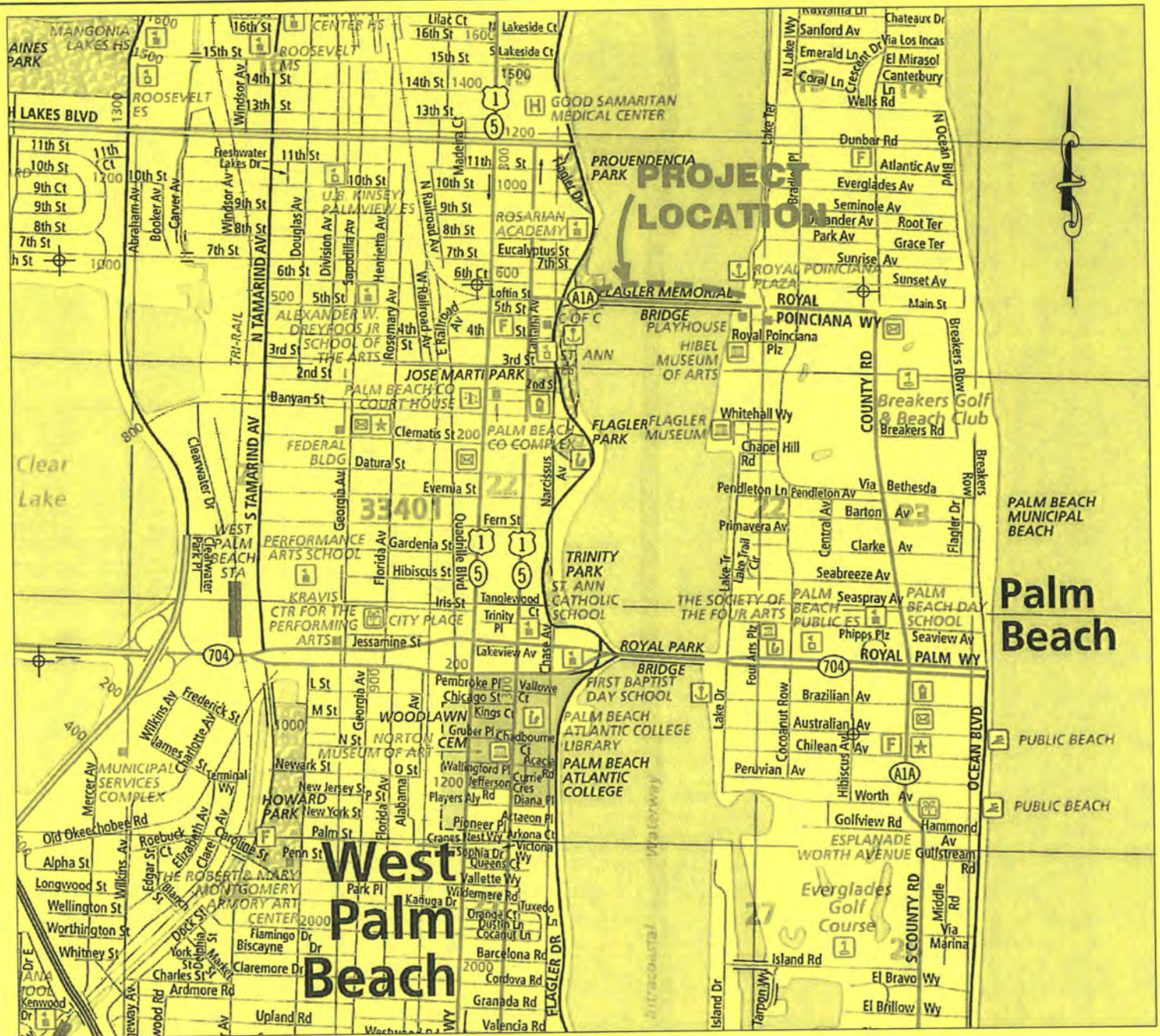
Describe any Deviations from Permit (attach drawing(s) depicting the
deviations): _____

I certify that all work, and mitigation (if applicable) was done in
accordance with the limitations and conditions as described in the
permit. Any deviations as described above are depicted on the
attached drawing(s).

Signature of Permittee

Date

29140 Map



LOCATION MAP

Florida Public Utilities Company
Subaqueous Gas Main Crossing

via Directional Drilling across the Intracoastal Waterway
adjacent to and north of the
Flagler Memorial Bridge on S.R. A-1-A
Section 22, Township 43 South, Range 43 East
Palm Beach County, Florida
for

Florida Public Utilities Company
401 South Dixie Highway
West Palm Beach, FL 33401

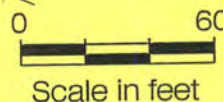
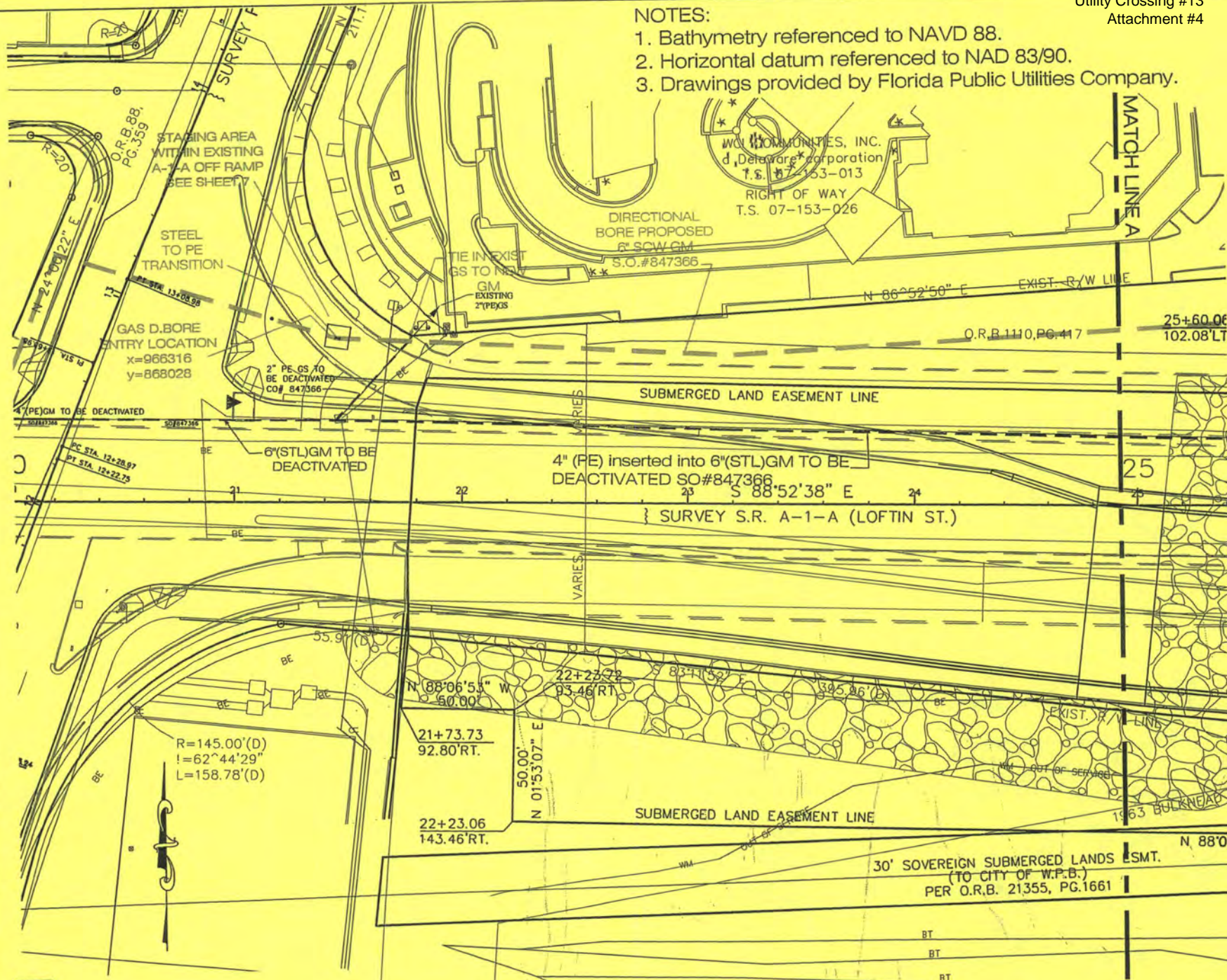


US Army Corps
of Engineers

File # SAJ-2010-00057 (GP-DLR)
Drawing 1 of 11

NOTES:

1. Bathymetry referenced to NAVD 88.
2. Horizontal datum referenced to NAD 83/90.
3. Drawings provided by Florida Public Utilities Company.



SEE ADDITIONAL NOTES AND PROJECT
INFORMATION ON SHEET 12



COASTAL TECH

Certificate of Authorization Number: 00004195
3625 20TH STREET, VERO BEACH, FL 32960
VERO • SARASOTA • MELBOURNE • AUSTIN

PLAN VIEW

Subaqueous Gas Main Crossing
for Florida Public Utilities Company
at the Flagler Bridge, Palm Beach County, Florida

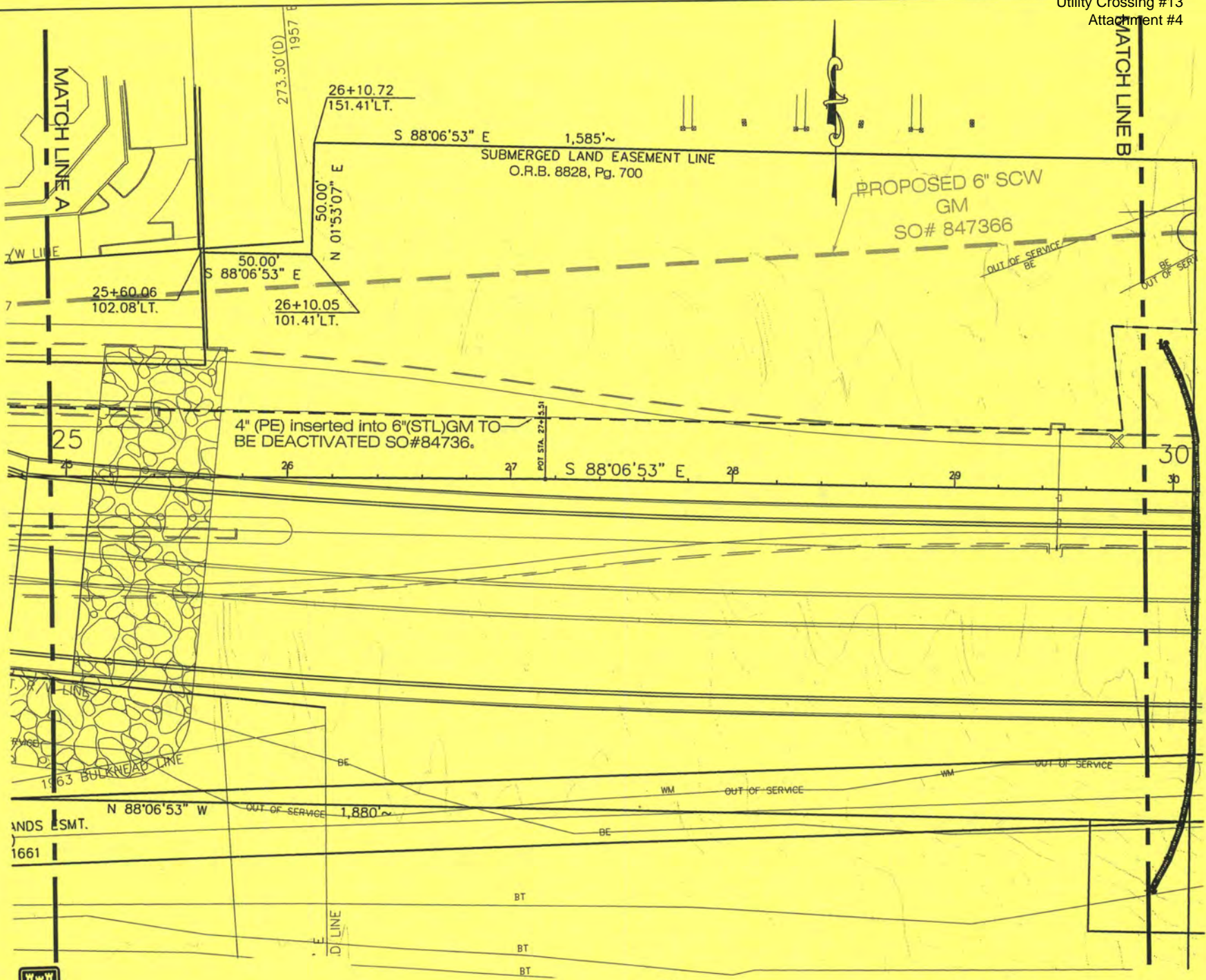
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LAE		2
LAST REVISION	DATE	OF 10 SHEETS
04/22/2010	12/18/2009	JOB NO.
		29140



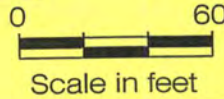
US Army Corps
of Engineers

File # SAJ-2010-00057 (GP-DLR)

Drawing 2 of 11



SEE ADDITIONAL NOTES AND PROJECT
INFORMATION ON SHEET 12



US Army Corps
of Engineers.
File # SAJ-2010-00057 (GP-DLR)
Drawing 3 of 11

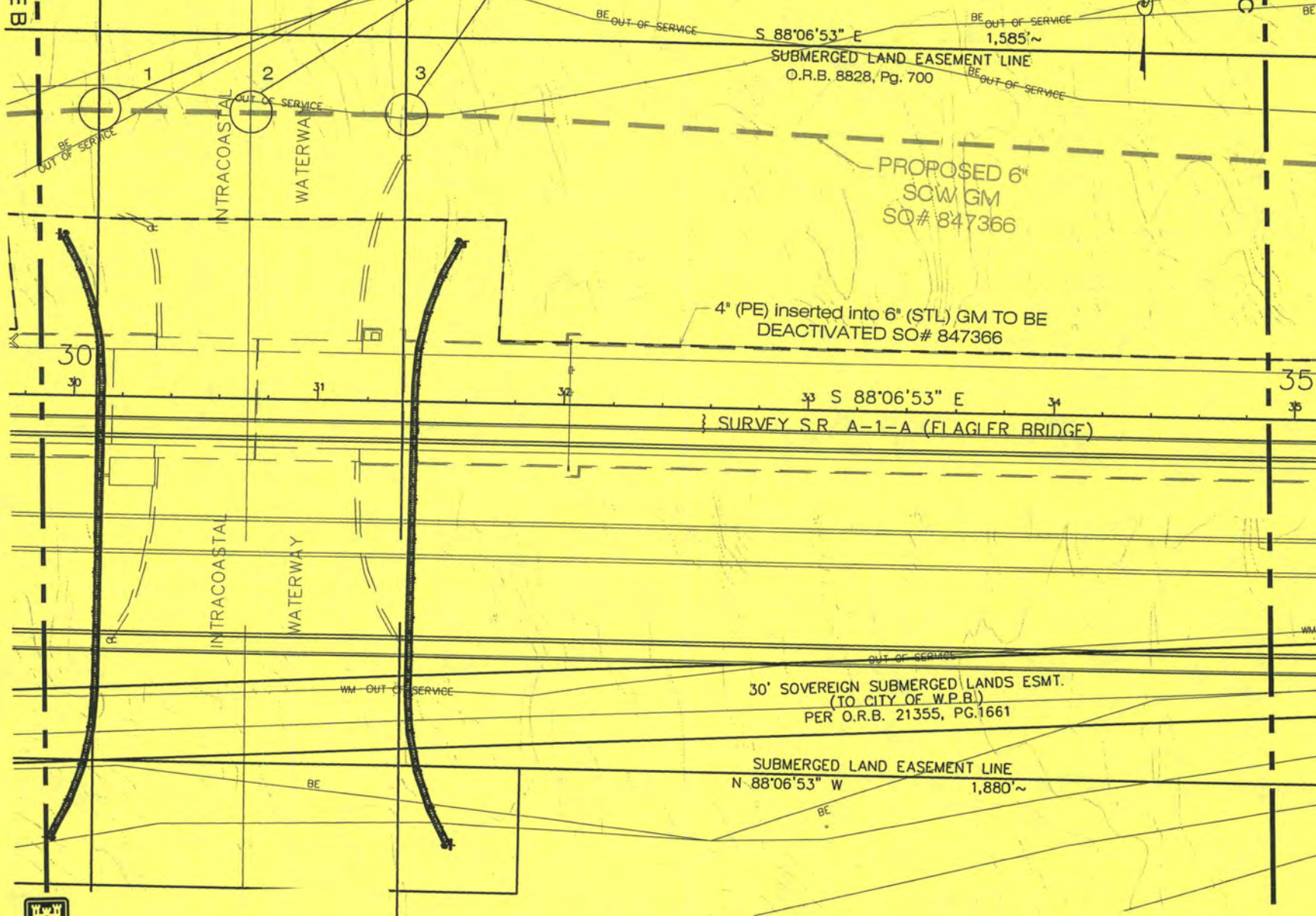
<p>COASTAL TECH Certificate of Authorization Number: 00004195 3625 20TH STREET, VERO BEACH, FL 32980 VERO - SARASOTA - MELBOURNE - AUSTIN</p>		<p>PLAN VIEW</p> <p>Subaqueous Gas Main Crossing for Florida Public Utilities Company at the Flagler Bridge, Palm Beach County, Florida</p>		<p>PROJ MGR LAE</p>	<p>REVIEW</p>	<p>SHEET 3 OF 10 SHEETS JOB NO. 29140</p>
<p>LAST REVISION 04/15/2010</p>		<p>DATE 12/18/2009</p>				

Gas Line/ICWW Intersection Coordinates

- 1 (WEST) x=967180, y=868051
 2 (CL.) x=967243, y=868049
 3 (EAST) x=967306, y=868047

MATCH LINE B

MATCH LINE C



0 60
 Scale in feet

SEE ADDITIONAL NOTES AND PROJECT
 INFORMATION ON SHEET 12



COASTAL TECH

Certificate of Authorization Number: 00004195
 3625 20TH STREET, VERO BEACH, FL 32960
 VERO - SARASOTA - MELBOURNE - AUSTIN

PLAN VIEW

Subaqueous Gas Main Crossing
 for Florida Public Utilities Company
 at the Flagler Bridge, Palm Beach County, Florida

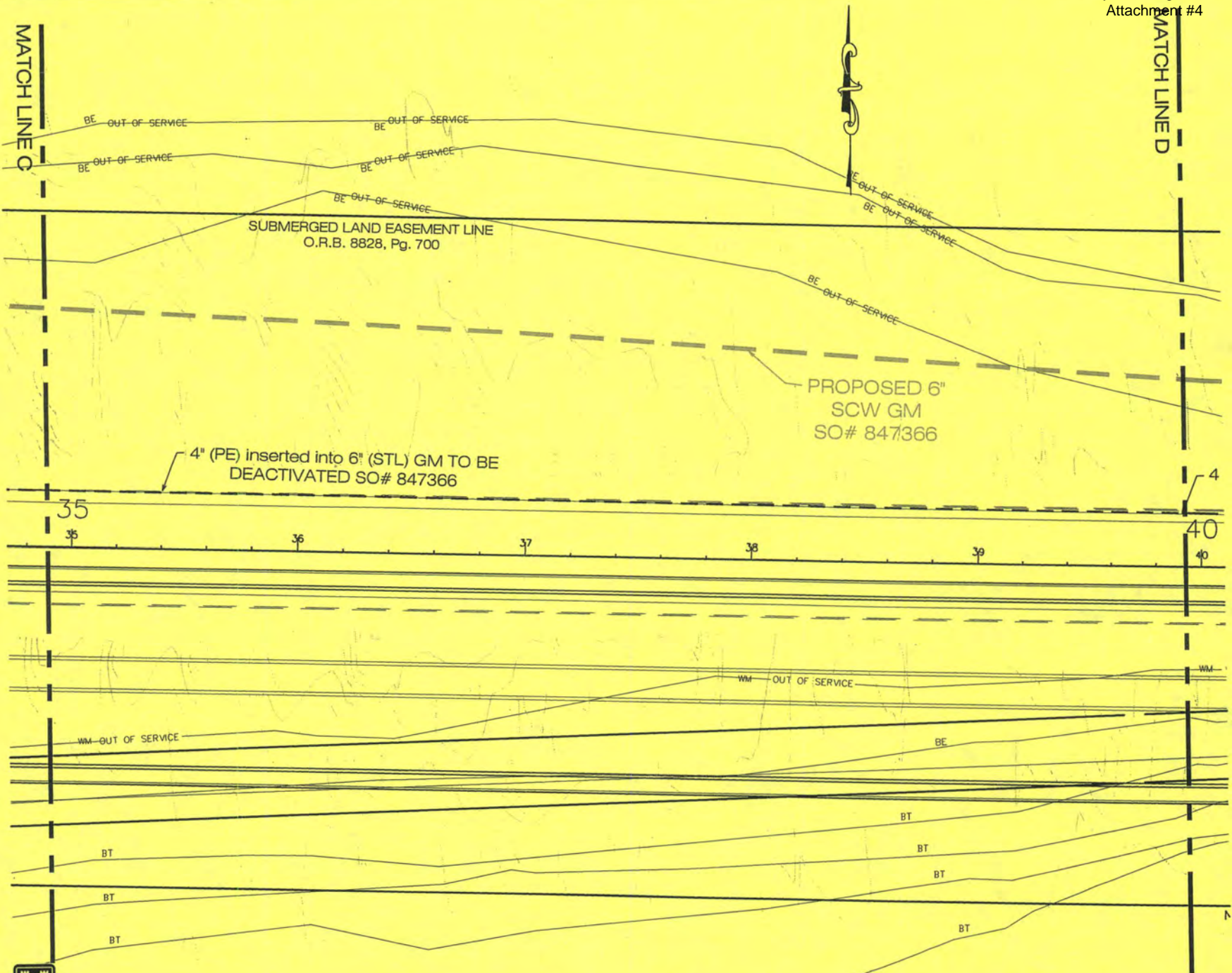
PROJ MGR	REVIEW	SHEET
LAE		4
LAST REVISION	DATE	OF 10 SHEETS
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		29140



US Army Corps
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File # SAJ-2010-00057 (GP-DLR)

Drawing 4 of 11



0 60
Scale in feet

SEE ADDITIONAL NOTES AND PROJECT
INFORMATION ON SHEET 12



US Army Corps
of Engineers

File # SAJ-2010-00057 (GP-DLR)

Drawing 5 of 11



COASTAL TECH

Certificate of Authorization Number: 00004195

3625 20TH STREET, VERO BEACH, FL 32960
VERO • SAPASOTA • MELBOURNE • AUSTIN

PLAN VIEW

Subaqueous Gas Main Crossing
for Florida Public Utilities Company
at the Flagler Bridge, Palm Beach County, Florida

PROJ MGR
LAE

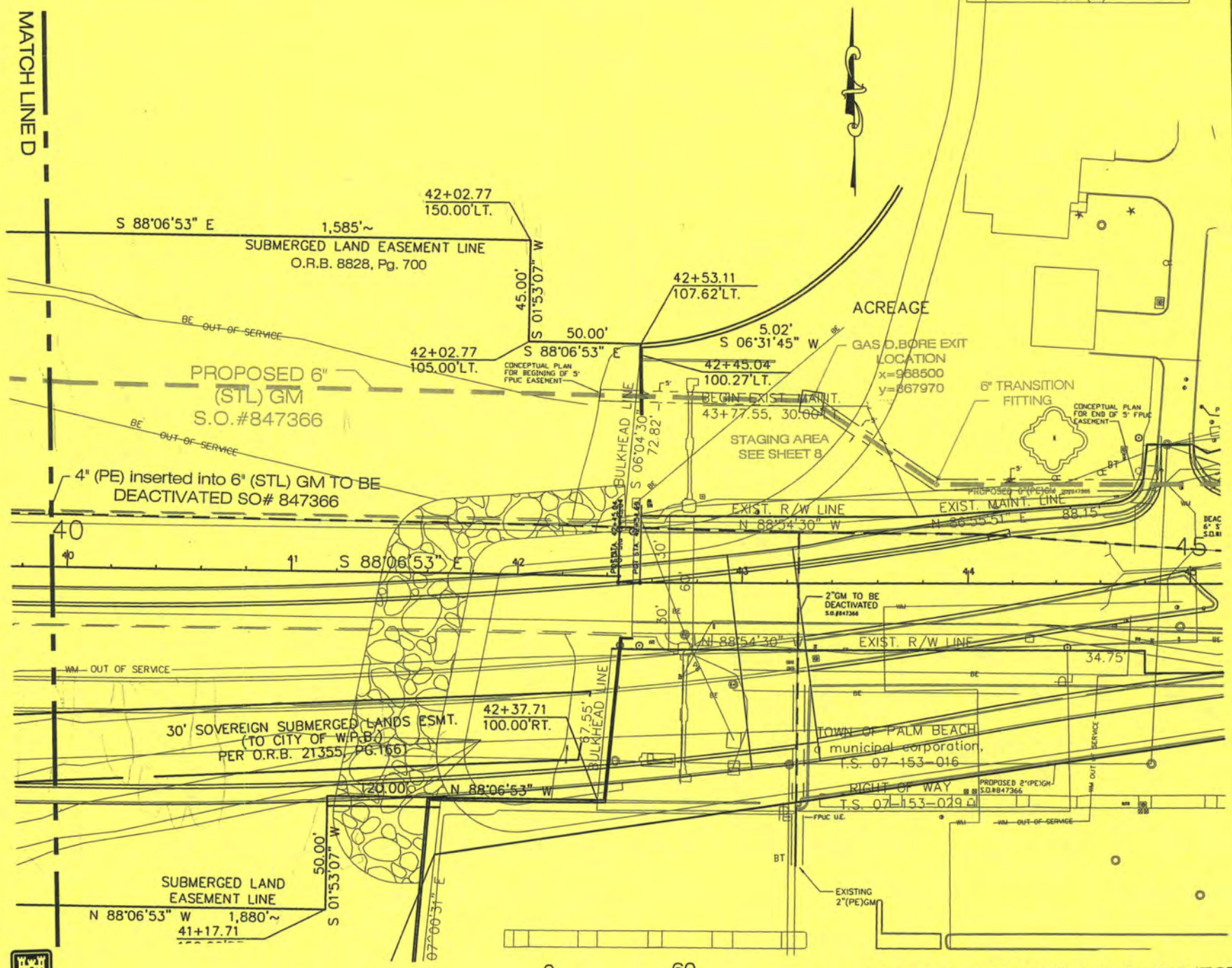
REVIEW

LAST REVISION

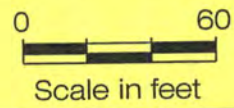
DATE

04/15/2010 12/18/2009

SHEET
OF 10 SHEETS
JOB NO.
29140



SEE ADDITIONAL NOTES AND PROJECT INFORMATION ON SHEET 12



US Army Corps of Engineers
File # SAJ-2010-00057 (GP-DLR)
Drawing 6 of 11

MATCH LINE

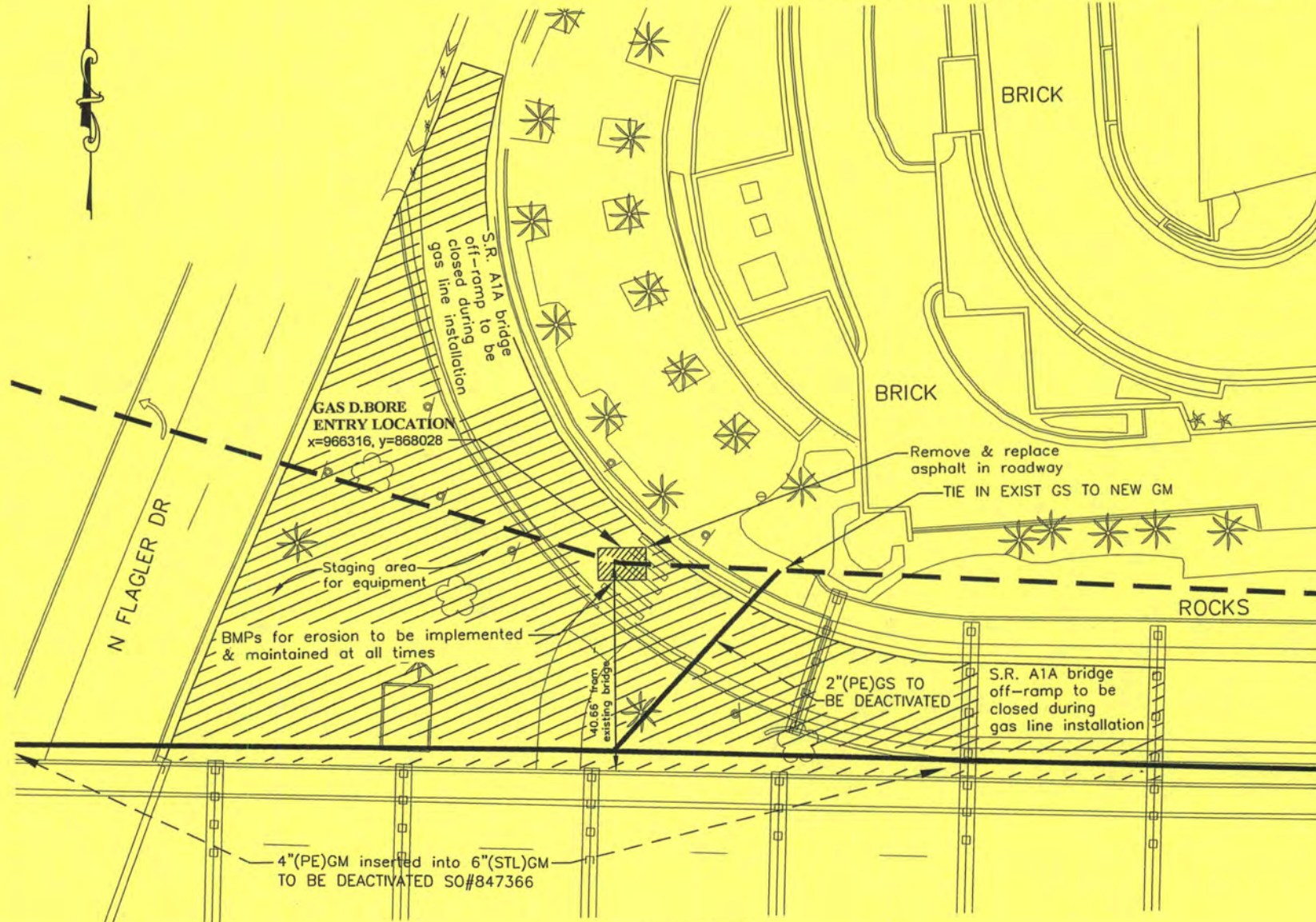
COASTAL TECH
Certificate of Authorization Number: 00004195
3625 20TH STREET, VERO BEACH, FL 32960
VERO • SARASOTA • MELBOURNE • AUSTIN

PLAN VIEW
Subsequent Gas Main Crossing
for Florida Public Utilities Company
at the Flagler Bridge, Palm Beach County, Florida

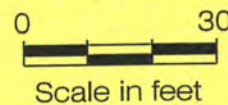
PROJ. NO.	LAST REVISION	DATE	SHEET
LAE	04/15/2010	12/18/2009	6
OF 10 SHEETS	JOB NO.		29140

NOTES:

1. Horizontal datum referenced to NAD 83/90.
2. Drawings provided by Florida Public Utilities Company.



PLAN VIEW WEST STAGING AREA



SEE ADDITIONAL NOTES AND PROJECT
 INFORMATION ON SHEET 12



COASTAL TECH

Certificate of Authorization Number: 00004195
 3625 20TH STREET, VERO BEACH, FL 32960
 VERO - SAPASOTA - MELBOURNE - AUSTIN

PLAN VIEW - WEST STAGING AREA

Subaqueous Gas Main Crossing
 for Florida Public Utilities Company
 at the Flagler Bridge, Palm Beach County, Florida

PROJ MGR	REVIEW	SHEET
LAE		7
LAST REVISION	DATE	JOB NO.
04/15/2010	12/18/2009	29140



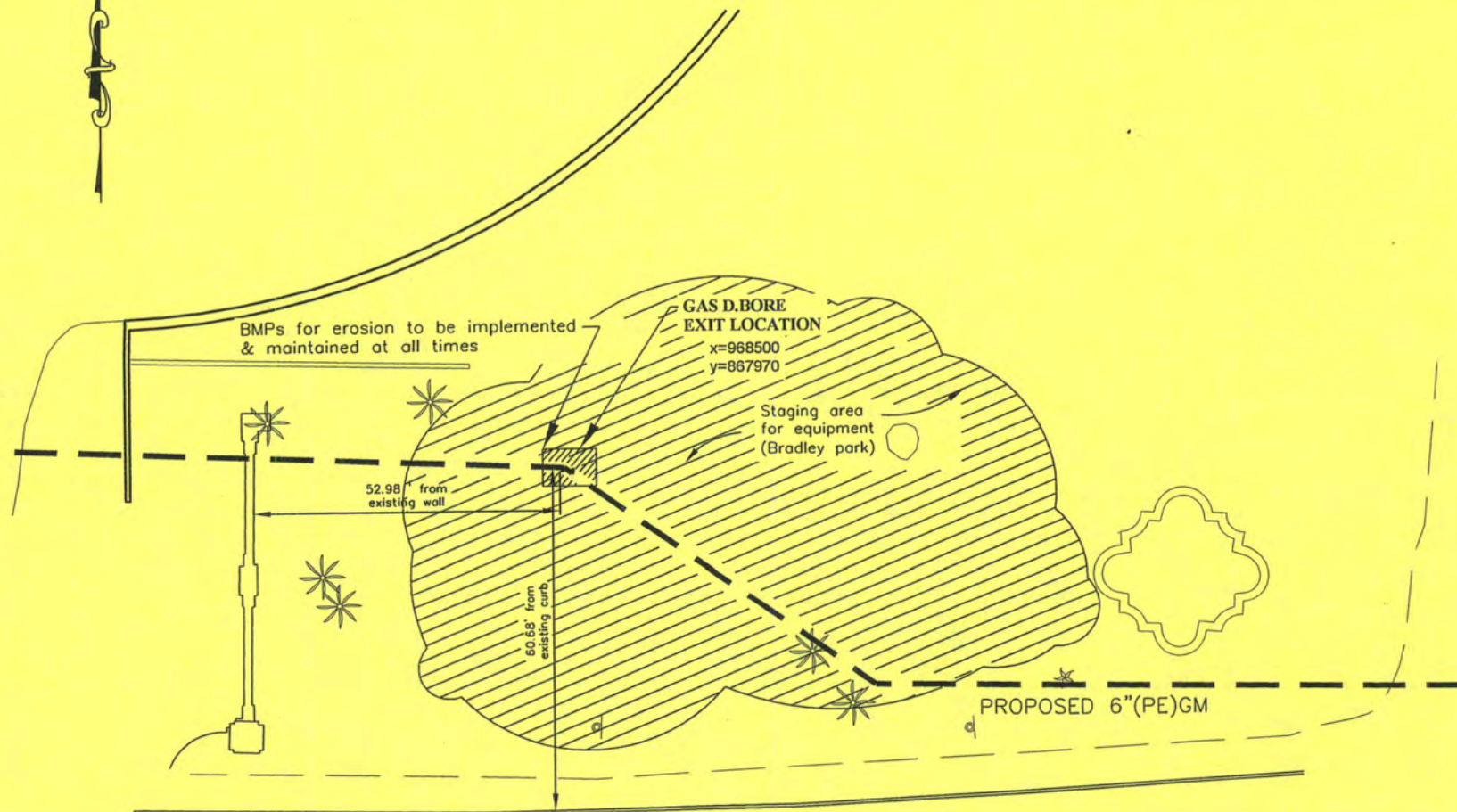
US Army Corps
 of Engineers

File # SAJ-2010-00057 (GP-DLR)

Drawing 7 of 11

NOTES:

1. Horizontal datum referenced to NAD 83/90.
2. Drawings provided by Florida Public Utilities Company.

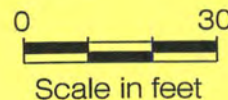


PLAN VIEW
EAST STAGING AREA



US Army Corps
of Engineers

File # SAJ-2010-00057 (GP-DLR)
Drawing 8 of 11



SEE ADDITIONAL NOTES AND PROJECT
INFORMATION ON SHEET 12



COASTAL TECH

Certificate of Authorization Number: 00004195

3625 20TH STREET, VERO BEACH, FL 32960

VERO • SARASOTA • MELBOURNE • AUSTIN

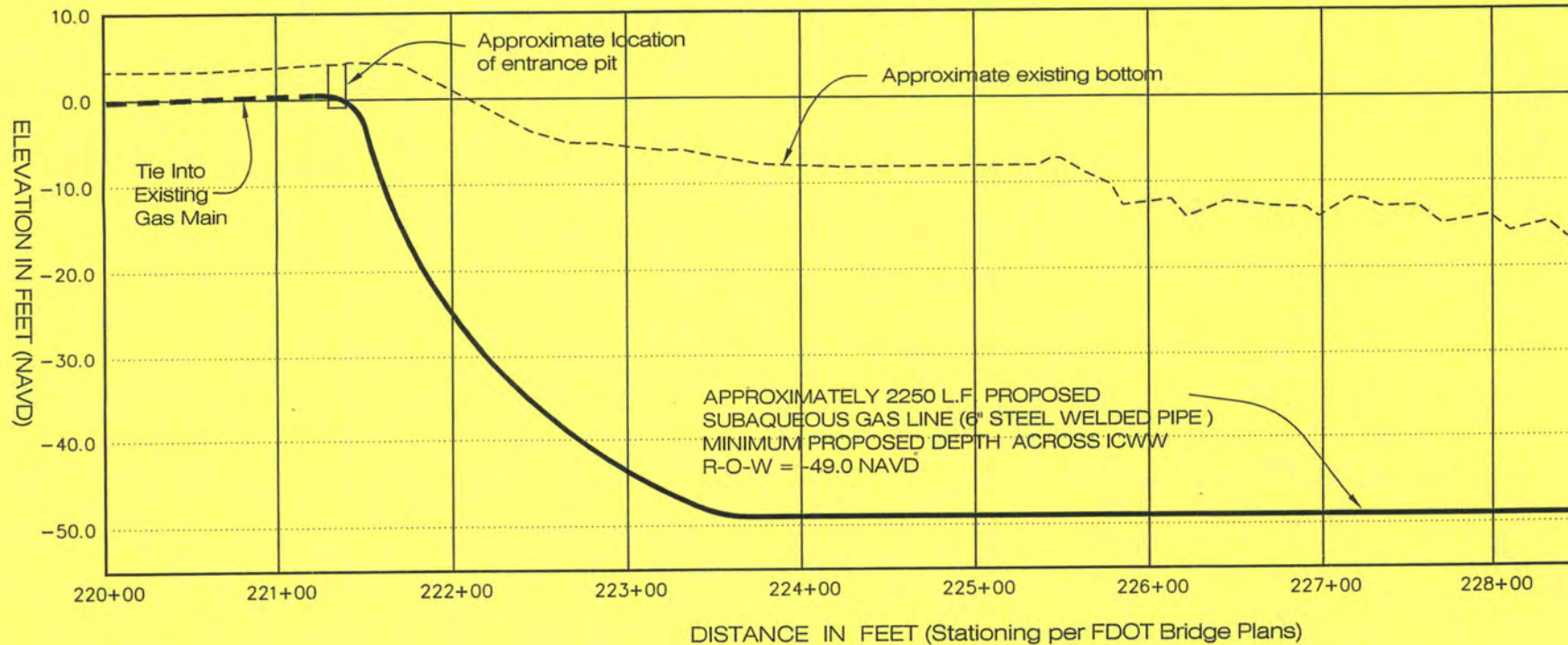
PLAN VIEW - EAST STAGING AREA

Subaqueous Gas Main Crossing
for Florida Public Utilities Company
at the Flagler Bridge, Palm Beach County, Florida

PROJ MGR	REVIEW	SHEET
LAE		8
LAST REVISION	DATE	OF 10 SHEETS
04/15/2010	12/18/2009	29140
JOB NO.		

NOTES:

1. These drawings are NOT FOR CONSTRUCTION.
2. Bathymetry referenced to NAVD 88.
3. These sketches are based on drawings provided by Florida Public Utilities Company.
4. Drawings provided by Florida Public Utilities Company are based on construction drawings and surveys prepared for the realignment of the Flagler Memorial Bridge by Kimley-Horn & Assoc., Inc.
5. See additional notes and project information on Sheet 12.



These drawings are "PERMIT SKETCHES". These drawings are not intended for construction.



US Army Corps
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File # SAJ-2010-00057 (GP-DLR)
Drawing 9 of 11



COASTAL TECH

Certificate of Authorization Number: 00004196

3625 20TH STREET, VERO BEACH, FL 32960

VERO • SARASOTA • MELBOURNE • AUSTIN

PROFILE

Subaqueous Gas Main Crossing
for Florida Public Utilities Company
at the Flagler Bridge, Palm Beach County, Florida

PROJ MGR
LAE

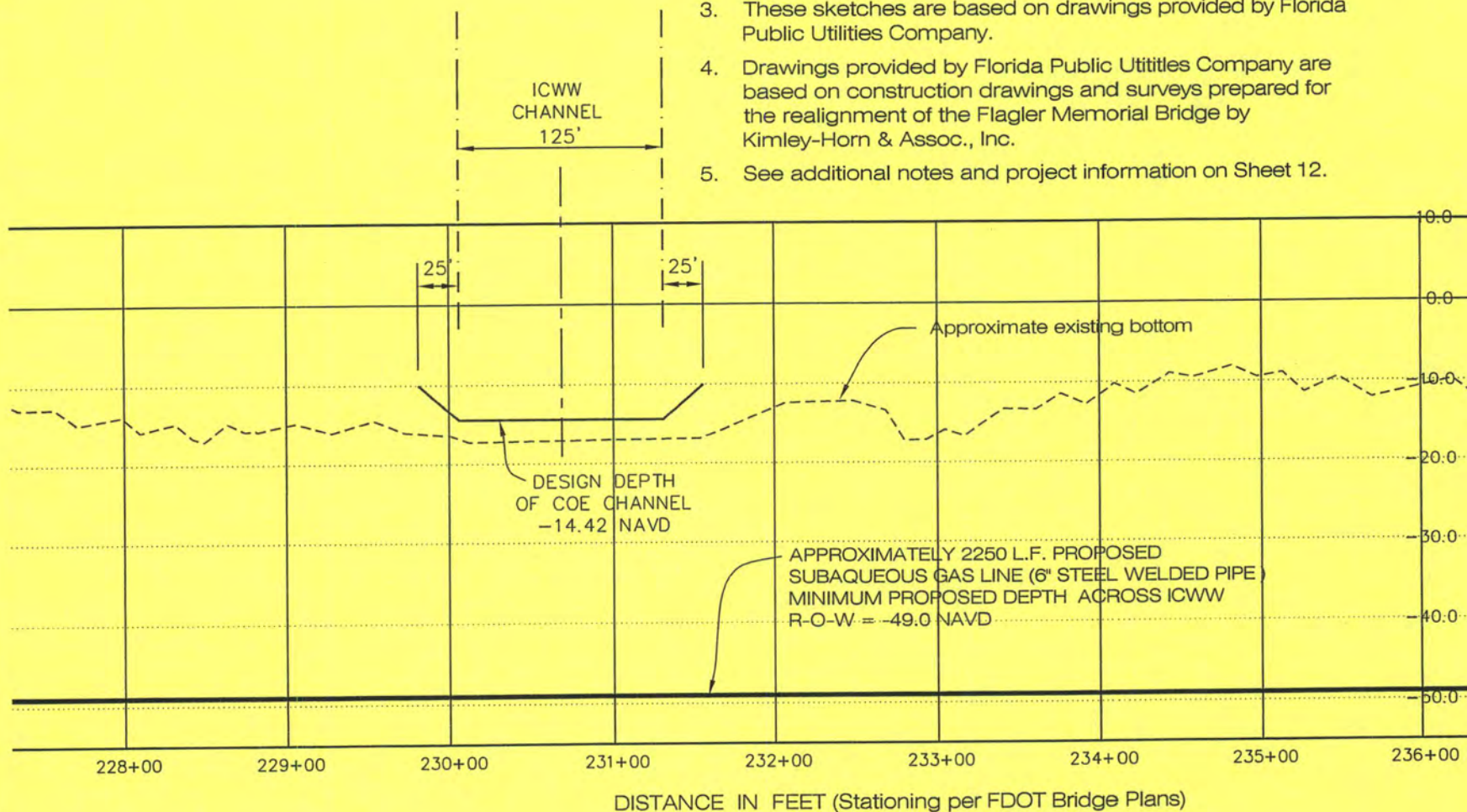
LAST REVISION
04/15/2010

REVIEW
DATE
12/18/2009

SHEET
9
OF 12 SHEETS
JOB NO.
29140

NOTES:

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2. Bathymetry referenced to NAVD 88.
3. These sketches are based on drawings provided by Florida Public Utilities Company.
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US Army Corps
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File # SAJ-2010-00057 (GP-DLR)

Drawing 10 of 11



COASTAL TECH

Certificate of Authorization Number: 00004195
3625 20TH STREET, VERO BEACH, FL 32960
VERO - SARASOTA - MELBOURNE - AUSTIN

PROFILE

Subaqueous Gas Main Crossing
for Florida Public Utilities Company
at the Flagler Bridge, Palm Beach County, Florida

PROJ MGR
LAE

LAST REVISION
04/15/2010

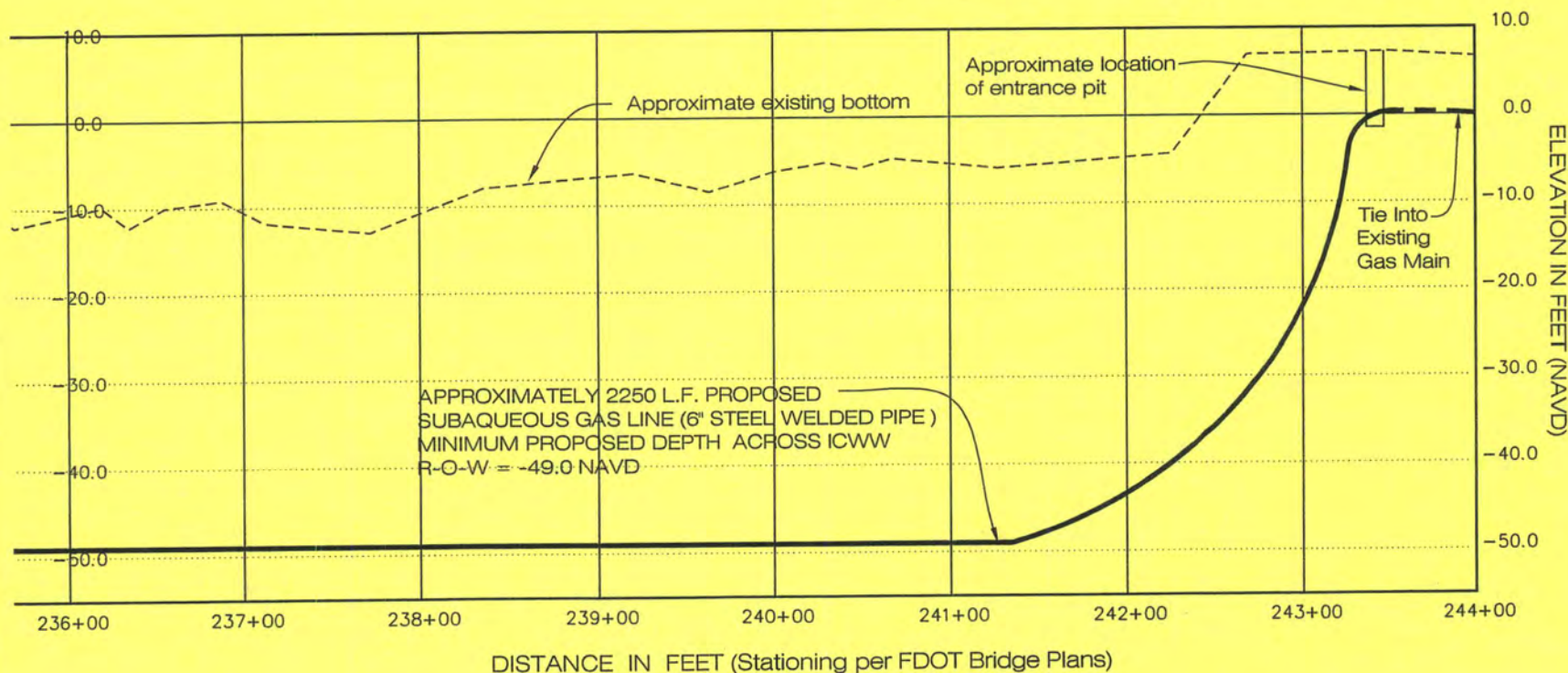
REVIEW

DATE
12/18/2009

SHEET 10
OF 12 SHEETS
JOB NO.
29140

NOTES:

1. These drawings are NOT FOR CONSTRUCTION.
2. Bathymetry referenced to NAVD 88.
3. These sketches are based on drawings provided by Florida Public Utilities Company.
4. Drawings provided by Florida Public Utilities Company are based on construction drawings and surveys prepared for the realignment of the Flagler Memorial Bridge by Kimley-Horn & Assoc., Inc.
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These drawings are "PERMIT SKETCHES". These drawings are not intended for construction.



US Army Corps
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File # SAJ-2010-00057 (GP-DLR)
Drawing 11 of 11

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2009

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.



US Army Corps
of Engineers

File # SAJ-2010-00057 (GP-DLR)

Attachment A

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



US Army Corps
of Engineers.

File # SAJ-2010-00057 (GP-DLR)

Attachment B





**Emergency Management Plan &
Proposed Methods for Protection of Water Quality for
Directional Bored Water Crossings
(BMPs and Frac-out Plan)**

BMP's

Florida Public Utilities Company and our contractor will implement the following Best Management Practices (BMP's) to minimize the potential for adverse environmental impacts during Horizontal Directional Drilling (HDD) activities:

- BMP's for erosion control within the staging area shall be implemented and maintained at all times during drilling and back-reaming operations to capture drilling fluids and to prevent siltation and turbid discharges. Methods shall include, but are not limited to the use of bore entrance and exit pits, immediate placement of turbidity screen, silt containment fence, hay bails, earthen berms, etc. to contain the drilling mud. Earthen berms shall not be utilized as to impact wetlands or other surface waters.

Frac-out Plan

To provide an additional level of resource protection, the following measures shall be taken to monitor any potential releases of drilling fluid:

- Measures used to prevent frac-out during the drilling operation include maintaining the proper depth for the soil conditions along the drilling route as well as proper management of drilling fluid circulation and fluid pressure. The minimum depth below the ICWW shall be -49 ft NAVD. This is expected to be sufficient to prevent frac-out when drilling under the ICWW.
- The volume of bentonite in the drill string will be monitored at all times during the directional drilling operation. Should a drop in volume of bentonite occur, measures will be taken as indicated below.
- Florida Public Utilities Company's contractor will identify prior to commencement of construction, an environmental scientist/biologist with experience in water quality monitoring and habitat protection to be used in the event of a frac-out.
- Divers shall be available during the drilling operations in order to respond to a potential frac-out release.
- All drilling fluids associated with the HDD operation will be contained on site. The volume of the drilling fluids recirculation/solids settlement pit will be determined by the Contractor at the pre-construction meeting. Periodically during the drilling process settled solids will be removed from this pit by a backhoe or vac-truck and disposed of at a site of the Contractor's choice in accordance with applicable regulations. At the conclusion of drilling operations, drilling fluid remaining in the pit will be settled and hauled to a disposal site of the Contractor's choice in accordance with applicable regulations.

- At all times, adequate monitoring and protection efforts will be taken to avoid impacts to the Intracoastal Waterway. This shall include, but is not limited to halting of construction/drilling and or placement of turbidity containment devices.
- A Vactor Truck shall be onsite and available at all times.
- A spill kit (i.e., absorbent pads/boom, goggles, gloves, etc.) shall be onsite and available at all times.

The following measures shall be taken should a release occur:

- If a frac-out is confirmed, all construction activity contributing to the frac-out shall cease immediately.
- If the return drilling mud/fluid is less than the projected amount to be recovered, divers shall be deployed to immediately begin their search for the missing material. Once the drilling mud and frac-out is located, then the drilling mud containment plan shall be immediately implemented.

Drilling Mud Containment Plan:

- The Florida Department of Environmental Protection shall be notified immediately (within 2 hours) of the frac-out by telephone.
- If required, the underwater divers will guide a suction hose of the pump to minimize both the removal of natural bottom materials and the disturbance of any existing vegetation.
- Any escaped drilling lubricant must be pumped into filter bags or directly into a vactor truck.
- A barge company will be contacted to transport a vactor truck should it be needed to respond "in water".
- Once the spill is contained, the escaped drilling lubricant shall be properly disposed of in accordance with applicable regulations.
- Clean-up with a vacuum system shall commence within 24 hours.

DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation District IV
Attention: Francis Lewis
District Drainage Engineer
3400 West Commercial Boulevard
Ft. Lauderdale, FL 33309

Permit No: SAJ-1993-31700(IP-GGL)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the Permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The project requires filling approximately 1.6 acres of tidal waters including 0.9 acres of seagrass and 1.51 acres of un-vegetated bottoms in order to construct two bridge abutments, a causeway, and shoreline stabilization in order to replace an existing bridge. The required quantity of fill as rip-rap shoreline stabilization is 5,038 cubic yards, and 17,000 cubic yards of clean fill in order to construct the new bridge abutments and at-grade causeway. In addition 0.03 acres of seagrass will be secondarily impacted by shading resulting from the slightly wider bridge footprint. Approximately 0.13 acres of unvegetated shoreline will be filled with rubble rip rap, placed at a 2:1 slope at the base of the abutment on both the east and west sides of the bridge as scour prevention. The project includes installation of a subaqueous cable under the IWW which is required to operate the new mechanical spans. The cable will be installed by open trench. The stormwater management facility will be upgraded and improved to fully capture, attenuate and treat stormwater runoff in accordance with the 401 WQC. The project will utilize an approximate 6,144 square foot temporary construction access trestle measuring 192-feet by 32-feet, and approximately 5.0 feet above MHW. The project requires utilization of 0.08 in-kind seagrass functional units available at FDOT Snook Island Advance Mitigation Site permitted under SAJ 2011-00033(IP-GGL) in order to offset all of the anticipated loss of functions and services resulting from filling seagrass resources. Portions of the demolished bridge appropriate for use as artificial reef material will be deployed in the Atlantic Ocean at federally approved artificial reef sites authorized under DA permit SAJ-2006-7012 (IP-JWH). The overall bridge structure is regulated by the USCG.

The work described above is to be completed in accordance with the 5 drawings and 5 Attachments affixed at the end of this permit instrument.

1. The time limit for completing the work authorized ends on August 16, 2017. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

PERMIT NUMBER: SAJ 1993-31700 (IP-GGL)
PERMITTEE: FDOT District 4/ Flagler Memorial Bridge Replacement
PAGE 3 of 10

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. Reporting Address: The Permittee shall submit all reports, documentation and correspondence required by the conditions of this permit to the following addresses:

U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, Palm Beach Gardens Regulatory Office, 4400 PGA Boulevard Suite 500, Palm Beach Gardens, FL 33401, Attention: Jose Rivera.

National Marine Fisheries Service nmfs.ser.monitoringreports@noaa.gov

The Permittee shall reference this permit number, SAJ-1993-31700(IP-GGL) on all submittals.

2. Fill Material: The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act. The placement of loose sediments, fill or dredged material occurring other than as designed for the storm protection island system or the compensatory mitigation within the lagoon is specifically prohibited by this authorization.

3. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

4. As-Builts: Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 3) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached

PERMIT NUMBER: SAJ 1993-31700 (IP-GGL)
PERMITTEE: FDOT District 4/ Flagler Memorial Bridge Replacement
PAGE 4 of 10

permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including seagrass impacts, water management structures, and any on-site mitigation areas.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. The depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

5. Regulatory Agency Changes: Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Palm Beach Gardens Regulatory Office.

6. Turbidity Barriers: Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers where needed, depending on construction methodology, with weighted skirts that extend to within one foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.

7. The Permittee shall notify, within 90 days of construction completion, NOAA, Nautical Data Branch N/CS26, Station 7313, 1315 East-West Highway, Silver Spring, MD 20910-3282 so that the navigation charts can be updated. The information to be submitted shall include "as-built plans," signed and sealed by an registered surveyor/engineer licensed in the State of Florida. The signed and sealed plans shall certify that the project is constructed as authorized and must include an accurate (within plus or minus 1 foot) depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.

8. Manatee Conditions: The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – July 2011" provided in Attachment 3 of this permit.

9. Sea Turtle and Smalltooth Sawfish Conditions: The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and provided in Attachment 4 of this permit.

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10. The permittee shall provide 0.08 UMAM seagrass functional units to offset the anticipated unavoidable impacts.

11. The portions of the demolished bridge appropriate for use as artificial reef material may be deployed in the Atlantic Ocean at federally approved artificial reef deployment sites authorized under DA permit SAJ-2006-07012(IP-JWH). All other unsuitable material shall be placed in an approved upland waste facility.

12. Consent to Easement: A portion of the proposed work is located within the Federal right-of-way for the Intracoastal Waterway and requires a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps Real Estate Division for action on the Consent to Easement. Prior to commencement of construction the Permittee shall provide written verification to the Corps that the Consent to Easement has been approved, or is not needed. Failure to obtain a required Consent to Easement invalidates this authorization.

13. The subaqueous cable shall be installed no less than 14-feet below the Congressionally-authorized channel depth of 10-feet.

14. Historic Properties Cultural Resources/Historic Properties: No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Corps. The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

A cultural resources assessment may be required of the permit area, if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work in the vicinity shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist. The Corps shall then notify the appropriate SHPO and THPO(s). Based, on

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the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

If the unlikely event that human remains are encountered on federal or tribal lands, or in situations where Archaeological Resources Protection Act of 1979, or Native American Graves Protection Repatriation Act of 1990 applies, all work in the vicinity shall immediately cease and the Permittee shall immediately notify the Corps. The Corps shall then notify the appropriate THPO(s) and SHPO. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. After such notification, project activities on federal lands shall not resume without written authorization from the Corps, and/or appropriate THPO(s), SHPO, and federal manager. After such notification, project activities on tribal lands shall not resume without written authorization from the appropriate THPO(s) and the Corps.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899
(33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

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- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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*Attachments to Department of the Army
Permit Number SAJ-1993-31700*

1. PERMIT DRAWINGS: 5 pages, dated 5/27/2011(Attachment 1)
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 22 pages (Attachment 2).
3. As-Built form 2 pages (Attachment 3)
4. Manatee in water conditions (Attachment 4)
5. Smalltooth Sawfish and Sea Turtle in water conditions (Attachment 5)

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ATTACHMENT 2



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE PERMIT NO. 50-10051-P**

DATE ISSUED: JUNE 11, 2012

PERMITTEE: FLORIDA DEPARTMENT OF TRANSPORTATION
(SR-A1A FLAGLER MEMORIAL BRIDGE REPLACEMENT)
3400 W COMMERCIAL BOULEVARD,
FT LAUDERDALE, FL 33309

PROJECT DESCRIPTION: CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A BRIDGE REPLACEMENT PROJECT CROSSING THE INTRACOASTAL WATERWAY AND MODIFICATION OF AN EXISTING SOVEREIGN SUBMERGED LANDS EASEMENT.

PROJECT LOCATION: PALM BEACH COUNTY, SECTION 22 TWP 43S RGE 43E

PERMIT DURATION: See Special Condition No.1. Pursuant to Rule 40E-4.321, Florida Administrative Code.

This is to notify you of the District's agency action concerning Permit Application No. 080313-8, dated November 15, 2011. This action is taken pursuant to the provisions of Chapter 373, Part IV, Florida Statutes (F.S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S., between South Florida Water Management District and the Department of Environmental Protection.

Based on the information provided, District rules have been adhered to and an Environmental Resource Permit is in effect for this project subject to:

1. Not receiving a filed request for an administrative hearing pursuant to Section 120.57 and Section 120.569, or request a judicial review pursuant Section 120.68, Florida Statutes.
2. The attached 19 General Conditions.
3. The attached 32 Special Conditions.
4. The attached 4 Exhibits.

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Should you wish to object to the proposed agency action or file a petition, please provide written objections, petitions and/or waivers to:

Elizabeth Veguilla, Deputy Clerk, MSC2440
South Florida Water Management District
Post Office Box 24680
West Palm Beach, FL 33416-4680

Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that the Staff Report, Conditions and Notice of Rights have been mailed to the Permittee (and the persons listed on the attached staff report distribution list) no later than 5:00 p.m. on this 12th day of June, 2012, in accordance with Section 120.60(3), Florida Statutes, and a copy has been filed and acknowledged with the Deputy District Clerk.

By Elizabeth Veguilla
DEPUTY CLERK
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Attachments

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PERMIT NO: 50-10051-P
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SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on June 11, 2017.
2. Operation of the surface water management system shall be the responsibility of the permittee.
3. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
4. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
5. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
6. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
7. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
8. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
9. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
10. The permittee acknowledges that, pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.
11. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
12. The permittee shall comply with applicable state water quality standards including:
 - a)62-302.500 - Minimum criteria for all surface waters at all places and all times;
 - b)62-302.510 - Surface waters: general criteria
 - c)62-302.560 - Class III waters; recreation, propagation and maintenance of a healthy, well balanced population of fish and wildlife;
 - d)62-302.600 - Classified waters.
13. A water quality monitoring program shall be implemented as outlined below:

Turbidity expressed in nephelometric turbidity units (ntu). Background samples shall be taken 500 feet upstream of any

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construction activity within adjacent surface waters. Compliance samples shall be taken 100 feet both upcurrent and downstream. Samples shall be taken twice daily, with at least a four-hour interval, during all work authorized by this permit.

Monitoring shall begin on the first day of construction for all activities within or adjacent to surface waters. The monitoring data must demonstrate that turbidity 100 feet downstream and upstream of all proposed activities is less than or equal to 29 NTU's above natural background turbidity for a period of 7 consecutive days after completion of construction. If monitoring shows such levels to be exceeded, construction shall cease and District compliance staff shall be notified immediately. Work shall not resume until District staff is satisfied that adequate corrective measures have been taken and turbidity has returned to acceptable levels.

All monitoring data shall be maintained on site and be available to District staff during regular business hours. The content of the data shall include:

1) permit and application number; (2) dates of sampling and analysis; (3) statement describing the methods used in collection, handling, storage and analysis of the samples; (4) a map indicating the sampling locations and (5) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

Monitoring reports shall also include the following information for each sample that is taken:

- (a) time of day samples taken;
- (b) depth of water body;
- (c) depth of samples;
- (d) antecedent weather conditions;
- (e) wind direction and velocity;
- (f) direction of tide.

14. Silt screens, hay bales, turbidity screens/barriers or other such sediment control measures shall be utilized during construction. The selected sediment control measures shall be installed prior to the commencement of construction in or adjacent to other surface waters and shall remain in place until all adjacent construction is completed. All areas shall be stabilized immediately after construction to prevent erosion into the surface waters.
15. A turbidity control plan shall be implemented in accordance with Exhibit No. 3. Prior to the commencement of construction in the Intracoastal Waterway, floating turbidity curtains with weighted skirts that extend to the bottom of the Intracoastal Waterway shall be properly installed to isolate adjacent waters from the work area. The floating turbidity curtains shall be maintained and shall remain in place until all construction is complete and turbidity levels in the project area are within 29 NTUs of background levels. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.
16. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands or other surface waters have occurred due to project related activities.
17. The permittee shall utilize the criteria contained in the Debris Containment Plan (Exhibit No. 3) and on the applicable approved construction drawings for the duration of the project's construction activities.
18. Endangered species, threatened species and/or species of special concern have been observed onsite and/or the project contains suitable habitat for these species. It shall be the permittee's responsibility to coordinate with the Florida Fish and Wildlife Conservation Commission and/or the U.S. Fish and Wildlife Service for appropriate guidance, recommendations and/or necessary permits to avoid impacts to listed species.
19. Turbidity barriers shall be monitored at least twice a day, once in the a.m. and again in the p.m. for manatee entanglement or entrapment. If a manatee becomes entrapped within the construction area, the barrier shall be opened

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so the manatee is able to leave the construction area on its own volition. If a manatee becomes entangled, the Florida Fish and Wildlife Conservation Commission should be notified immediately at 1-888-404-FWCC.

20. The permittee shall comply with the following conditions intended to protect manatees and marine turtles from direct project effects:
 - a. All personnel associated with the project shall be instructed about the presence of marine turtles, manatees and manatee speed zones, and the need to avoid collisions with and injuries to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
 - b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
 - c. Siltation or turbidity barriers shall be made of material in which manatees and marine turtles cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee and marine turtle entanglement or entrapment. Barriers must not impede manatee movement.
 - d. All on-site project personnel are responsible for observing water-related activities for the presence of marine turtles and manatee(s). All in-water operations, including vessels, must be shutdown if a marine turtle or manatee(s) comes within 50 feet of the operation. Activities will not resume until the animal(s) have moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the animal(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
 - e. Any collision with or injury to a marine turtle or manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
 - f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads Caution: Manatee Area must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.
21. To reduce the risk of a vessel crushing a manatee, fenders or bouys providing a minimum standoff space of at least four feet under maximum designed compression shall be utilized between two vessels that are moored together.
22. Manatee exclusion grates, tideflex, or duckbilled valves shall be placed across the openings of existing or proposed culverts or pipes that are greater than eight inches but smaller than eight feet in diameter. The installation of these measures applies to any submerged or partially submerged pipes and culverts accessible to manatees during any tidal phase. Permittee shall keep these measures free and clear of debris.
23. Per the provisions of District Permit 50-04766-P, tidal wetlands are being constructed within Snook Island in central Palm Beach County. A total of 0.08 seagrass functional unit of the remaining 2.35 seagrass functional units associated with this offsite wetland mitigation area are being utilized to offset impacts associated with the Flagler Memorial Bridge Replacement project. However, the remaining 2.27 seagrass functional units associated with this offsite mitigation area may be used by the Florida Department of Transportation to offset future permitted wetland impacts.
24. Per concurrent Application No. 111118-17, a mitigation program for the Flagler Memorial Bridge Replacement project shall be implemented in accordance with Exhibit No. 3. All provisions of Permit No. 50-04766-P concerning the

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construction, management, monitoring and maintenance of the offsite mitigation parcel are incorporated into the permit file by reference into this permit.

25. The applicant cannot commence construction of the proposed facilities over sovereign submerged lands until the applicant receives the finalized easement document as issued by the Bureau of State Lands, Florida Department of Environmental Protection.
26. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project construction details and methods indicated on the attached permit Exhibits and described herein.
27. All barge activity shall occur only in areas where at least one-foot bottom clearance is maintained at all times.
28. The permittee has not proposed blasting for this project. If in the future, the permittee determines the need for blasting, permits shall be obtained from the Florida Division of State Fire marshal and the federal Bureau of Alcohol, Tobacco, Firearms and Explosives as necessary. If the permittee changes the proposed project construction methodology to incorporate blasting, a modification to the permit will be required.
29. Prior to construction the permittee shall submit proof of publication to the District documenting notice of agency action in a newspaper having general circulation as defined in Chapter 50 F.S., in the county in which the activity will occur.
30. This permit does not eliminate the need to obtain any and all necessary easements and rights of way prior to the start of any activity approved herein. This permit does not convey to the permittee, or create for the permittee, any property right, or any interest in real property; nor does it authorize any entrance upon, or activities on, property which is not owned or controlled by the permittee; or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
31. Reference is made to Exhibit No. 2, by HDR Engineering, Inc., consisting of drainage plans and detail sheets. The drawings have been signed and sealed by Rohan A. Hameed, P.E., of HDR Engineering, Inc. on June 4, 2012 and have been incorporated in this permit by reference (please see permit file).
32. The authorization for construction of the surface water management system is issued pursuant to the water quality net improvement provisions referenced in Rule Section 40E-4.303(1), Florida Administrative Code; therefore, the state water quality certification is waived.

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ATTACHMENT 3

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Special Projects and Enforcement Branch, Attn: Jose Rivera 4400 PGA Blvd, Ste. 500, Palm Beach Gardens, Florida 33410. If you have questions regarding this requirement, please contact the Special Projects and Enforcement Branch at 561-472-3536.

1. Department of the Army Permit Number: SAJ-1993-31700 (IP-GGL)

2. Permittee Information:

Name _____

Address _____

3. Project Site Identification:

Physical location/address _____

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (Please type)

(FL, PR or VI) Reg. Number

Company Name

Address

City

State

ZIP

(Affix Seal)

Date

Telephone Number

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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ATTACHMENT 4

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

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ATTACHMENT 5



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

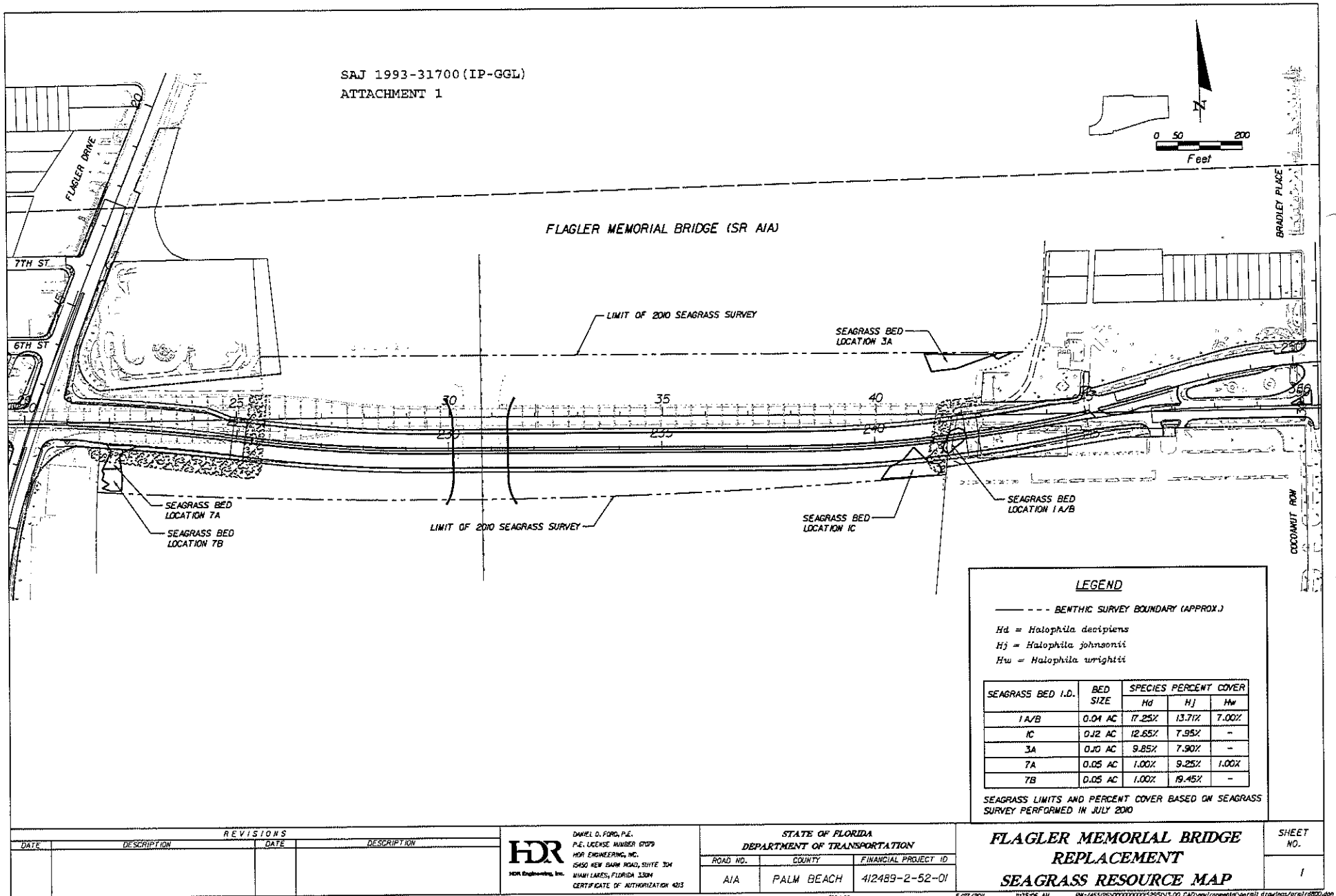
The permittee shall comply with the following protected species construction conditions:

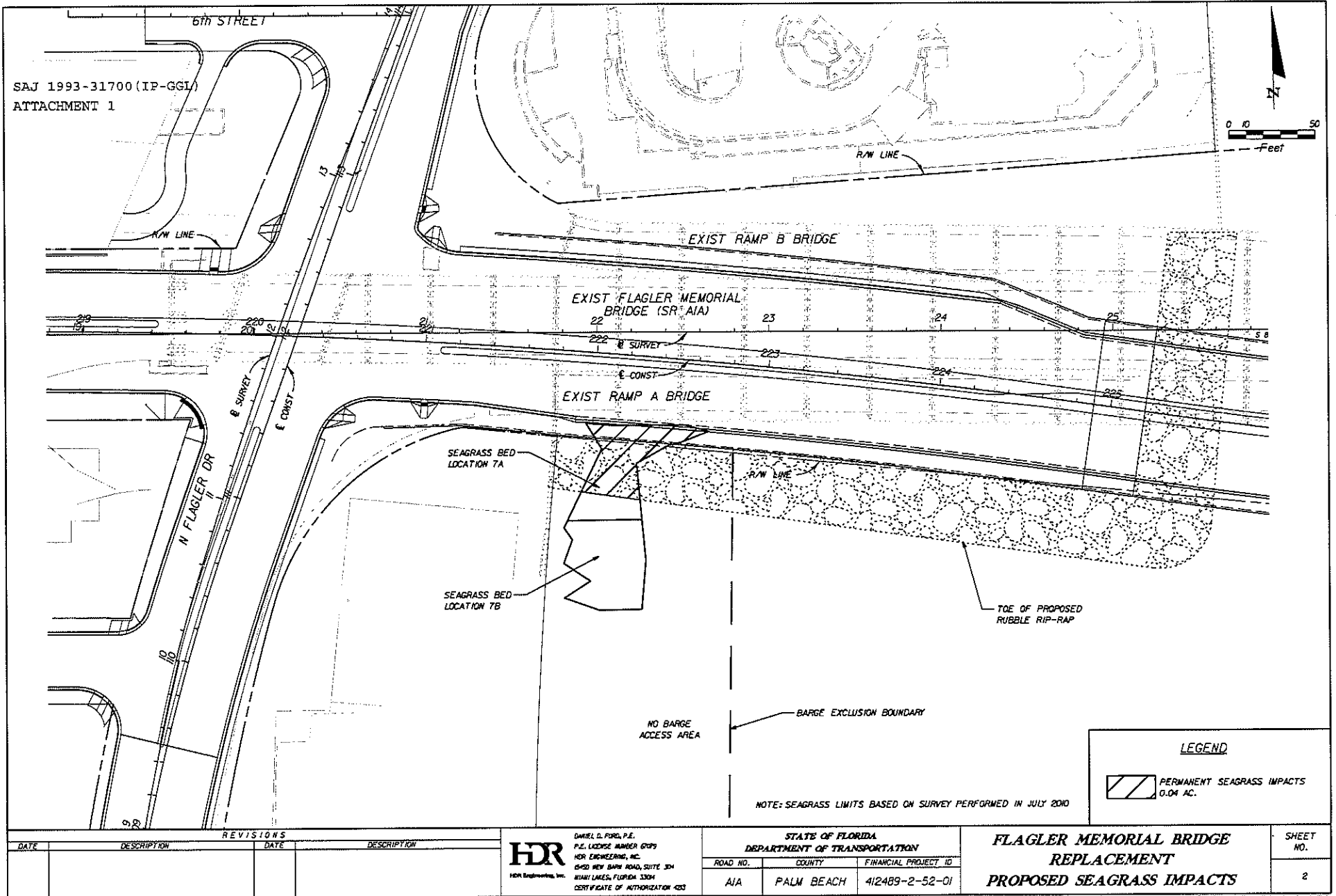
- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

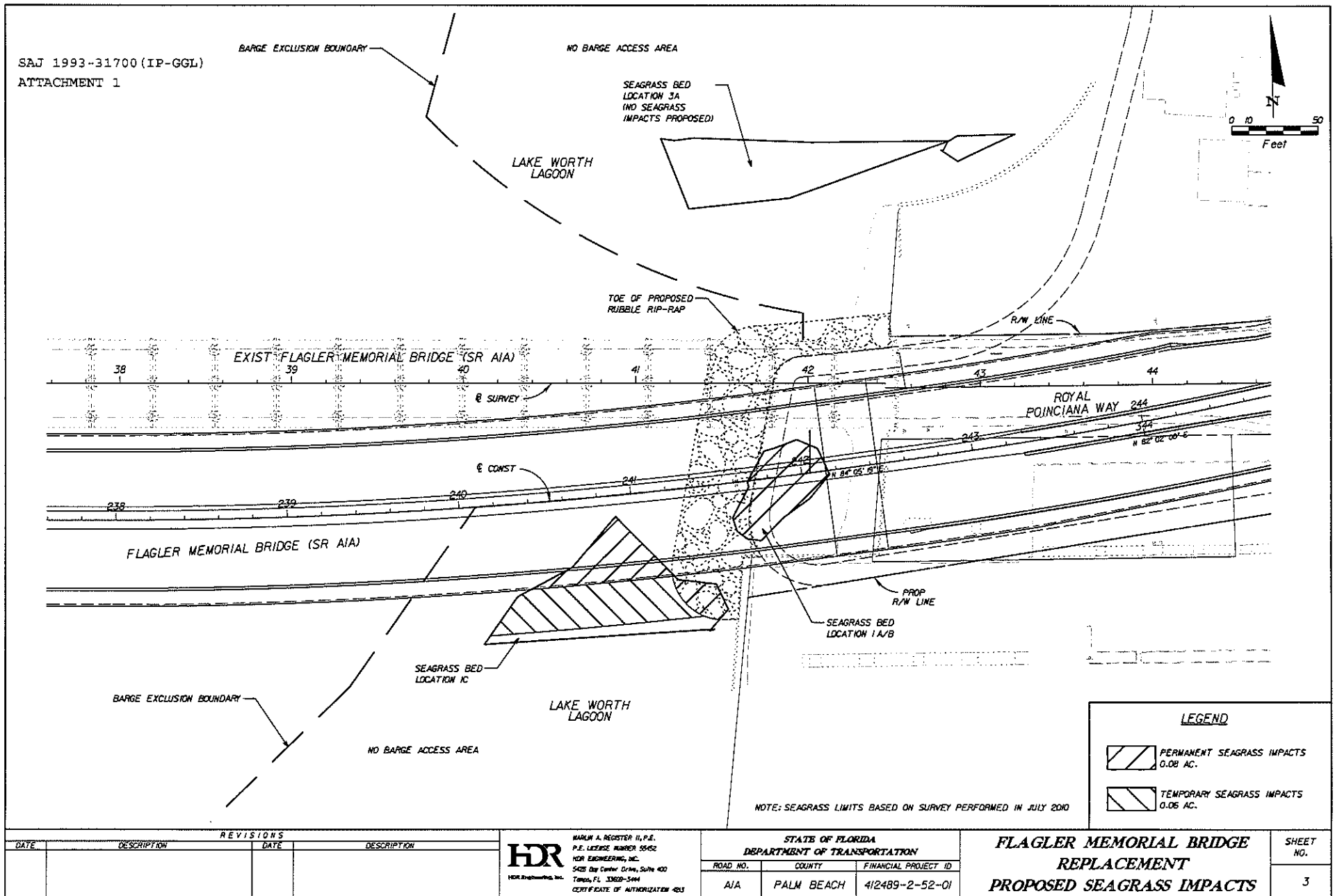
Revised: March 23, 2006

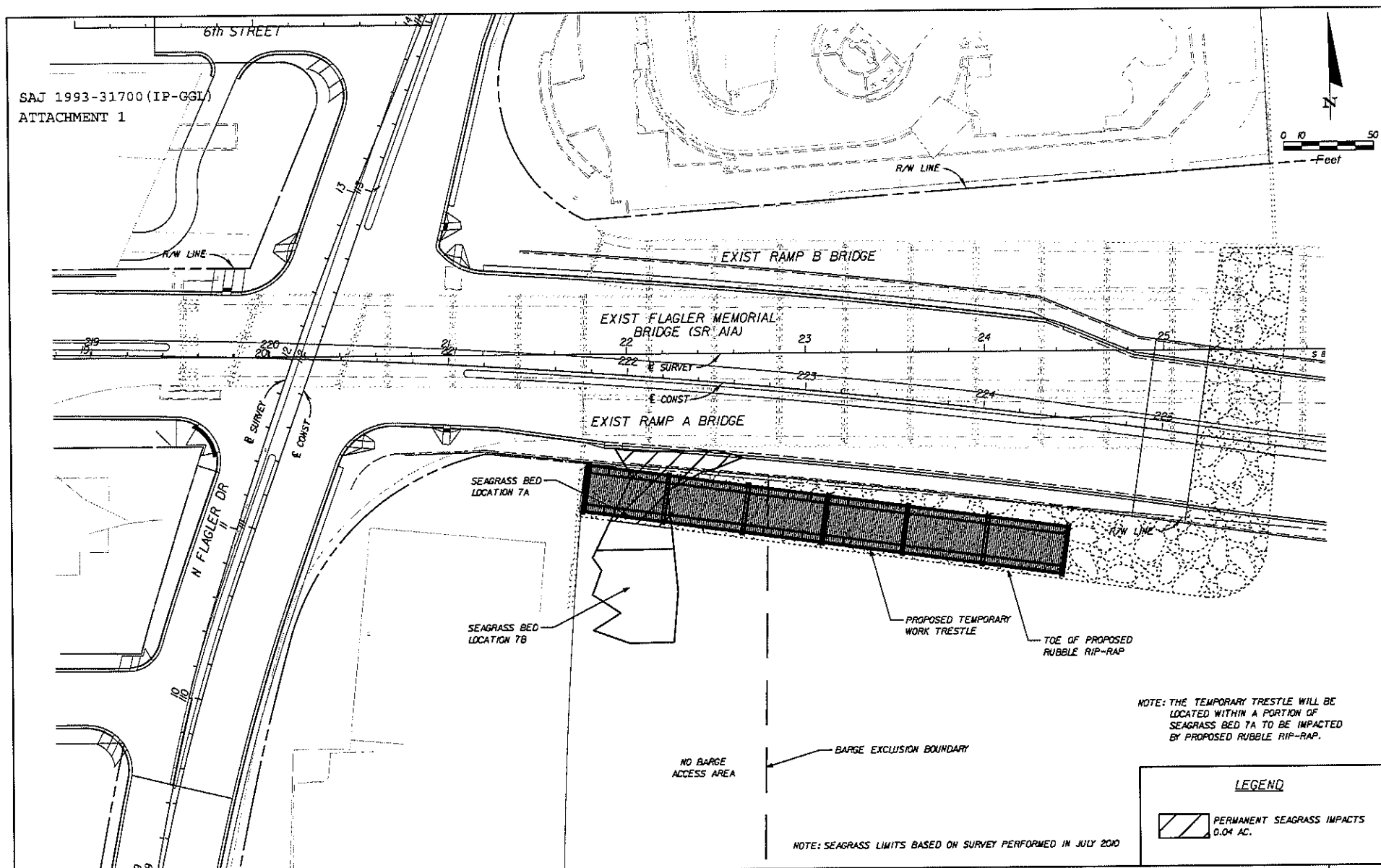
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REVISIONS		DESCRIPTION	
DATE	DESCRIPTION	DATE	DESCRIPTION



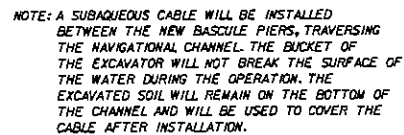
DANIEL D. FORD, P.E.
P.E. LICENSE NUMBER 9709
HDR ENGINEERING, INC.
2500 NEW SHIP ROAD, SUITE 304
MIAMI LAKES, FLORIDA 33194
CERTIFICATE OF AUTHORIZATION 483


STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
A1A	PALM BEACH	412489-2-52-01

**FLAGLER MEMORIAL BRIDGE
REPLACEMENT
PROPOSED WORK TRESTLE**

SHEET
NO.
1



REVISIONS				 DANIEL D. FORD, P.E. P.E. LICENSE NUMBER 5099 HDR ENGINEERING, INC. 6450 NEW GANN ROAD, SUITE 304 MIAMI LAKES, FLORIDA 33094 CERTIFICATE OF AUTHORIZATION #03	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			FLAGLER MEMORIAL BRIDGE REPLACEMENT		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID	PROPOSED SUBAQUEOUS CABLE	5	
					A/A	PALM BEACH	412489-2-52-01			

Crossing # 18



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

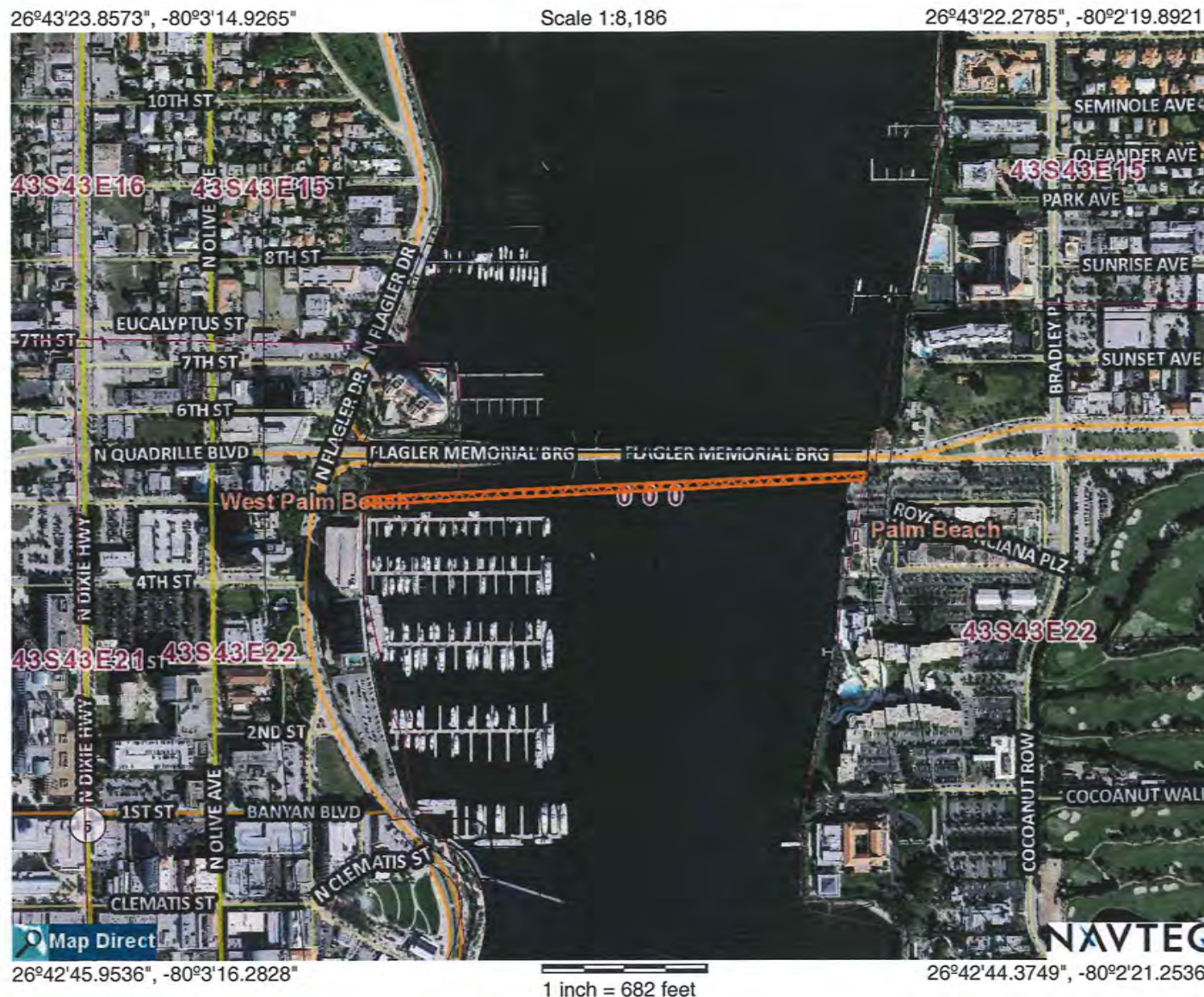
POSSIBLE CROSSING 18-19



Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates
2011-2013



Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 14:11:03 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: ☐ Deed ☐ Lease ☒ Easement ☐ Permit ☐ Management Agreement

☐ Use Agreement ☐ Disclaimer ☐ Quitclaim ☐ Dedication ☐ Release

☐ Acts of Legislation ☐ Other

Instrument Number: 30728

Extension: 000

File Number: 5927

Document Date: 01/17/2006

Consideration: N/A

Water Body: Lake Worth

Reservations / Reverter: N/Y

Submerged Land: ☒ (Y) ☐ (N)

Original County: Palm Beach

Section: 22

Township: 43S

Range: 43E

Total Area / Area Unit: 62,016 (A) Acreage ☒ (S) Square Feet

Comments: BOT File # 500225039



CFN 20070047140
 OR BK 21355 PG 1661
 RECORDED 01/30/2007 09:36:44
 Palm Beach County, Florida
 Sharon R. Bock, CLERK & COMPTROLLER
 Pgs 1661 - 1668; (8pgs)

This Instrument Prepared By:
 Mary K. Thurmond
 Recurring Revenue Section
 Bureau of Public Land Administration
 3900 Commonwealth Boulevard
 Mail Station No. 125
 Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
 OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 10728
 BOT FILE NO. 500245013
 PA NO. 50-0181961-004

(5927-50)

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to the City of West Palm Beach, Florida, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following legal description:

A parcel of submerged land in Section 27,
 Township 43 South, Range 41 East, in Intracoastal Waterway,
 Palm Beach County, as is more particularly described
 and shown on Attachment A, dated July 26, 2002.

TO HAVE THE USE OF the hereinabove described premises from September 26, 2002, the effective date of this easement. The terms and conditions of and for which this easement is granted are as follows:

1. **USE OF PROPERTY:** The above described parcel of land shall be used solely for subaqueous water main and Grantee shall not engage in any activity except as described in the Department of Environmental Protection, Environmental Resource Permit No. 50-01081961-004, dated September 26, 2002, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this easement.
2. **EASEMENT CONSIDERATION:** In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. **WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND:** Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. **RIGHTS GRANTED:** The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. **DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS:** Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. **GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY:** This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. **RIGHT TO INSPECT:** Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.
8. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 180 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs (including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

City of West Palm Beach
1000 45th Street, Suite 15
West Palm Beach, Florida 33407

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. **ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS:** No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. **UPLAND RIPARIAN PROPERTY INTEREST:** During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in Rule 18-21.603, Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Kathy C Griffin
Original Signature
Kathy C Griffin
Print/Type Name of Witness
Lisa Sparkman
Original Signature
Lisa Sparkman
Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY: Jeffery M. Gentry (SEAL)
Jeffery M. Gentry, Operations and Management Consultant
Manager, Bureau of Public Land Administration,
Division of State Lands, Department of Environmental
Protection, as agent for and on behalf of the Board of Trustees of
the Internal Improvement Trust Fund of the State of Florida

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 17th day of January, 2006, by
Jeffery M. Gentry, Operations and Management Consultant, Bureau of Public Land Administration, Division of State
Lands, Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement
Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

Paul L. Hunsicker
DEF Attorney

Kathy C Griffin
Notary Public, State of Florida

Kathy C Griffin
Printed, Typed or Stamped Name

My Commission Expires:

Commission/Serial No. _____

WITNESSES:

Jacqueline A. Schulze
Original Signature
Jacqueline A. Schulze
Typed/Printed Name of Witness
Leila A. Bryon
Original Signature
Leila A. Bryon
Typed/Printed Name of Witness

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 8th day of DECEMBER, 2006, by
Lois J. Frankel as Mayor, for and on behalf of the City of West Palm Beach, Florida. She is personally known to me or who has
produced _____ as identification.

My Commission Expires:

JANUARY 1, 2010
Commission/Serial No. DD468197

City of West Palm Beach, Florida (SEAL)

BY: _____
Original Signature of Executing Authority

Lois J. Frankel
Typed/Printed Name of Executing Authority

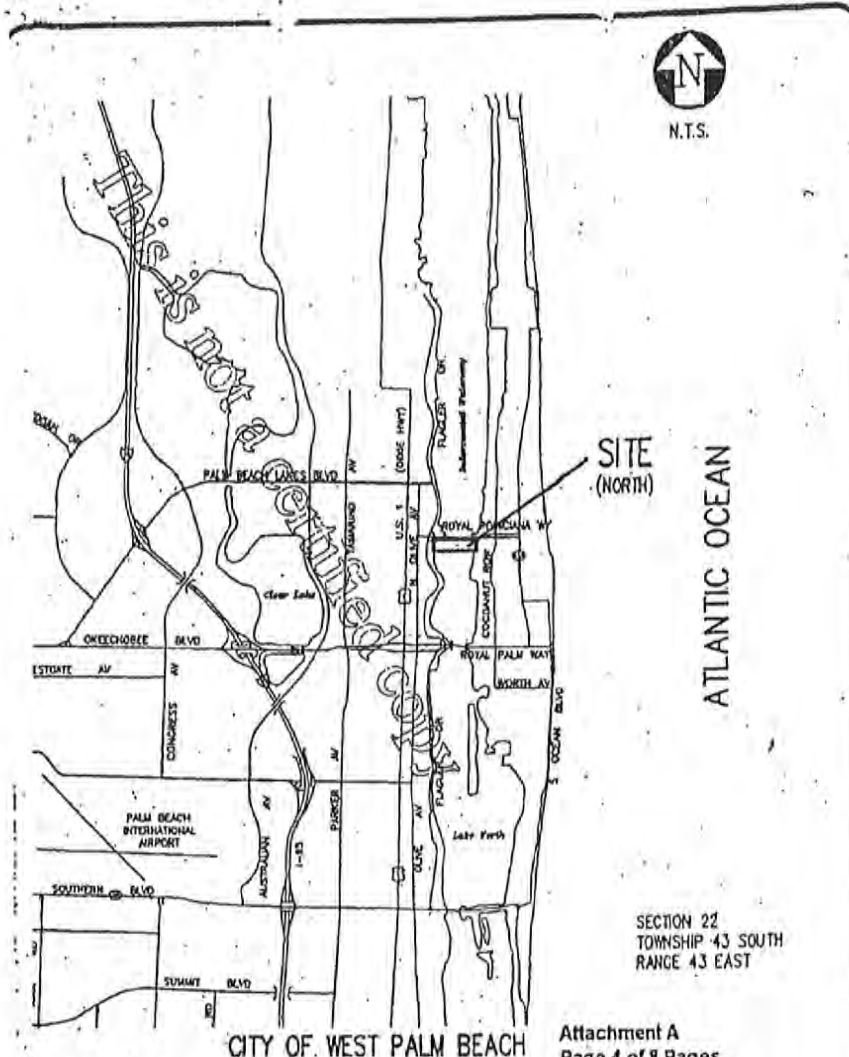
Mayor
Title of Executing Authority

CITY ATTORNEY'S OFFICE
Approved as to form
and legal sufficiency

"GRANTED"
Date: 12/19/06

Blanca A. Soria
Notary Public, State of FLORIDA

Printed, Typed or Stamped Name
Blanca A. Soria
Commission# DD468197
Expires January 1, 2010
Notary Seal Exp. 1/1/10



SECTION 22
TOWNSHIP 43 SOUTH
RANGE 43 EAST

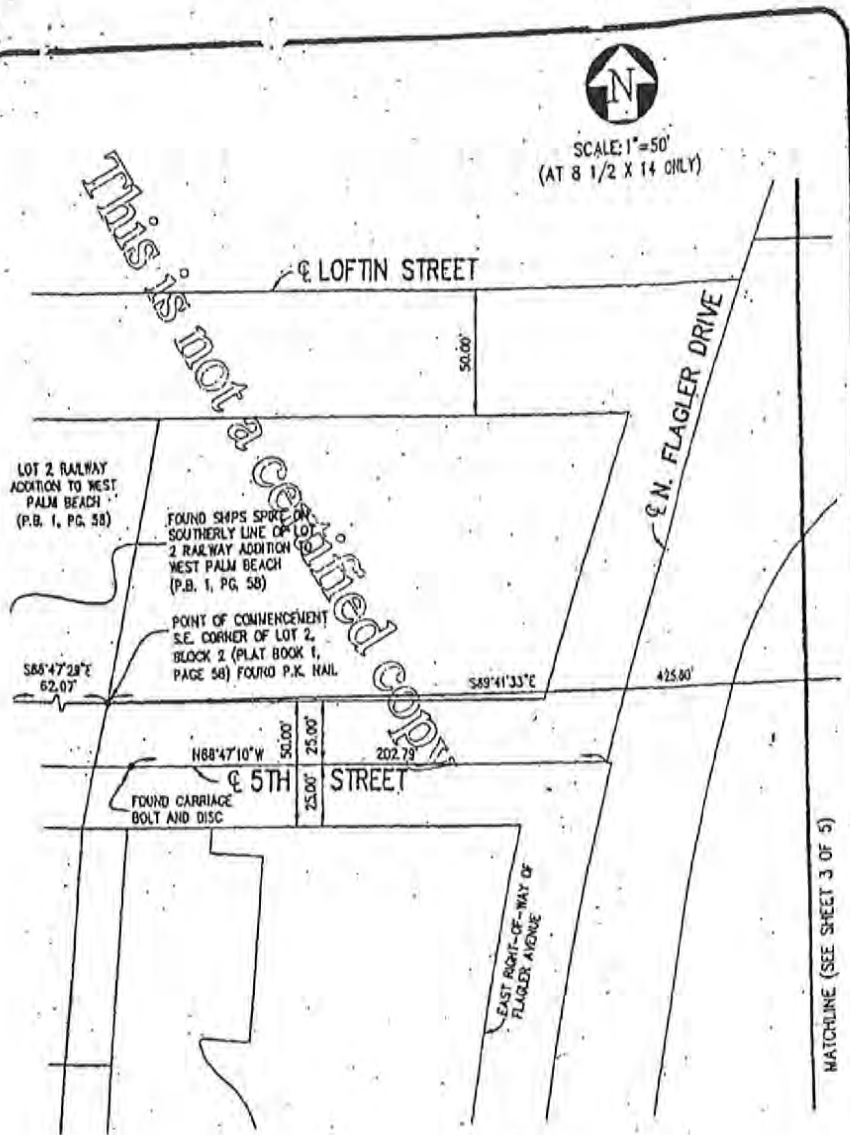
Attachment A
Page 4 of 8 Pages
Easement No. 30728

LEGAL DESCRIPTION FOR SUBMERGED LAND LEASE

A PART OF THE SOVEREIGN LANDS OF THE STATE OF FLORIDA THAT LIE WITHIN LAKE WORTH AND BEING, A 30 FOOT WIDE STRIP OF LAND LYING IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 2 OF THE PLAT OF RAILWAY ADDITION TO WEST PALM BEACH AS RECORDED IN PLAT BOOK 1, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RUN S89°41'33"E A DISTANCE OF 425.80 FEET TO THE POINT OF BEGINNING. (THE CENTERLINE OF 5TH STREET IS TAKEN AS BEING N88°47'10"W AND ALL OTHER BEARINGS ARE RELATIVE THERETO) RUN THENCE N88°42'03"E A DISTANCE OF 2068.57 FEET; THENCE S11°26'38"W A DISTANCE OF 30.76 FEET; THENCE S88°42'03"W A DISTANCE OF 2065.83 FEET; THENCE N06°21'59"W A DISTANCE OF 30.27 FEET TO THE POINT OF BEGINNING.
SAID PART OF SOVERIGN LANDS CONTAINING 62,016 SQUARE FEET.

BOUNDARY SURVEY OF SUBMERGED LANDS

TOWN OF PALM BEACH- LEASE 2	
DATE: N.T.S.	FIELD BOOK N°
APPROVED BY: STAFF	SHEET: 1 / 5
CREATED BY: G. RAYMAN	JOB N°
DATE: 07/26/2002	FLORIDA R.L.S. # 152633
	



Attachment A
Page 5 of 8 Pages
Easement No. 30728

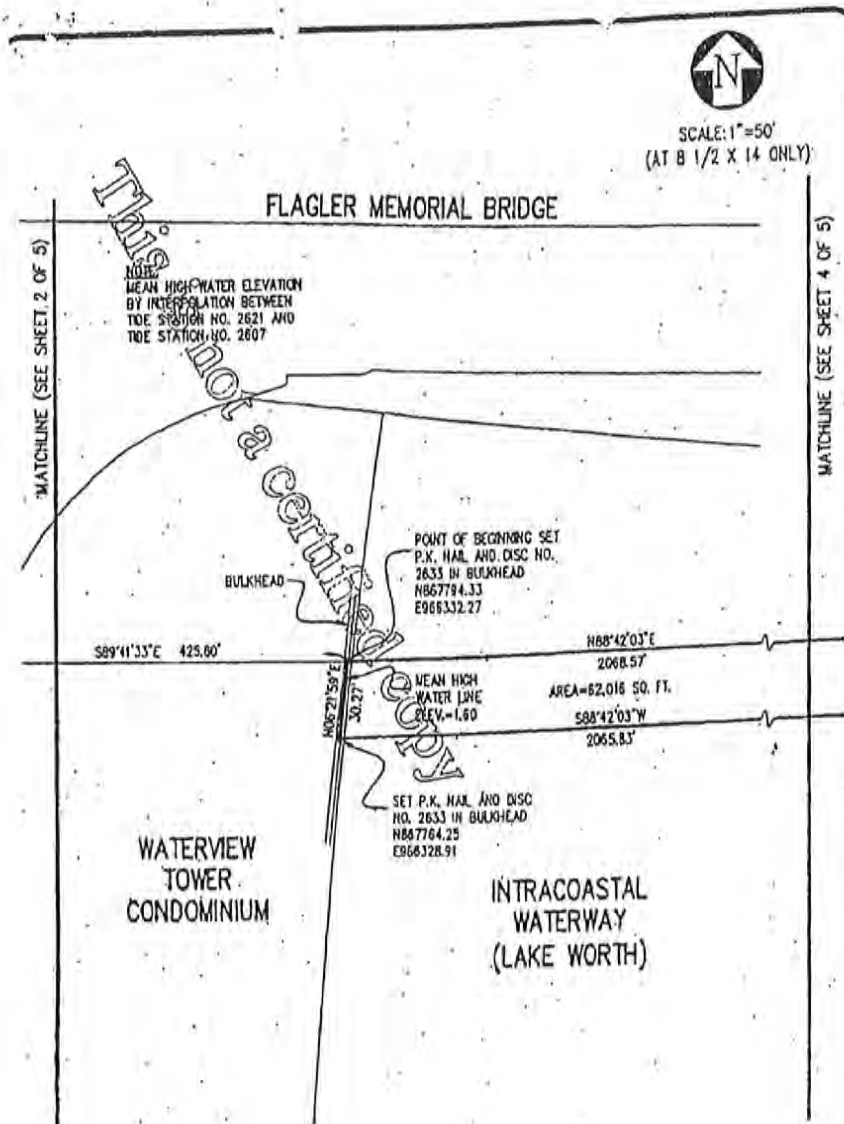
BOUNDARY SURVEY OF SUBMERGED LANDS.

RE: TOWN OF PALM BEACH- LEASE 2.

SCALE: 1" = 50 FT.
DRAWN BY: STAFF
CHECKED BY: G. RAYMAN
DATE: 07/28/2002

SFRW
Engineers • Surveyors • Mappers
1801 BELLEVILLE BLVD., WEST PALM BEACH, FLORIDA 33409
TEL: (561) 868-1101 • FAX: (561) 868-6300 • WWW.SFRW.COM

FIELD BOOK NO. SHEET: 2 / 5
JOB NO. 99520.02
FLORIDA S.L.S. # 15268



NOTE:

COORDINATES SHOWN HEREON ARE BASED UPON THE
FLORIDA STATE PLANE COORDINATE SYSTEM- TRANSVERSE
MERCATOR- FLORIDA EAST ZONE, 1983 PROJECTION WITH
THE NAD1990 ADJUSTMENT. SCALE FACTOR=1.0000513

Attachment A
Page 6 of 8 Pages
Easement No. 30728

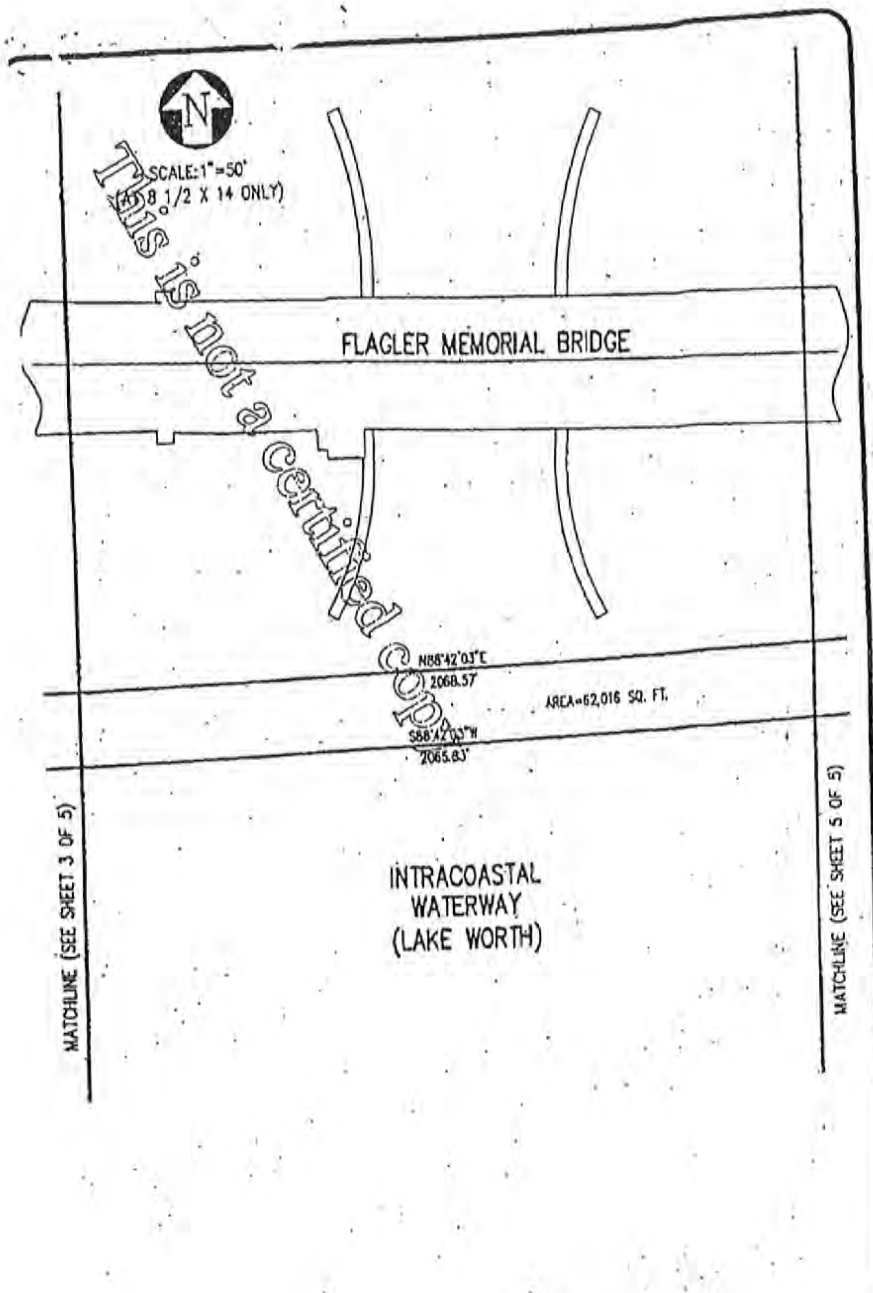
BOUNDARY SURVEY OF SUBMERGED LANDS

TOWN OF PALM BEACH- LEASE 2

SCALE: 1" = 50 FT.
DRAWN BY: STAFF
CHECKED BY: G. RAYMAN
DATE: 07/26/2002

SPN
Engineers • Surveyors • Mappers
1305 BELLEVILLE ROAD, WEST PALM BEACH, FLORIDA 33411
TEL: (561) 968-1121 • FAX: (561) 968-1390 • WWW.SPNSURV.COM

FIELD BOOK NO. SHEET: 3 / 5
JOB NO. 99520.02
FLORIDA B.L.S. 132033



Attachment A
Page 7 of 8 Pages
Easement No. 30728

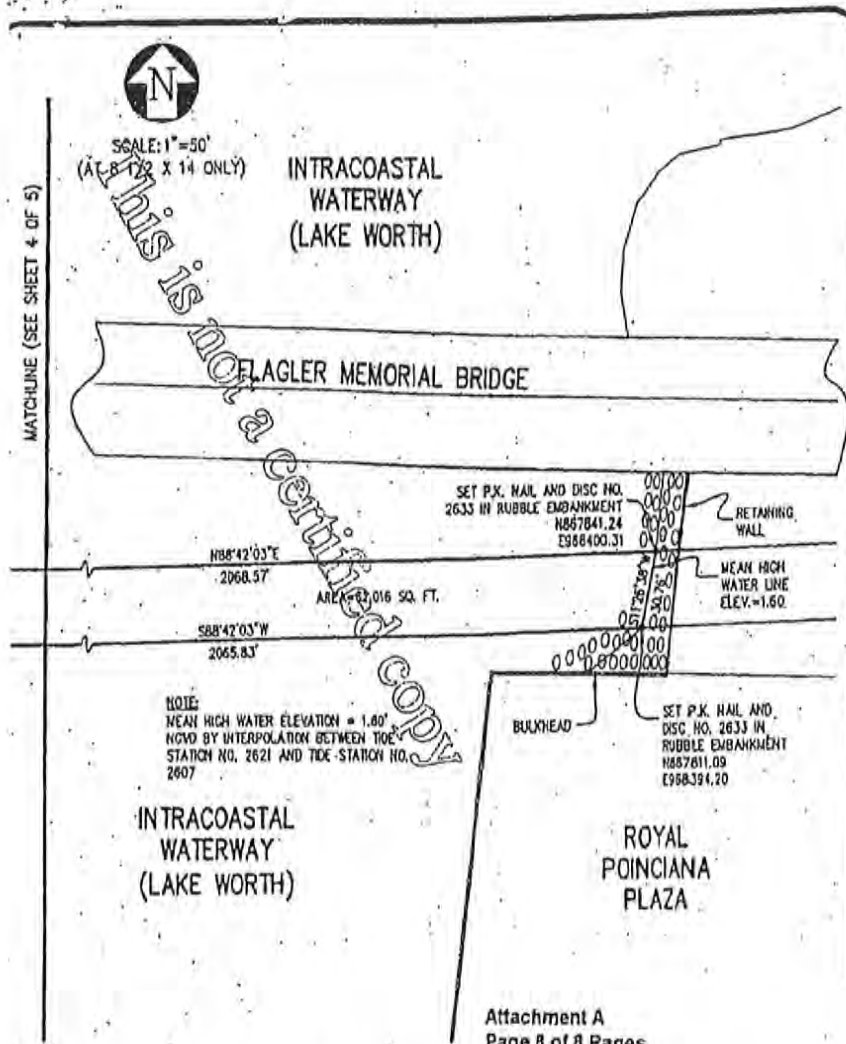
BOUNDARY SURVEY OF SUBMERGED LANDS

TOWN OF PALM BEACH- LEASE 2

DATE: 07/26/2002
SCALE: 1" = 50 FT.
DRAWN BY: STAFF
SKETCHED BY: C. RAYMAN

SPRN
Engineers • Surveyors • Mappers
FOR BOUNDARY TOTAL STATION SURVEY, FLORIDA 3540
P.O. BOX 1000 - PALM BEACH, FLORIDA 33402

FIELD BOOK NO. SHEET: 4 / 5
JOB NO. 99520.02
FLORIDA R.L.S. SOCIETY



Attachment A
Page 8 of 8 Pages
Easement No. 30728

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

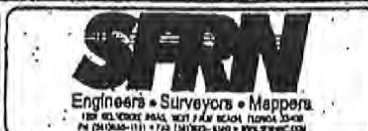
- NOTE:**
1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
 2. THE SURVEY IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.
 3. THIS SURVEY IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.

Gary M.F. Rayman
GARY M.F. RAYMAN P.S.M. #132633
STATE OF FLORIDA

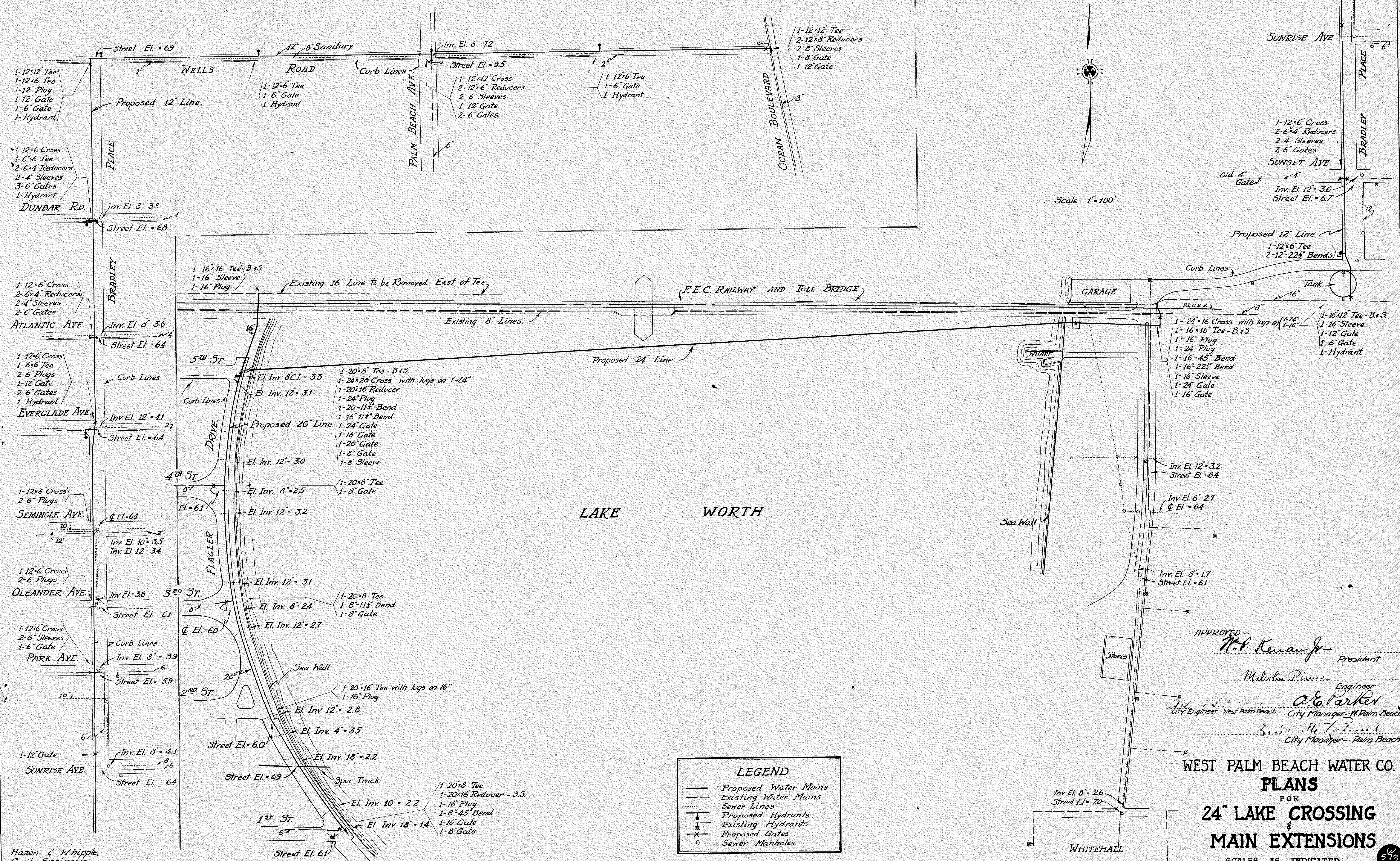
BOUNDARY SURVEY OF SUBMERGED LANDS

TOWN OF PALM BEACH- LEASE 2

SCALE: 1" = 50 FT.
DRAWN BY: STAFF
CHECKED BY: G. RAYMAN
DATE: 07/26/2002



FIELD BOOK NO. SHEET: 5 / 5
JOB NO. 99520.02
FLORIDA P.L.S. #132633

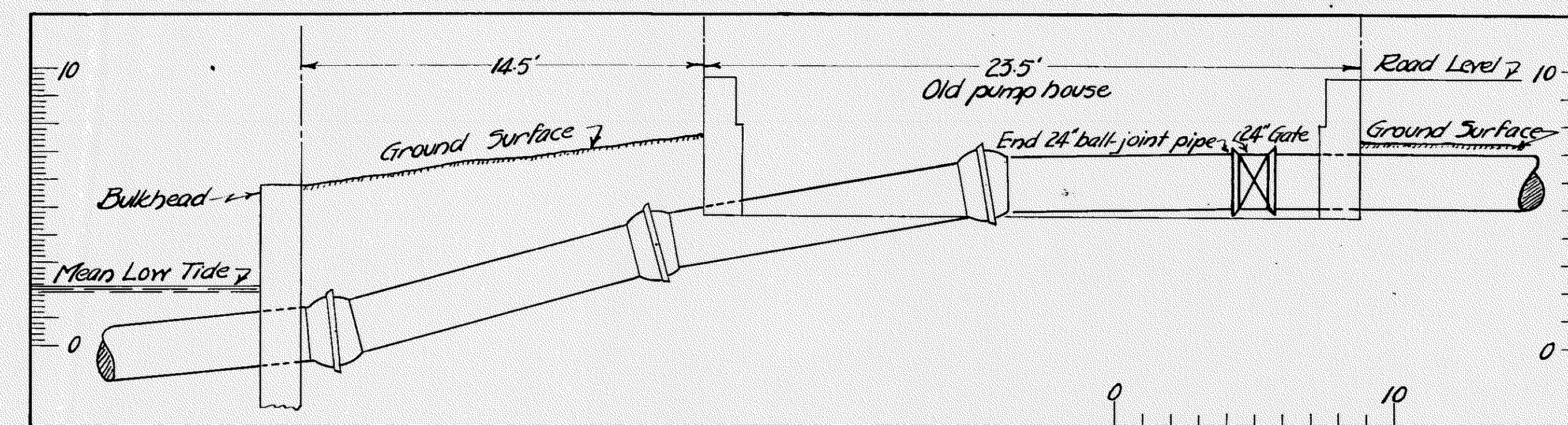
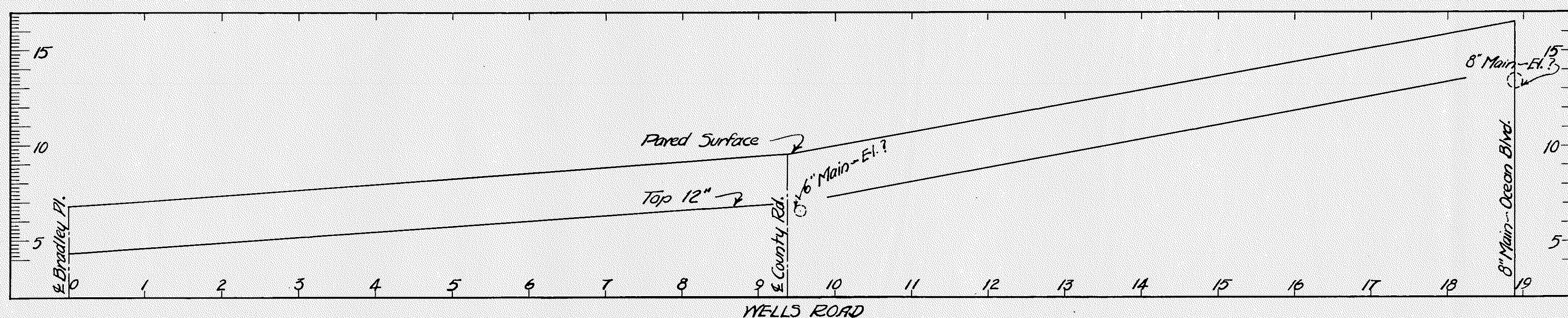
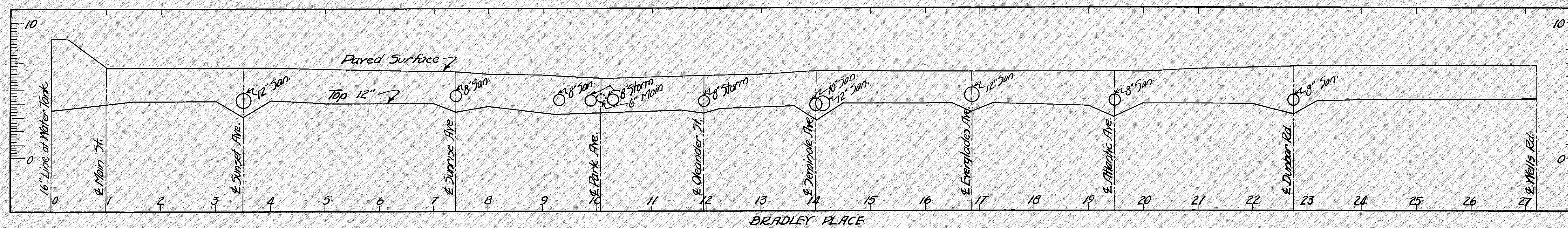


Hazen & Whipple,
Civil Engineers,
25 W 43rd St, NYC,
May 16-1927

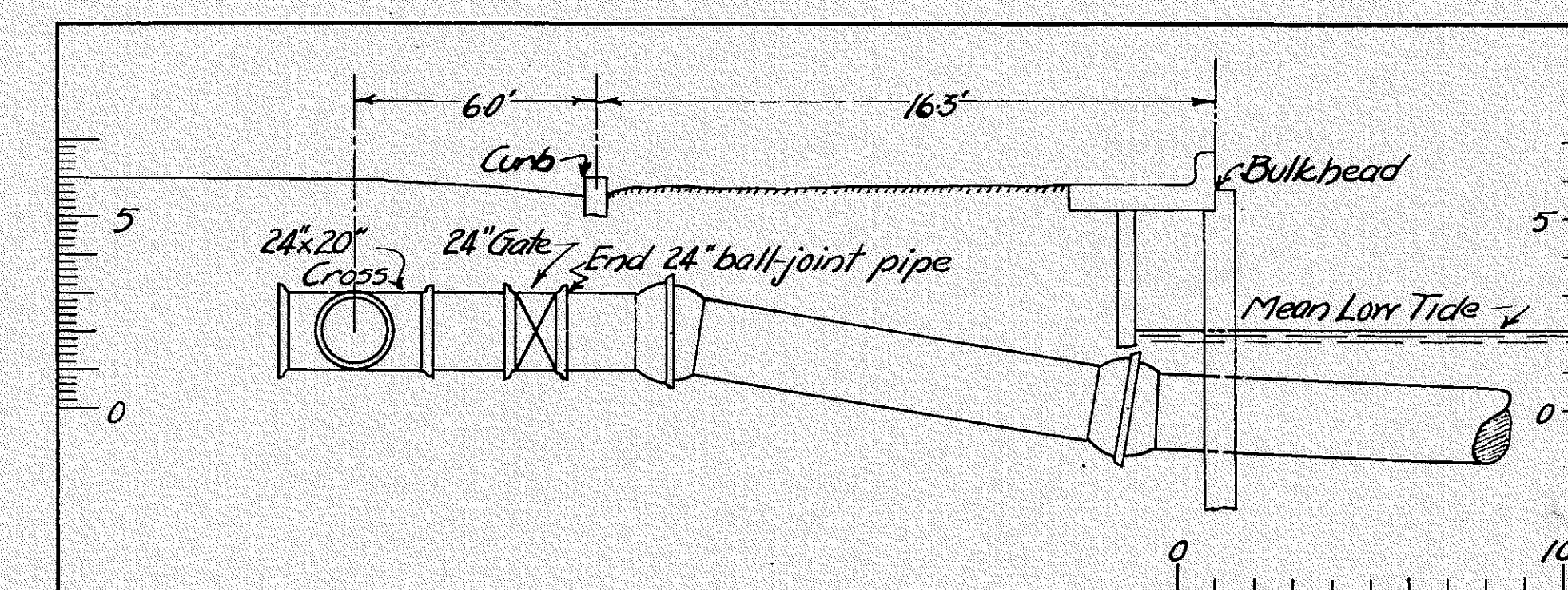
APPROVED -
H. P. Kemmer President
Malcolm Pirnie Engineer
A. C. Parker City Engineer West Palm Beach
City Manager - West Palm Beach
City Manager - Palm Beach

WEST PALM BEACH WATER CO.
PLANS
FOR
24" LAKE CROSSING
&
MAIN EXTENSIONS
SCALES AS INDICATED

APPROVAL No 4 A.



The diagram is a cross-section of the Lake Worth Crossing. The vertical axis on the left and right indicates depth in feet, ranging from 0 to -30. The horizontal axis at the bottom is labeled 'LAKE WORTH CROSSING' and is numbered from 0 to 22. At the top, a dashed line represents the 'Mean Low Tide' and a solid line represents the 'West Palm Beach City Datum'. A vertical line labeled 'LINE "A"' is positioned at station 10. The channel is defined by a solid line labeled 'Channel' and a dashed line labeled 'Invert 24"'. The channel bed is composed of various materials: 'Muck' (stippled), 'Sand' (dotted), 'Rock' (cross-hatched), and 'Shell' (small circles). The channel is flanked by 'Bulkhead' structures at stations 0 and 22. The channel bed is generally deeper than the surrounding areas, with a significant dip at station 15. The channel is flanked by 'Bulkhead' structures at stations 0 and 22. The channel bed is generally deeper than the surrounding areas, with a significant dip at station 15.



DETAIL WEST END LAKE CROSSING

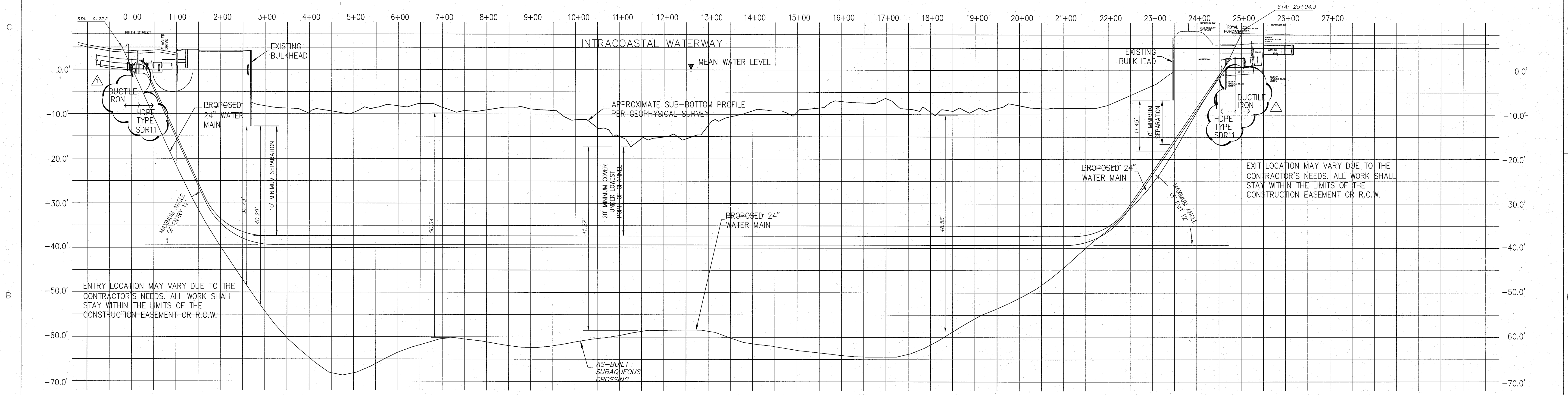
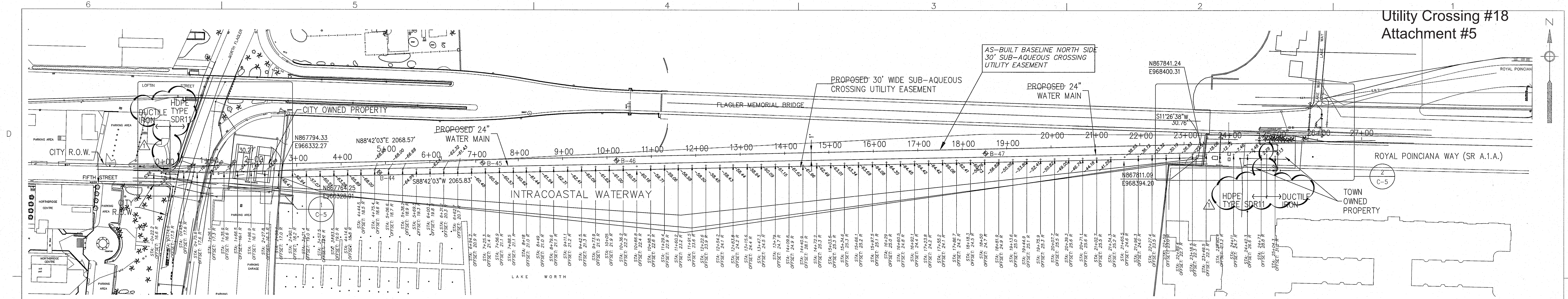
City Engineer - West Palm Beach
A. E. Parker
City Manager - W. Palm Beach

City Manager - Palm Beach

SCALES AS INDICATED

Approval No 4 B

Utility Crossing #18
Attachment #5



AS-BUILT LEGEND:
- STA: 17+88.2 R - RECORD SURVEY STATION AND OFFSET
- OFFSET: 24.2 R - RECORD SURVEY ELEVATIONS

PROJ: 25686TBP CROSSING C-3TBP002_8
MM/AMW
APRIL 23, 2002

REVISIONS	DESCRIPTIONS
4/30/03 MM AM	REVISED PER CITY COMMENTS
1/6/03 MM AM	REVISED PER HEALTH DEPARTMENT COMMENTS

M&E Metcalf & Eddy
301 CLEMATIS STREET, SUITE 200
WEST PALM BEACH, FLORIDA 33401
(561) 833-8340
CERTIFICATE OF AUTHORIZATION NO. 00000921

DATE: _____
JULES J. AMENO, JR.
PROFESSIONAL CIVIL ENGINEER
FLORIDA PROFESSIONAL LICENSE NO. 31049

DRAWN BY
M. MONTANES

DEPT. CHECK

PROJ. CHECK

SCALE:
1" = 100'
SCALE HORIZONTAL FEET

1" = 10'
SCALE VERTICAL FEET

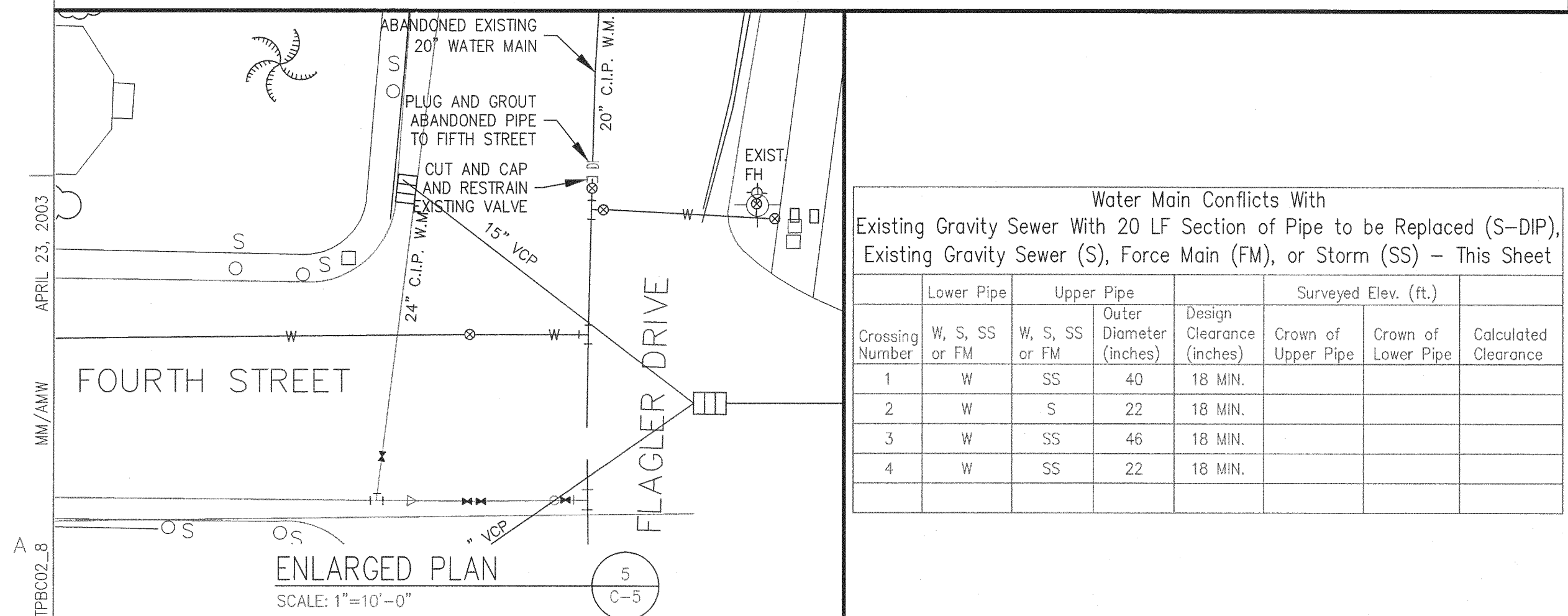
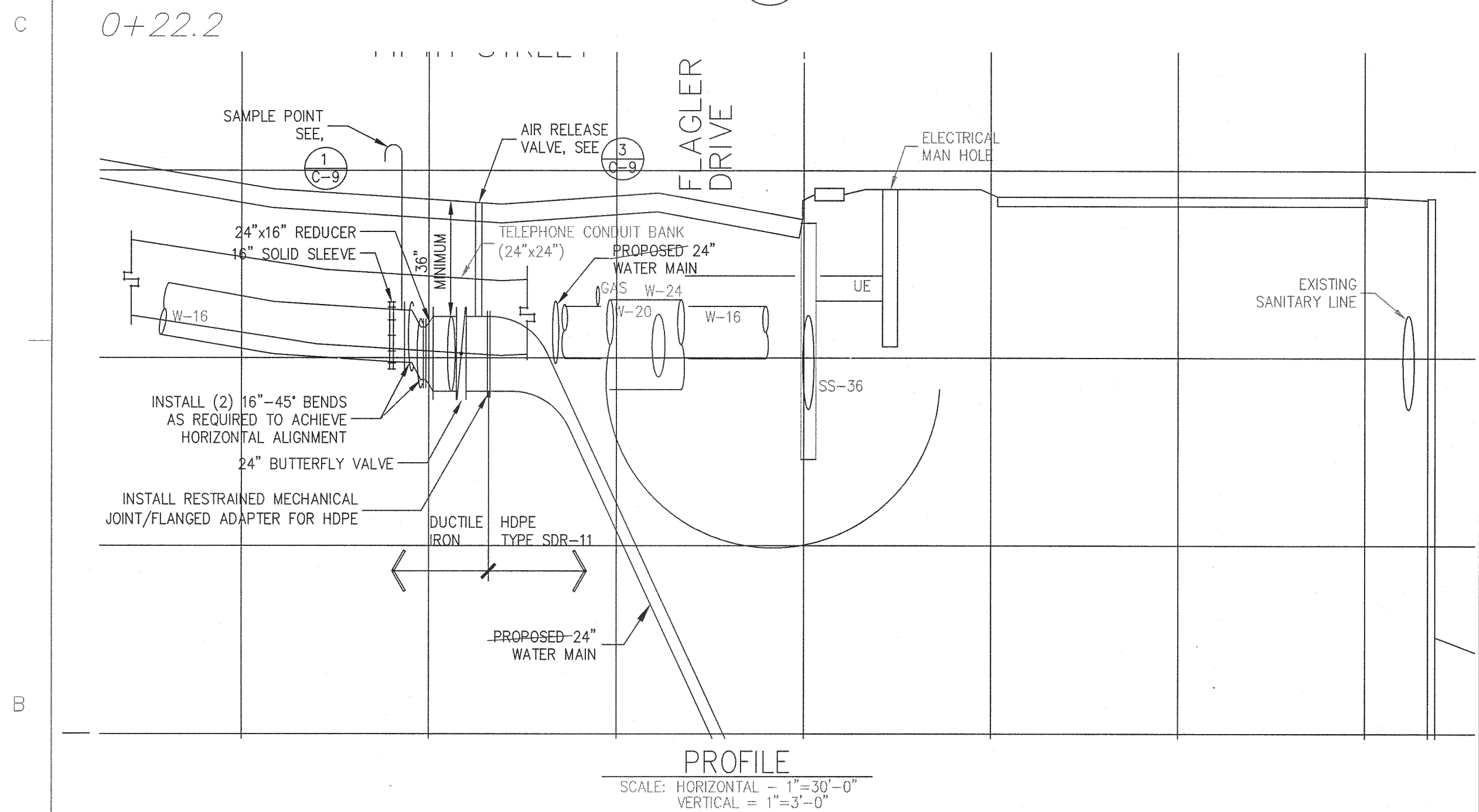
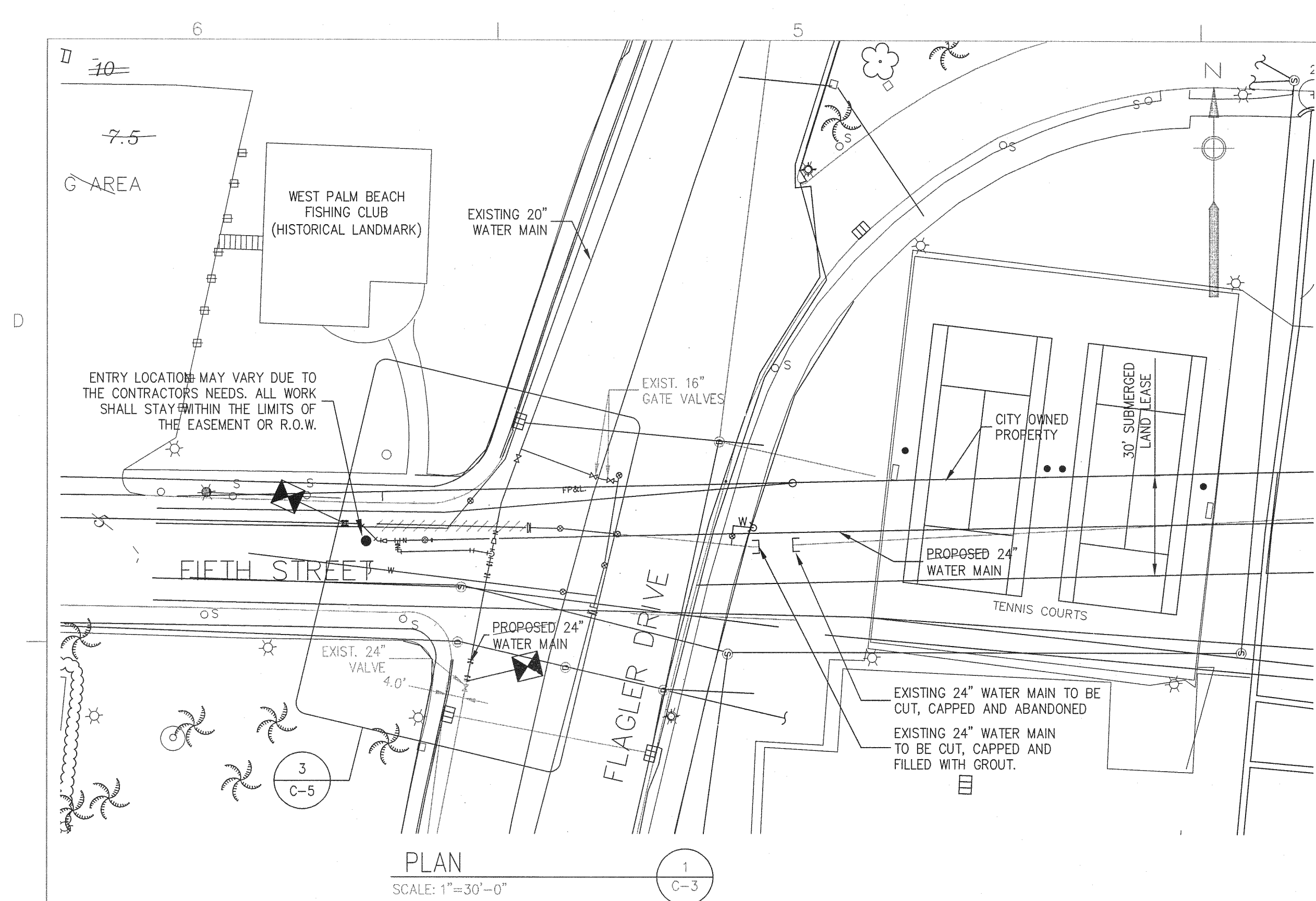
UNLESS OTHERWISE NOTED OR CHANGED BY REPRODUCTION

PUBLIC UTILITIES DEPARTMENT
CITY OF WEST PALM BEACH, FLORIDA
TOWN OF PALM BEACH WATER MAINS
PROJECT #00662335

FLAGLER SUBAQUEOUS CROSSING
PLAN AND PROFILE RECORD SURVEY
CIVIL

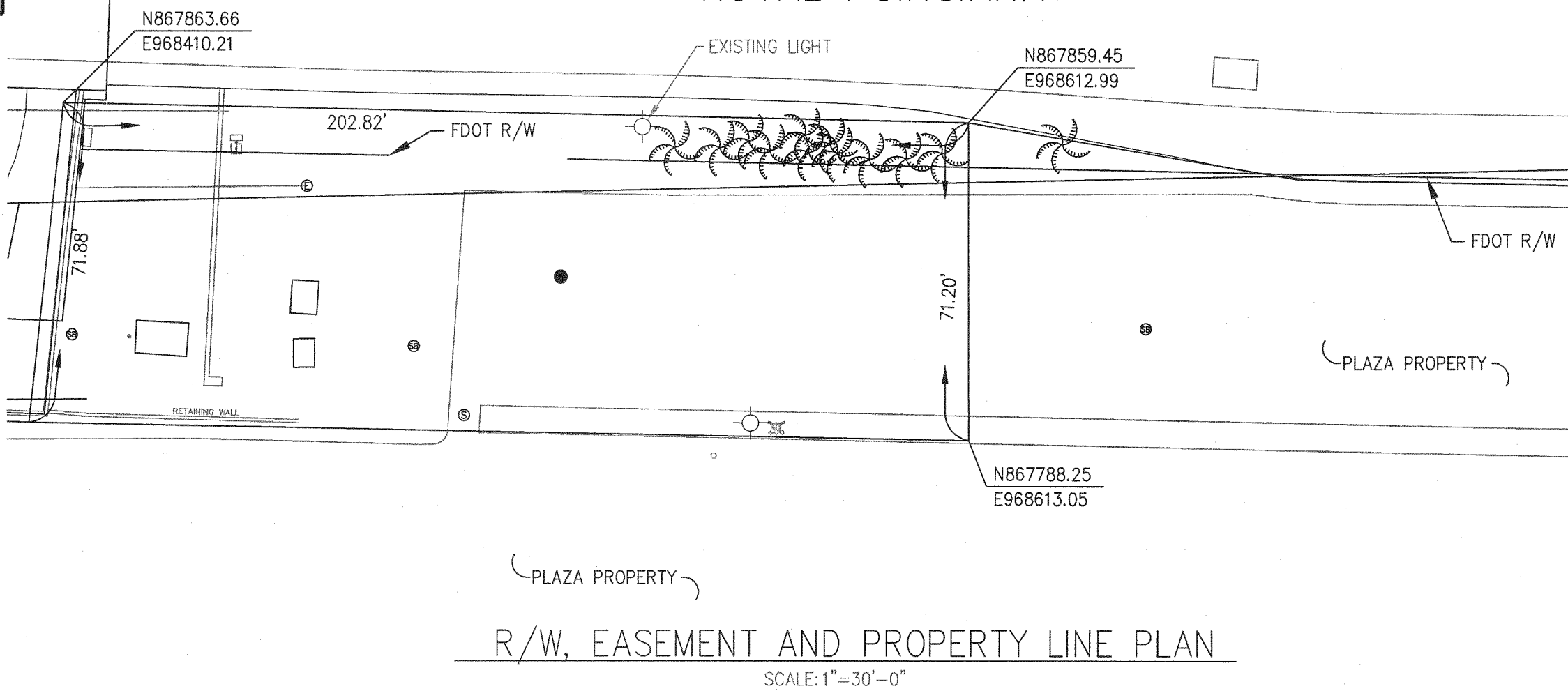
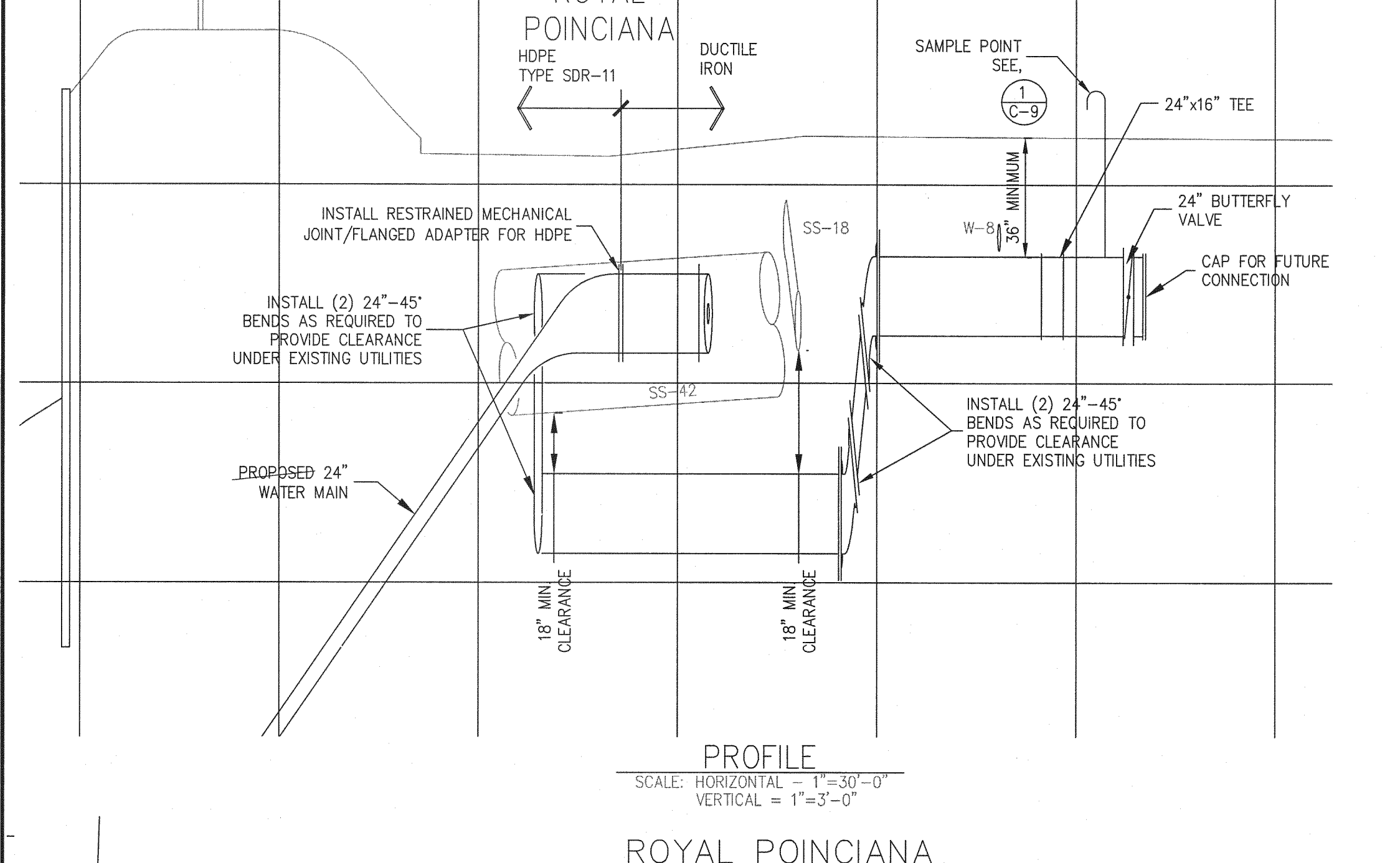
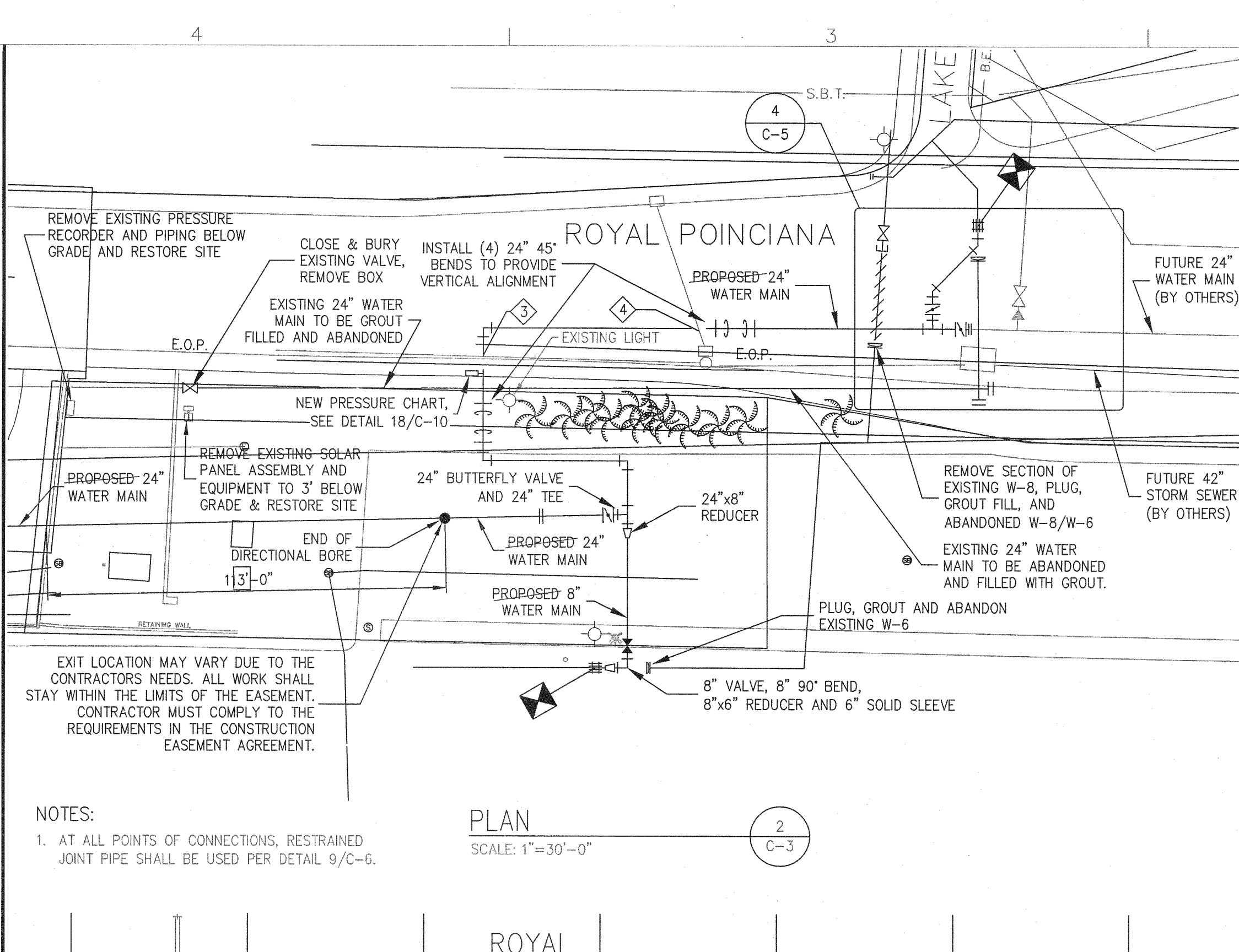
A874 / DIRECTIONAL BORE / A-B

JOB NO. 025686
FILE LOCATION PROJ\25686TBP\CROSSING
CADD FILE C3TBP002_8
SHEET C-3



Water Main Conflicts With				
Existing Gravity Sewer (S), Force Main (FM), or Storm (SS) - This Sheet				
Crossing Number	Lower Pipe	Upper Pipe	Design Clearance (inches)	Surveyed Elev. (ft.)
1	W	SS	40	18 MIN.
2	W	S	22	18 MIN.
3	W	SS	46	18 MIN.
4	W	SS	22	18 MIN.

DATE	MADE BY	CHECKED BY	DESCRIPTIONS
4/30/03	MM	AM	REVISED PER CITY COMMENTS
12/11/02	MM	AM	REVISED PER HEALTH DEPT. COMMENTS

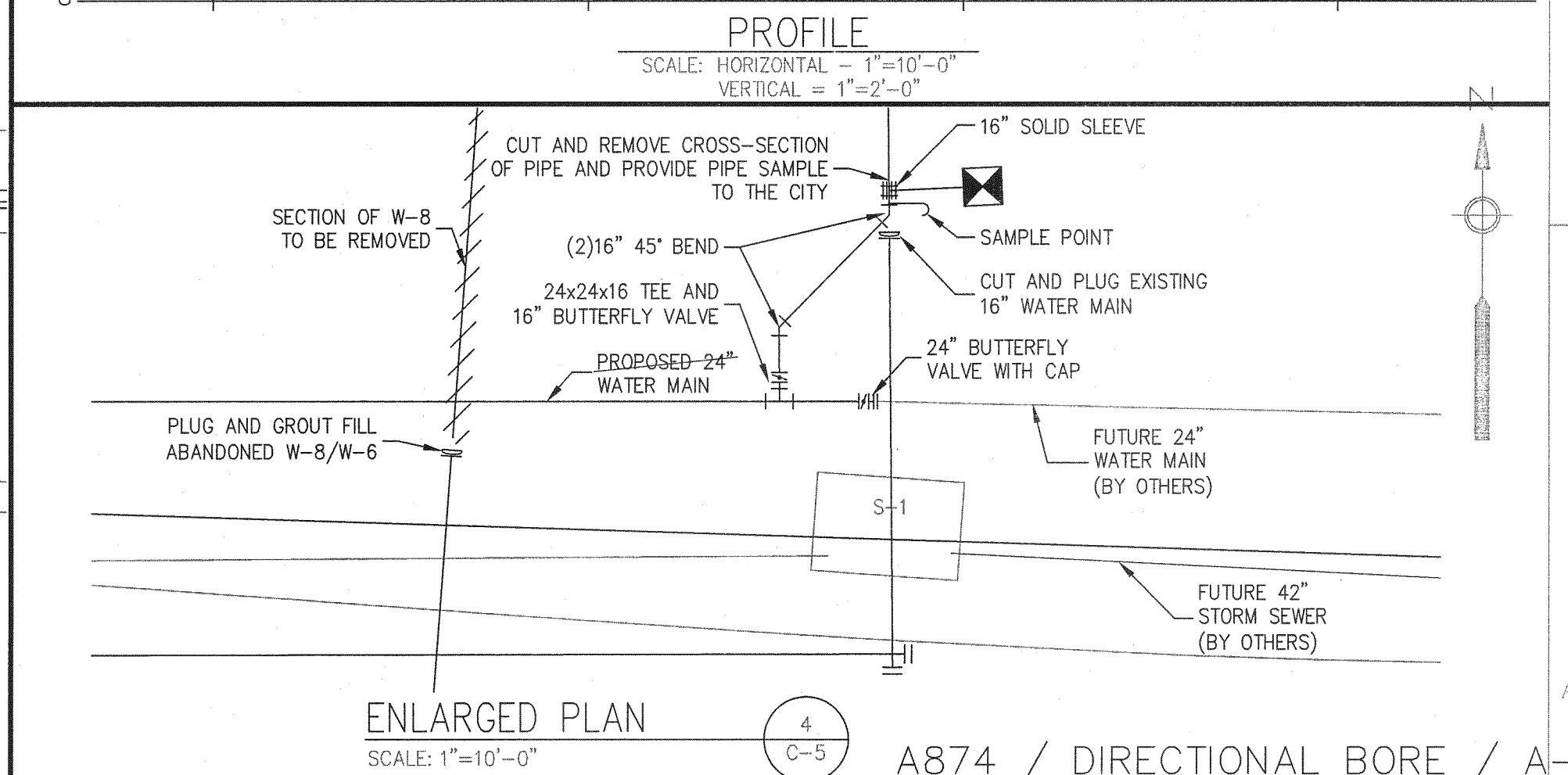
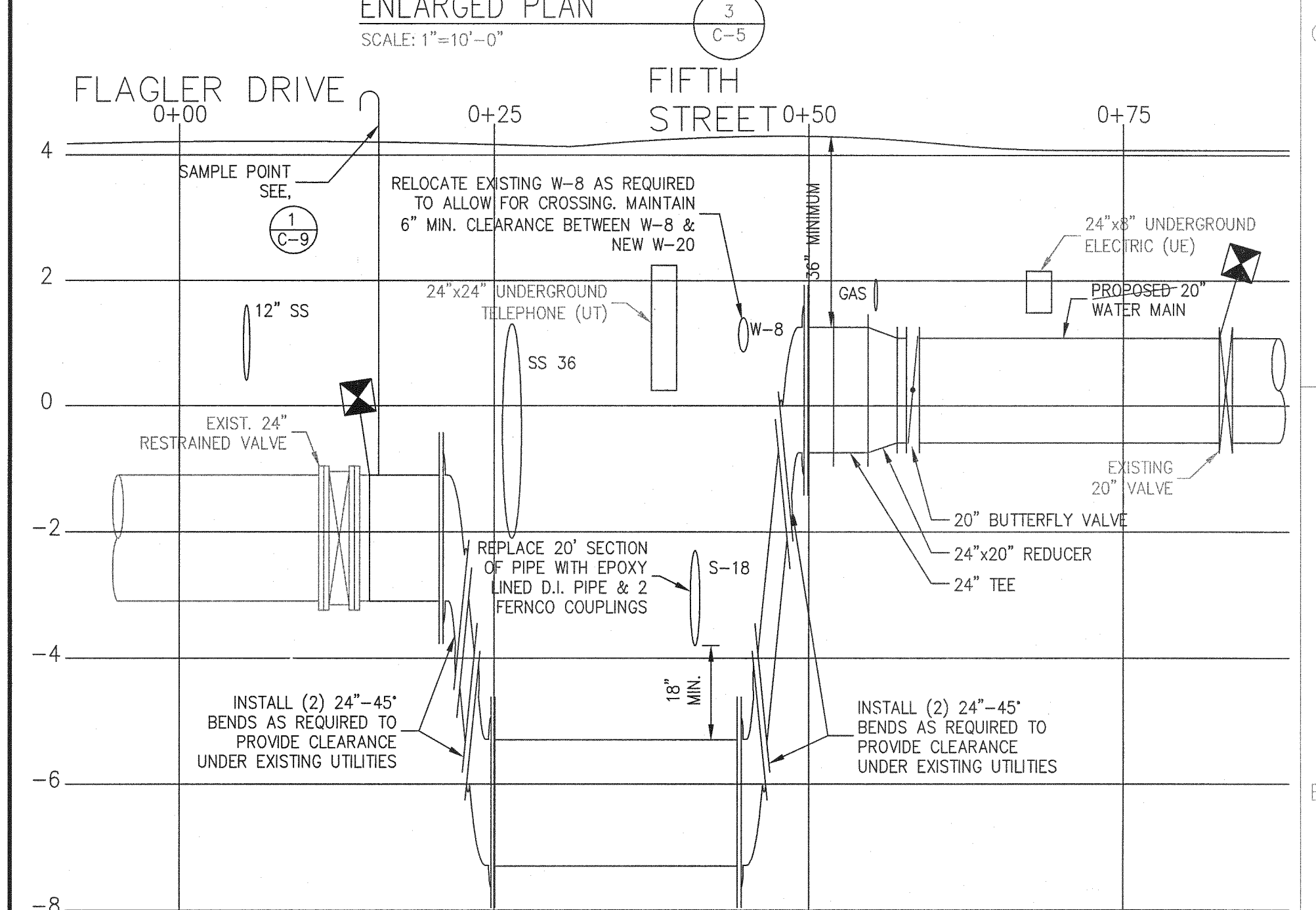
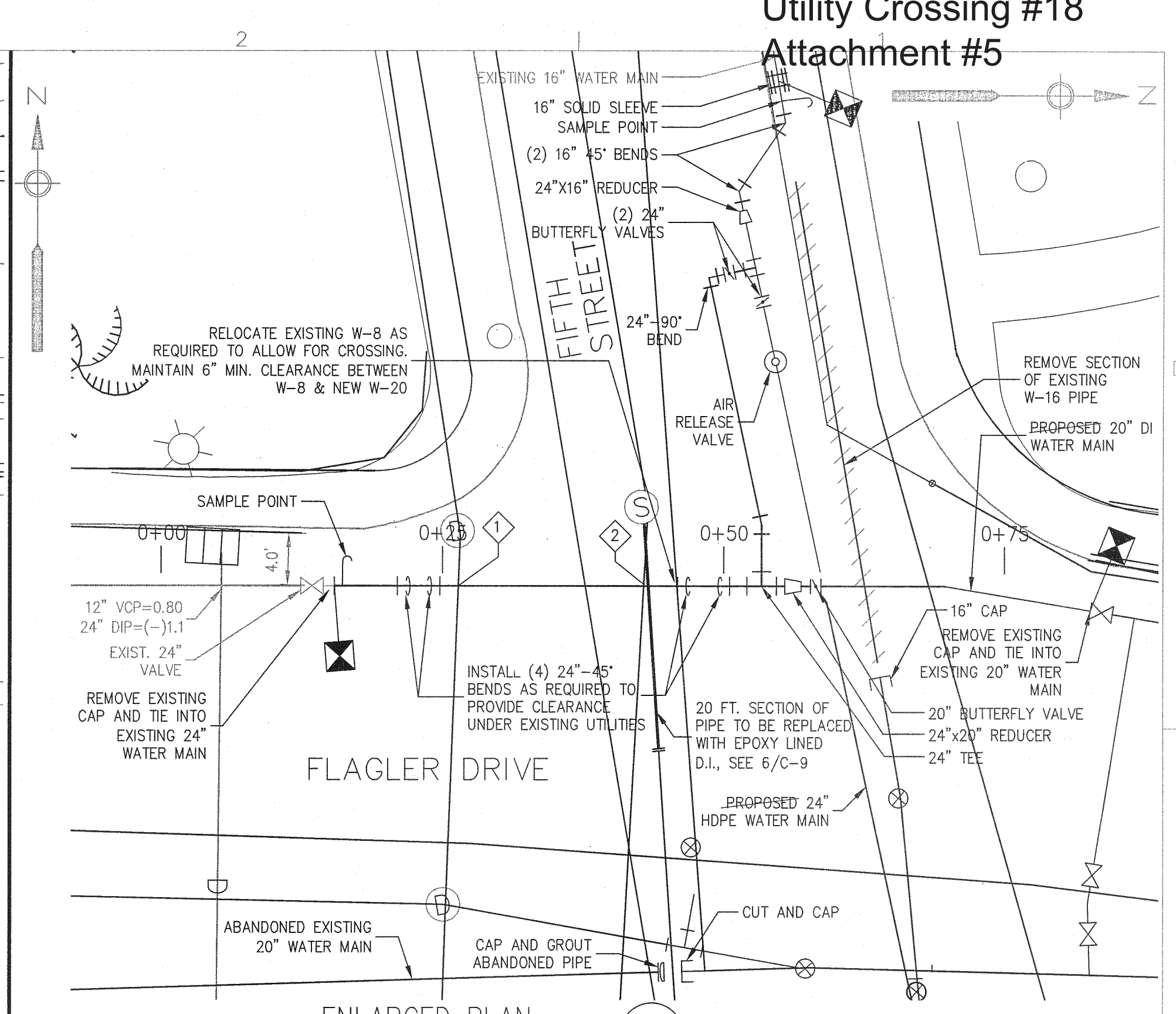


M&E Metcalf & Eddy
301 CLEMATIS STREET, SUITE 200
WEST PALM BEACH, FLORIDA 33401
(561)833-8340 CERTIFICATE OF AUTHORIZATION NO. 00000821

DATE: JULES J. AMENO, JR.
PROFESSIONAL CIVIL ENGINEER
FLORIDA PROFESSIONAL LICENSE NO. 31049

DRAWN BY: M. MONTANTES
DEPT. CHECK:
PROJ. CHECK:

SCALE: 1" = 30'
SCALE: 1" = 3'
SCALE: 1" = 10'
SCALE: 1" = 2'



UTILITY UTILITIES DEPARTMENT
CITY OF WEST PALM BEACH, FLORIDA
TOWN OF PALM BEACH WATER MAINS
PROJECT #00662335

FLAGLER SUBAQUEOUS CROSSINGS
PLAN AND PROFILE RECORD SURVEY

DATE: 4/30/03
MADE BY: MM
CHECKED BY: AM
DESCRIPTIONS: REVISED PER CITY COMMENTS

DATE: 12/11/02
MADE BY: MM
CHECKED BY: AM
DESCRIPTIONS: REVISED PER HEALTH DEPT. COMMENTS

SCALE: 1" = 30'
SCALE: 1" = 3'
SCALE: 1" = 10'
SCALE: 1" = 2'

Crossing # 19 - 20



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

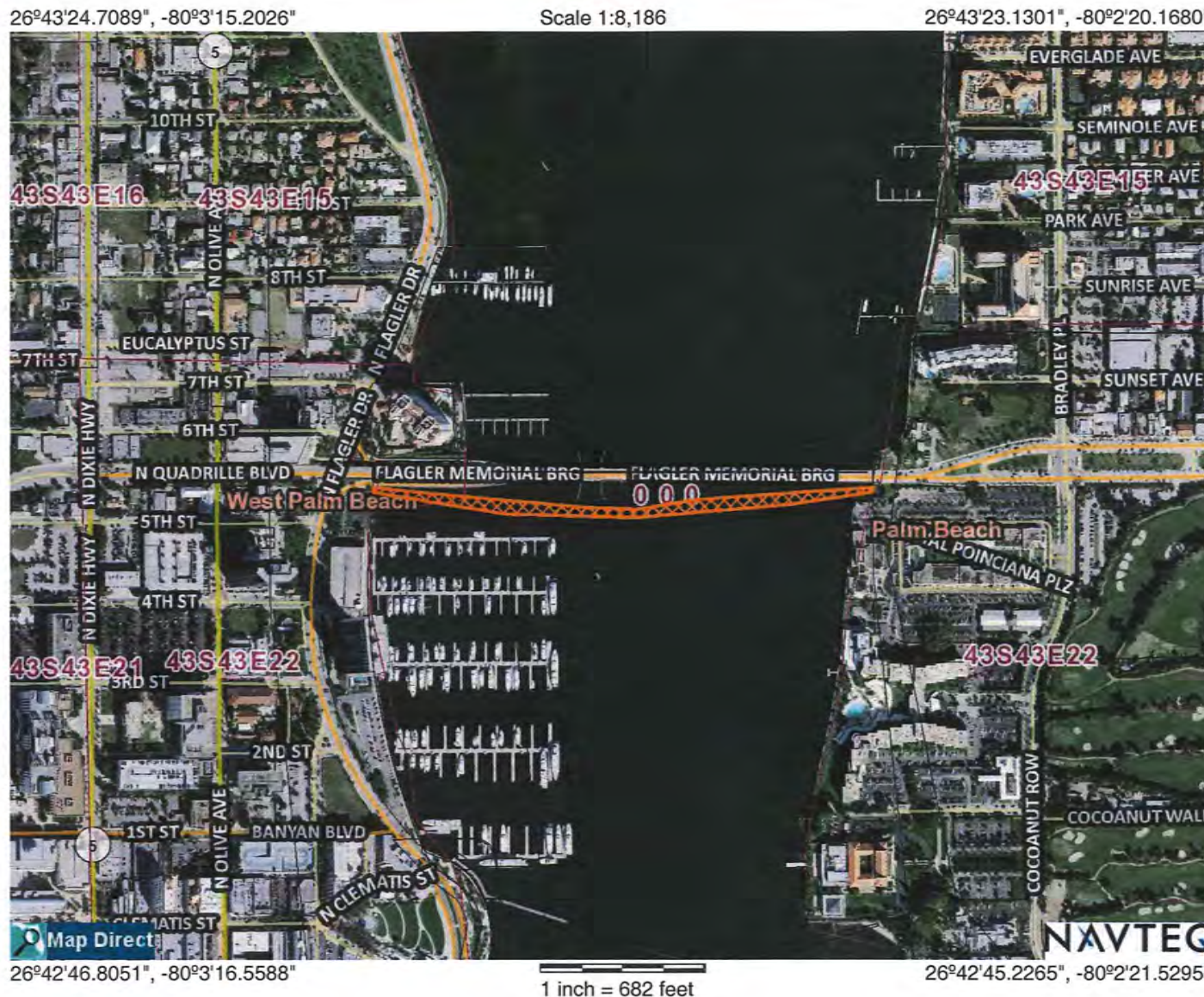
POSSIBLE CROSSING 19-20



Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013



Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 14:18:52 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: [] Deed [] Lease ☒ Easement [] Permit [] Management Agreement

[] Use Agreement [] Disclaimer [] Quitclaim [] Dedication [] Release

[] Acts of Legislation [] Other

Instrument Number: 40318

Extension: 000

File Number: 5921

Document Date: 01/28/2004

Consideration: N/A

Water Body: Lake Worth

Reservations / Reverter: N/Y

Submerged Land: (Y) ✓ (N) _____

Original County: Palm Beach

Section: 22

Township: 43S

Range: 43E

Total Area / Area Unit: 1.968 (A) Acreage (S) Square Feet

Comments: BOT File # 500228766

02/24/2004 12:12:15 20040038459
OR BK 16580 PG 1490
Palm Beach County, Florida
Dorothy H Wilken, Clerk of Court

This Instrument Prepared By:
M. Sue Jones
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 40318 (5921-50)
BOT FILE NO. 500228766
PA NO. _____

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following legal description:

A parcel of submerged land in Section 22,
Township 43 South, Range 43 East, in Lake Worth,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated December 19, 2003.

TO HAVE THE USE OF the hereinabove described premises from May 27, 2003, the effective date of this easement. The terms and conditions of and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above-described parcel of land shall be used solely for a subaqueous electric transmission cable at Flagler Memorial Bridge. All of the foregoing subject to the remaining conditions of this easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature, i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

[43]

8. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Attn. Warren A. Tittle
Florida Power & Light Company
P.O. Box 8248
Ft. Lauderdale, FL 33340

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

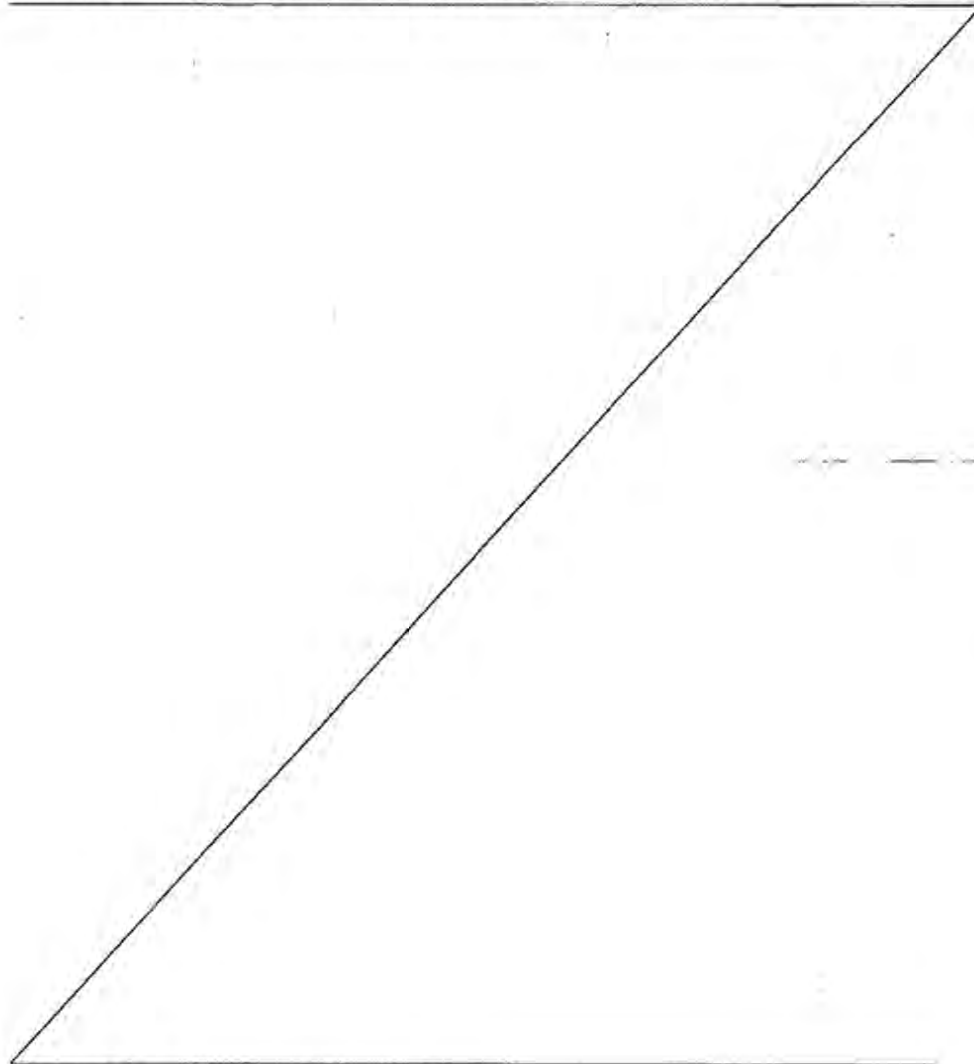
15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(49), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.



Page 3 of 11 Pages
Easement No. 40318

WITNESSES:

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY:

Dale Adams, Operations and Management Consultant,
Manager, Bureau of Public Land Administration,
Division of State Lands, Department of Environmental
Protection, as agent for and on behalf of the Board of Trustees of
the Internal Improvement Trust Fund of the State of Florida

STATE OF FLORIDA
COUNTY OF LEON

"GRANTOR"

The foregoing instrument was acknowledged before me this 28th day of January, 2004, by
Dale Adams, Operations and Management Consultant, Bureau of Public Land Administration, Division of State Lands,
Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust
Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

DEP Attorney

Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires:

Commission/Serial No.

WITNESSES:

Original Signature

Typed/Printed Name of Witness

Original Signature

Typed/Printed Name of Witness

STATE OF Florida

COUNTY OF Palm Beach

Florida Power & Light Company, a Florida corporation (SEAL)

BY:

Original Signature of Executing Authority

J. W. Molyneux

Typed/Printed Name of Executing Authority

Assistant Secretary

Title of Executing Authority

"GRANTEE"

The foregoing instrument was acknowledged before me this 16 day of January, 2004, by
J. W. Molyneux as Assistant Secretary of Florida Power & Light Company, a Florida corporation, for and on behalf of the
corporation. He is personally known to me or who has produced _____ as identification.

My Commission Expires:

Commission/Serial No.

Notary Public, State of Florida

Printed, Typed or Stamped Name

Page 4 of 11 Pages
Easement No. 40318



EXHIBIT "A"

**SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT FLAGLER MEMORIAL BRIDGE**

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



PALM BEACH QUADRANGLE
FLORIDA - PALM BEACH CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



NOTES:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1990 ADJUSTMENT OF THE NORTH
AMERICAN DATUM OF 1983 (NAD 83/90).
LAT. = LATITUDE
LONG. = LONGITUDE

NOTE:
NOT VALID UNLESS ACCOMPANIED
BY SHEETS 1 THRU 6 OF 7

Attachment A
Page 5 of 11 Pages
Easement NO. 40318



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 862-2504, FAX (561) 864-7125

JOB # 7267-54

DATE: 12/18/03

SHEET 7 OF 7

EXHIBIT "A"
**SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT FLAGLER MEMORIAL BRIDGE**

LAND DESCRIPTION:

A portion of submerged lands lying within the Lake Worth, in Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:

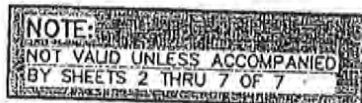
COMMENCING at the northwest corner of Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida; thence S 89°50'24" E along the north line of said Section 22, a distance of 1168.28 feet; thence S 00°09'36" W, 554.05 feet to the POINT OF BEGINNING being the westerly Mean High Water Line of Lake Worth and the easterly wet-face of an existing concrete sea wall and having a Northing of 867902.014 and an Easting of 966344.062; thence S 82°48'18" E, 215.58 feet; thence S 83°22'19" E, 651.94 feet; thence S 86°15'01" E, 227.36 feet; thence N 81°49'04" E, 212.29 feet; thence N 86°18'16" E, 119.74 feet; thence N 87°31'40" E, 650.80 feet to the easterly Mean High Water Line of Lake Worth and the westerly wet-face of an existing concrete sea wall; thence S 06°45'02" W along said Mean High Water Line, 20.00 feet; thence S 83°04'12" W, 352.03 feet; thence S 86°35'02" W, 638.20 feet; thence N 86°55'30" W, 538.44 feet; thence N 79°19'40" W, 555.10 feet to said westerly Mean High Water Line of Lake Worth and the easterly wet-face of an existing concrete sea wall; thence N 05°24'37" E along said westerly Mean High Water Line of Lake Worth and the easterly wet-face of an existing concrete sea wall, 20.00 feet to the POINT OF BEGINNING.

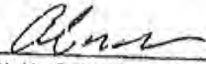
The above described easement is situate in Palm Beach County, Florida and containing 85,729 square feet, 1.968 acres, of submerged land, more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/19/02




ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33488
TEL (561) 992-2894, FAX (561) 994-7125

Attachment A
Page 6 of 11 Pages
Easement NO. 40318

EXHIBIT "A"
SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
AT FLAGLER MEMORIAL BRIDGE

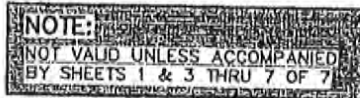
NOTES:

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other Instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
4. This is not a M.H.W. Line Survey - Elevations shown for informational purposes only.
5. The land description shown hereon was prepared by the Surveyor.
6. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Traverse Mercator Projection), East Zone, with the north line of Section 22, having a bearing of S 89°50'24" E.
7. Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
8. Benchmark Description: Brass Discon Royal Palm Bridge over Lake Worth, Elevation = 16.434 feet.
9. This Sketch and Description is designed to encompass the Florida Power and Light subaqueous cable crossing. Cables were located via divers with the assistance of the Florida Power and Light Cable Locating Group. The surveyor certifies that the cables were located as accurately as possible at that time. The surveyor has not physically located the cable crossings.
10. Mean High Water information was compiled from published datum provided by the Land Boundary Information System Internet web site (www.labin.org). Mean High Water is based upon extending published datum from MHW Data Point ID #41, Palm Beach County, Quad Name Palm Beach, USGS Quad Number 26080F1, Mean High Water = 1.68' N.G.V.D. 1929; Range = 2.54'; Mean Low Water = -0.86' N.G.V.D. 1929.
11. Abbreviation Legend: B.O.S.W. = Bottom Of SeaWall; P.B.C.R. = Palm Beach County Records; C = Centerline; F.P.L. = Florida Power & Light Company; G.P.S. = Global Positioning System; L.B. = Licensed Business; N.G.V.D. = National Geodetic Vertical Datum; N.W. = Northwest; P.B. = Plat Book; P.O.B. = Point Of Beginning; P.O.C. = Point of Commencement; P.S.M. = Professional Surveyor and Mapper; S.W. = Southwest; T.O.S.W. = Top Of Sea Wall; U.S.G.S. = United States Geological Survey.
12. Coordinates are based on post-processed differential G.P.S. observations surveyed in the field on July 23, 2003, with the positional accuracy meeting or exceeding less than 1 meter (Rms) + 10 ppm times the baseline length.

Equipment

Receiver: Trimble Pathfinder - Pro XR

Software: Trimble Pathfinder Office, Version Number 2.51

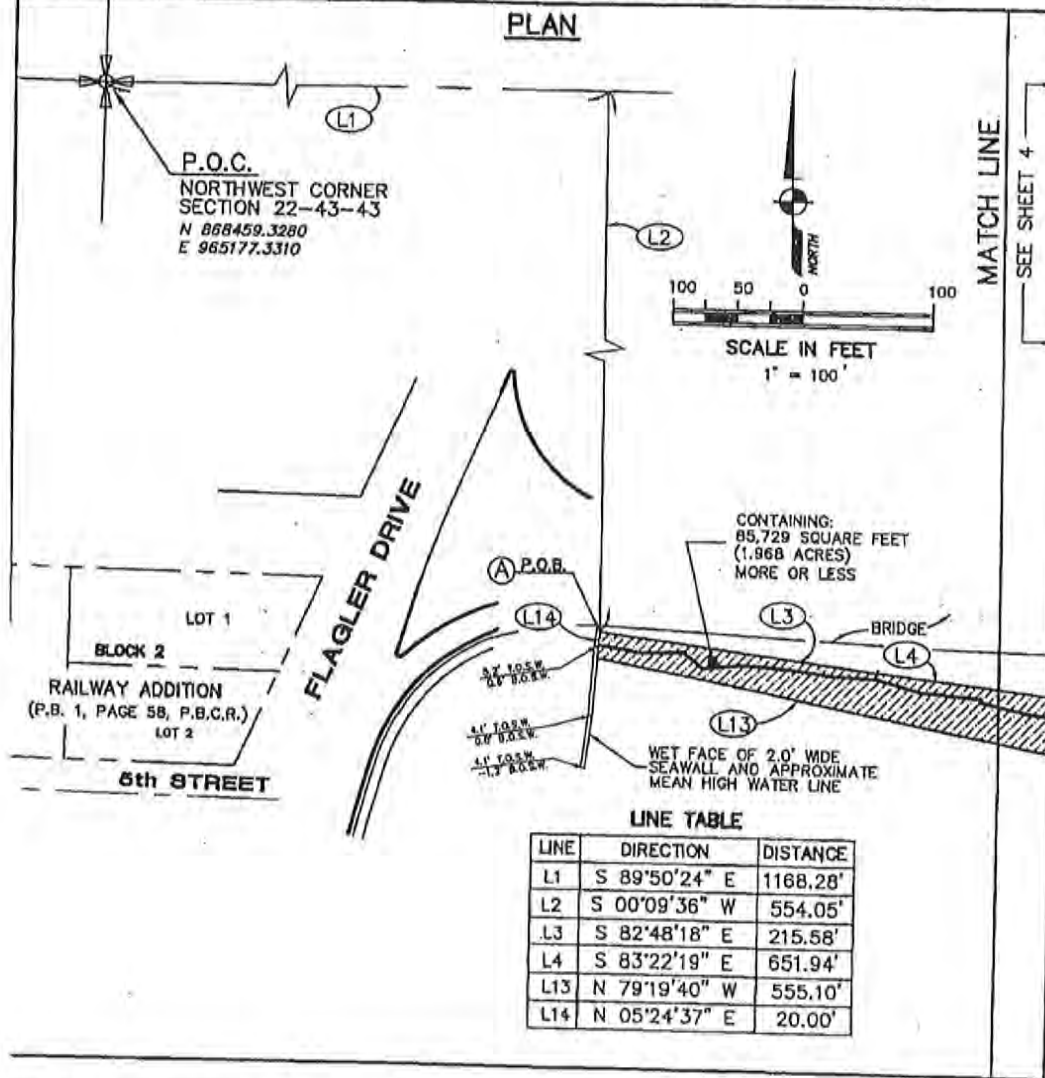


AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33482
TEL. (561) 392-2594, FAX (561) 394-7126

Attachment A
Page 7 of 11 Pages
Easement NO. 40318

EXHIBIT "A" **SUBMERGED LAND EASEMENT** **CROSSING OF LAKE WORTH** **AT FLAGLER MEMORIAL BRIDGE**

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



NOTE:
 THE APPROXIMATE MEAN HIGH WATER LINE
 IS NOT INTENDED TO BE THE LEGAL BOUNDARY
 BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:
 NOT VALID UNLESS ACCOMPANIED
 BY SHEETS 1, 2 & 4 - 7 OF 7

STATE PLANE COORDINATES		
A	N. 867802.014	E. 966344.062
B	N. 867850.895	E. 968412.213

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 7)

MEAN HIGH WATER = 1.68' N.G.V.D.
 RANGE = 2.54'
 MEAN LOW WATER = -0.86' N.G.V.D.
 (SEE NOTE #10 ON SHEET 2 OF 7)



AVIOM & ASSOCIATES, INC.
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 BOCA RATON, FLORIDA 33432
 TEL. (561) 392-2804, FAX (561) 394-7126

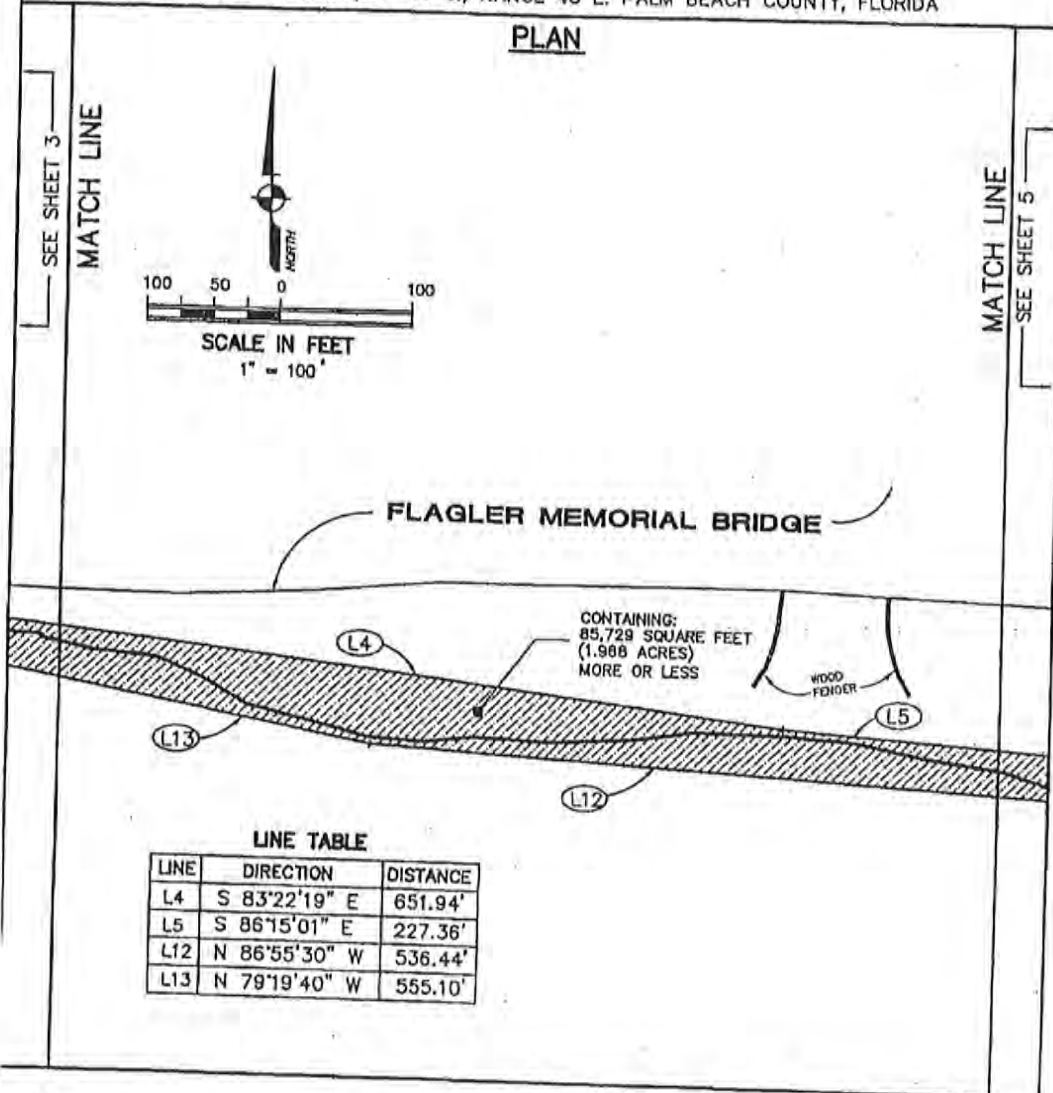
***NOT** Attachment A
 Page 8 of 11 Pages
 Easement NO. 40318

EXHIBIT "A"

SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH AT FLAGLER MEMORIAL BRIDGE

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



LINE TABLE

LINE	DIRECTION	DISTANCE
L4	S 83°22'19" E	651.94'
L5	S 86°15'01" E	227.36'
L12	N 86°55'30" W	536.44'
L13	N 79°19'40" W	555.10'

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:
NOT VALID UNLESS ACCOMPANIED
BY SHEETS 1-3 & 5-7 OF 7

STATE PLANE COORDINATES

A	N. 867902.014	E. 986344.062
B	N. 887850.895	E. 968412.213

(SEE NOTE # 6 & # 12 ON SHEET 2 OF 7)

MEAN HIGH WATER = 1.88' N.G.V.D.
RANGE = 2.54'
MEAN LOW WATER = -0.88' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 7)



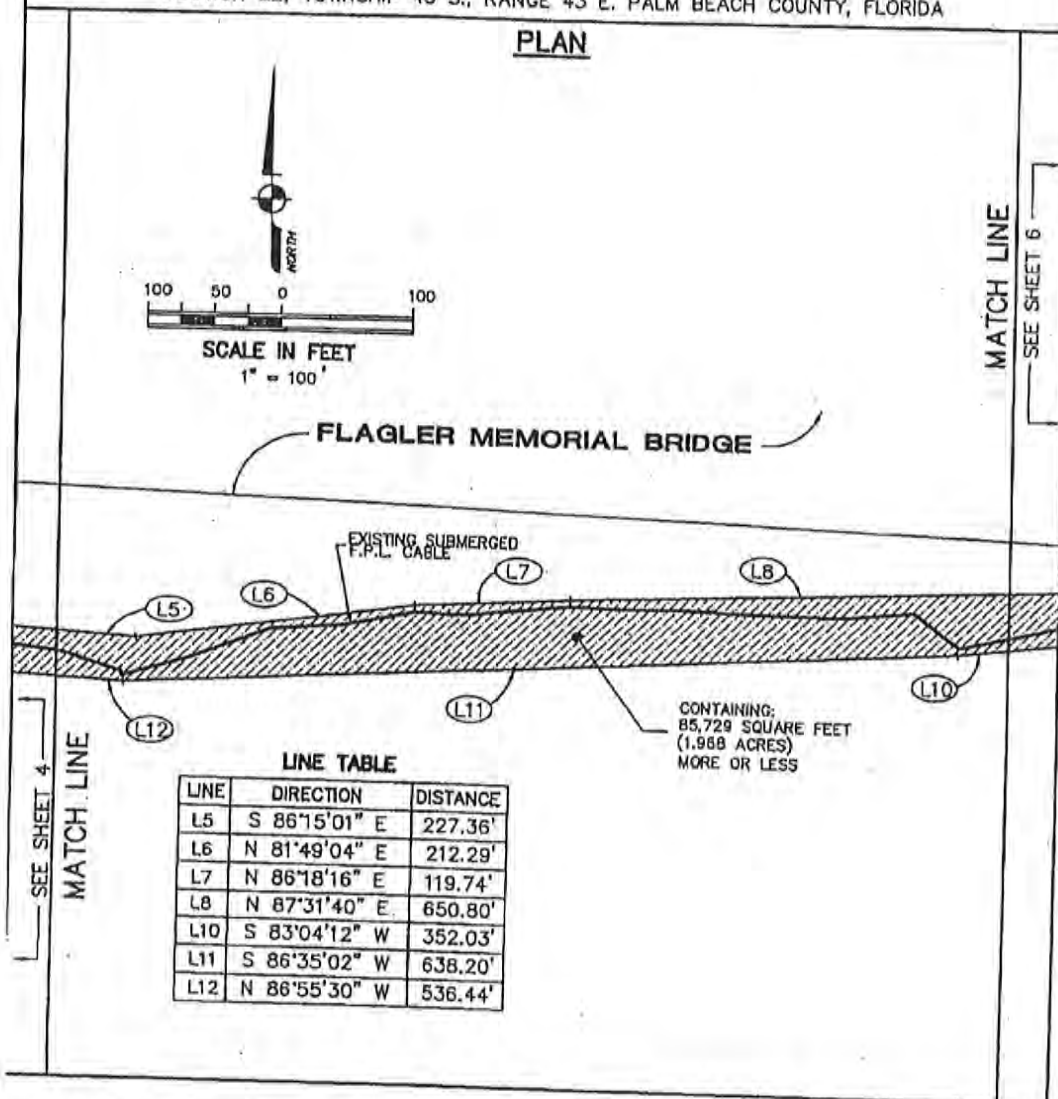
AVIOM & ASSOCIATES, INC.
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80 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL (561) 382-2804, FAX (561) 384-7128

"NOT A
Attachment A
Page 9 of 11 Pages
Easement NO. 40318

EXHIBIT "A" **SUBMERGED LAND EASEMENT** **CROSSING OF LAKE WORTH** **AT FLAGLER MEMORIAL BRIDGE**

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:
 NOT VALID UNLESS ACCOMPANIED BY SHEETS 1-4 & 6-7 OF 7

STATE PLANE COORDINATES

A	N. 867902.014	E. 966344.062
B	N. 867850.895	E. 968412.213

(SEE NOTE # 6 & # 12 ON SHEET 2 OF 7)

MEAN HIGH WATER = 1.68' N.G.V.D.
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(SEE NOTE #10 ON SHEET 2 OF 7)



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 TEL. (561) 392-2694, FAX (561) 694-7125

"NOT A

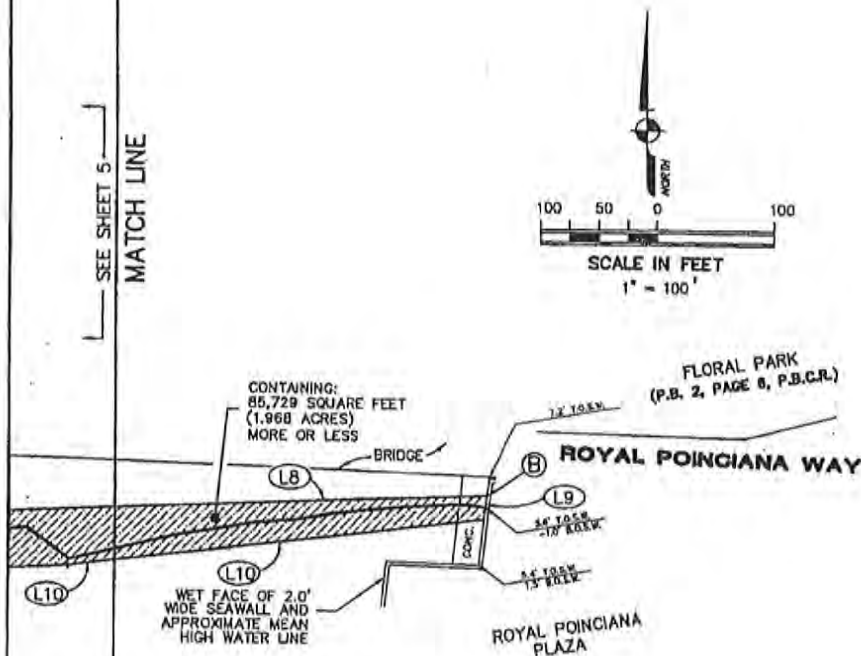
Attachment A
 Page 10 of 11 Pages
 Easement NO. 40318

EXHIBIT "A"

SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH AT FLAGLER MEMORIAL BRIDGE

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



LINE TABLE

LINE	DIRECTION	DISTANCE
L8	N 87°31'40" E	650.80'
L9	S 06°45'02" W	20.00'
L10	S 83°04'12" W	352.03'

NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1-5 & 7 OF 7

STATE PLANE COORDINATES

A	N. 867902.014	E. 966344.082
B	N. 867850.895	E. 968412.213

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 7)

MEAN HIGH WATER = 1.68' N.G.V.D.
RANGE = 2.54'
MEAN LOW WATER = -0.86' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 7)



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL (561) 992-2804, FAX (561) 394-7126

*NOT A Attachment A
Page 11 of 11 Pages
Easement NO. 40318



Book16580/Page1500

Page 11 of 11

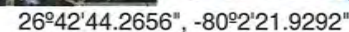


I hereby certify that the foregoing is a true copy
of the record in my office this day, Mar 10, 2004.
DOROTHY H. WILKEN, Clerk of Court, Palm Beach County, Florida
BY *[Signature]* Deputy Clerk

Crossing # 21



26°43'22.1692", -80°2'20.5678"

Aerial Imagery Flight Dates
2011-2013

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 14:29:48 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and over different periods of time. NAVTEQ road data is provided "AS IS" without warranty of any kind, express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: ☐ Deed ☐ Lease ☒ Modification of Easement ☐ Permit

☐ Management Agreement ☐ Use Agreement ☐ Disclaimer

☐ Quitclaim ☐ Dedication ☐ Release ☐ Acts of Legislation ☐ Other

Instrument Number: 40318

Extension: 000

File Number: 5921

Document Date: 06/14/2010

Consideration: N/A

Water Body: Lake Worth

Reservations / Reverter: N/Y

Submerged Land: (Y) ✓ (N) _____

Original County: Palm Beach

Section: 22

Township: 43S

Range: 43E

Total Area / Area Unit: 0.46 (A) Acreage (S) Square Feet

Comments: BOT File # 500228766

This Instrument Prepared By:
Taurean J. Lewis
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

CFN 20100235729
OR BK 23921 PG 0469
RECORDED 06/24/2010 16:09:19
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0469 - 475; (7pgs)

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS EASEMENT
MODIFICATION TO REDUCE SQUARE FOOTAGE

NO. 40318 (5921-D)
BOT FILE NO. 500228766
PA NO. 50-0298165-001

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Section 22,
Township 43 South, Range 43 East, in Lake Worth,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated December 19, 2003.

TO HAVE THE USE OF the hereinabove described premises from March 29, 2010, the effective date of this modified easement, through May 27, 2053, the expiration date of this modified easement. The terms and conditions on and for which this modified easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for subaqueous electrical conduits and the dredging thereof and Grantee shall not engage in any activity except as described in the State of Florida Department of Environmental Protection, Consolidated Environmental Resource Permit No. 50-0298165-001, dated March 29, 2010, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.
8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

FLORIDA POWER & LIGHT COMPANY
c/o Director of Corporate Real Estate
P.O. Box 8248
Fort Lauderdale, Florida 33340

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. **ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS:** No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. **UPLAND RIPARIAN PROPERTY INTEREST:** During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Mark K. Thurmond
Original Signature

Mark K. Thurmond
Print Type Name of Witness

Kathy C. Griffin
Original Signature

Kathy C. Griffin
Print Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

(SEAL)

BY: Jeffery M. Gentry
Jeffery M. Gentry, Operations and Management Consultant
Manager, Bureau of Public Land Administration, Division
Division of State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the Board
of Trustees of the Internal Improvement Trust Fund of the State
of Florida

STATE OF FLORIDA
COUNTY OF LEON

"GRANTOR"

The foregoing instrument was acknowledged before me this 22nd day of June, 2010, by
Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State
Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the
Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

Julie L. Dunn
DEP Attorney

Kathy C. Griffin
Notary Public, State of Florida

Printed, Typed or Stamped Name Kathy C. Griffin
My Commission Expires 10/30/2011
Commission/Serial No. _____

WITNESSES:

Michelle M. Kahmann
Original Signature

Michelle M. Kahmann
Typed/Printed Name of Witness

Deborah C. Patterson
Original Signature

Deborah C. Patterson
Typed/Printed Name of Witness

STATE OF FL
COUNTY OF Palm Beach

Florida Power & Light Company,
a Florida corporation

(SEAL)

BY: Dina L. Guenther
Original Signature of Executing Authority

Dina L. Guenther
Typed/Printed Name of Executing Authority

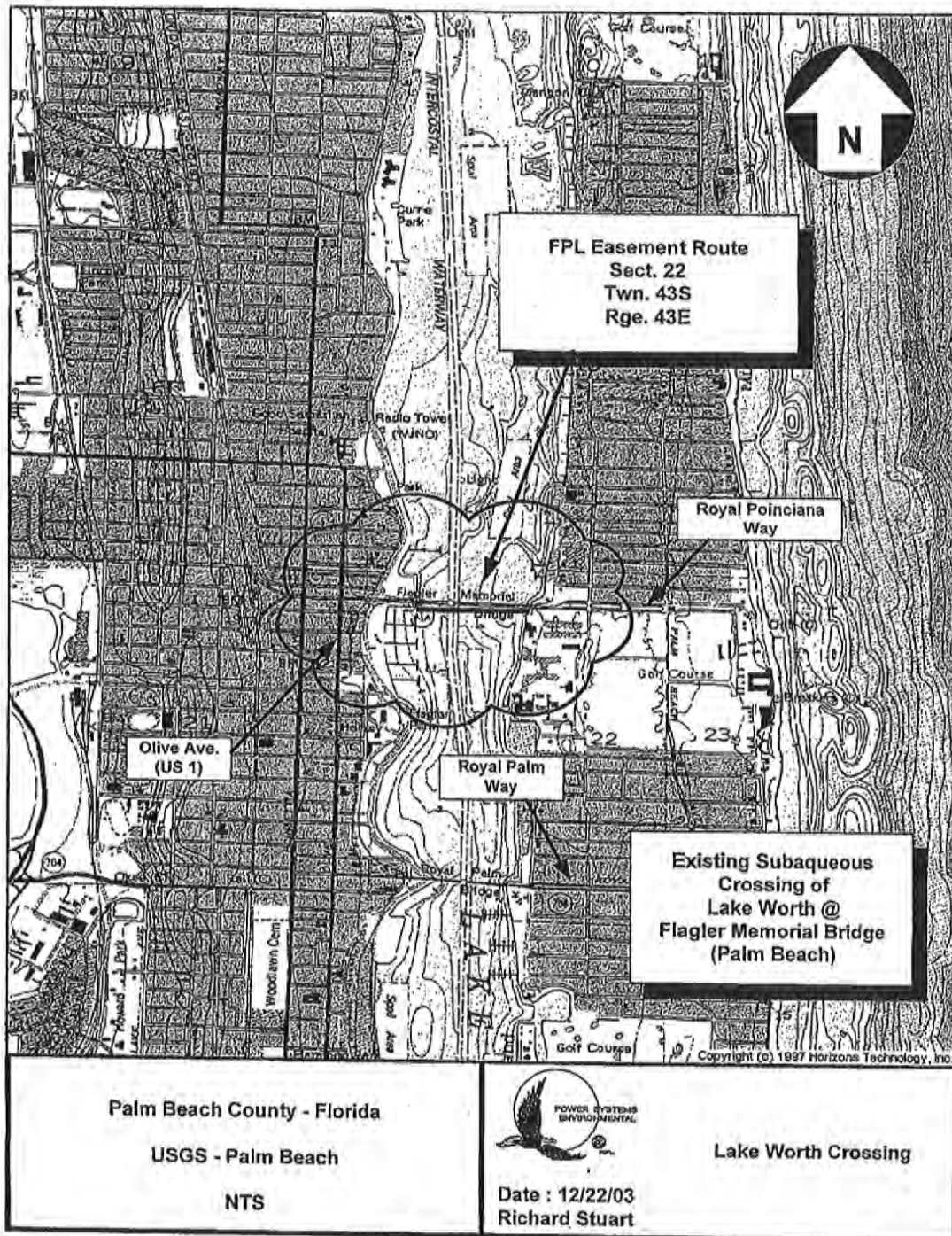
Director Corporate Real Estate
Title of Executing Authority

"GRANTEE"

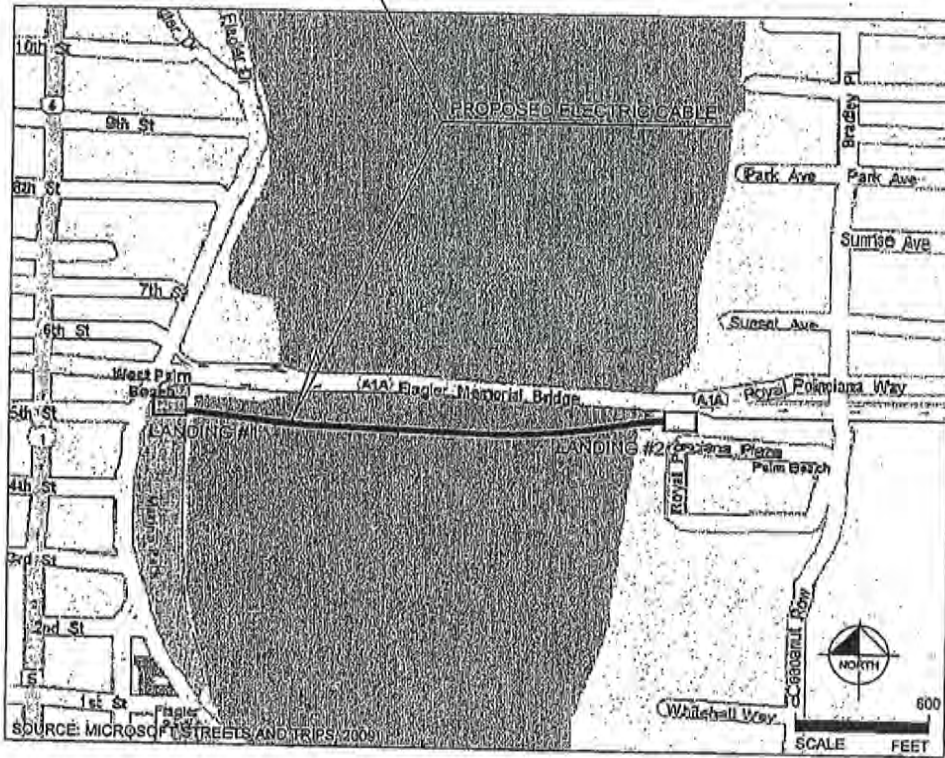
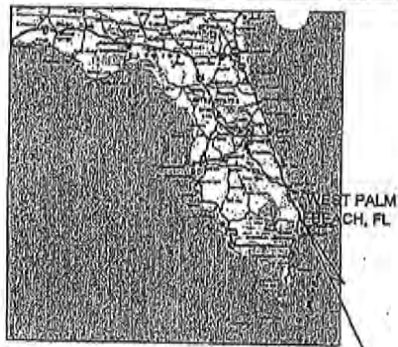
The foregoing instrument was acknowledged before me this 22nd day of June, 2010, by
Dina L. Guenther as Director Corporate Real Estate of Florida Power & Light Company, a Florida corporation, for and on behalf
of the corporation. She is personally known to me or who has produced _____ as identification.

My Commission Expires _____
Michelle M. Kahmann
Notary Public State of Florida
My Commission DD69340
Expires 09/18/2011
Commission/Serial No. _____

Michelle M. Kahmann
Notary Public, State of FL
Michelle M. Kahmann
Printed, Typed or Stamped Name



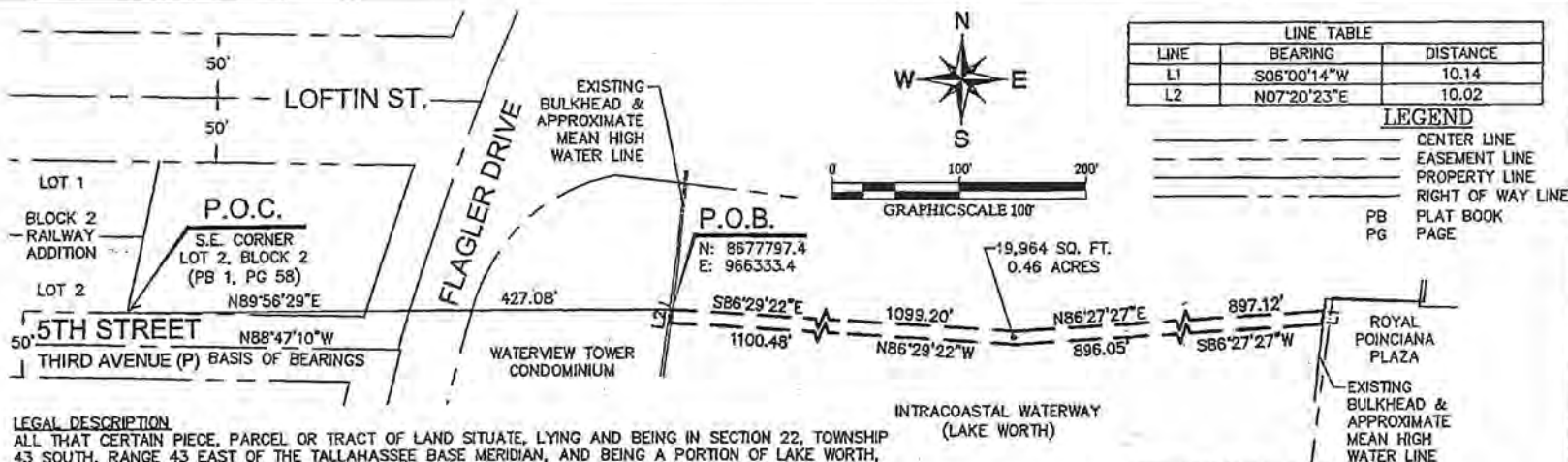
RECEIVED
JAN 07 2010
DEPT of ENV PROTECTION
WEST PALM BEACH



LEGEND:
— PROPOSED ELECTRIC LINE
□ APPROXIMATE LANDING AREA

SECTION TOWNSHIP SOUTH, RANGE EAST
PALM BEACH COUNTY, FLORIDA

SCALE: AS NOTED	 Kimley-Horn and Associates, Inc. © 2009 KIMLEY-HORN AND ASSOCIATES, INC. 4401 GUNPOWDER DRIVE, WEST PALM BEACH, FL 33407 PHONE (561) 865-4644 FAX (561) 865-8178 WWW.KIMLEY-HORN.COM CA 00000881	DATE 9-29-09	FLORIDA POWER & LIGHT LOCATION MAP	DESIGN DIVISION:	SHEET NUMBER 1
DESIGNED BY: JFL		PROJECT NO. 147088000		FLORIDA P.E. LICENSE NUMBER:	
CHECKED BY: LK					



LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST OF THE TALLAHASSEE BASE MERIDIAN, AND BEING A PORTION OF LAKE WORTH, PALM BEACH COUNTY, FLORIDA. SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING FOR REFERENCE AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 2 OF THE PLAT OF RAILWAY ADDITION TO WEST PALM BEACH AS RECORDED IN PLAT BOOK 1 PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE, BEARING NORTH 89°56'29" EAST, A DISTANCE OF 427.08 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, SAID POINT OF BEGINNING BEING ON THE EXISTING WESTERLY BULKHEAD AND THE MEAN HIGH WATER LINE OF LAKE WORTH;

THENCE, BEARING SOUTH 86°29'22" EAST, A DISTANCE OF 1,099.20 FEET TO A POINT;

THENCE, BEARING NORTH 86°27'27" EAST, A DISTANCE OF 897.12 FEET TO A POINT ON THE EXISTING EASTERLY BULKHEAD AND THE MEAN HIGH WATER LINE OF LAKE WORTH;

THENCE, BEARING SOUTH 06°00'14" WEST, ALONG THE FACE OF SAID BULKHEAD AND THE MEAN HIGH WATER LINE OF LAKE WORTH, A DISTANCE OF 10.14 FEET TO A POINT;

THENCE, LEAVING SAID BULKHEAD AND THE MEAN HIGH WATER LINE OF LAKE WORTH, BEARING SOUTH 86°27'27" WEST, A DISTANCE OF 896.05 FEET TO A POINT;

THENCE, BEARING NORTH 86°29'22" WEST, A DISTANCE OF 1,100.48 FEET TO A POINT ON THE EXISTING WESTERLY BULKHEAD AND THE MEAN HIGH WATER LINE OF LAKE WORTH;

THENCE, BEARING NORTH 07°20'23" EAST, ALONG THE FACE OF SAID BULKHEAD AND THE MEAN HIGH WATER LINE OF LAKE WORTH, A DISTANCE OF 10.02 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 19,964 SQUARE FEET OR 0.46 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

- SURVEYORS NOTES**
- 1) THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY RETRACEMENT SURVEY.
 - 2) THE BEARING BASE FOR THIS SURVEY, IS THE CENTERLINE OF 5TH STREET. SAID LINE BEARS NORTH 88°47'10" WEST.
 - 3) THE SCALE OF THIS DRAWING MAY HAVE BEEN DISTORTED DURING REPRODUCTION PROCESSES.
 - 4) NOT A FIELD SURVEY
 - 5) THE NAD 1983 COORDINATES SHOWN FOR THE P.O.B. HAVE BEEN OBTAINED FROM A SURVEY THAT WAS BASED UPON STATE PLANE COORDINATES.
 - 6) THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

This certifies that a legal description and sketch of the property described herein was made under my supervision and that this legal description and sketch meets the minimum technical standards set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. And that this drawing is a true and accurate representation thereof to the best of my knowledge and belief. Subject to any corrections shown hereon.

E.C. Demeter

E.C. DEMETER P.L.M. No. 5179

DATE: 12-02-09

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER ABOVE.

Attachment A
Page 6 of 7 Pages
Easement No. 40318

SHEET NUMBER
1 OF 1

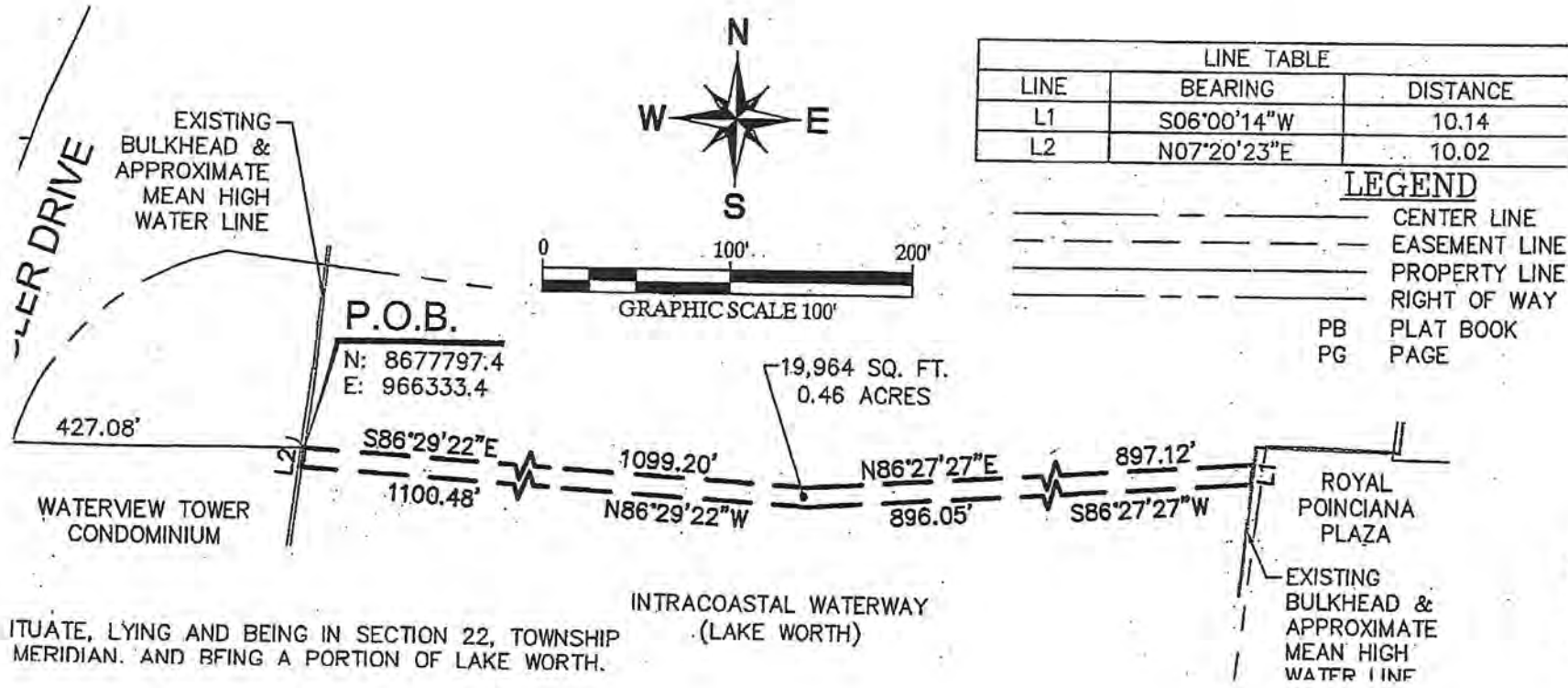
LEGAL DESCRIPTION AND SKETCH OF
FP&L SUBMERGED LAND EASEMENT
PALM BEACH COUNTY, FLORIDA

DATE
10/29/09
PROJECT NO.
147066000

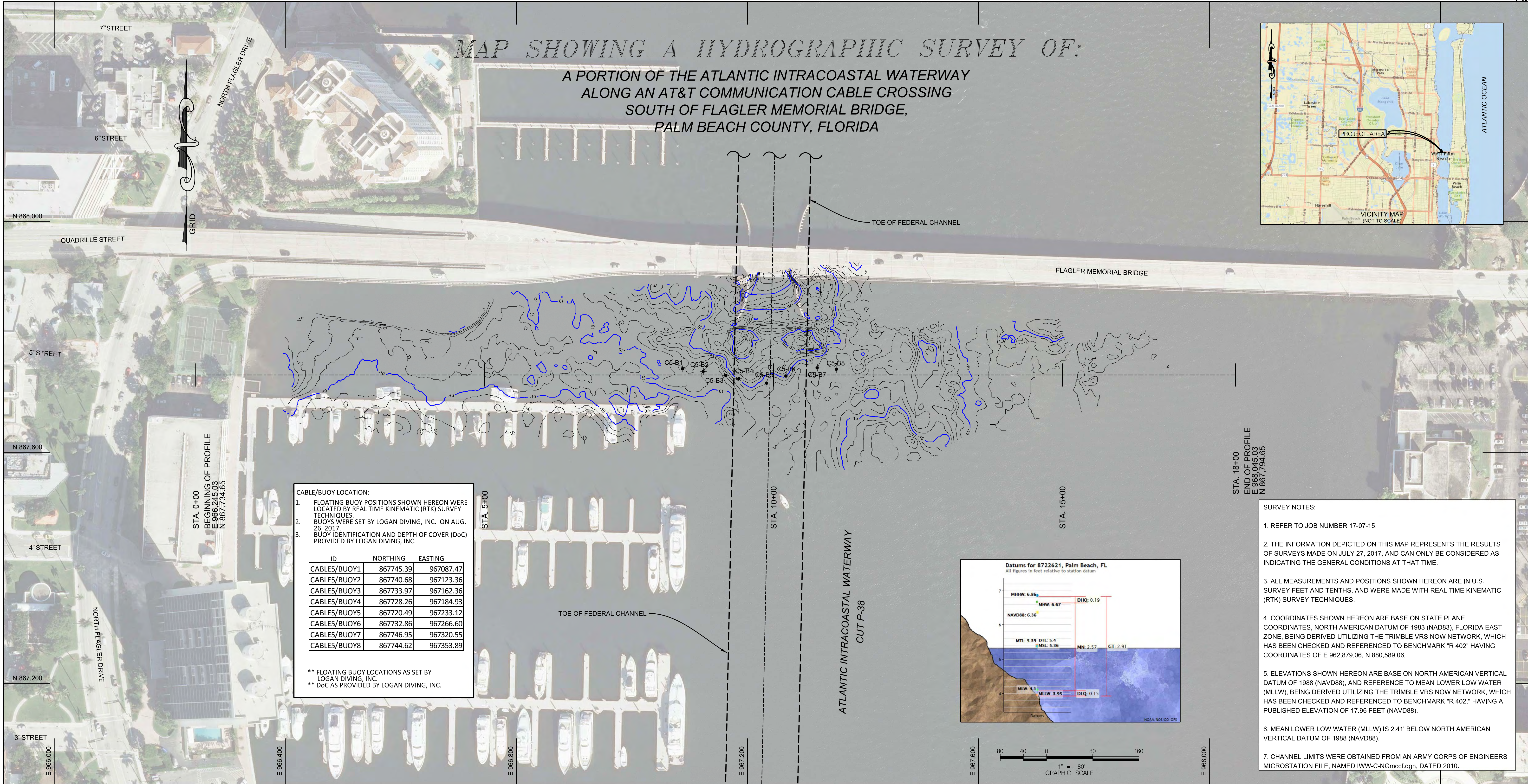
Kimley-Horn
and Associates, Inc.
2009 10/29/09 10:00 AM
147066000
147066000

SCALE 1"=100'
DESIGNED BY PCD
DRAWN BY PCD
CHECKED BY ECD

Working name: K:\MIS\Projects\147066000\147066000.dwg Date: 02/20/2009 11:54am by: asomrld



ITUATE, LYING AND BEING IN SECTION 22, TOWNSHIP
 MERIDIAN. AND BFING A PORTION OF LAKE WORTH.

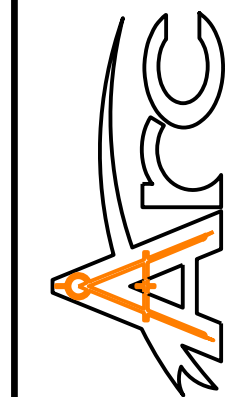


- SURVEY NOTES:
- REFER TO JOB NUMBER 17-07-15.
 - THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON JULY 27, 2017, AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
 - ALL MEASUREMENTS AND POSITIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND TENTHS, AND WERE MADE WITH REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
 - COORDINATES SHOWN HEREON ARE BASE ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE, BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402" HAVING COORDINATES OF E 962,879.06, N 880,589.06.
 - ELEVATIONS SHOWN HEREON ARE BASE ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND REFERENCE TO MEAN LOWER LOW WATER (MLLW), BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402," HAVING A PUBLISHED ELEVATION OF 17.96 FEET (NAVD88).
 - MEAN LOWER LOW WATER (MLLW) IS 2.41' BELOW NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 - CHANNEL LIMITS WERE OBTAINED FROM AN ARMY CORPS OF ENGINEERS MICROSTATION FILE, NAMED IWW-C-NGmccf.dgn, DATED 2010.

Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW South of Flagler
Memorial Bridge,
Palm Beach County, Florida
LINE 2

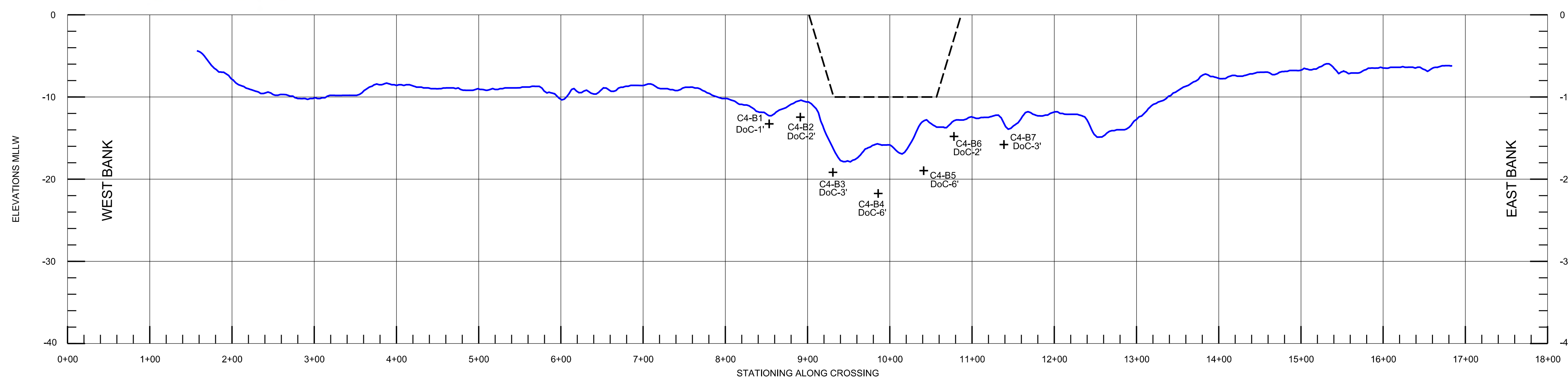
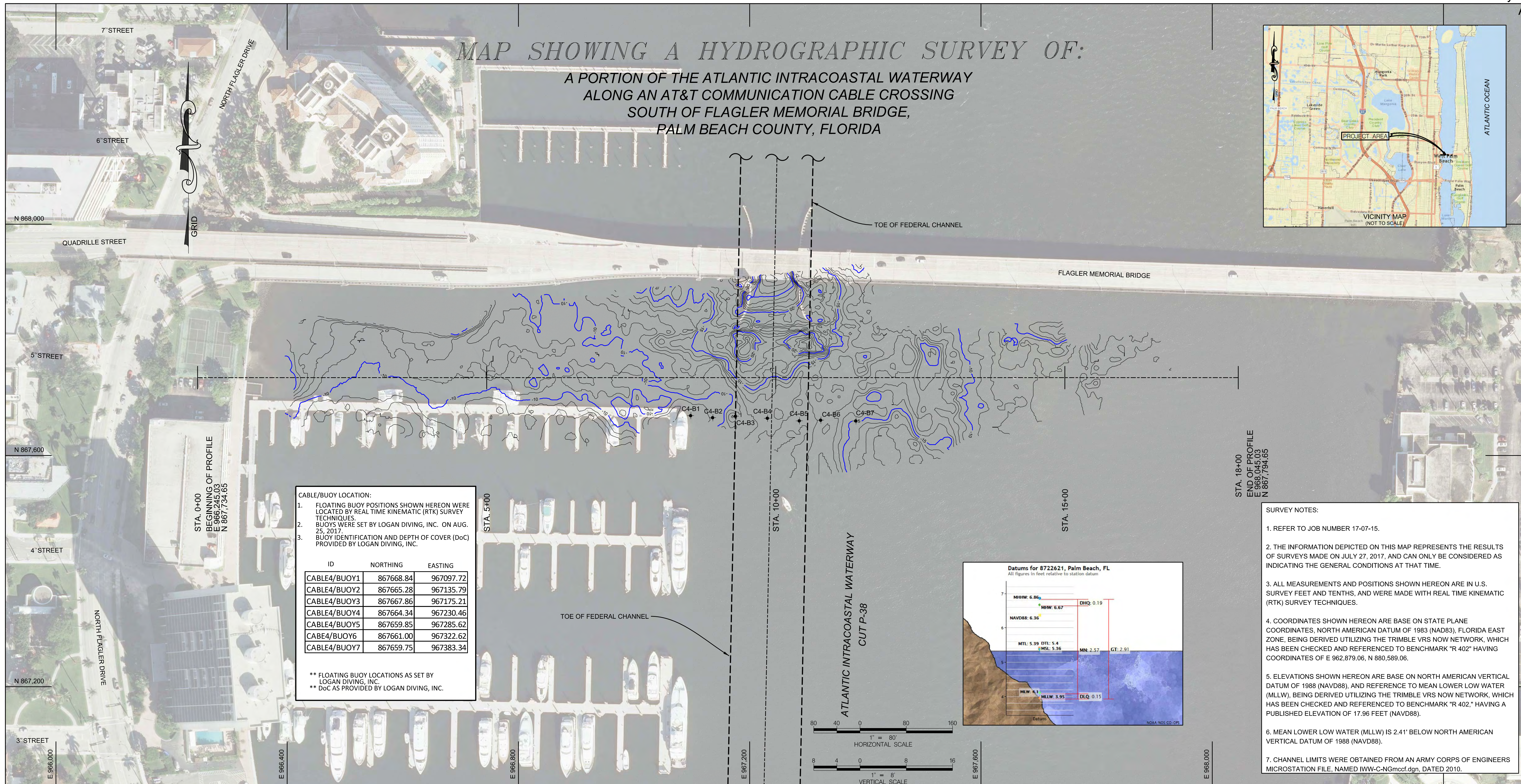
Prepared For:
Logan Diving & Salvage
2815 St Johns Bluff Rd. S.
Jacksonville, FL 32246

Arc Surveying & Mapping, Inc.
Professional Hydrographers • Surveyors • Mappers
5202 San Juan Avenue
Florida 32210
Jacksonville, FL 32217
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg: NA
ARC Project No.:
17-07-15
SHEET: 1 OF 1

Map of the vicinity of the Project Area, showing the Atlantic Ocean, various roads, and landmarks. The Project Area is highlighted in a yellow box. A black arrow points from the Project Area to West Palm Beach. The map includes labels for roads like US 1, US 90, and SR 1, and landmarks like Lake Monrovia and the Port of Palm Beach. A scale bar indicates 0 to 1 mile.



SURVEY NOTES:

1. REFER TO JOB NUMBER 17-07-15.
2. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON JULY 27, 2017, AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
3. ALL MEASUREMENTS AND POSITIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND TENTHS, AND WERE MADE WITH REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
4. COORDINATES SHOWN HEREON ARE BASE ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE, BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402" HAVING COORDINATES OF E 962,879.06, N 880,589.06.
5. ELEVATIONS SHOWN HEREON ARE BASE ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND REFERENCE TO MEAN LOWER LOW WATER (MLLW), BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402," HAVING A PUBLISHED ELEVATION OF 17.96 FEET (NAVD88).
6. MEAN LOWER LOW WATER (MLLW) IS 2.41' BELOW NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
7. CHANNEL LIMITS WERE OBTAINED FROM AN ARMY CORPS OF ENGINEERS MICROSTATION FILE, NAMED IWAY-C-NGmcdf.dgn, DATED 2010.

PROFILE LEGEND / ABBREVIATIONS	
—	ARC HYDROGRAPHIC SURVEY MLLW, DATED 07/27/17
—	AIWW CHANNEL -10' MLLW, 3:1 SIDE SLOPES OBTAINED FROM ARMY CORPS OF ENGINEERS
C2-B9 ★	BUOY LOCATION C - CABLE # B - BUOY #
DoC	DEPTH OF COVER FROM EXISTING BOTTOM

LOGAN DIVING NOTE:

All horizontal and vertical location information was obtained electronically with a Radio Detection RT-1X10 Transmitter, and DD Underwater antenna. Cable locations noted on this drawing depict locations provided electronically by the RD T07000 and DD Underwater antenna. Where light/shadow of coverage is indicated, the device was physically uncovered and verified a cable with hands on electronic location readings indicating deep cover, the dive team did not excavate to confirm the electronic location readings. All locations are what was indicated electronically by the T07000 and DD Underwater antenna on the date of inspection. All RT-1X10 transmitter connections to induce a tone to the cable provided by AT&T representatives on site. Individual Cable ID on multiple cable crossings is as provided by AT&T representatives on site. For absolute definitive Cable ID and Location, the dive team would have had to excavate to the right of the drawing.

RICHARD J. SAWYER
PROFESSIONAL SURVEYOR AND MAPPER NO. 6131
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISE
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

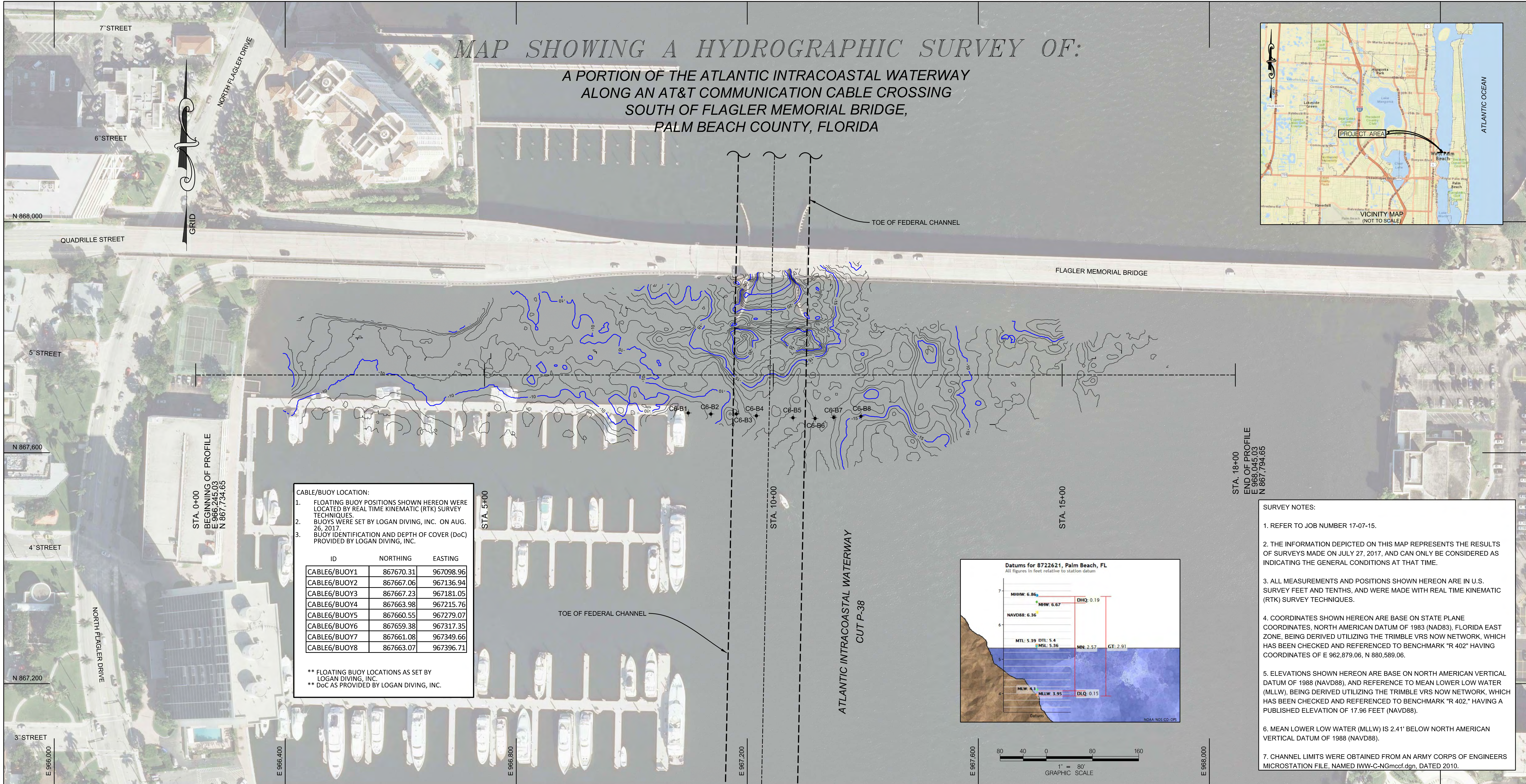
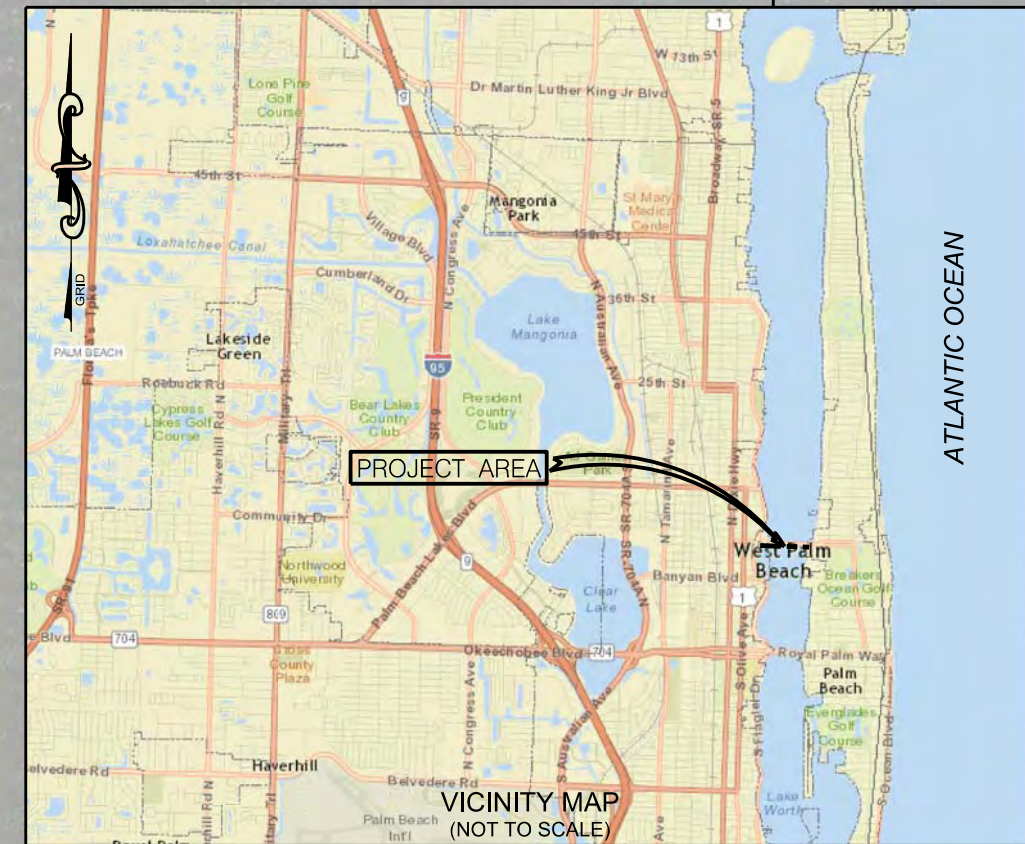
Project Title:
Hydrographic Survey of an
AAT&T Cable Crossing the
ANW South of Flagler
Memorial Bridge,
Palm Beach County, Florida

Logan Diving & Salvage
2815 St Johns Bluff Rd. S,
Jacksonville, Fl. 32246

Arc Surveying & Mapping, Inc.
Professional Hydrographers • Surveyors • Mappers
5202 San Juan Avenue
Jacksonville, Florida 32210
904.398.5627

LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg: NA
ARC Project No.: 17-07-15
SHEET: 1 OF 1

MAP SHOWING A HYDROGRAPHIC SURVEY OF:
A PORTION OF THE ATLANTIC INTRACOASTAL WATERWAY
ALONG AN AT&T COMMUNICATION CABLE CROSSING
SOUTH OF FLAGLER MEMORIAL BRIDGE,
PALM BEACH COUNTY, FLORIDA



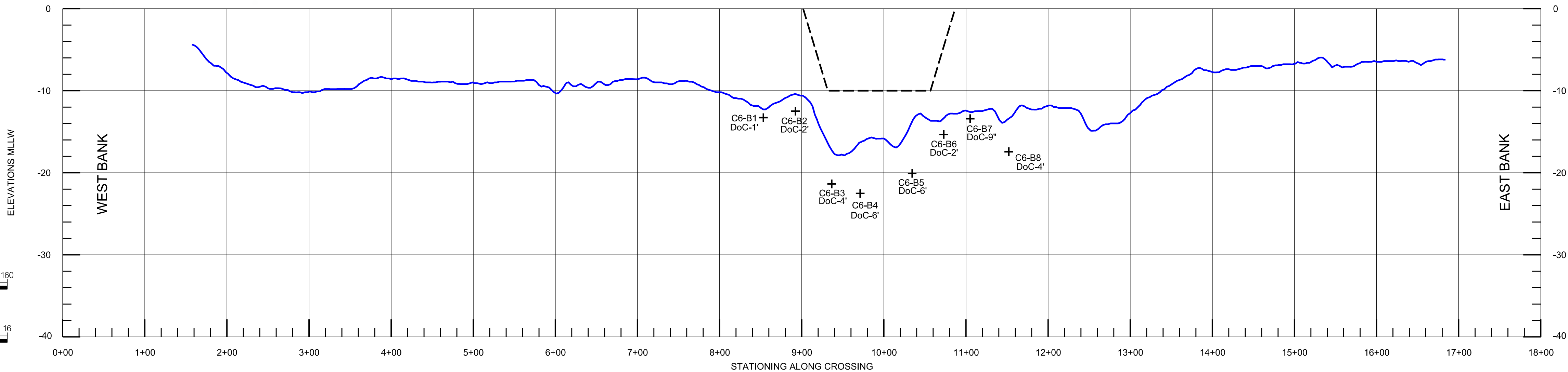
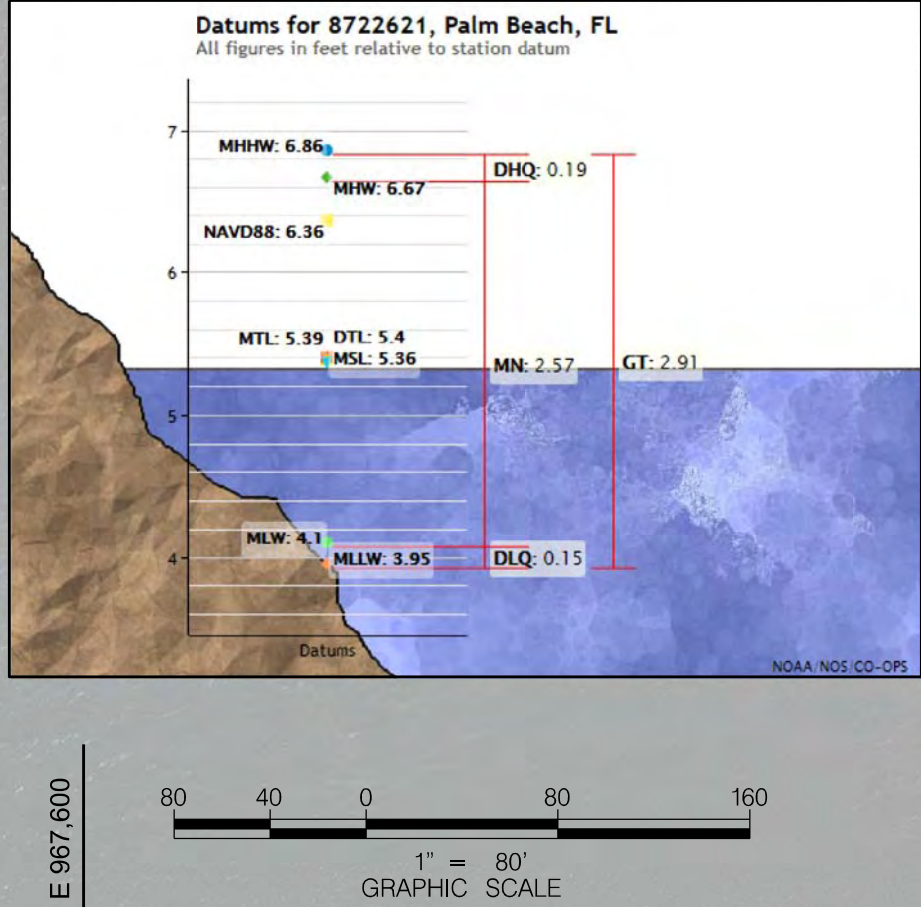
CABLE/BUOY LOCATION:

- FLOATING BUOY POSITIONS SHOWN HEREON WERE LOCATED BY REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
- BUOYS WERE SET BY LOGAN DIVING, INC. ON AUG. 26, 2017.
- BUOY IDENTIFICATION AND DEPTH OF COVER (DoC) PROVIDED BY LOGAN DIVING, INC.

ID	NORTHING	EASTING
CABLE6/BUOY1	867670.31	967098.96
CABLE6/BUOY2	867667.06	967136.94
CABLE6/BUOY3	867667.23	967181.05
CABLE6/BUOY4	867663.98	967215.76
CABLE6/BUOY5	867660.55	967279.07
CABLE6/BUOY6	867659.38	967317.35
CABLE6/BUOY7	867661.08	967349.66
CABLE6/BUOY8	867663.07	967396.71

** FLOATING BUOY LOCATIONS AS SET BY LOGAN DIVING, INC.
** DoC AS PROVIDED BY LOGAN DIVING, INC.

- SURVEY NOTES:
- REFER TO JOB NUMBER 17-07-15.
 - THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON JULY 27, 2017, AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
 - ALL MEASUREMENTS AND POSITIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND TENTHS, AND WERE MADE WITH REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
 - COORDINATES SHOWN HEREON ARE BASE ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE, BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402" HAVING COORDINATES OF E 962,879.06, N 880,589.06.
 - ELEVATIONS SHOWN HEREON ARE BASE ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND REFERENCE TO MEAN LOWER LOW WATER (MLLW), BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402," HAVING A PUBLISHED ELEVATION OF 17.96 FEET (NAVD88).
 - MEAN LOWER LOW WATER (MLLW) IS 2.41' BELOW NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 - CHANNEL LIMITS WERE OBTAINED FROM AN ARMY CORPS OF ENGINEERS MICROSTATION FILE, NAMED IWW-C-NGmccf.dgn, DATED 2010.



PROFILE LEGEND / ABBREVIATIONS

—	ARC HYDROGRAPHIC SURVEY MLLW, DATED 07/27/17
—	AIWW CHANNEL
—	10' MLLW, 2:1 SIDE SLOPES OBTAINED FROM ARMY CORPS OF ENGINEERS
+	BUOY LOCATION
C - CABLE #	B - BUOY #
DoC	DEPTH OF COVER FROM EXISTING BOTTOM

LOGAN DIVING NOTE:

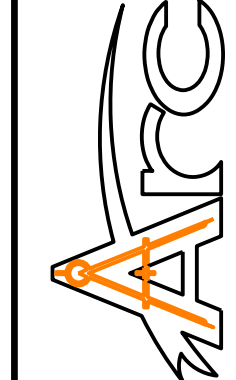
All horizontal and vertical locate information was obtained electronically with a Radio Detection RD 7000, TX-10 Transmitter, and DD Underwater antenna. Cable locations noted on this drawing depicts the locations provided electronically by the RD 7000 and DD Underwater antenna. Where light/shallow depth of cover was indicated, the dive team physically uncovered and verified a cable with hands on. On electronic location readings indicating deep cover, the dive team did not excavate to confirm electronic locate readings. All locations are what was indicated electronically by the RD 7000 and DD Underwater antenna on the date of inspection. All TX-10 transmitter connections to induce a tone to the cable was provided by AT&T representatives on site. Individual Cable ID on multiple cable crossings is as provided by AT&T representatives on site. For absolute definitive cable ID and location, the dive team must excavate and put hands on subject cables.

RICHARD J. SAWYER
PROFESSIONAL SURVEYOR AND MAPPER NO. 6131
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW South of Flagler
Memorial Bridge,
Palm Beach County, Florida
LINE 3

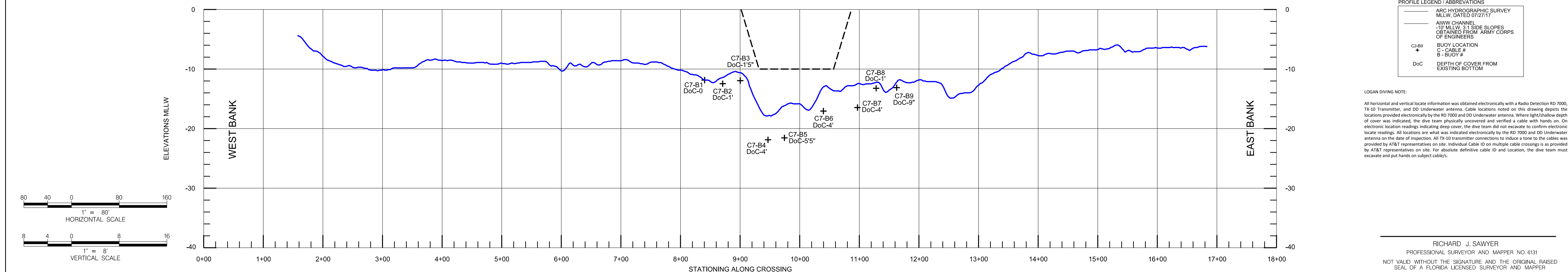
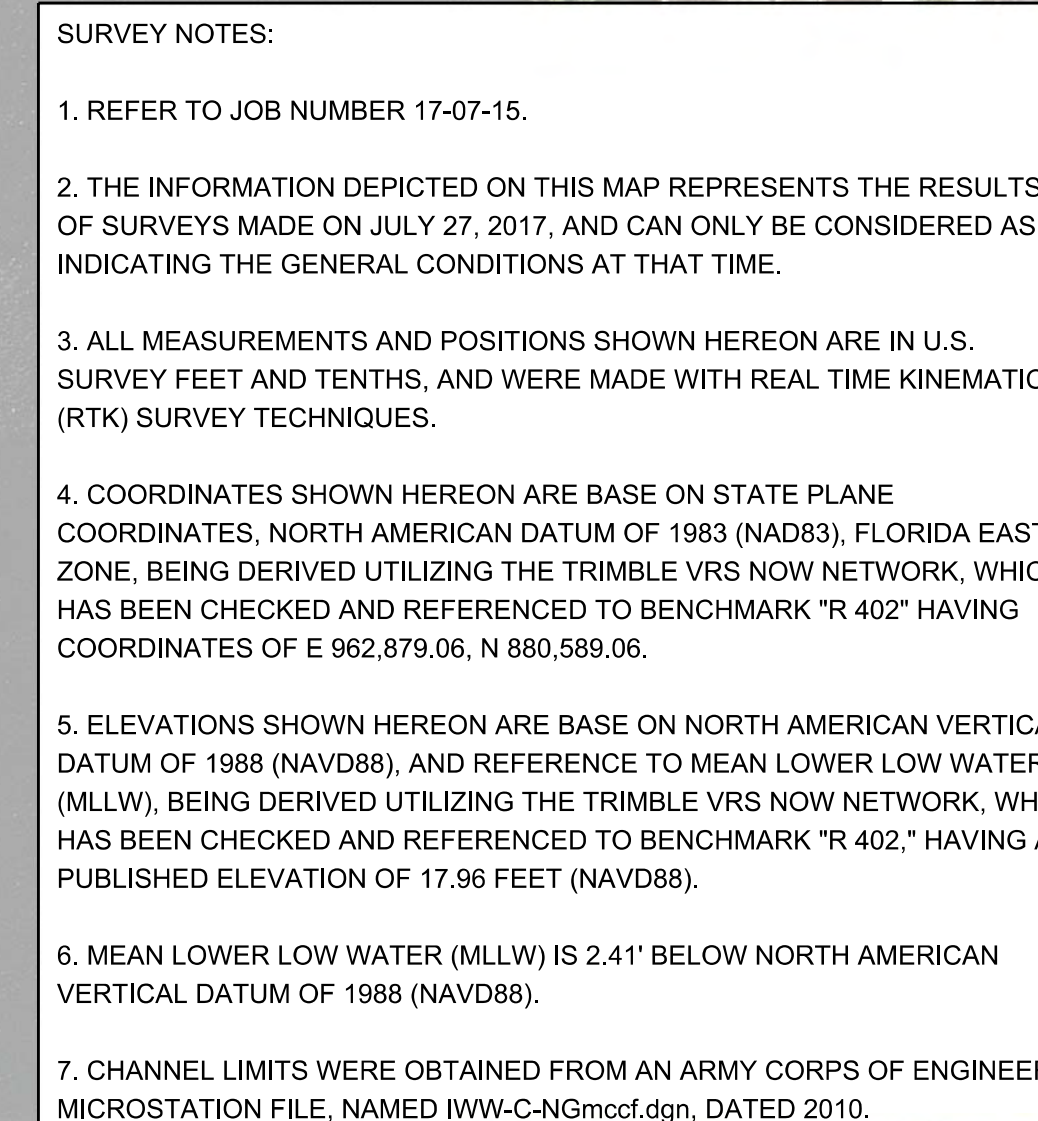
Prepared For:
Logan Diving & Salvage
2815 St Johns Bluff Rd. S.
Jacksonville, FL 32246

Arc Surveying & Mapping, Inc.
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5202 San Juan Avenue
Jacksonville, Florida 32210
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg: NA
ARC Project No.:
17-07-15
SHEET: 1 OF 1

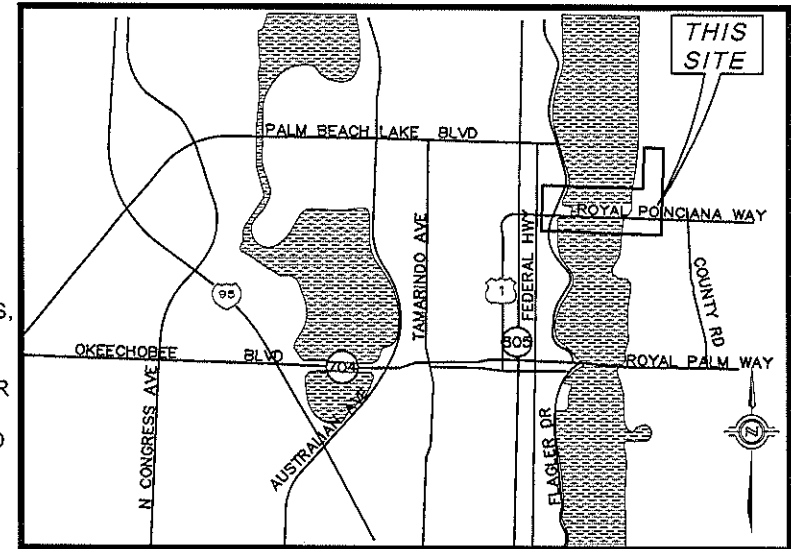
**VICINITY MAP
(NOT TO SCALE)**



"SPECIFIC PURPOSE SURVEY"
FOR: HYPower

SURVEY NOTES:

1. THIS IS NOT A MAP OF BOUNDARY SURVEY, BUT IS A SPECIFIC PURPOSE SURVEY TO SHOW THE HORIZONTAL & VERTICAL LOCATIONS OF AN EXISTING DIRECTIONAL BORE LYING WITHIN THE INTRACOASTAL WATERWAY (LAKE WORTH LAGOON) RIGHT-OF-WAY SOUTH OF FLAGLER MEMORIAL BRIDGE.
2. BELOW GROUND IMPROVEMENTS AND/OR ENCROACHMENTS, IF ANY, WERE NEITHER INVESTIGATED NOR LOCATED UNLESS SPECIFICALLY NOTED.
3. THE UNDERSIGNED AND DJS SURVEYORS, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
4. THIS SURVEY IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE CERTIFYING SURVEYOR.
5. SOURCE OF INFORMATION PROVIDED PER CLIENT AND USED IN THE PREPARATION OF THIS SURVEY ARE AS FOLLOWS:
 - LEGAL DESCRIPTION AND SKETCH PROVIDED BY CLIENT, AND ELABORATED BY KIMLEY-HORN AND ASSOCIATES, INC., PROJECT No. 147088000, DATED 10/29/09.
 - F.D.O.T. STATE ROAD A-1-A, RIGHT-OF-WAY MAP, ITEM/SEGMENT No. 412489-2, SECTION No. 93060-2527.
6. BEARINGS AND COORDINATES ARE RELATIVE TO THE STATE PLANE COORDINATE SYSTEM. FLORIDA EAST COAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983/1999 ADJUSTMENT.
7. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88).
8. BENCHMARK OF ORIGIN: PALM BEACH COUNTY PUBLIC WORKS DEPARTMENT, BENCHMARK "NORMANDY" , ELEVATION=13.125
9. SURVEY (FIELDWORK) WAS COMPLETED ON 01/5/2011.
10. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY THIS FIRM.
11. BORE ROD LENGTHS ARE 25' PER CONTRACTOR.
12. ALL UNDERGROUND BORE INFORMATION WAS PROVIDED BY THE CONTRACTOR. BORE LOCATION SHOWN HEREON IS BASED ENTIRELY ON CONTRACTORS BORE LOGS AND BASELINE. THIS FIRM ASSUMES NO LIABILITY FOR ANY UNDERGROUND INFORMATION SHOWN HEREON.
13. THE ADJUSTMENT FROM CONTRACTORS ASSUMED ELEVATION DATUM TO N.A.V.D. 88 DATUM IS (+)2.96'.
14. APPROXIMATE BORE CROSSING THE LAKE WORTH LAGOON LENGTH AS SHOWED ON BORE LOG SUPPLIED BY CONTRACTOR IS 2530 LINEAR FEET.










LOCATION MAP

DEPT. OF ARMY PERMIT #:
SAJ-2009-03691 (GP-KDS)
FPL WR: 3187271
FPL IWR: 3281-37-454

LEGEND

CONC CONCRETE
R/W RIGHT-OF-WAY
STA STATION

SYMBOLS

 CATCH BASIN
 CENTER LINE
 FIRE HYDRANT
 GATE VALVE
 HAND HOLE
 MANHOLE
 POWER POLE

INDEX

LOCATION MAP	SHEET 1 OF 5
NOTES	SHEET 1 OF 5
LEGEND	SHEET 1 OF 5
PLAN VIEW	SHEETS 4, & 4 OF 5
PROFILE	SHEETS 3 & 5 OF 5



**DJS SURVEYORS,
INCORPORATED**

SURVEYORS & MAPPERS

8461 LAKE WORTH ROAD, SUITE 187
LAKE WORTH, FL 33467
PH (561) 847-2866 FAX (561) 734-4910
www.djssurveyors.com
CERTIFICATE OF AUTHORIZATION NO. LB 7870

SCALE: **DRAWN BY:**

N/A	L.T.
-----	------


F.B./PG. | **CKD BY:**

FILE/ ELEC.	D.J.S.
-------------	--------

JOB #: _____ **SIGNATURE** _____
DATE: _____

10-082	1/07/11
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NOT VALID WITHOUT THE SIGNATURE AND
ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR & MAPPER


DONALD J. SULLIVAN
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 6422

SHEET NO.

1

OF

5

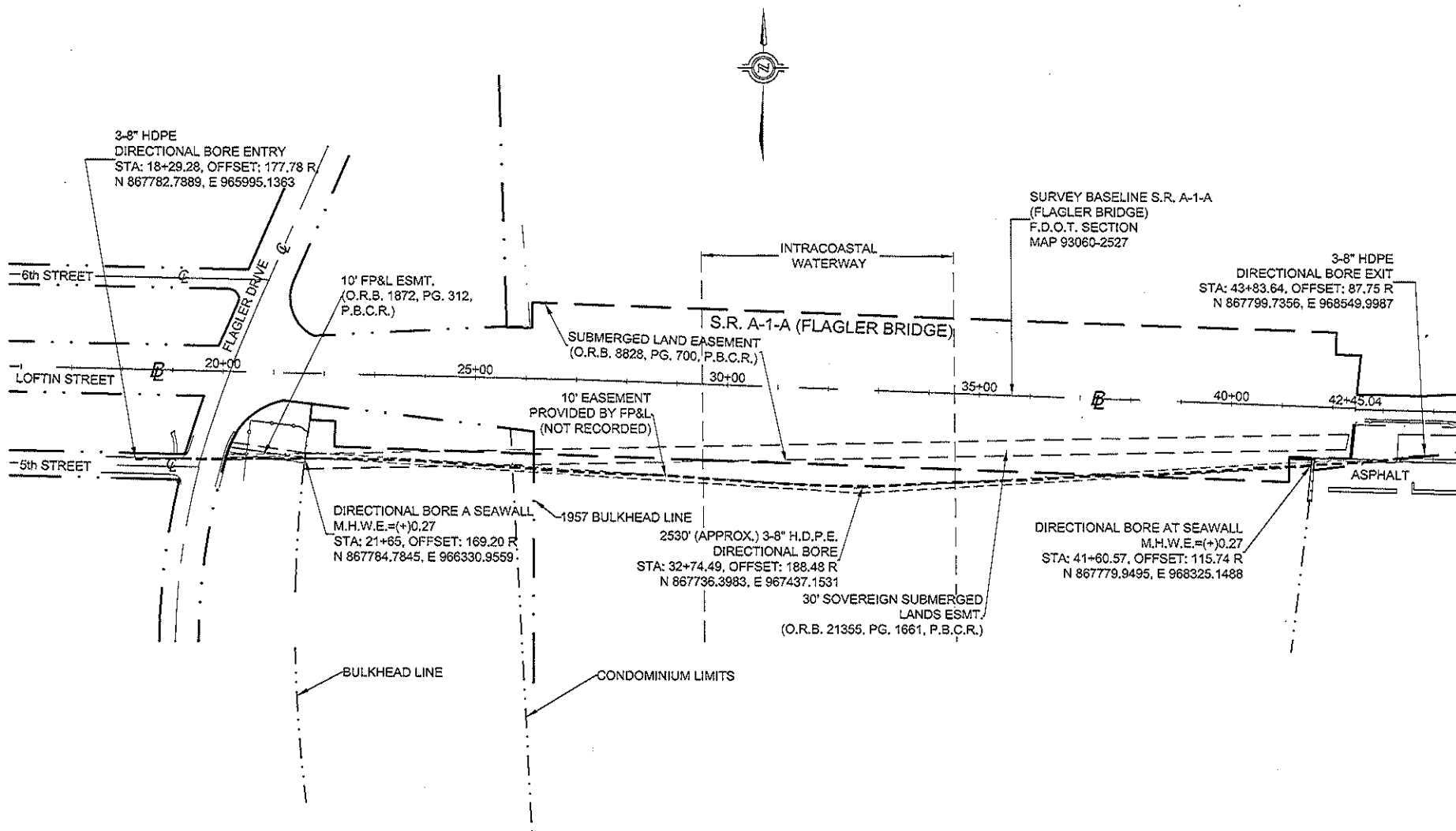
REVISIONS

DATE _____

BY

CKD

FB/PG



DJS SURVEYORS, INCORPORATED **SURVEYORS & MAPPERS**

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LAKE WORTH, FL 33467
PH (561) 847-2866 FAX (561) 734-4910
www.djsurveyors.com
CERTIFICATE OF AUTHORIZATION NO. LB 7870

SCALE:

1"=300'

F.B./PG.

FILE/ ELEC.

JOB #:

10-082

DRAWN BY:

L.T.

CKD BY:

D.J.S.

**SIGNATURE
DATE:**

1/07/11

SHEET NO.

2

OF

5

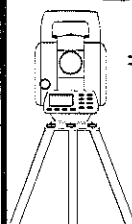
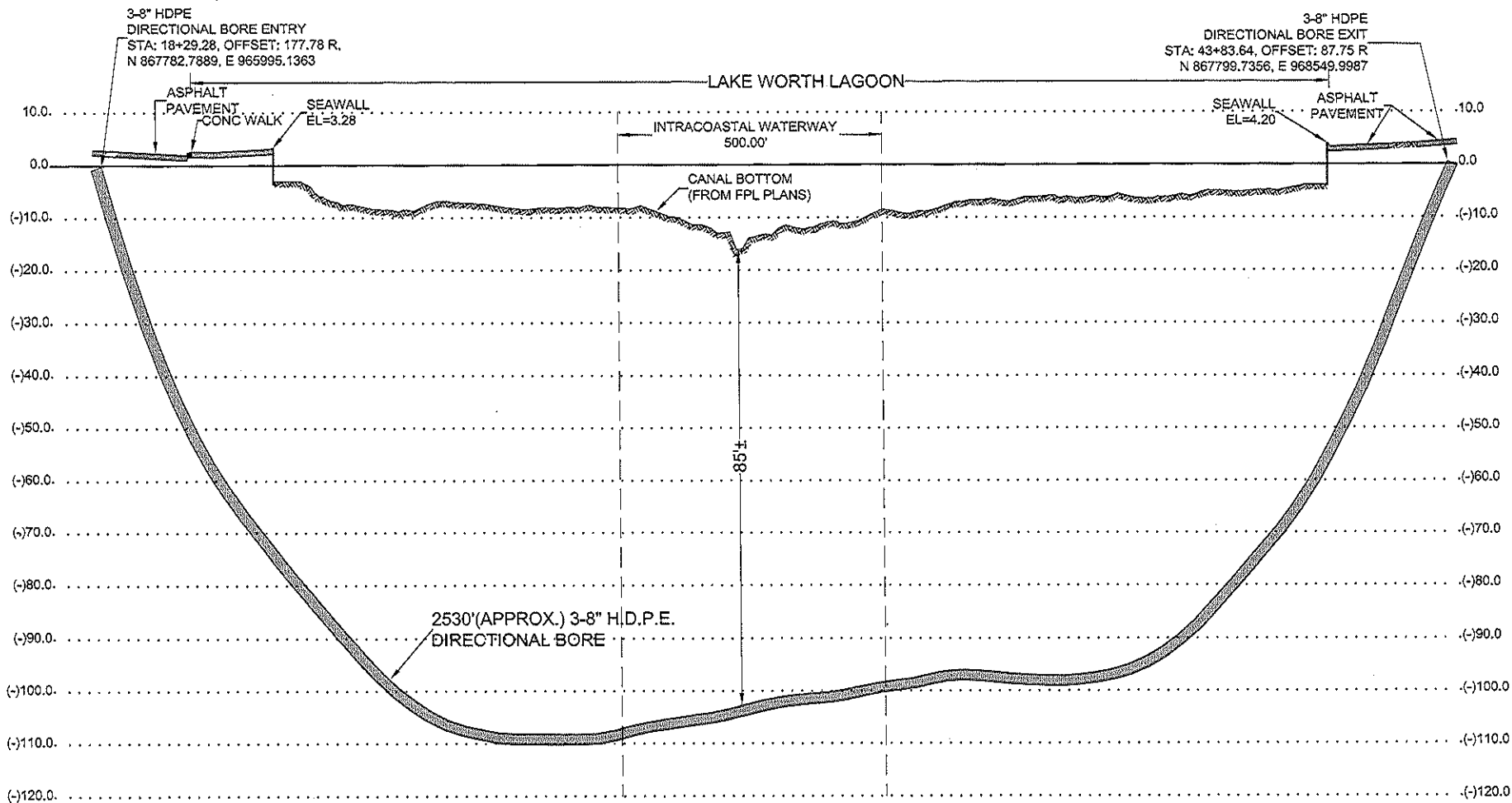
REVISIONS

DATE

BY

CKD

FB/PG



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LAKE WORTH, FL 33467
PH (561) 847-2866 FAX (561) 734-4910
www.djssurveyors.com
CERTIFICATE OF AUTHORIZATION NO. LB 7870

SCALE:
HOR. 1"=300'
VERT. 1"=30'

F.B./PG.
FILE/ ELEC.

JOB #:
10-082

DRAWN BY:
L.T.

CKD BY:
D.J.S.

**SIGNATURE
DATE:**
1/07/11

SHEET NO.

3

OF

5

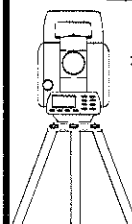
REVISIONS

DATE

BY

CKD

FB/PG



SURVEYORS & MAPPERS

SCALE:

1"=30'

F.B./PG.

FILE/ ELEC.

JOB #:

10-082

DRAWN BY:

L.T.

CKD BY:

D.J.S.

SIGNATURE
DATE:

1/07/11

SHEET NO.

4

OF

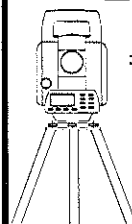
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REVISIONS

DATE _____

BY

CKD**FB/PG**



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LAKE WORTH, FL 33467
PH (561) 847-2866 FAX (561) 734-4910
www.djssurveyors.com
CERTIFICATE OF AUTHORIZATION NO. LB 7870

FB/PG

[illegible]

Crossing # 22

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: ☐ Deed ☐ Lease ☒ Easement ☐ Permit ☐ Management Agreement

☐ Use Agreement ☐ Disclaimer ☐ Quitclaim ☐ Dedication ☐ Release

☐ Acts of Legislation ☐ Other

Instrument Number: 40296

Extension: 000

File Number: 5438

Document Date: 05-27-2003

Consideration: _____

Water Body: Lake Huron

Reservations / Reverter: 2/2

Original County: Palm Beach

Section: 22

Township: 435

Range: 43 E

Total Area / Area Unit: _____ (A) Acreage (S) Square Feet

Comments:

Document received in 15th March, 2004

This Instrument Prepared By:
M. Sue Jones
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

01/30/2004 16:38:26 20040056223
JR BK 16498 PG 1513
Palm Beach County, Florida
Dorothy H Wilken, Clerk of Court

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 40296 (5458-50)
BOT FILE NO. 500228556
PA NO. _____

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands, if any, contained in the following legal description:

A parcel of submerged land in Section 22,
Township 43 South, Range 43 East, in Lake Worth,
Palm Beach County, as is more particularly described
and shown on Attachment A, dated December 2, 2001.

TO HAVE THE USE OF the hereinabove described premises from May 27, 2003, the effective date of this easement. The terms and conditions of and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above-described parcel of land shall be used solely for a subaqueous electric transmission cable. All of the foregoing subject to the remaining conditions of this easement.
2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.
3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.
4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.
5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.
6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.
7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

[43]

8. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Attn. Warren A. Tittle
Florida Power & Light Company
P.O. Box 8248
Ft. Lauderdale, FL 33340

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(49), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

Page 2 of 11 Pages
Easement No. 40226 (5458-50)

WITNESSES:

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY:

Dale Adams, Operations and Management Consultant
Manager, Bureau of Public Land Administration
Division of State Lands, Department of Environmental
Protection, as agent for and on behalf of the Board of Trustees
of the Internal Improvement Trust Fund of the State of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 21st day of January, 2009, by
Dale Adams, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands,
Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust
Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

DEP Attorney

Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires

Florence L. Davis
MY COMMISSION # C0374560 EXPIRES
October 11, 2004
SIGNED THIS 11TH DAY OF OCTOBER, 2004

Commission/Serial No.

WITNESSES:

Original Signature

Typed/Printed Name of Witness

Original Signature

Typed/Printed Name of Witness

STATE OF Florida

COUNTY OF Calhoun

Florida Power & Light Company, a Florida corporation (SEAL)

Original Signature of Executing Authority

J. W. Molyneux

Typed/Printed Name of Executing Authority

Assistant Secretary

Title of Executing Authority

"GRANTEE"

The foregoing instrument was acknowledged before me this 7th day of January, 2009, by
J. W. Molyneux as Assistant Secretary of Florida Power & Light Company, a Florida corporation, for and on behalf of the
corporation. He is personally known to me or who has produced _____, as identification.

My Commission Expires:

Commission/Serial No.

Notary Public, State of FLORIDA

Printed, Typed or Stamped Name

Page 4 of 11 Pages
Easement No. 40296 (5458-50)

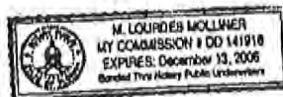
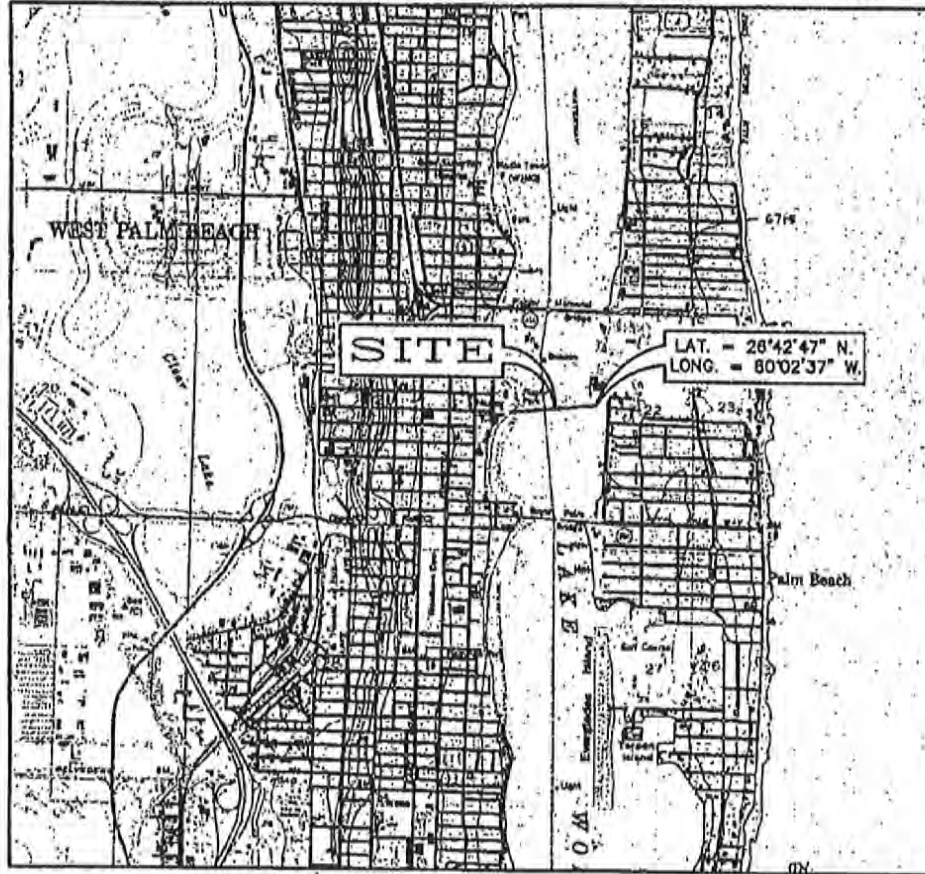


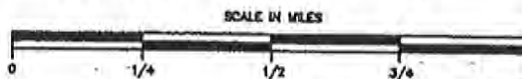
EXHIBIT "A"

**SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
DATURA STREET TO NORTH
OF CHAPEL HILL ROAD**

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



**PALM BEACH QUADRANGLE
FLORIDA - PALM BEACH CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)**



NOTES:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1980 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/90).

LAT. = LATITUDE
LONG. = LONGITUDE

NOTE:
NOT VALID UNLESS ACCOMPANIED
BY SHEETS 1, 2, 3, 4, 5 & 6 OF 7

**Attachment A
Page 5 of 11 Pages
Easement NO. 40208 (5438-50)**



**AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33488
TEL (561) 892-2594, FAX (561) 894-7188**

**JOB # 7267-52
DATE: 12/01/03
SHEET 7 OF 7**

EXHIBIT "A"

**SUBMERGED LAND EASEMENT
CROSSING OF LAKE WORTH
DATURA STREET TO NORTH
OF CHAPEL HILL ROAD**

LAND DESCRIPTION:

A portion of submerged lands lying within Lake Worth, in Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:

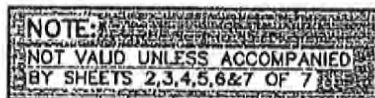
COMMENCING at the northwest corner of Lot 4 of Hill Subdivision according to the plat thereof, as recorded in Plat Book 40, Page 23 of the Public Records of Palm Beach County, Florida; thence N 43°44'48" W, 123.89 feet; thence N 42°07'48" W, 44.95 feet to the POINT OF BEGINNING being the Mean High Water Line of Lake Worth and having a Northing of 866041.844 and an Easting of 968392.686; thence S 74°19'36" W, 285.34 feet; thence S 77°09'16" W, 485.40 feet; thence S 78°37'30" W, 778.35; thence S 76°51'58" W, 219.82 feet; thence N 70°40'30" W, 24.10 feet to the Mean High Water Line and the easterly wet-face of an existing concrete sea wall; thence N 33°47'59" E along said Mean High Water Line, 14.42 feet; thence N 55°36'21" E, 70.97 feet; thence N 79°03'56" E, 759.27 feet; thence N 77°45'14" E, 721.89 feet; thence N 80°03'20" E, 227.04 feet to the Mean High Water Line; thence S 40°09'40" E, 10.38 feet to the POINT OF BEGINNING.

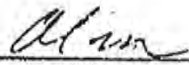
The above described easement is situate in Palm Beach County, Florida and containing 65,683 square feet, 1.508 acres, of submerged land, more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/2/03




ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300



AVIROM & ASSOCIATES,
SURVEYING & MAPPING
60 S.W. 2ND AVENUE, SUITE 101
BOCA RATON, FLORIDA 33488
TEL. (561) 998-2004, FAX (561) 998-2005

Attachment A
Page 6 of 11 Pages
Easement NO. 40298 (545850)

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ATE: 12/01/03

SHEET 1 OF 7

EXHIBIT "A"

SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH DATURA STREET TO NORTH OF CHAPEL HILL ROAD

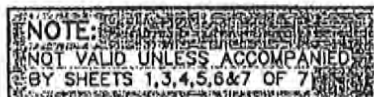
NOTES:

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. Data shown hereon was compiled from Instrument(s) of record and does not constitute a boundary survey.
4. This is not a M.H.W. Line Survey - Elevations shown for Informational purposes only.
5. The land description shown hereon was prepared by the Surveyor.
6. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Traverse Mercator Projection), East Zone, with the north line of Lot 4, of Hill Subdivision, having a bearing of N 88°48'41" W.
7. Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
8. Benchmark Description: Reference our Job # 3351, Brass Disc on Royal Palm Bridge over Lake Worth, Elevation = 16.434 feet.
9. This Sketch and Description is designed to encompass the Florida Power and Light subaqueous cable crossing. Cables were located via divers with the assistance of the Florida Power and Light Cable Locating Group. The surveyor certifies that the cables were located as accurately as possible at that time. The surveyor has not physically located the cable crossings.
10. Mean High Water information was compiled from published datum provided by the Land Boundary Information System Internet web site (www.labin.org). Mean High Water is based upon extending published datum from MHW Data Point ID #40, Palm Beach County, Quad Name Palm Beach, USGS Quad Number 26080F1. Mean High Water = 1.65' N.G.V.D. 1929; Range = 2.65'; Mean Low Water = -1.0' N.G.V.D. 1929.
11. Abbreviation Legend: B.O.S.W.= Bottom Of SeaWall; P.B.C.R.= Palm Beach County Records; C.= Centerline; F.P.L.= Florida Power & Light Company; G.P.S.= Global Positioning System; L.B.= Licensed Business; N.G.V.D.=National Geodetic Vertical Datum; N.W.= Northwest; P.B.= Plot Book; P.O.B.= Point Of Beginning; P.O.C.= Point of Commencement; P.S.M.= Professional Surveyor and Mapper; S.W.= Southwest; T.O.S.W.= Top Of Sea Wall; U.S.G.S.= United States Geological Survey.
12. Coordinates are based on post-processed differential G.P.S. observations surveyed in the field on June 24, 2003, with the positional accuracy meeting or exceeding less than 1 meter (Rms) + 10 ppm times the baseline length.

Equipment

Receiver: Trimble Pathfinder - Pro XR

Software: Trimble Pathfinder Office, Version Number 2.51



Attachment A

Page 7 of 11 Pages

Easement NO. 40296 (5458-50)



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 992-2884, FAX (561) 394-7128

JOB # 7267-52

DATE 12/01/03

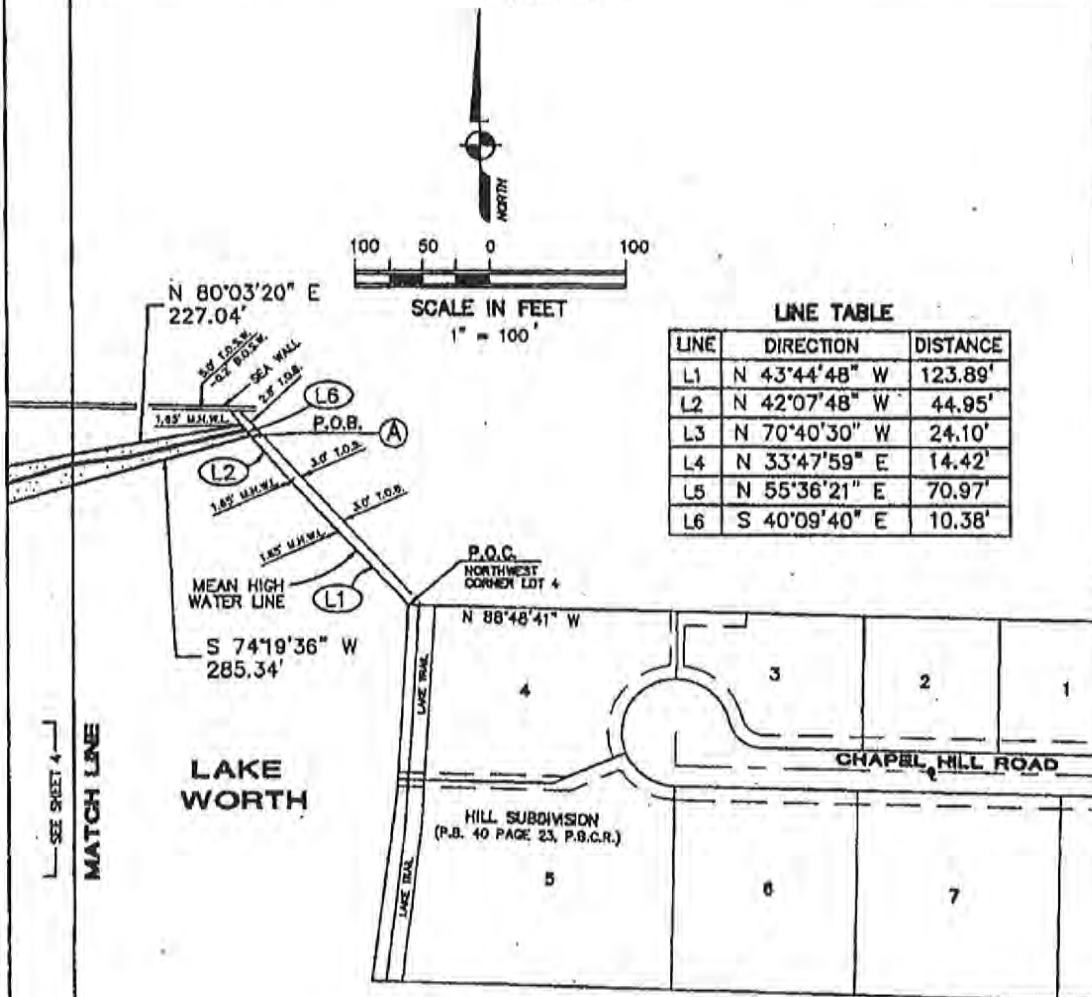
SHEET 2 OF 7

EXHIBIT "A"

SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH DATURA STREET TO NORTH OF CHAPEL HILL ROAD

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



AVIOM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 892-2504, FAX (561) 892-2505

Attachment A
Page 8 of 11 Pages
Easement NO. 40296 (5458-50)

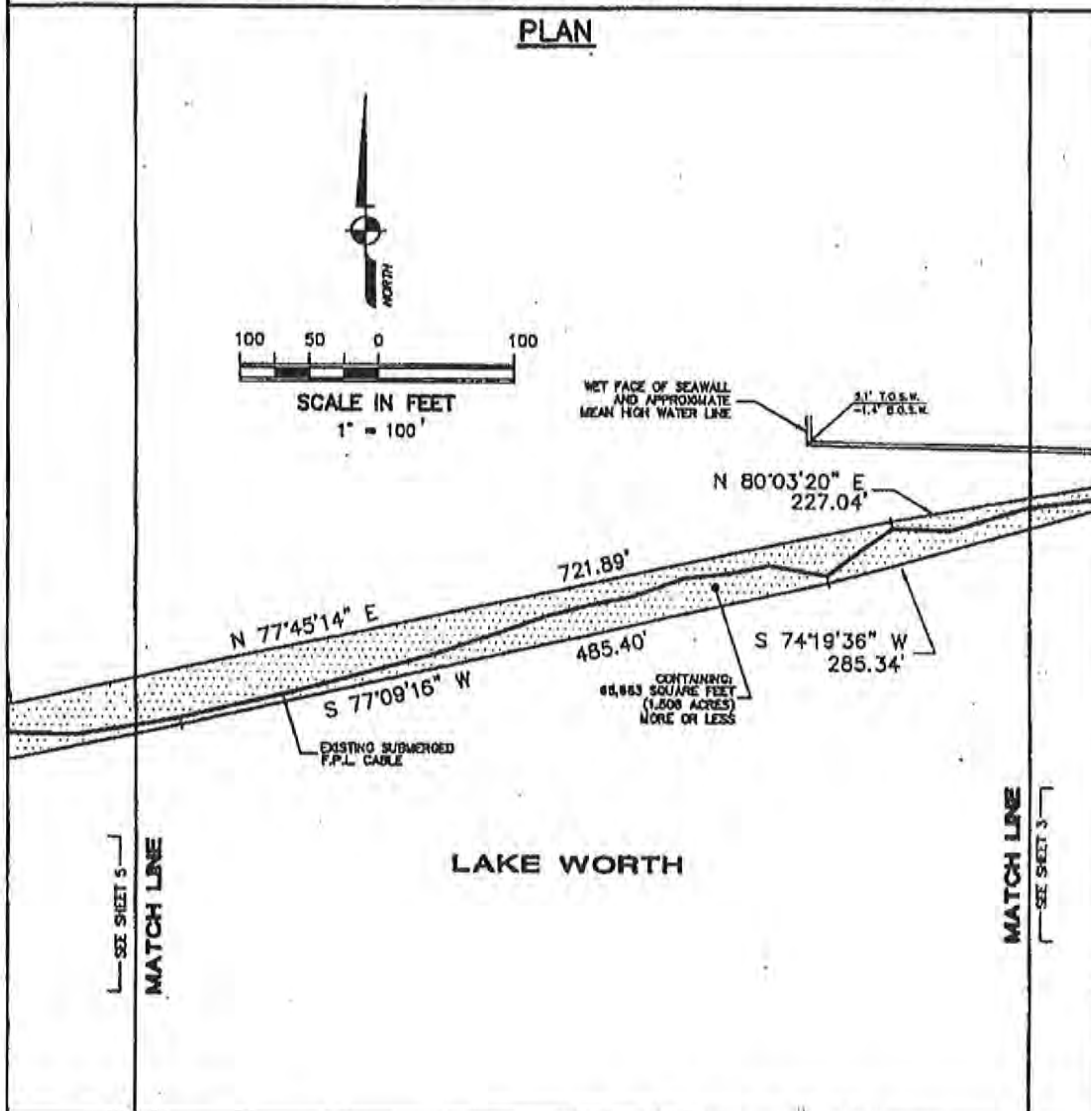
9 # 7267-52
TE: 12/01/03
FEET 3 OF 7

EXHIBIT "A"

SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH DATURA STREET TO NORTH OF CHAPEL HILL ROAD

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:

NOT VALID UNLESS ACCOMPANIED BY SHEETS 1,2,3,5,6&7 OF 7

STATE PLANE COORDINATES

A	N. 888041.844	E. 888382.686
B	N. 885861.356	E. 888644.831

(SEE NOTE # 6 & # 12 ON SHEET 2 OF 4)

MEAN HIGH WATER = 1.65' N.G.V.D.
RANGE = 2.85'
MEAN LOW WATER = -1.00' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 4)



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
60 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33431
TEL. (561) 992-2894, FAX (561) 994

Attachment A

Page 9 of 11 Pages

Easement NO. 40296

(5458-50)

7267-52

: 12/01/03

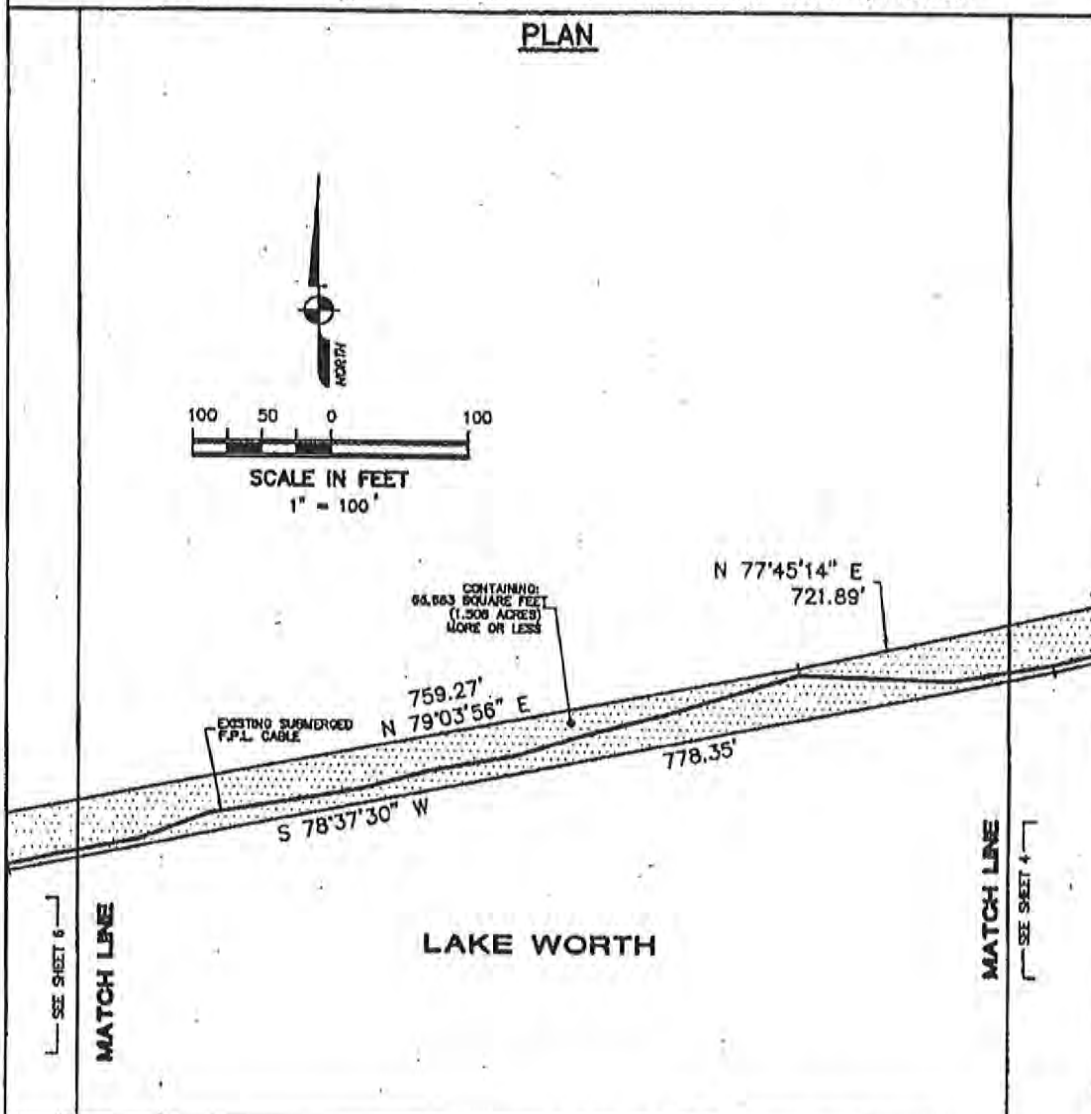
T-4 OF 7

EXHIBIT "A"

SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH DATURA STREET TO NORTH OF CHAPEL HILL ROAD

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



NOTE:

THE APPROXIMATE MEAN HIGH WATER LINE
IS NOT INTENDED TO BE THE LEGAL BOUNDARY
BETWEEN PRIVATE AND STATE OWNERSHIP.

NOTE:
NOT VALID UNLESS ACCOMPANIED
BY SHEETS 1, 2, 3, 4, 6 & 7 OF 7

STATE PLANE COORDINATES

A	N. 868041.844	E. 988392.686
B	N. 885681.356	E. 986844.831

(SEE NOTE # 8 & # 12 ON SHEET 2 OF 4)

MEAN HIGH WATER = 1.85' N.G.V.D.
RANGE = 2.65'
MEAN LOW WATER = -1.00' N.G.V.D.

(SEE NOTE #10 ON SHEET 2 OF 4)



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
80 S.W. 80th AVENUE, SUITE 102
BOCA RATON, FLORIDA 33492
TEL. (561) 992-2894, FAX (561) 994-...

Attachment A

Page 10 of 11 Pages

Easement NO. 40296 (5458-50)

1 7267-52

12/01/03

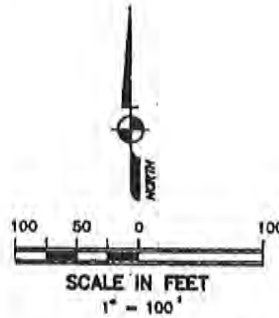
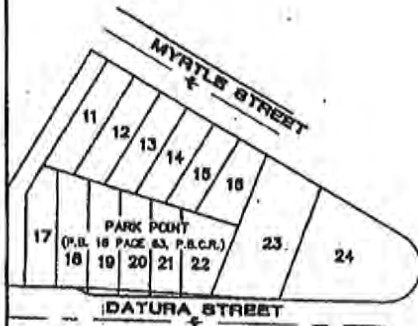
1.5 OF 7

EXHIBIT "A"

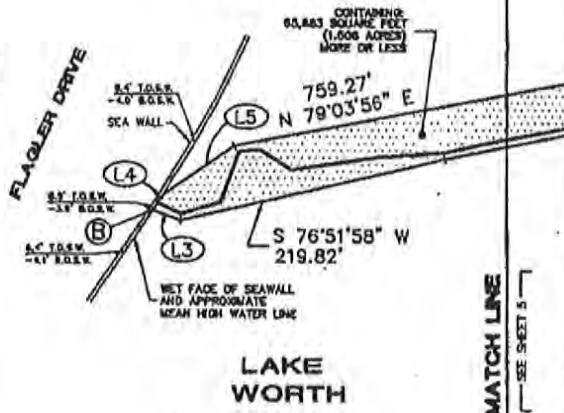
SUBMERGED LAND EASEMENT CROSSING OF LAKE WORTH DATURA STREET TO NORTH OF CHAPEL HILL ROAD

SECTION 22, TOWNSHIP 43 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA

PLAN



LINE	DIRECTION	DISTANCE
L1	N 43°44'48" W	123.89'
L2	N 42°07'48" W	44.95'
L3	N 70°40'30" W	24.10'
L4	N 33°47'59" E	14.42'
L5	N 55°36'21" E	70.97'
L6	S 40°09'40" E	10.38'



NOTE:
THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

STATE PLANE COORDINATES	
A	N. 868041.844 E. 988392.886
B	N. 865881.358 E. 986644.831

NOTE:
NOT VALID UNLESS ACCOMPANIED BY SHEETS 1, 2, 3, 4, 5 & 7 OF 7

MEAN HIGH WATER = 1.85' N.G.V.D.
RANGE = 2.65'
MEAN LOW WATER = -1.00' N.G.V.D.
(SEE NOTE #10 ON SHEET 2 OF 4)



AVIOM & ASSOCIATES,
SURVEYING & MAPPING
80 S.W. 2ND AVENUE, SUITE 10
BOCA RATON, FLORIDA 33432
TEL. (561) 988-2594, FAX (561)

Attachment A
Page 11 of 11 Pages
Easement NO. 40296 (5458-50)

CG # 7287-52
DATE 12/01/03
SHEET 6 OF 7



Book 16498/Page 1523

Page 11 of 11

I hereby certify that the foregoing is a true copy of the record in my office this day, Feb 19, 2004.
DOROTHY H. WILKEN, Clerk of Court, Palm Beach County, Florida
BY *[Signature]* Deputy Clerk



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, FL 33410

REPLY TO
ATTENTION OF

SEP 10 2007

Palm Beach Gardens Regulatory Office
SAJ-2007-2659(GP-LAO)

Beverly Musser
Florida Power & Light
PO Box 8248
Ft. Lauderdale, FL 33340

Dear Ms. Musser:

Your application for a Department of the Army permit received on February 23, 2007, has been assigned number SAJ-2007-2659(GP-LAO). A review of the information and drawings provided shows the proposed work is to directional drill a conduit crossing of the Intracoastal Waterway a minimum of 24 feet below existing depth of the ICWW and approximately 36 feet below the ICWW design depth from Datura Street to Chapel Hill Road. The project is located in Intracoastal Waterway, between Datura Street and Chapel Hill Road, West Palm Beach (Section 22, Township 43 south, Range 43 east), in Palm Beach County, Florida.

Your project, as depicted on the received drawings, is authorized by Regional General Permit (GP) SAJ-14. This authorization is valid until November 7, 2011. Please access the U.S. Army Corps of Engineers' Regulatory web address at http://www.saj.usace.army.mil/permit/permitting/general_permits.htm to view the special and general conditions for SAJ-14, which apply specifically to this authorization. To view the referenced conditions click on the permit number and the general condition column in the row corresponding to the SAJ number noted above. You must comply with all of the special and general conditions and any project-specific conditions of this authorization or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. The permittee shall provide as-built drawings of the authorized work and a completed As-Built Certification Form. The drawings and Certification Form are to be submitted within 30 days of completion of the authorized work or a response

-2-

indicating that the authorized work has not been accomplished shall be submitted prior to the expiration of the construction authorization of the permit. The drawings and Certification Form must be signed and sealed by a professional engineer registered in the State of Florida or a professional land surveyor registered in the State of Florida. In the event that the completed work deviates from the approved permit drawings and special conditions, the permittee shall describe, on the Certification Form, the deviation(s) between the project authorized by the permit and the project constructed. A blank Certification Form is attached at the end of this letter.

2. The drawings shall include the X-Y coordinates of the most waterward point(s) of the structure(s) and a point at the mean high waterline (MHWL) or the face of the bulkhead/seawall, if present. The drawing(s) shall include: (1) The dimensions of the structure, (2) depth below the design depth of the channel, and (3) the distance from the waterward end of the structure to the near bottom edge of the channel.

3. The drawings shall be furnished to the U.S. Army Corps of Engineers, Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida, 32232-0019 for verification and acceptance. The structure may not be used prior to acceptance and approval of the as-built drawings by the Corps.

4. Since a portion of the proposed work is located within the Federal right-of-way for the Federal Channel, **a Department of the Army Consent to Easement is also required prior to commencement of construction.** By copy of this letter, the permit is being forwarded to the Corps Real Estate Division for action on the Consent.

5. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove,

-3-

relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. The permittee shall adhere to the attached standard manatee construction conditions.

7. This verification does not authorize the placement of fill or any construction in mangroves, emergent wetlands, seagrass beds, or any other special aquatic sites.


8. The horizontal directional drill will comply with the best management practices outlined in the attached "Proposed Methods for Protection of Water Quality Directional Bored Water Crossings".

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced GP, please contact Leah Oberlin by phone at 561-472-3506, by email at Leah.A.Oberlin@saj02.usace.army.mil, or in writing at the letter head address.

-4-

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey:
http://www.saj.usace.army.mil/permit/forms/customer_service.htm.
Your input is appreciated - favorable or otherwise.

Sincerely,



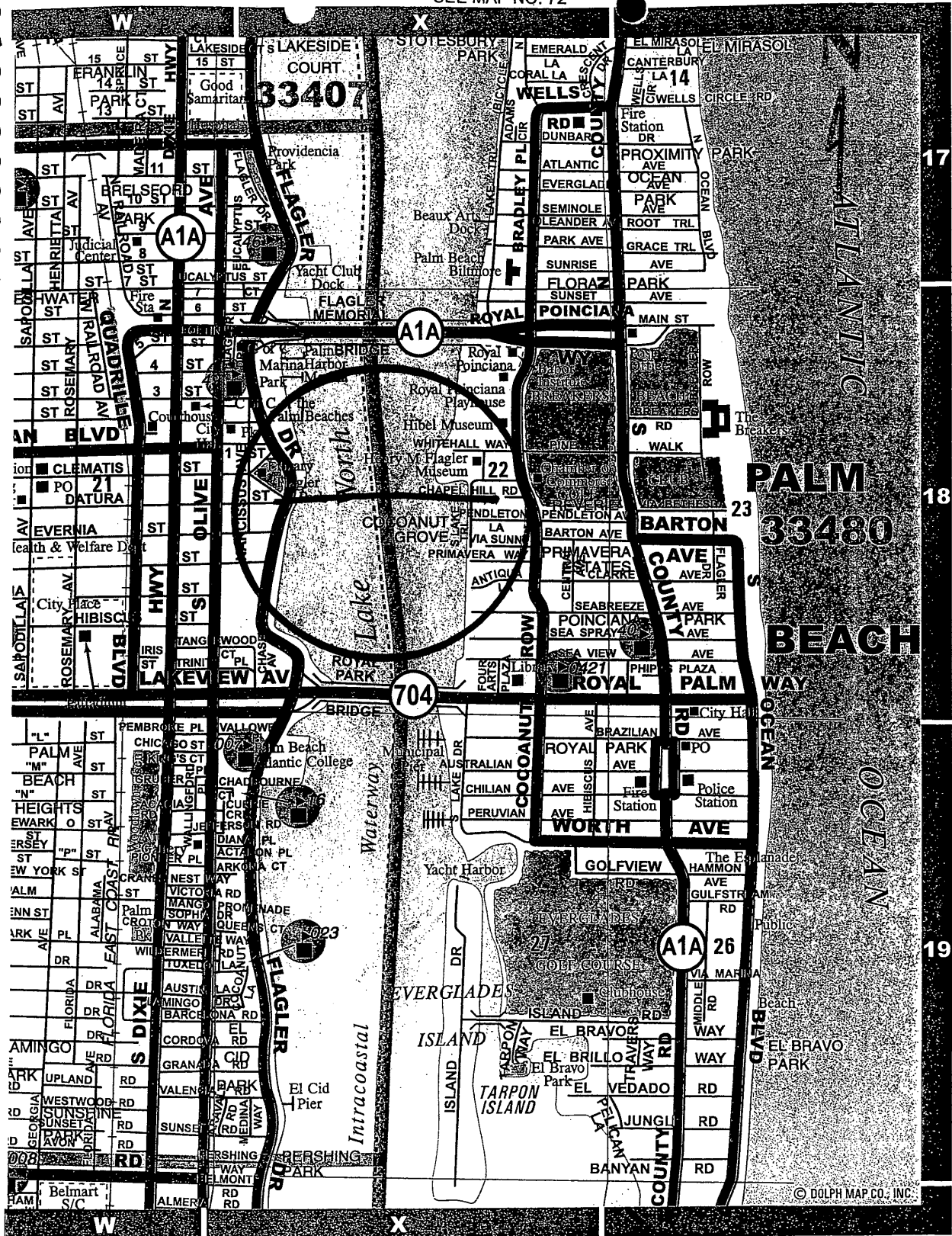
Leah A. Oberlin
Project Manager

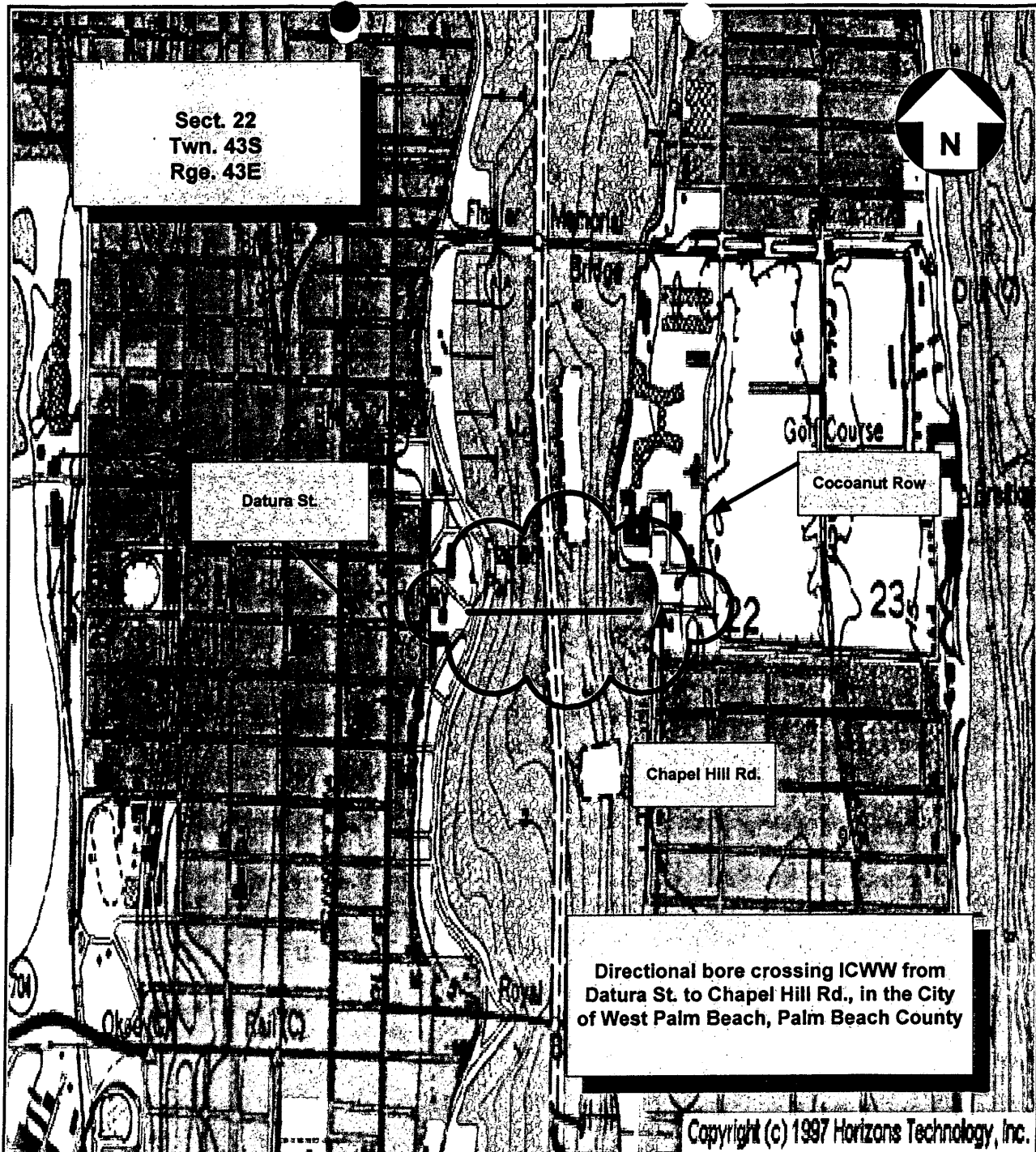
Enclosures

Copies Furnished:

CESAJ-RD-PE (by email)
CESAJ-RE-M

SEE MAP NO. 72





Palm Beach County - Florida

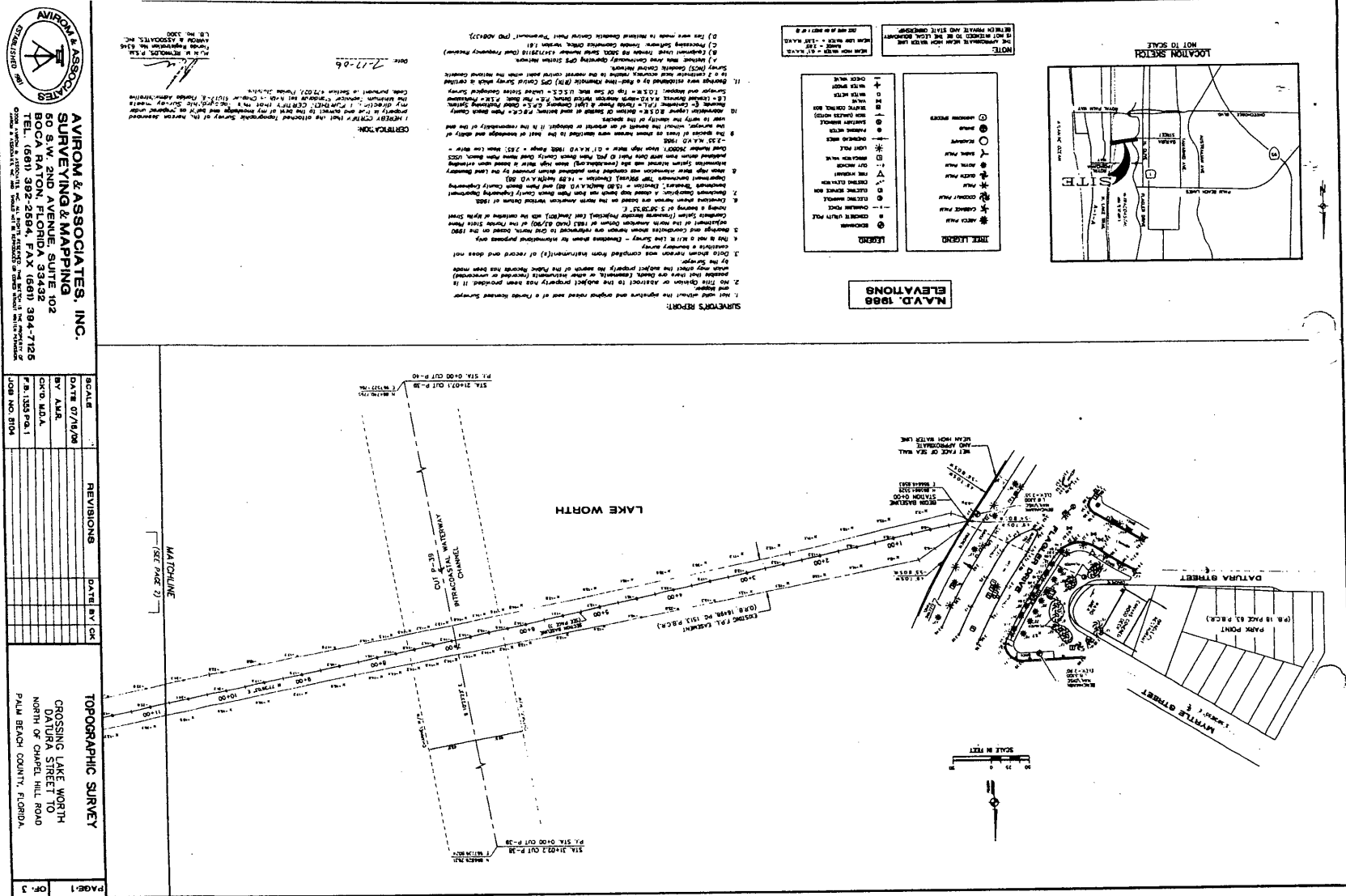
USGS - Palm Beach

NTS

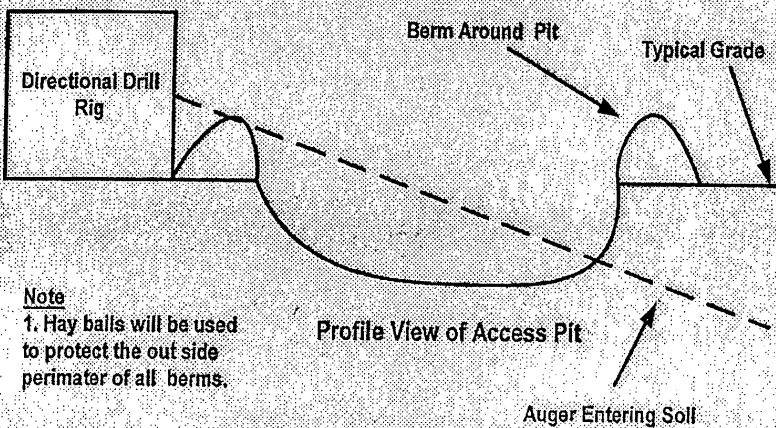
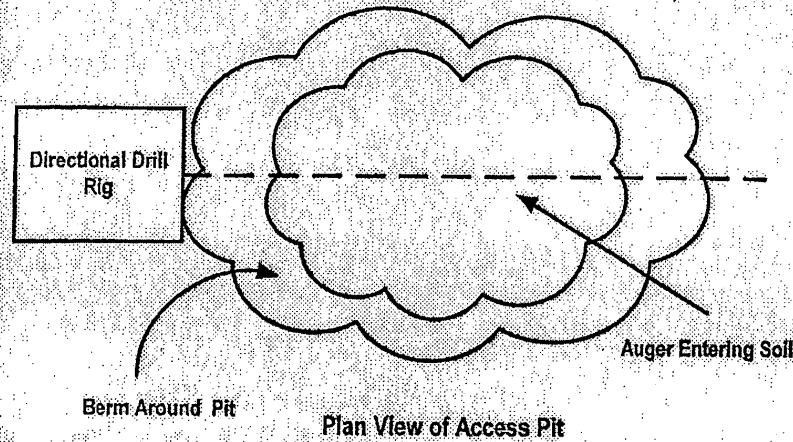


Directional Bore

Date : 2/1/07
Donna Wilcox



Upland Trench Drawing



Note
1. Hay balls will be used to protect the out side perimeter of all berms.

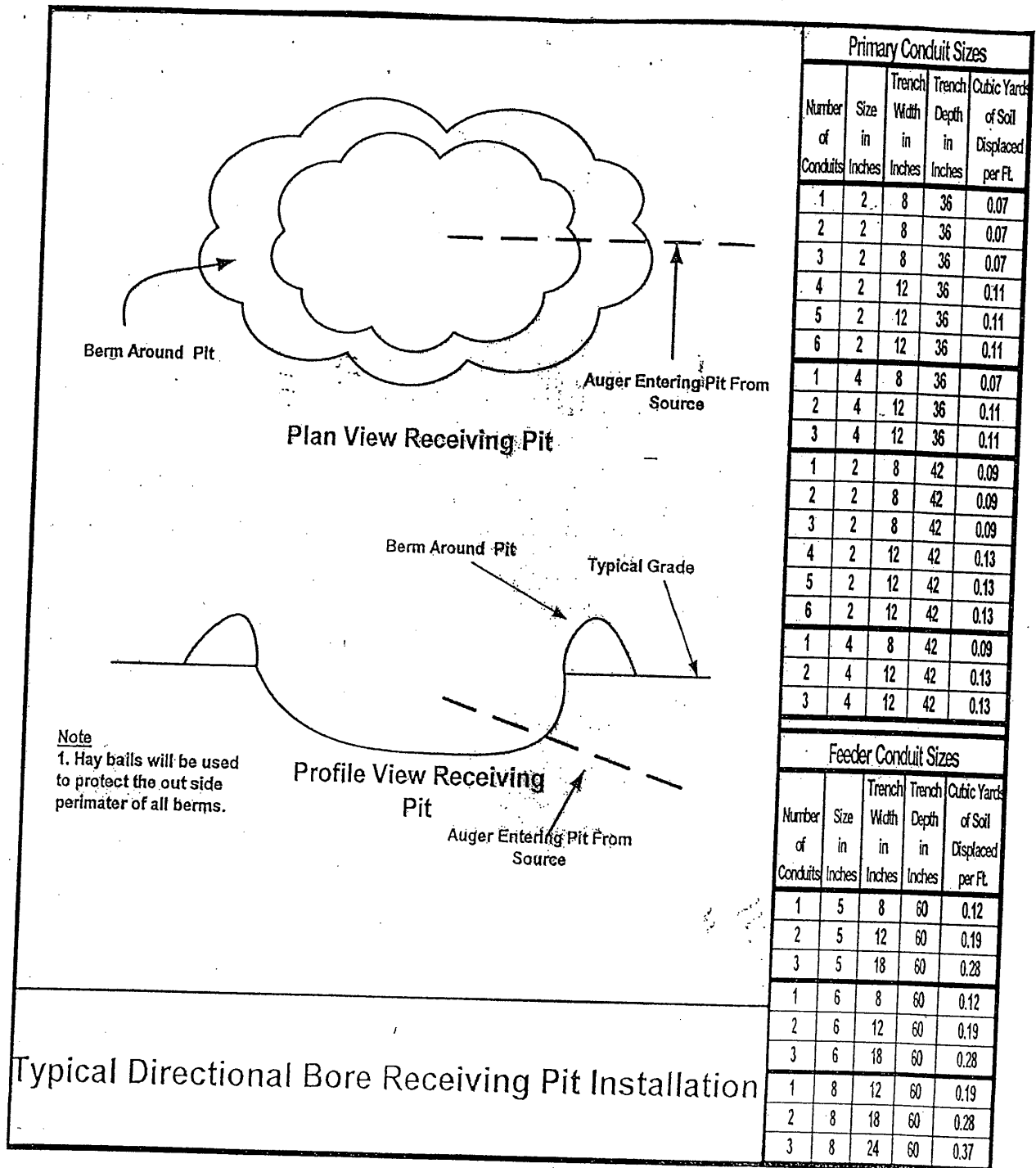
Typical Directional Bore Access Pit Installation

Primary Conduit Sizes

Number of Conduits	Size in Inches	Trench Width in Inches	Trench Depth in Inches	Cubic Yards of Soil Displaced per Ft.
1	2	8	36	0.07
2	2	8	36	0.07
3	2	8	36	0.07
4	2	12	36	0.11
5	2	12	36	0.11
6	2	12	36	0.11
1	4	8	36	0.07
2	4	12	36	0.11
3	4	12	36	0.11
1	2	8	42	0.09
2	2	8	42	0.09
3	2	8	42	0.09
4	2	12	42	0.13
5	2	12	42	0.13
6	2	12	42	0.13
1	4	8	42	0.09
2	4	12	42	0.13
3	4	12	42	0.13

Feeder Conduit Sizes

Number of Conduits	Size in Inches	Trench Width in Inches	Trench Depth in Inches	Cubic Yards of Soil Displaced per Ft.
1	5	8	60	0.12
2	5	12	60	0.19
3	5	18	60	0.28
1	6	8	60	0.12
2	6	12	60	0.19
3	6	18	60	0.28
1	8	12	60	0.19
2	8	18	60	0.28
3	8	24	60	0.37



Proposed Methods for Protection of Water Quality Directional Bored Water Crossings

Florida Power & Light and Contractor will implement the following Best Management Practices (BMP's) to minimize the potential for adverse environmental impacts during Horizontal Directional Drilling (HDD) activities:

- BMP's for erosion control within the staging area shall be implemented and maintained at all times during drilling and back-reaming operations to prevent siltation and turbid discharges in excess of State Water Quality Standards pursuant to Rule 62-302, F.A.C. Methods shall include, but are not limited to the immediate placement of turbidity containment devices such as turbidity screen, silt containment fence, hay bails, and earthen berms, etc. to contain the drilling mud. Earthen berms shall not be utilized as to impact wetlands or other surface waters pursuant to [62-340 F.A.C.].

To provide an additional level of resource protection, the following measures shall be taken to monitor any potential release of drilling fluid:

- Florida Power & Light's contractor will identify prior to commencement of construction an environmental scientist/biologist with experience in water quality monitoring and habitat protection to be used in the event of a frac-out [62-340 F.A.C.].
- At all times, adequate protection will be taken to avoid impacts to the Aquatic Preserve/Outstanding Florida Waters and contiguous wetlands. This shall include, but is not limited to halting of construction/drilling and or placement of turbidity containment devices [62-340 F.A.C.].
- A Vactor Truck shall be onsite and available at all times [62-340 F.A.C.].
- A spill Kit (i.e., absorbent pads/boom, goggles, gloves, etc.) shall be onsite and available at all times [62-340 F.A.C.].

Should a release occur, the following measures shall be taken:

- If a frac-out is confirmed, all construction activity contributing to the frac-out shall cease immediately.
- If the return drilling mud/fluid is less than the projected amount to be recovered, divers shall immediately begin their search for the missing material. Once the drilling mud and frac-out is located, then the drilling mud containment plan shall be immediately implemented [62-340 F.A.C.].

Drilling Mud Containment Plan:

- The Fla. Department of Environmental Protection shall be notified immediately (within 2 hours) of the frac-out by telephone.
- The scientist/biologist underwater divers will guide the suction hose of the pump to minimize both the removal of natural bottom material and the disturbance of any existing vegetation.
- Any escaped drilling lubricant must be pumped into filter bags or directly into a vactor truck.
- A barge company will be contacted to transport a vactor truck should it be needed to respond "in-water".
- Once the spill is contained, the escaped drilling lubricant shall be properly disposed of in an approved upland disposal site.
- Clean-up with a vacuum system shall commence within 24 hours.
- After containment/recovery of the drilling material/resources, a detailed written report shall be submitted to the Department, within 10 business days, indicating the location of the frac-out, amount of drilling material discharged and the amount of drilling mud recovered, the process in which the drilling mud was recovered, and the area that was affected by the drilling discharge [62-340 F.A.C.].

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL		
Applicant: FPL – ICWW Datura Street HDD	File Number: SAJ-2007-2659(GP-LAO)	Date: SEP 10 2007
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
X	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT		
<p>REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)</p>		
<p>ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.</p>		
<p>POINT OF CONTACT FOR QUESTIONS OR INFORMATION:</p>		
<p>If you have questions regarding this decision and/or the appeal process you may contact:</p>	<p>If you only have questions regarding the appeal process you may also contact:</p>	
<p>Project Manager as noted in letter</p>	<p>Michael F. Bell 404-562-5137</p>	
<p>RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.</p>		
<p>Signature of appellant or agent.</p>	<p>Date:</p>	<p>Telephone number:</p>

GENERAL CONDITIONS
33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on date identified in the letter. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2007-1055 (GP-LAO)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Section at 904-232-2907.

1. Department of the Army Permit Number: SAJ-2007-2659

2. Permittee Information:

Name _____

Address _____

3. Project Site Identification:

Physical location/address _____

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (Please type)

(FL, PR or VI) Reg. Number

Company Name

Address

City

State

ZIP

(Affix Seal)

Date

Telephone Number

Attach additional pages as necessary to identify deviations from the approved permit drawings and special conditions.

Oberlin, Leah A SAJ

From: Freijo-Nef, Luana E SAJ
Sent: Monday, July 30, 2007 3:20 PM
To: Oberlin, Leah A SAJ
Cc: Connor, Sherilyn A SAJ
Subject: Permit #SAJ-2007-2659 - Palm Beach County

Leah,
The proposed FPL line is at least 16 feet below MLW, therefore this office has no objection to the issuance of this permit.

Luana Freijo-Nef
Navigation Section
Construction/Operations Division
904-232-1605

-----Original Message-----

From: Oberlin, Leah A SAJ
Sent: Monday, July 30, 2007 12:39 PM
To: Freijo-Nef, Luana E SAJ
Subject: SAJ-200702659

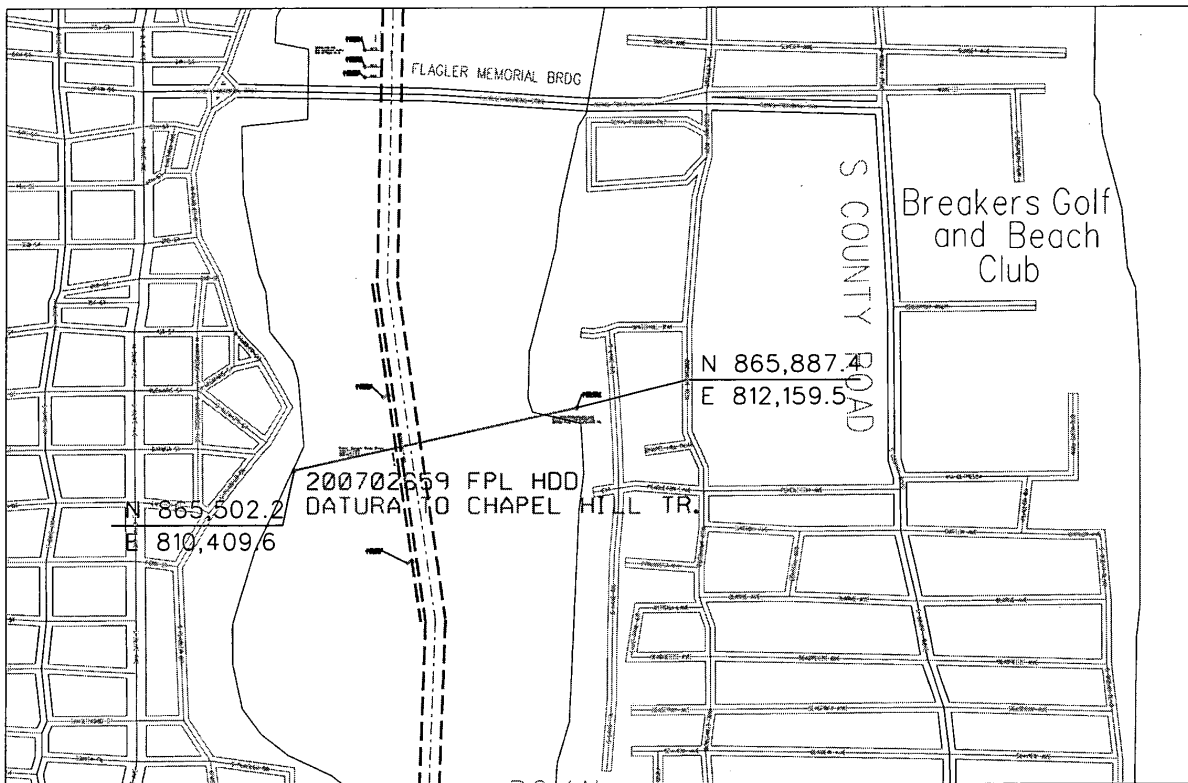
Luana, Here is another XY coordinate for a FPL HDD crossing of the ICWW. Can you confirm that it would be ok to move forward with this one?

This is 24' minimum under current depths in the ICWW and 36' minimum under design depth. The coordinates are NAD88 for the attached cross sectional drawing.

Leah Oberlin
Environmental Engineer
Palm Beach Gardens Regulatory Office
South Permits Branch
4400 PGA Blvd, Suite 500
Palm Beach Gardens, FL 33410
Phone: 561-472-3506 Fax: 561-626-6971

"What gets measured, gets done. And what gets recognised gets done again, and even better." - Robert Crawford

Therefore, please consider completing one of our customer service surveys. We want to hear your feedback.
http://www.saj.usace.army.mil/permit/forms/customer_service.htm



...PalmBeachCounty.dgn 7/30/2007 11:37:25 AM

Office

Project

30 July 2007

INPUT

State Plane, NAD83
0901 - Florida East, U.S. Feet

OUTPUT

State Plane, NAD27
0901 - Florida East, U.S. Feet

Accuracies of conversions from NAD 83 to NAD 27 are typically 12 to 18 cm.

1

1/2

Northing/Y: 865664.5529

Easting/X: 966646.8593

Northing/Y: 865502.168

Easting/X: 810409.560

Convergence: 0 25 39.15902

Scale Factor: 1.000051700

Convergence: 0 25 38.75641

Scale Factor: 1.000051651

Grid Shift (U.S. ft.): X/Easting = -156237.3, Y/Northing = -162.4

Datum Shift (m.): Delta Lat. = -37.958, Delta Lon = 23.544

2

2/2

Northing/Y: 866049.8098

Easting/X: 968396.783

Northing/Y: 865887.421

Easting/X: 812159.470

Convergence: 0 25 47.90363

Scale Factor: 1.000052950

Convergence: 0 25 47.50062

Scale Factor: 1.000052900

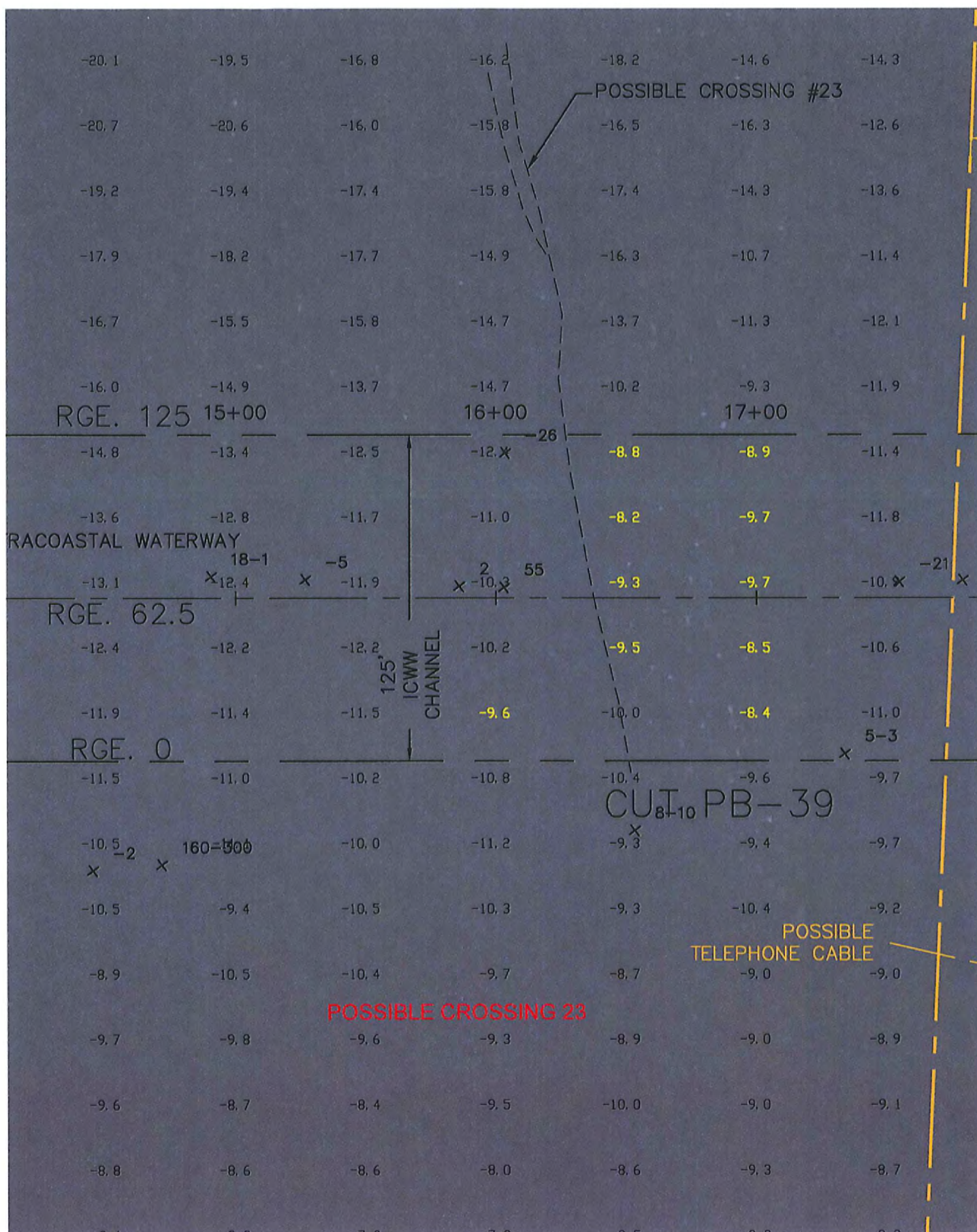
Grid Shift (U.S. ft.): X/Easting = -156237.3, Y/Northing = -162.4

Datum Shift (m.): Delta Lat. = -37.954, Delta Lon = 23.559

Remark:

Corpscon v6.0.1, U.S. Army Corps of Engineers

Crossing # 23



Crossing # 24



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSING 24



Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013



Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 14:57:48 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

MODIFIED SOVEREIGN SUBMERGED LANDS EASEMENT

NO. 00058(3873-50) A

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to American Telephone and Telegraph Company, A New York Corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereign lands described as follows:

A parcel of sovereignty submerged land in Section(s) 22, Township 43 South, Range 43 West, in Lake Worth, Palm Beach County, more particularly described and shown on Attachment(s) A, dated November 30, 1989.

TO HAVE THE USE OF the hereinabove described premises from December 1, 1989, the effective date of this modified easement, through December 1, 2019, the expiration date of this modified easement. The terms and conditions on and for which this easement is granted are as follows.

1. That the above described parcel of land shall be used solely for replacing a subaqueous telephone cable and the Grantee shall not engage in any activity except as described in the Florida Department of Environmental Regulation Permit No. 501493736 dated September 16, 1988, modified letter dated December 12, 1989, attached hereto as Attachment(s) B, and made a part hereof.

2. The rights hereby granted shall be subject to any and all rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.

3. Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

SLEI.

RECEIVED
NOV 30 1990

DIVISION OF STATE LANDS
UPLANDS

see regulation 11.12
submerged land
Florida, 6A - 30309

4. This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

5. Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

6. The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and hold and save harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement.

7. Grantor waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

8. This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

9. The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

American Telephone and Telegraph Company
401 West Peachtree N. E.
Room 2913
Atlanta, Georgia 30308

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

10. The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

11. Renewal of this easement is at the sole option of the Grantor. Such renewal shall be subject to the terms, conditions and provisions of current management standards and applicable laws, rules and regulations in effect at that time. In the event that Grantee is in full compliance with the terms of this easement, the Grantee shall be allowed a 30-day grace period after expiration of this easement to apply in writing for a renewal. If the Grantee fails to apply for a renewal within the grace period, or in the event the Grantor does not grant a renewal, the Grantee shall vacate the premises and remove all structures and equipment occupying and erected thereon at its expense.

12. If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 10 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

13. No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

14. The Grantee, at its own expense, shall record this easement and any subsequent approved renewal and/or modified easements in the official records of the county within which the easement site is located within ten (10) days after receipt of a fully executed copy of this easement, and shall provide the Grantor with a copy of the recorded easement indicating the book and page at which the easement is recorded.

15. This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA (SEAL)

WITNESSES:

Amelia K. Pericollia

K. R. Johnson

BY

Daniel T. Crabb
Chief, Bureau of Land Management
Services, Agent for the Board of
Trustees of the Internal
Improvement Trust Fund

"GRANTOR"

STATE OF FLORIDA

COUNTY OF LEON

Before me personally appeared Daniel T. Crabb to me well known and known to me to be the person who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 30th day of October, A.D., 1990.

APPROVED AS TO FORM AND LEGALITY:

Ernest M. Cullum
DNR Attorney

Veronica W. Crabb
Notary Public (SEAL)
State of Florida At Large

My commission expires:

Notary Public, State of Florida
My Commission Expires July 14, 1992
Bonded thru Troy Fain - Insurance Inc.

American Telephone and Telegraph
Company, A New York Corporation
GRANTEE (SEAL)

William J. Carroll
Original Authorized Signature

President
Title of Executing Authority

"GRANTEE"

WITNESSES:

Valerie J. Thorne

Judith A. Crain

STATE OF GEORGIA

COUNTY OF FULTON

Before me personally appeared W. J. Carroll to me well known and known to me to be the person who executed the foregoing instrument, and acknowledged to and before me that HE executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal this 23 day of August, A.D., 1990.

My commission expires:
Notary Public, Gwinnett County, Georgia
My Commission Expires Jan. 12, 1993

Herold N. Loring
Notary Public (SEAL)
State of GEORGIA At Large

**SPECIFIC PURPOSE SURVEY
OF
SUBMERGED LAND EASEMENT
FOR
A.T.B.T.**

LEGAL DESCRIPTION

A parcel of land situate in Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida more particularly described as follows:

Commencing @ the S.W. corner of Section 22, Township 43 S, Range 43 E proceed N 00°00'00" E along the west line of said Section 22 a distance of 1344.48 feet; thence N 06°06'06" E a distance of 233.07 feet; thence S 88°10'25" E a distance of 1091.45 feet to the point of Beginning of a 100.00 foot wide submerged lands easement said point of Beginning lying on the easterly face of the bulkhead for Flagler Drive; thence along said bulkhead N 05°51'18" E a distance of 47.39 feet; thence N 05°50'13" E a distance of 55.00 feet; thence N 83°26'57" E a distance of 2191.16 feet to a point on a bulkhead on the westerly side of a 15 foot lake trail as shown on the plat of Polignani Park 2nd Addition as recorded in Public Records of County of Palm Beach, Florida; thence S 00°16'04" W along said westerly edge of Lake Trail a distance of 100.71 feet; thence S 83°26'57" W a distance of 2201.18 feet to the point of Beginning.

Containing 5.04 ± acres

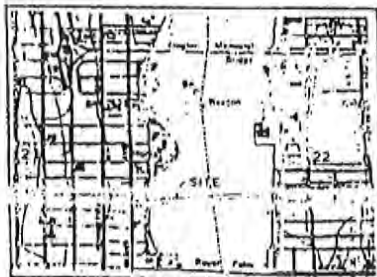
NOTES:

1. Bearings based on an assumed meridian.
 2. This survey is not valid unless sealed with an embossed surveyor's seal.
 3. Land shown herein were not abstracted for rights-of-way, easements of record or ownership.
 4. Elevations based on P.B.C. 191 E233, elev. 13.934 N.G.V.D.
- CERTIFICATE OF SURVEYOR** - I HEREBY CERTIFY that the above "Specific Purpose Survey" is in accordance with a recent field survey made under my direction and that it is true and correct to the best of my knowledge and belief, and meets Minimum Technical Standards as set forth by the Board of Professional Land Surveyors, Florida Statutes Chapter 21-181-6.

FIELD BOOK: PB
SHEET NO. 2181.00
4-14-88
MAM: EC

JOHN R. MORGAN, II, P.L.S.
REGISTERED LAND SURVEYOR 3520
STATE OF FLORIDA

REVISED 10-17-88



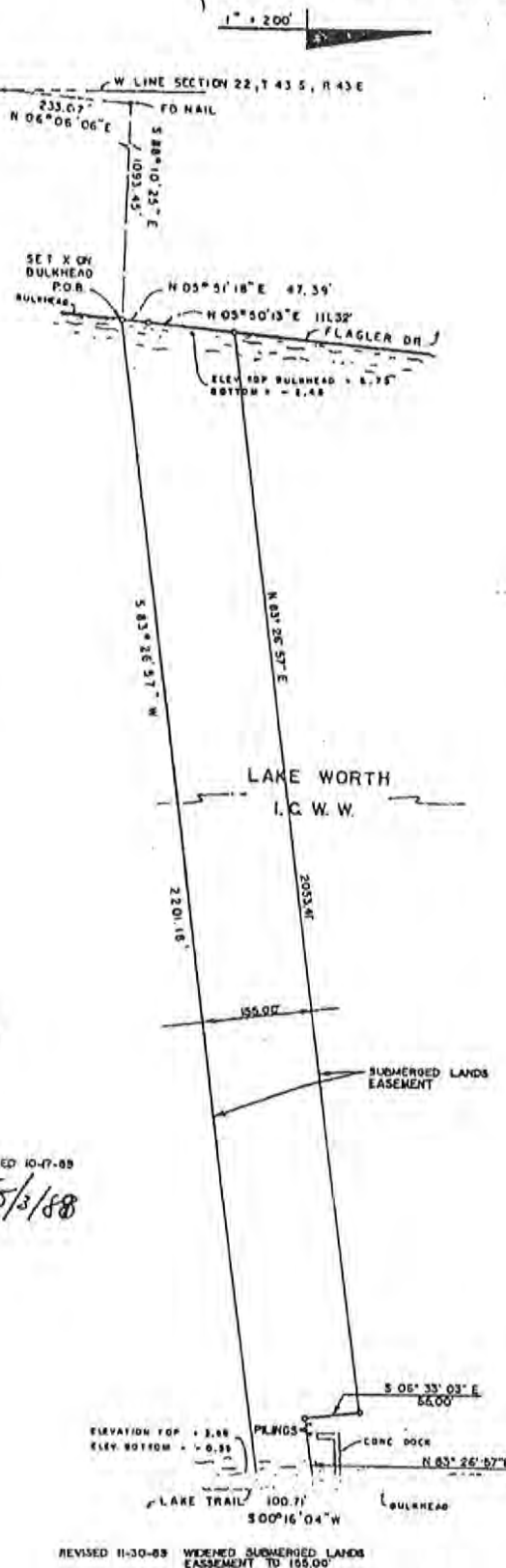
LOCATION MAP

MORGAN & EKLUND
PROFESSIONAL SURVEY CONSULTANTS

PLANNING • ENGINEERING • DESIGN • CONSTRUCTION • TOPOGRAPHIC • CONTROL • HYDROGRAPHIC SURVEYS

2030 4TH AVENUE, SUITE 8
PALM BEACH, FL 33400
305-654-5218

1500 92 1/2 AVE. (B-100)
DELRFIELD AVE., FL 33441
305-431-8444





FILE COPY

ORB 6645 Pg 374

Florida Department of Environmental Regulation

Southeast District • 1800 S. Congress Ave. Suite 3 • West Palm Beach, Florida 33409 • 407/833-0000

Bob Martinez, Governor

Eric Wachtman, Secretary

John Shapiro, Assistant Secretary
Scott Bennett, Deputy Assistant Secretary

DP# 50-1493736
Palm Beach County

JAN 25 1990

AT&T Communications
c/o John Morgan, 11
4616 20th Street
Vero Beach, FL 32960

RE: PERMIT MODIFICATION - AT&T Communications - Florico Conduit

Dear Mr. Morgan:

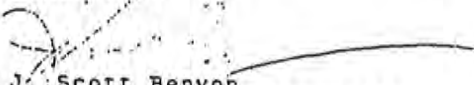
The staff has reviewed your request of December 5, 1989 for a modification of the referenced permit. This modification includes revising the submerged lands easement from 125' wide to 155' wide; revising appropriate bearings and distances in the legal description of submerged lands easement; and revising the area of the submerged lands easement from 6.23 acres to 7.64 acres.

This modification is considered minor and is hereby approved.

Please attach a copy of this letter and the enclosed, stamped modification drawing(s) to your permit and make it available on-site during construction. This does not relieve you from the need to obtain any other permits (local, State or federal) which may be required. Please note that all conditions of the original permit still apply. When referring to this project, please use the permit number indicated.

If you require any additional assistance, please contact Caroline Drennon of this office, at 407/964-9668.

Sincerely,


J. Scott Benyon
Deputy Assistant Secretary

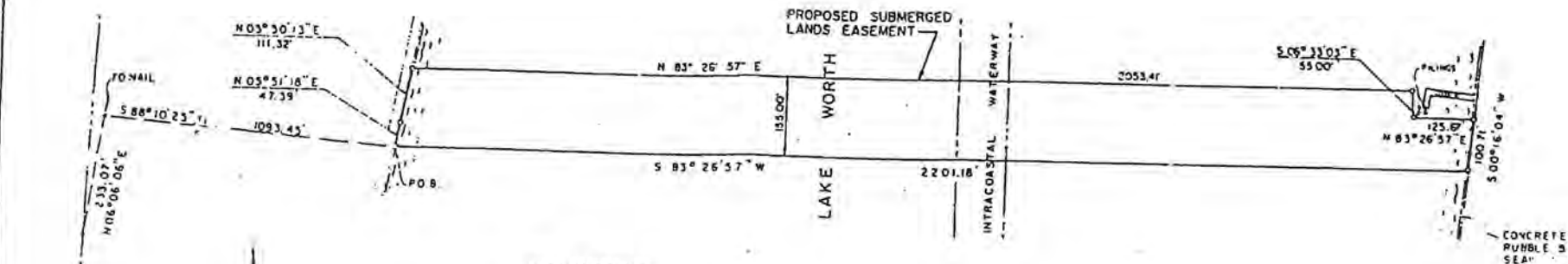
JSB:cdb11

Enclosure(s)

cc: U.S. Army Corps of Engineers, Miami
PBC ERM
Department of Natural Resources

ATTACHMENT B
PAGE 6 OF 15 PAGES

ATTACHMENT NO. 2000010113-000 A



LEGAL DESCRIPTION

A parcel of land situated in Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida; more particularly described as follows:

Commencing at the S.W. corner of Section 22, Township 43 S, Range 43 E and proceed N 00° 00' 00\"/>

Containing 7.64 acres

NOTES:

1. Bearings based on an assumed meridian.
2. This survey is not valid unless sealed with an embossed surveyor's seal.
3. Lands shown herein were not abstracted for rights-of-way, easements of record or ownership.
4. Elevations based on P.B.C. BM 2233, elev. 13.95' N.G.V.D.

CERTIFICATE OF SURVEY
I HEREBY CERTIFY that the above "Specific Purpose Survey" in accordance with a recent field survey made under my direction and that it is true and correct to the best of my knowledge and belief, and that it conforms to the Minimum Technical Standards as set forth by the Board of Professional Land Surveyors, Florida Statutes Chapter 21-121-6.

COMMISSION NO. 2 00

JERRY R. MORGAN, P.L.S.
REGISTERED LAND SURVEYOR 3520



LOCATION MAP

RECEIVED
DEC 5 1989

Dept. of Environmental Reg
West Palm Beach



SUBMERGED LAND EASEMENT
FOR
AT&T COMMUNICATIONS

006 6645 P3 375

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTHEAST FLORIDA DISTRICT

1600 SOUTH CONGRESS AVENUE, SUITE A
WEST PALM BEACH, FLORIDA 33406
(305) 864-9668



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
J. SCOTT BENYON
DISTRICT MANAGER

PERMITTEE:
AT & T Communications
c/o Coastal Technology Corporation
800 20th Place, Suite 6
Vero Beach, Florida 32960

I.D. NUMBER: 5050P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993
COUNTY: Palm Beach
LATITUDE/LONGITUDE: 26°42'20"/80°02'50"
SECTION/TOWNSHIP/RANGE: 22/23/43S/43E
PROJECT: Dredge and fill for 2,220' of
subaqueous telephone cable in
Lake Worth, A.I.C.W.

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-3, 17-4, and 17-12. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TO DREDGE: 2,600 cubic yards of estuarine substrate for a temporary trench 2,220 feet by four (4) feet wide at the bottom and six (6) feet below sediment surface; install four (4) two (2) inch PVC conduits; and backfill the trench with excavated material.

IN ACCORDANCE WITH: DER Application Form 17-1.203(1) additional information received on May 5, 1988 and June 24, 1988 and the three (3) attached stamped drawings.

LOCATED IN: Lake Worth and the Atlantic Intracoastal Waterway from Flagler Drive between Fern and Gardenia across the A.I.C.W. to Primavera and South Lake Trail, Palm Beach County, Sections 22/23, Township 43 South, Range 43 East.

SUBJECT TO: General Conditions 1-15 and Specific Conditions 1-5.

DER Form 17-1.201(5)
Effective November 30, 1982 Page 1 of 5

Protecting Florida and Your Quality of Life

ATTACHMENT B
PAGE 8 OF 15 PAGES
EASEMENT NO. 00058(3873-50) A

PERMITTEE:
AT & T Communications

ORB 6645 Pg 377
I.D. NUMBER: 1050P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement actions by the Department.
3. As provided in Subsections 403.087(6), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
 - a. Having access to and copying any records that must be kept under the conditions of the permit;
 - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

DER Form 17-1.201(5)
Effective November 30, 1982 Page 2 of 5

ATTACHMENT B
PAGE 9 OF 15 PAGES
EASEMENT NO. 00058(3873-50)A

PERMITTEE:
AT & T Communications

I.D. NUMBER: 1050PC1516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993 *my*

GENERAL CONDITIONS:

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

- a. a description of any cause of non-compliance; and
- b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

- 9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes.
- 10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- 11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- 12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.
- 13. This permit also constitutes:
 - () Determination of Best Available Control Technology (BACT)
 - () Determination of Prevention of Significant Deterioration (PSD)
 - (x) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
 - () Compliance with New Source Performance Standards
- 14. The permittee shall comply with the following monitoring and record keeping requirements:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.

PERMITTEE:
AT & T Communications

GRB 6645 Pg 379
I.D. NUMBER: D50P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993

GENERAL CONDITIONS:

- b. The permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - analytical techniques or methods used; and
 - results of such analyses.
5. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

DER Form 17-1.201(5)
Effective November 30, 1982

Page 4 of 5

ATTACHMENT B
PAGE 11 OF 15 PAGES
EASEMENT NO. 00058(3873-50) A

PERMITTEE:
AT & T Communications

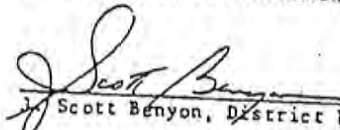
I.D. Number: 5050P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993 *ny*

SPECIFIC CONDITIONS:

1. The permittee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Natural Resources under Chapter 253, until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Florida Administrative Code Rule 16Q-14, if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.
2. Written notification shall be provided to the Department of Environmental Regulation, Southeast Florida District Office in West Palm Beach and Palm Beach County Health Department, a minimum of forty-eight (48) hours prior to commencement of construction and a maximum of forty-eight (48) hours after completion of construction.
3. Turbidity screens shall be utilized during construction to insure that turbidity values 50 feet downstream from the project site do not exceed 29 N.T.U.'s above background.
4. The engineer of record shall submit record drawings to this office within sixty (60) days after completion of construction.
5. All other necessary State, Federal, or Local permits must be applied for and received prior to the start of work.

Issued this 16th day of September, 1988

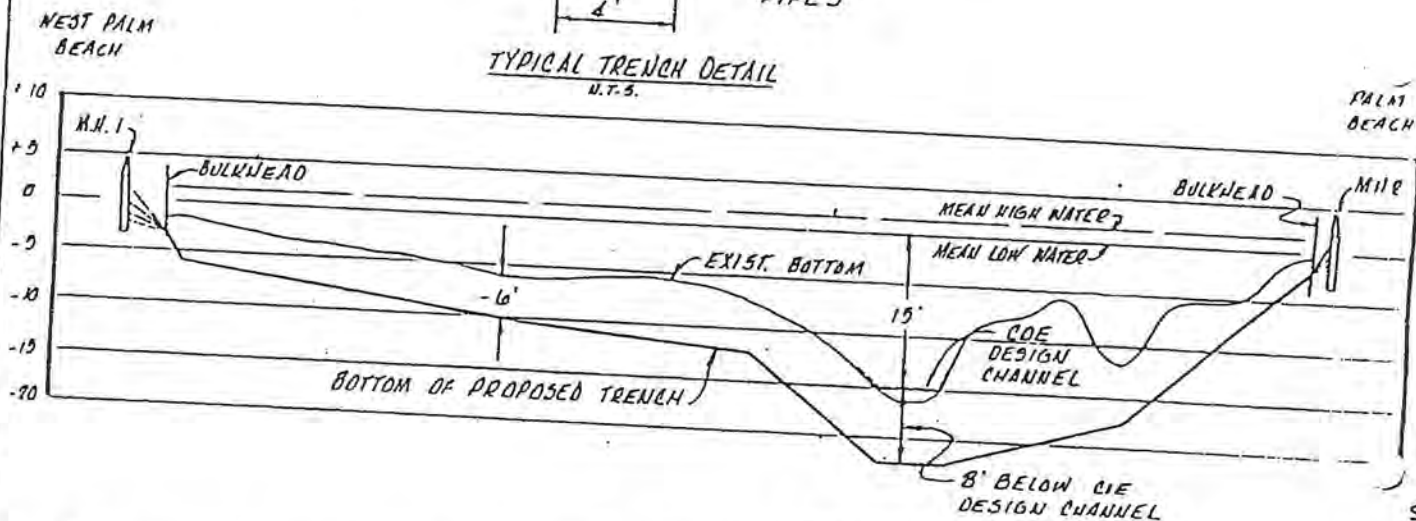
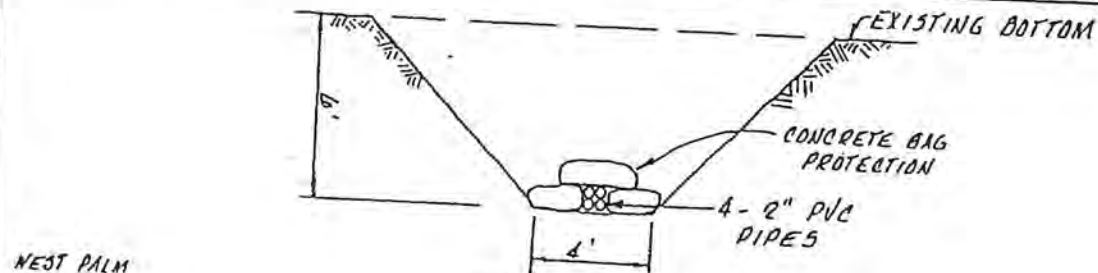
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION


Scott Benyon, District Manager

JSB:cft/35

DER Form 17-1.201(5)
Effective November 30, 1982

Page 5 of 5



NOTE.

1. ELEVATIONS REFERENCED TO M.L.W. DATUM
2. EXIST. BOTTOM FROM DWG. BY AEC

Michael J. L. L. L.
3281 5/10/88

RECEIVED
MAY 11 1988
8851 11 1988

PROFILE

SCALE: HORIZ: 1" = 300'
VERT: 1" = 15'



1. These drawings are "permit sketches" intended to provide sufficient data to facilitate the evaluation and permitting for placement of "AT&T Florida-Puerto Rico Submarine Cable across Lake Worth and the Intracoastal Waterway". These drawings are not intended for construction.
2. Elevations refer to Mean Low Water datum.
3. Plan view information for existing cables from drawings and sketches by American Tel and Tel Co. for "Puerto Rico-West Palm Beach Cables #1 and #2" dated 11/6/58. Profile of existing cables from survey for "little Fin, Inc." by Hutcheon Engineers, Inc. dated 9/12/72.
4. PROJECT DESCRIPTION: The submarine communications conduit will be installed across approximately 2200'± of Lake Worth and the Intracoastal Waterway from a point on Flagler Drive in West Palm Beach to Primavera Avenue in Palm Beach as shown on the Plan View (see sheet 1 of 3). The trench for the conduit system will be excavated by backhoe/barge method. The conduit system (4 - 2" pvc pipes) will be placed on the bottom of the trench and covered with concrete or sandbag protection. The excavated material will be placed back into the trench and the trench line will be raked to conform to adjacent bottom conditions.

POSED SUBMARINE CABLE- AT&T COMMUNICATIONS
ATF 9



COASTAL TECH
COASTAL TECHNOLOGY CORPORATION

COASTAL STRUCTURAL CIVIL ENGINEERING AND PLANNING
800 20TH FL. SUITE 6, VERO BEACH, FL 32960 (305) 562-4580

17700

June 21, 1988

Mr. Larry O'Donnell
Environmental Manager
DEPARTMENT OF ENVIRONMENTAL REGULATION
1900 South Congress Avenue
Suite A
West Palm Beach, Florida 33406

RE: AT&T COMMUNICATIONS - DER FILE #50149371

WATER QUALITY INFORMATION

Turbidity curtains will be used to control city; specifically, the waters surrounding construction operations will be enclosed with turbidity curtains. Turbidity will be monitored during the course of construction.



ATTACHMENT B
PAGE 15 OF 15 PAGES
EASEMENT NO. 00058(3873-50) A

RECORD VERIFIED
PALM BEACH COUNTY, FLA
JOHN B. DUNKLE
CLERK CIRCUIT COURT

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LAND EASEMENT

NO. 00058(3873-50)

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the grantor does hereby grant to A T & T COMMUNICATIONS OF THE SOUTHERN STATES, INCORPORATED hereinafter referred to as the Grantee, an easement on, under and across the sovereignty lands described as follows:

A parcel of sovereignty submerged land in Section(s) 22, Township 43 SOUTH, Range 43 WEST, in LAKE WORTH, PALM BEACH County, more particularly described and shown on Attachment(s) A, dated OCTOBER 11, 1988.

TO HAVE THE USE OF the hereinabove described premises for a period of 30 years from JANUARY 10, 1989, the effective date of this easement. The terms and conditions on which this easement is granted are as follows:

1. That the above described parcel of land shall be used solely for REPLACING A SUBAQUEOUS TELEPHONE CABLE and the Grantee shall not engage in any activity except as described in the Florida Department of Environmental Regulation Permit No. 501493736 dated SEPTEMBER 16, 1988, attached hereto as Attachment(s) B, and made a part hereof.

2. In the event the land herein described shall cease to be used for said purposes, then the easement hereby granted covering said land shall terminate without notice from the Grantor.

3. The consideration for this easement will be automatically based upon the rule establishing fees for utility easements. Once adopted, payment shall be remitted to the Grantor according to the rule. The established easement fee shall be assessed retroactively from the effective date of the subject rule.

4. The rights hereby conferred shall be subject to (a) any and all prior rights of the United States; and (b) any and all prior grants by the Grantor in and to submerged lands situated within the limits of the easement hereinabove described.

5. The Grantee agrees that upon expiration of this easement, all permission granted upon the hereinabove described lands shall cease and terminate, the Grantee shall remove all structures and equipment occupying said lands and erected thereon at the Grantee's expense.

6. Renewal of this easement is at the sole option of the Grantor. Such renewal is subject to the terms, conditions and provisions of current management standards and applicable laws, rules and regulations in effect at that time. The Grantee shall apply for renewal of this easement by submitting a written statement to the Grantor at least 30 days before the expiration date of said easement. If the Grantee fails to apply for a renewal within this timeframe, or in the event the Board does not grant a renewal, the Grantee shall vacate the premises and remove all structures and equipment occupying and erected thereon at his expense.

7. That no title to said land is conferred by this instrument.

8. That the Grantee herein will not damage said lands or unduly interfere with public or private rights therein.

9. The Grantee hereby covenants and agrees to investigate all claims of every nature at its expense, and to indemnify, defend and hold and save harmless the Grantor and/or the State of Florida from all claims, actions, lawsuits and demands arising out of this easement.

10. Grantor and Grantee agree that Grantor has venue privilege as to any litigation arising from matters relating to this easement. Therefore, any such litigation between Grantor and Grantee shall be initiated only in Leon County, Florida.

11. The Grantee hereby agrees that the above described parcel of land shall be subject to inspection by the Grantor or its designated agent at any reasonable time.

12. This easement shall be non-exclusive. The Grantor, or its duly authorized agent, shall retain the right to enter the lands subject to the easement and to engage in management activities not inconsistent with the uses herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of the easement agreement.

13. That the Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns, running with the land.

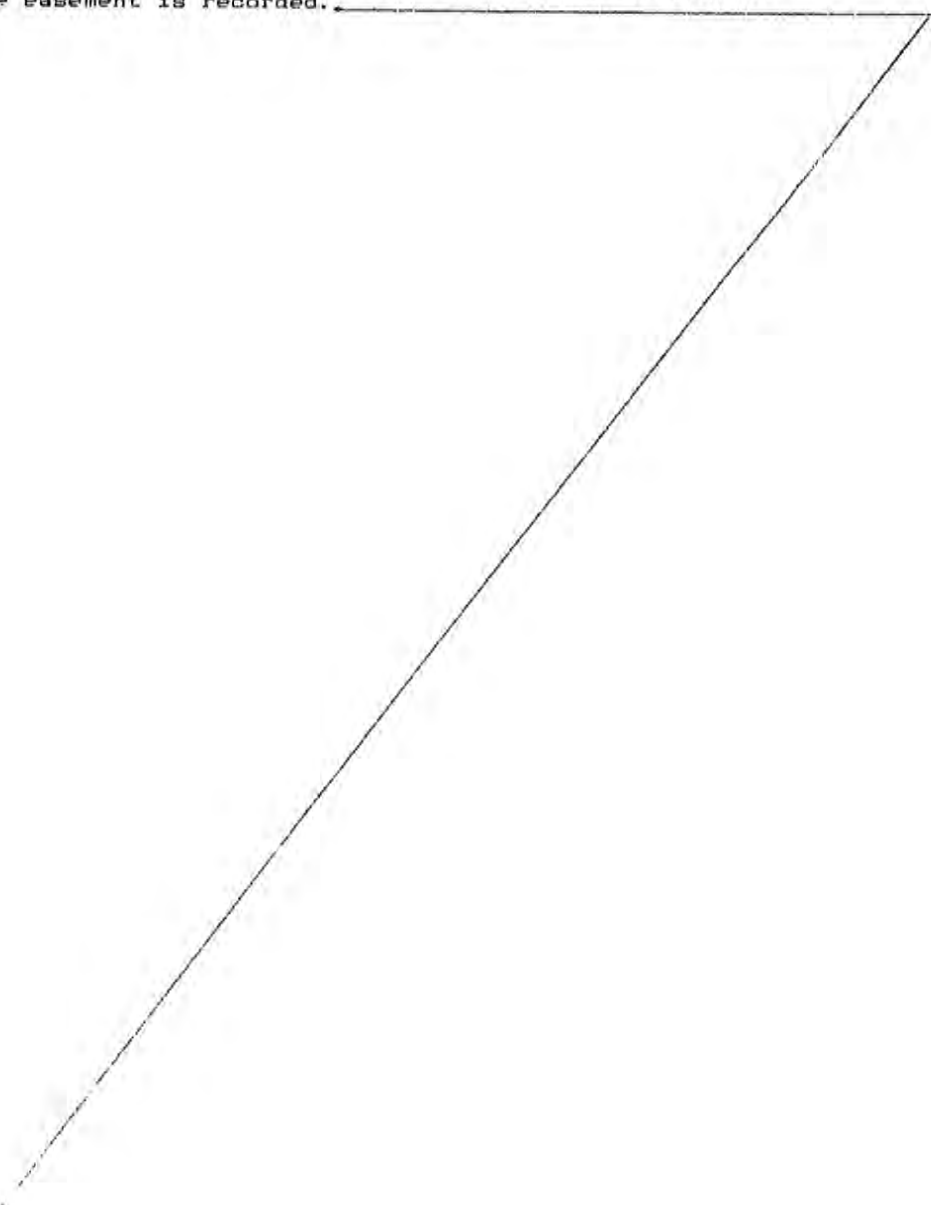
14. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth, or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor after notice in writing to the Grantee. Upon receipt of such notice the Grantee shall undertake to correct such noncompliance(s) or violation(s) for which the Grantor has given notice within thirty (30) days of receipt of the notice or the Grantor, at its option, shall be entitled to terminate this easement and, if terminated, all of the above described parcel of land shall revert to the Grantor.

15. This easement agreement is subject to the automatic reversion to the Grantor of the easement and the cessation and termination of this easement agreement when, in the opinion of the Grantor the easement is not utilized for the purposes outlined in this easement agreement, and any costs or expenses arising out of the implementation of this clause shall be borne completely, wholly and entirely by the Grantee.

16. The State Lands Supervisor, Bureau of Submerged Lands Management, shall be the Contract Manager.

17. NOTICE: The erection of any permanent or temporary structures, including but not limited to additions to the approved structures, fences, docks or pilings, or any structures whose use is not water-dependent, without consent or authority from the board, shall be a violation of Chapter 253, Florida Statutes, and subject to administrative fines under Rule 18-14, Florida Administrative Code.

18. The Grantee, at its own expense, shall record this easement and any subsequent approved renewal and/or modified easements in the official records of the county within which the easement site is located within ten (10) days after receipt of the fully executed easement, and shall provide the Grantor with a copy of the recorded easement indicating the book and page at which the easement is recorded.



(S E A L)

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA

WITNESSES:

Virginia S. Curry
Fattie J. Scott

BY

P. W. Mallison, Jr.
Director, Division of State Lands,
Agent for the Board of Trustees of
the Internal Improvement Trust Fund

STATE OF FLORIDA

COUNTY OF LEON

Before me personally appeared Percy W. Mallison, Jr., to me well known and known to me to be the person who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 30th day of March, A.D., 1989.

APPROVED AS TO FORM AND LEGALITY:

Edward H. Helle
DNR Attorney
Carolyn Thompson
DNR Contract Manager

Diane C. Rogowski
Notary Public
State of Florida At Large

My commission expires:

Notary Public, State of Florida

My Commission Expires May 24, 1990

Bonded thru Troy Felt - Insurance Inc.

Accepted this 27th day of February, 1989.

(S E A L)

WITNESSES:

James Cooper
June P. McEwen

STATE OF Georgia

COUNTY OF Fulton

A T & T COMMUNICATIONS OF THE
SOUTHERN STATES, INCORPORATED
GRANTEE

John C. Petrillo
Original Authorized Signature
Vice President - Southern Region
Network Operations
Title of Executing Authority



Before me personally appeared John C. Petrillo to me well known and known to me to be the person who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

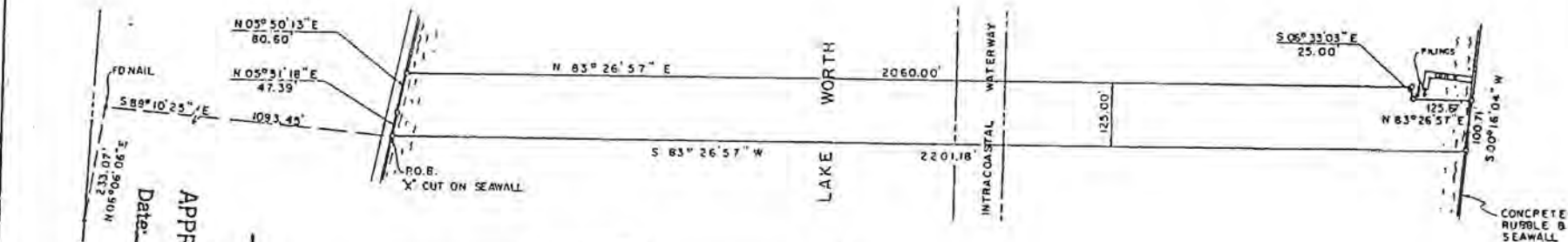
WITNESS my hand and official seal this 27th day of February, A.D., 1989.

My commission expires:

Notary Public, Rockdale County, Georgia

My Commission Expires September 1, 1990

Sarah Burrows
Notary Public
State of Georgia At Large



LEGAL DESCRIPTION

A parcel of land situate in Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida; more particularly described as follows:

Commencing at the S.W. corner of Section 22, Township 43 S, Range 43 E proceed N 00°00'00\" E along the west line of said Section 22 a distance of 1344.68 feet; thence N 06°06'06\" E a distance of 233.07 feet; thence S 88°10'25\" E a distance of 1093.45 feet to the Point of Beginning lying on the easterly face of the bulkhead for Flagler Drive; thence along said bulkhead N 05°51'18\" E a distance of 47.39 feet; thence N 05°50'13\" E a distance of 80.60 feet; thence N 83°26'57\" E a distance of 2060.00 feet; thence S 06°33'03\" E a distance of 25.00 feet; thence N 83°26'57\" E a distance of 125.67 feet to a point on a bulkhead on the westerly edge of a 15 foot lake trail as shown on the plat of Poinciana Park 2nd Addition as recorded in Public Records of County of Palm Beach, Florida; thence S 00°16'04\" W along said westerly edge of Lake Trail a distance of 100.71 feet; thence S 83°26'57\" W a distance of 2201.18 feet to the Point of Beginning.

Containing 6.23 acres

NOTES:

1. Bearings based on an assumed meridian.
2. This survey is not valid unless sealed with an embossed surveyor's seal.
3. Lands shown herein were not abstracted for rights-of-way, easements of record or ownership.
4. Elevations based on P.B.C. BM E233, elev. 13.954 N.G.V.D.



LOCATION MAP

Attachment A
Page 5 of 13 Pages
Easement No. 00058(3873-50)

CERTIFICATE OF SURVEYOR - I HEREBY CERTIFY that the above "Specific Purpose Survey" is in accordance with a recent field survey made under my direction and that it is true and correct to the best of my knowledge and belief, and meets Minimum Technical Standards as set forth by the Board of Professional Land Surveyors, Florida Statutes Chapter 21-101-6.

COMMISSION NO. 2391.00

JAMES R. MORGAN, JR., P.L.S.
REGISTERED LAND SURVEYOR 3521
STATE OF FLORIDA

OCT. 1 1 1988



MORGAN & EKLUND, INC.

PROFESSIONAL SURVEY CONSULTANTS

2000 20th Ave. Suite 100 Fort Lauderdale, FL 33304
305-455-1234
2000 20th Ave. Suite 100 Fort Lauderdale, FL 33304
305-455-1234

SUBMERGED LAND EASEMENT
FOR
AT&T COMMUNICATIONS

CC 1 JRM

251.00
10-11-88
1

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTHEAST FLORIDA DISTRICT

1900 SOUTH CONGRESS AVENUE, SUITE A
WEST PALM BEACH, FLORIDA 33406
(305) 964-9668



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
J. SCOTT BENYON
DISTRICT MANAGER

PERMITTEE:
AT & T Communications
c/o Coastal Technology Corporation
800 20th Place, Suite 6
Vero Beach, Florida 32960

I.D. NUMBER: 5050P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1991
COUNTY: Palm Beach
LATITUDE/LONGITUDE: 26°42'20"/80°02'50"
SECTION/TOWNSHIP/RANGE: 22/23/43S/43E
PROJECT: Dredge and fill for 2,220' of
subaqueous telephone cable in
Lake Worth, A.I.C.W.

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-3, 17-4, and 17-12. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TO DREDGE: 2,600 cubic yards of estuarine substrate for a temporary trench 2,220 feet by four (4) feet wide at the bottom and six (6) feet below sediment surface; install four (4) two (2) inch PVC conduits; and backfill the trench with excavated material.

IN ACCORDANCE WITH: DER Application Form 17-1.203(1) additional information received on May 5, 1988 and June 24, 1988 and the three (3) attached stamped drawings.

LOCATED IN: Lake Worth and the Atlantic Intracoastal Waterway from Flagler Drive between Fern and Gardenia across the A.I.C.W. to Primavera and South Lake Trail, Palm Beach County, Sections 22/23, Township 43 South, Range 43 East.

SUBJECT TO: General Conditions 1-15 and Specific Conditions 1-5.

DER Form 17-1.201(5)
Effective November 30, 1982 Page 1 of 5

Protecting Florida and Your Quality of Life

Attachment B
Page 6 of 13 Pages
Easement No. 00058(3873-50)

PERMITTEE:
AT & T Communications

I.D. NUMBER: 5050F01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement actions by the Department.
3. As provided in Subsections 403.087(6), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
 - a. Having access to and copying any records that must be kept under the conditions of the permit;
 - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

DER Form 17-1.201(5)
Effective November 30, 1982 Page 2 of 5

Attachment B
Page 7 of 13 Pages
Easement No. 00058(3873-50)

PERMITTEE:
AT & T Communications

I.D. NUMBER: 5050P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993

GENERAL CONDITIONS:

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

- a. a description of any cause of non-compliance; and
- b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.
13. This permit also constitutes:
 - () Determination of Best Available Control Technology (BACT)
 - () Determination of Prevention of Significant Deterioration (PSD)
 - (x) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
 - () Compliance with New Source Performance Standards
14. The permittee shall comply with the following monitoring and record keeping requirements:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.

DER Form 17-1.201(5)
Effective November 30, 1982 Page 3 of 5

Attachment B
Page 8 of 13 Pages
Easement No. 00058(3873-50)

PERMITTEE:
AT & T Communications

I.D. NUMBER: 5050P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1998

GENERAL CONDITIONS:

- b. The permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - analytical techniques or methods used; and
 - results of such analyses.
5. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

DER Form 17-1.201(5)

Effective November 30, 1982

Page 4 of 5

Attachment B
Page 9 of 13 Pages
Easement No. 00058(3873-50)

PERMITTEE:
AT & T Communications

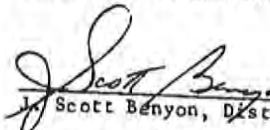
I.D. Number: 5050P01516
PERMIT/CERTIFICATION NUMBER: 501493736
DATE OF ISSUE: SEP 16 1988
EXPIRATION DATE: SEP 16 1993 *ry*

SPECIFIC CONDITIONS:

1. The permittee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Natural Resources under Chapter 253, until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Florida Administrative Code Rule 16Q-14, if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.
2. Written notification shall be provided to the Department of Environmental Regulation, Southeast Florida District Office in West Palm Beach and Palm Beach County Health Department, a minimum of forty-eight (48) hours prior to commencement of construction and a maximum of forty-eight (48) hours after completion of construction.
3. Turbidity screens shall be utilized during construction to insure that turbidity values 50 feet downstream from the project site do not exceed 29 N.T.U.'s above background.
4. The engineer of record shall submit record drawings to this office within sixty (60) days after completion of construction.
5. All other necessary State, Federal, or Local permits must be applied for and received prior to the start of work.

Issued this 16th day of September, 1988

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

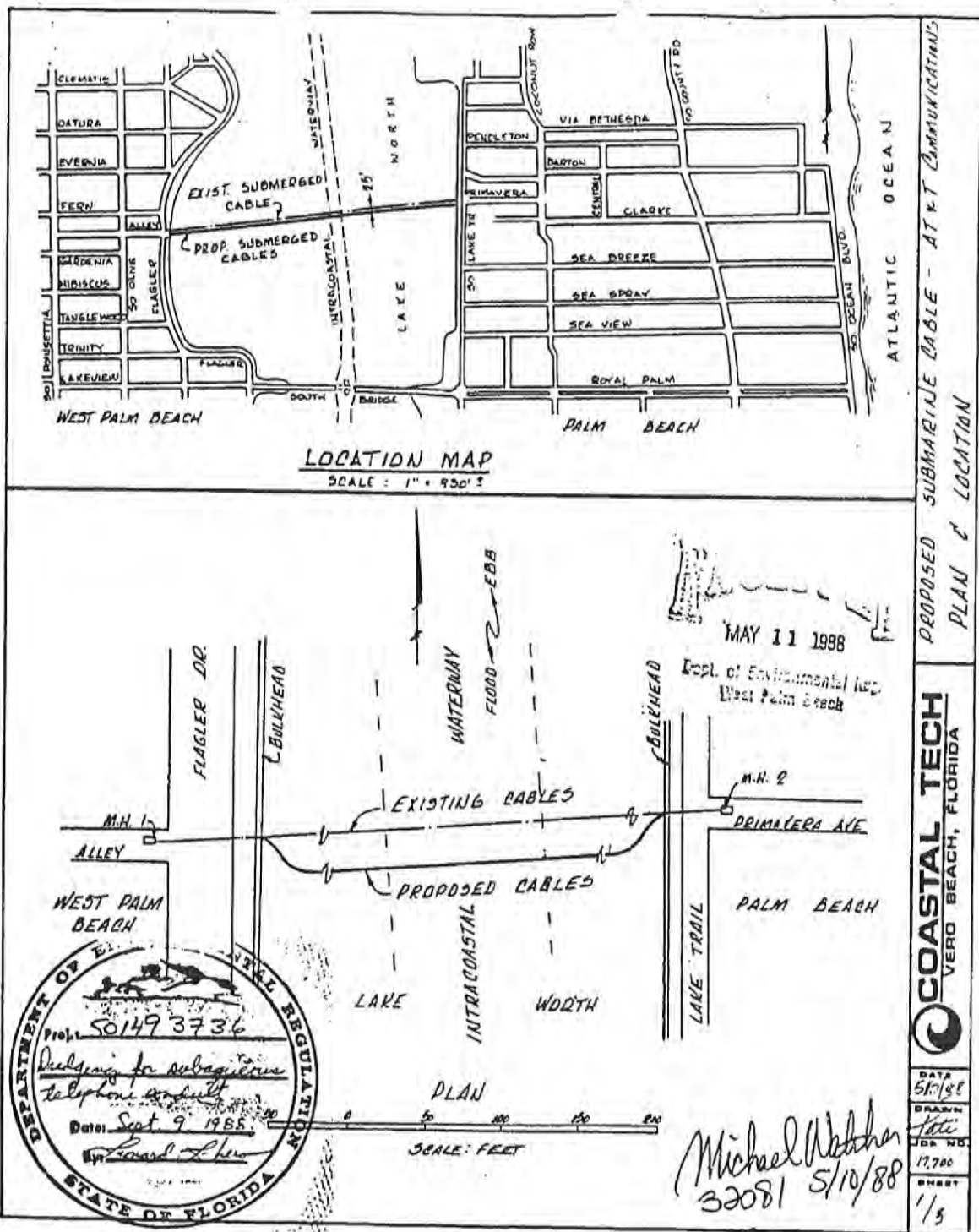

J. Scott Benyon, District Manager

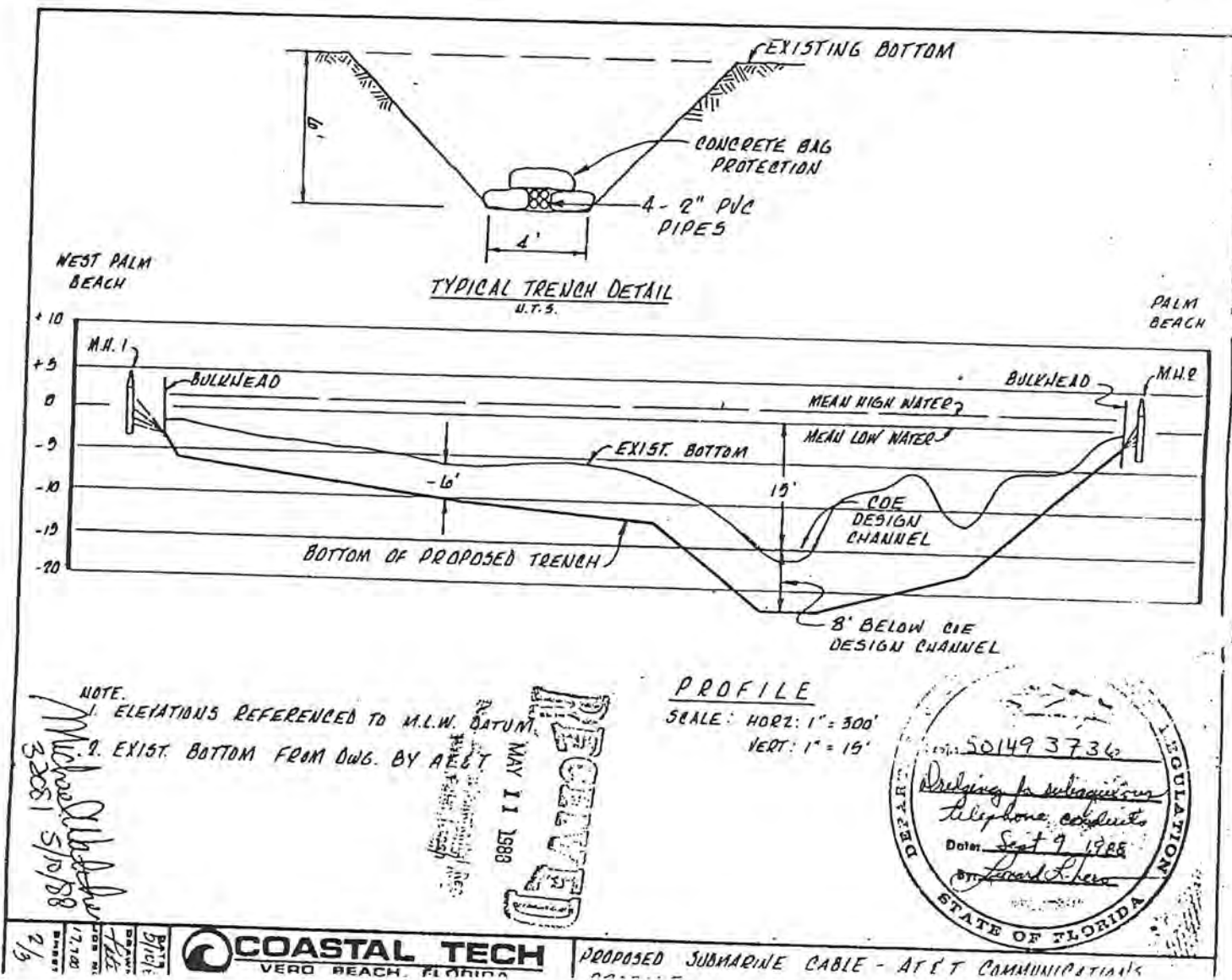
JSB:cft/35

DER Form 17-1.201(5)
Effective November 30, 1982

Page 5 of 5

Attachment B
Page 10 of 13 Pages
Easement No. 00058(3873-50)





1. These drawings are "permit sketches" intended to provide sufficient data to facilitate the evaluation and permitting for placement of "AT&T Florida-Puerto Rico Submarine Cable across Lake Worth and the Intracoastal Waterway". These drawings are not intended for construction.
2. Elevations refer to Mean Low Water datum.
3. Plan view information for existing cables from drawings and sketches by American Tel and Tel Co. for "Puerto Rico-West Palm Beach Cables #1 and #2" dated 11/6/58. Profile of existing cables from survey for "little Fin, Inc." by Hutcheon Engineers, Inc. dated 9/12/72.
4. PROJECT DESCRIPTION: The submarine communications conduit will be installed across approximately 2200'± of Lake Worth and the Intracoastal Waterway from a point on Flagler Drive in West Palm Beach to Primavera Avenue in Palm Beach as shown on the Plan View (see sheet 1 of 3). The trench for the conduit system will be excavated by backhoe/barge method. The conduit system (4 - 2" pvc pipes) will be placed on the bottom of the trench and covered with concrete or sandbag protection. The excavated material will be placed back into the trench and the trench line will be raked to conform to adjacent bottom conditions.

POSED SUBMARINE CABLE-AT&T COMMUNICATIONS
ATE5



COASTAL TECH
COASTAL TECHNOLOGY CORPORATION

COASTAL STRUCTURAL CIVIL ENGINEERING AND PLANNING
800 20TH FL. SUITE 6, VERO BEACH, FL 32960 (305) 562-8580

17700

June 21, 1988

Mr. Larry O'Donnell
Environmental Manager
DEPARTMENT OF ENVIRONMENTAL REGULATION
1900 South Congress Avenue
Suite A
West Palm Beach, Florida 33406

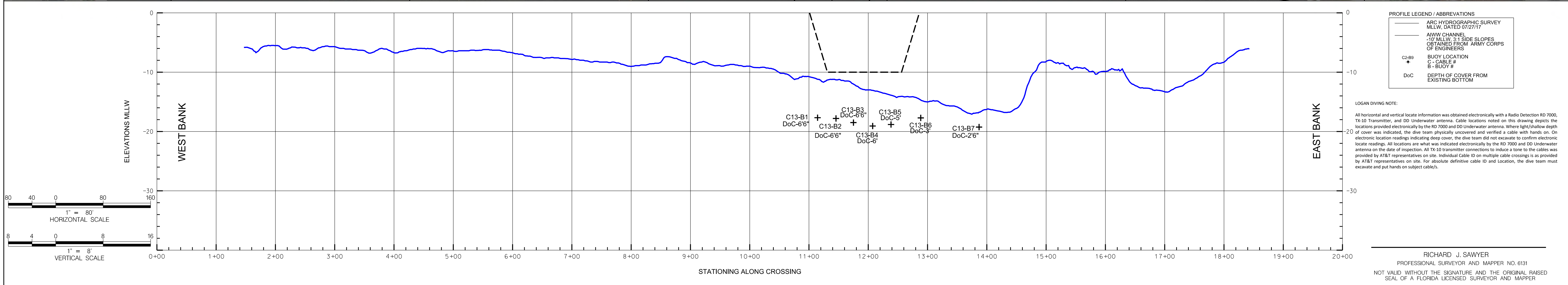
RE: AT&T COMMUNICATIONS - DER FILE #50149373

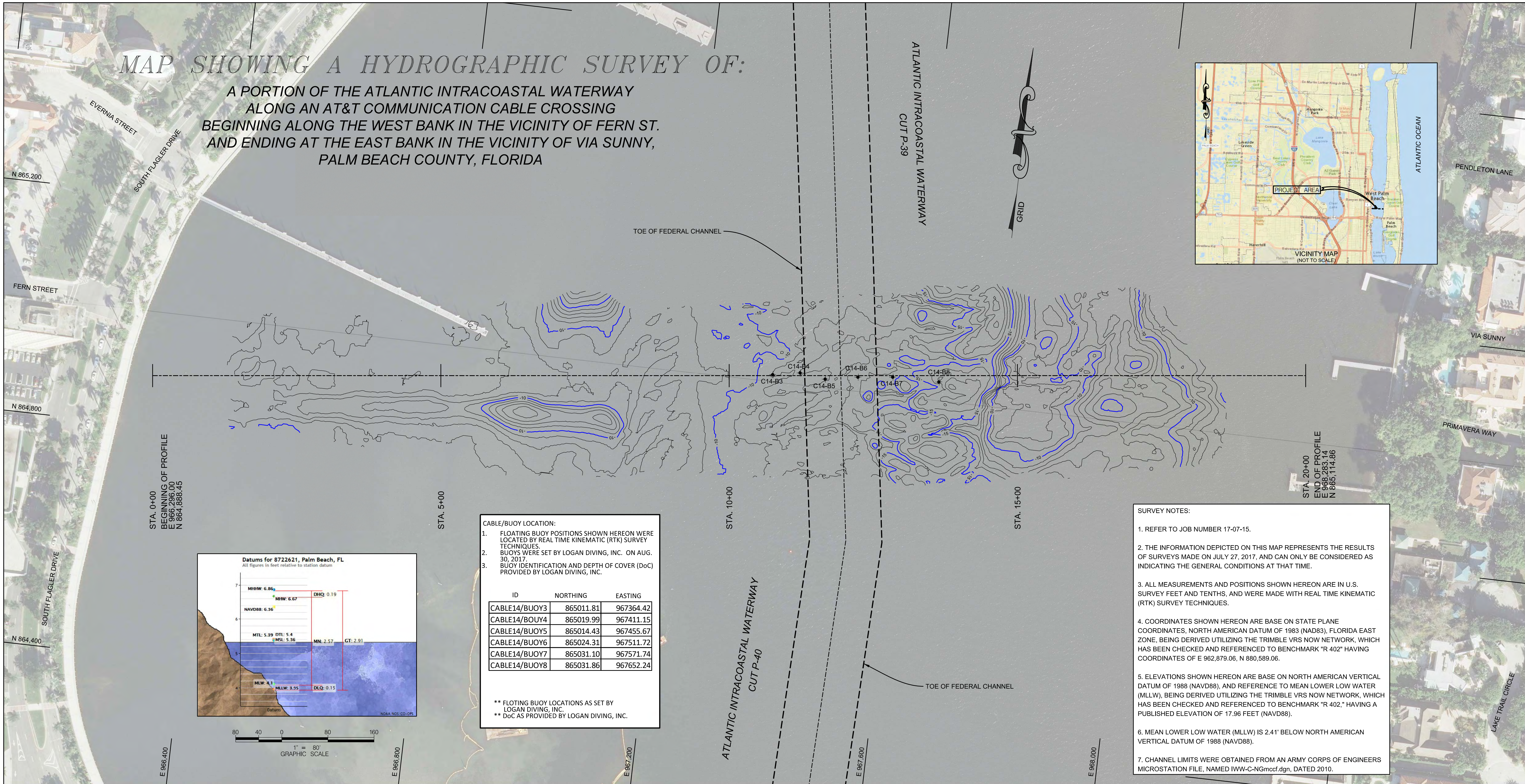
WATER QUALITY INFORMATION

Turbidity curtains will be used to control turbidity; specifically, the waters surrounding construction operations will be enclosed with turbidity curtains. Turbidity will be monitored during the course of construction.

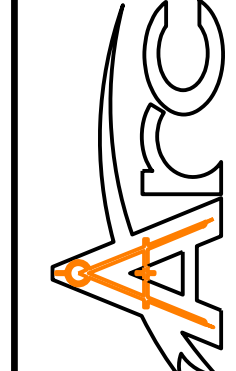
Attachment B
Page 13 of 13 Pages
Easement No. 00058(3873-50)







Arc Surveying & Mapping, Inc.
Professional Hydrographers • Surveyors • Mappers
5202 San Juan Avenue
Jacksonville, Florida 32210
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg: NA
ARC Project No.: 17-07-15

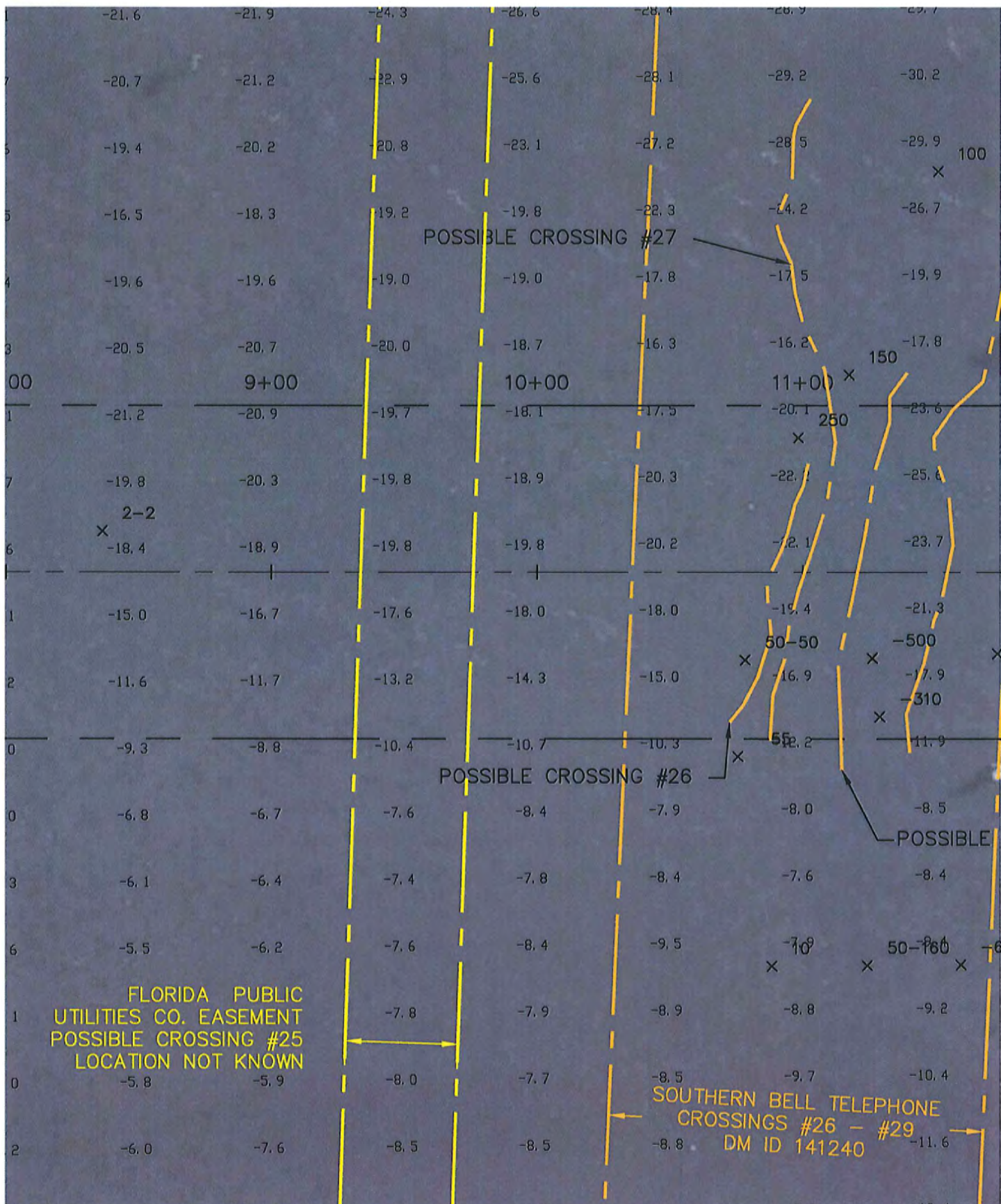
SHEET: 1 OF: 1

Prepared For:
Logan Diving & Salvage
2815 St Johns Bluff Rd. S.
Jacksonville, FL 32246

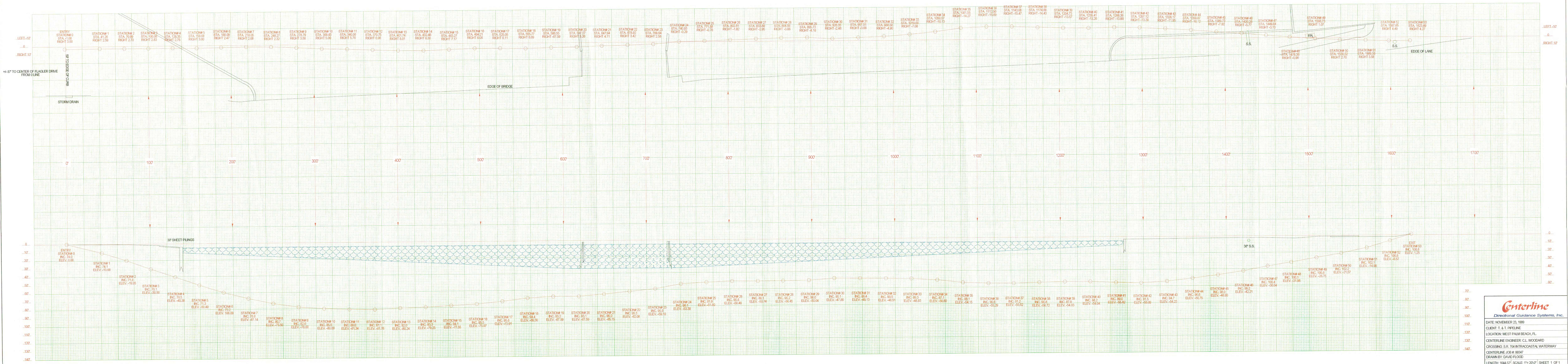
Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW at Fern St. and
Via Sunny,
Palm Beach County, Florida
LINE 2

DATE	BY	REVISION

Crossing # 25



Utility Crossing #25
Attachment #2





DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
WEST PALM BEACH REGULATORY OFFICE
400 NORTH CONGRESS AVENUE, SUITE 130
WEST PALM BEACH, FLORIDA 33401

April 28, 1999

Regulatory Division
South Permits Branch
199901487 (GP-BM)

Florida Public Utilities Company
c/o: Coastal Technology Corporation
ATTN: Lois A. Edwards
3625 20th Street
Vero Beach, FL 32960

Dear Applicant:

Reference is made to the Department of the Army (DA) permit application you submitted on behalf of Florida Public Utilities Company to install a 6" steel welded pipe gas main across the Atlantic Intracoastal Waterway (AIWW) north and adjacent to the Royal Park Bridge (SR 704). The project is located in Section 22, Township 43 South, and Range 43 East within Palm Beach County. The application has been assigned DA number 199901487 (GP-BM). Please refer to this number in future correspondence.

The proposed work is authorized by General Permit SAJ-14, a copy of which is enclosed for your information and use. You are authorized to proceed with the project in accordance with the enclosed drawings subject to ALL conditions of the permit.

Once the cable is installed, please supply this office with an asbuilt drawing showing the exact X-Y coordinates. In addition, include the following statement on those drawings: All utility and/or transmission lines, cables, conduits, pipes, etc., authorized are installed a minimum of 6 feet below the authorized depth of any Federal Channel it crosses. The 6-foot depth criteria applies to the entire authorized width of the channel, plus a minimum of 25 feet out side the channel edges to allow for maintenance of the side slopes.

Since the work is located within the Federal right-of-way for the Atlantic Intracoastal Waterway (AIWW), a Department of the Army Consent to Easement will be required prior to commencement of construction. By copy of this letter, the proposal is being forwarded to the Corps Real Estate Division for the action on the Consent

-2-

If the work authorized herein is not completed by March 1, 2000, no further work may be undertaken and you should contact this office. A determination of the status of the General Permit will be made and you will be advised. If the General Permit has been reissued with no substantive change(s), a request for an extension of your previous authorization will be considered. If the General Permit has not been reissued or was reissued with new conditions, a new application and drawings may need to be submitted for further review.

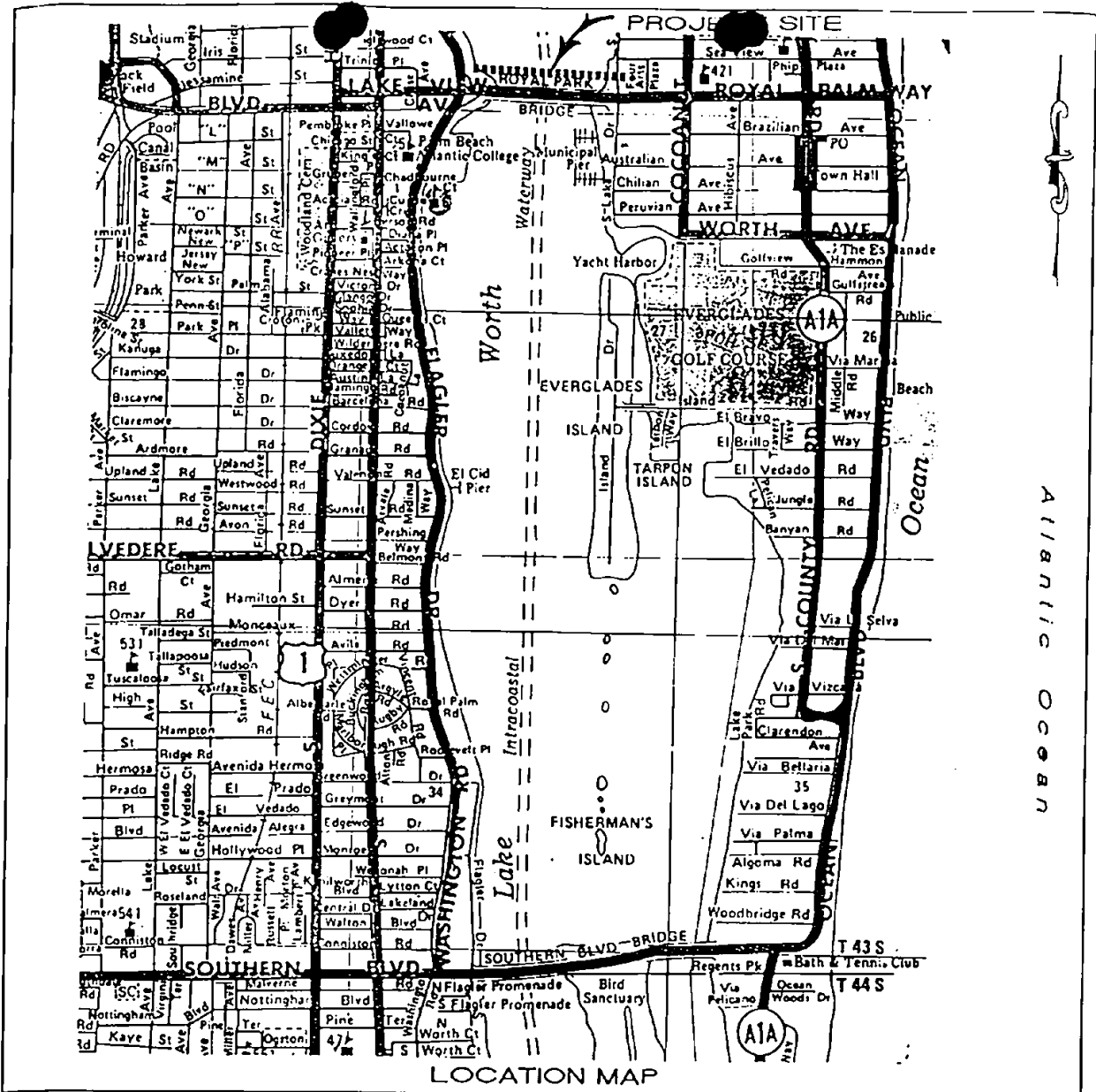
Thank you for your cooperation with our permit program.

Sincerely,

Robert W. Ponder

for Linda S. Ferrell
Chief, South Permits Branch

Enclosure(s)



LOCATION MAP

**Royal Palm Bridge
Subaqueous Gas Main Crossing**

via Directional Drilling across the Intracoastal Waterway
adjacent to and north of the
Royal Palm Bridge on S.R. 704


Section 22, Township 43 South, Range 43 East
Palm Beach County, Florida

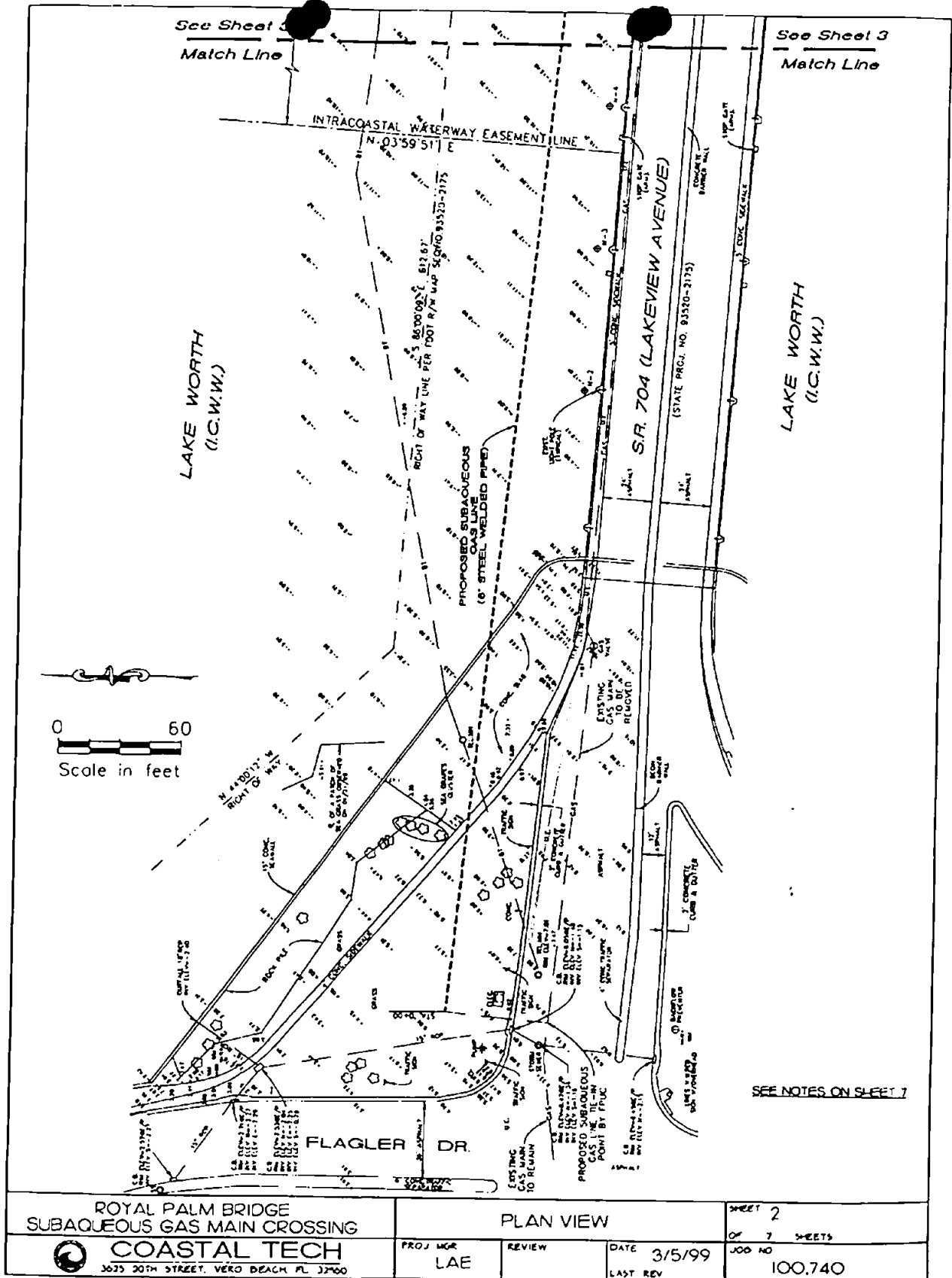
for

Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL 33402

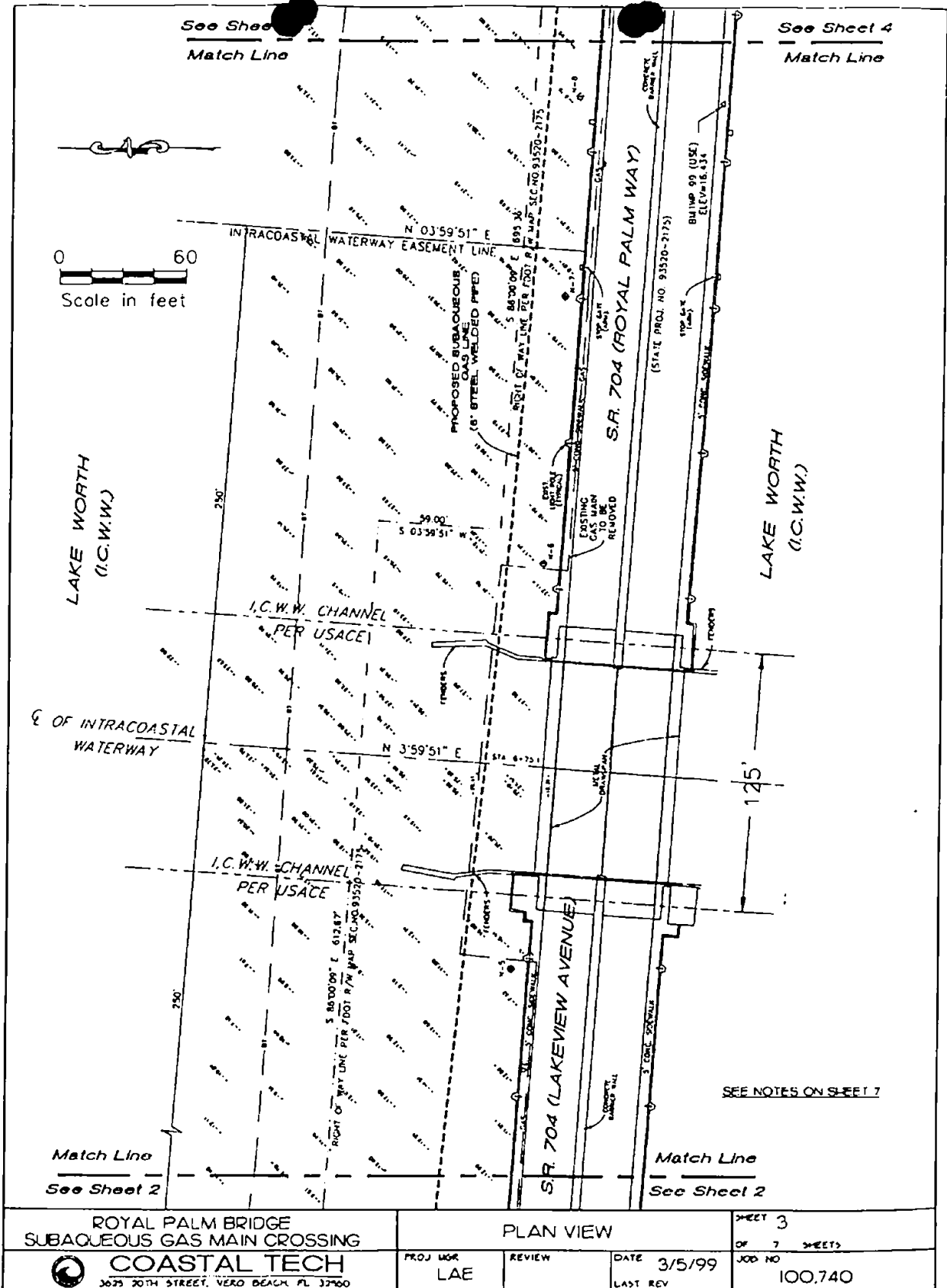
RECEIVED
MAR 11 1999

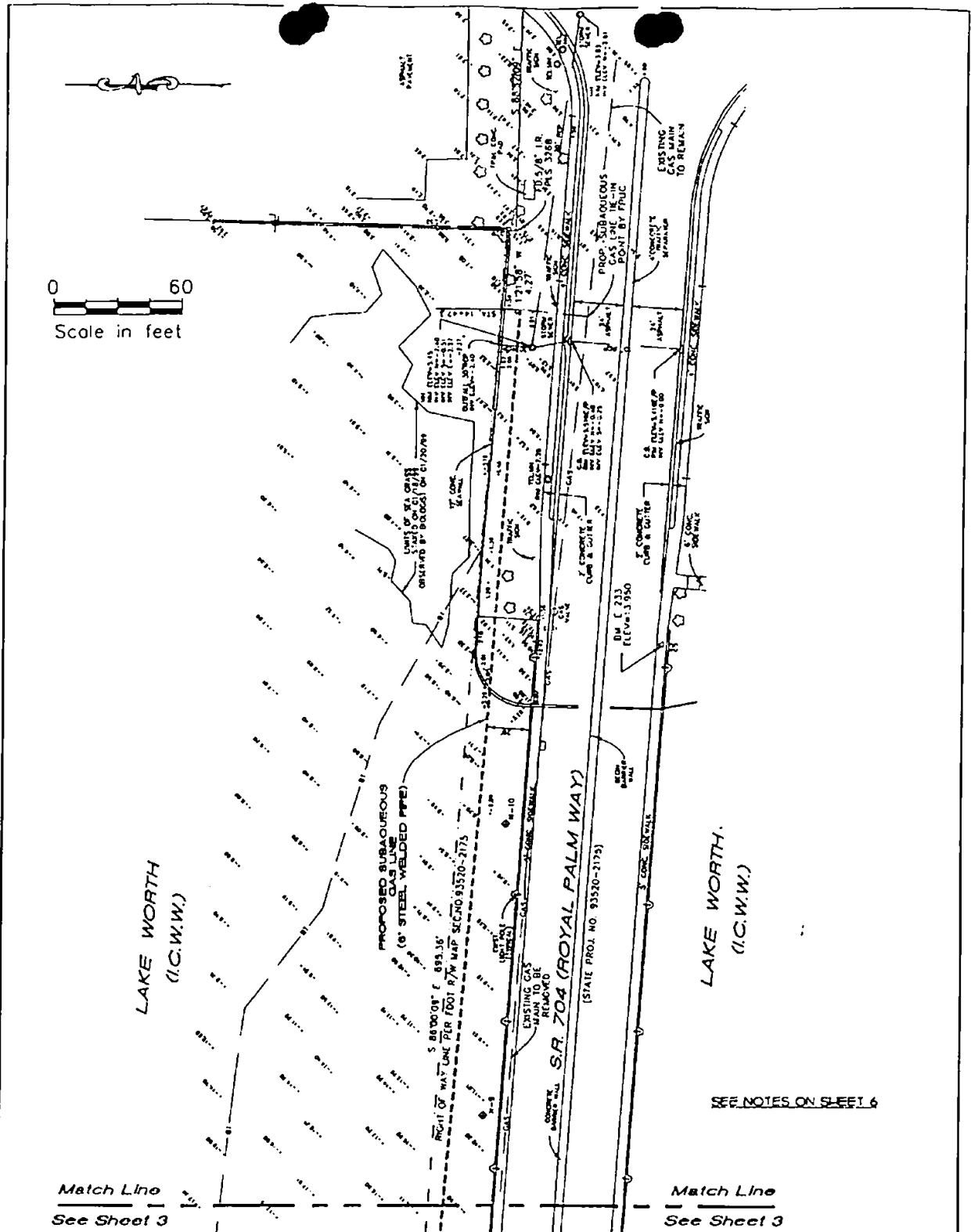
DEPT. OF ENVIRONMENTAL PROTECTION
P.O. BOX 1000
WEST PALM BEACH, FL 33402


100740-01 ROYAL PALM BRIDGE SUBAQUEOUS GAS MAIN CROSSING	COVER SHEET	SHEET 1 SHEET 1 OF 7
 COASTAL TECH 3075 30TH STREET VERO BEACH FL 32900	PROJ MGR LAE	DATE 3/5/99 LAST REV JOD NO 100,740



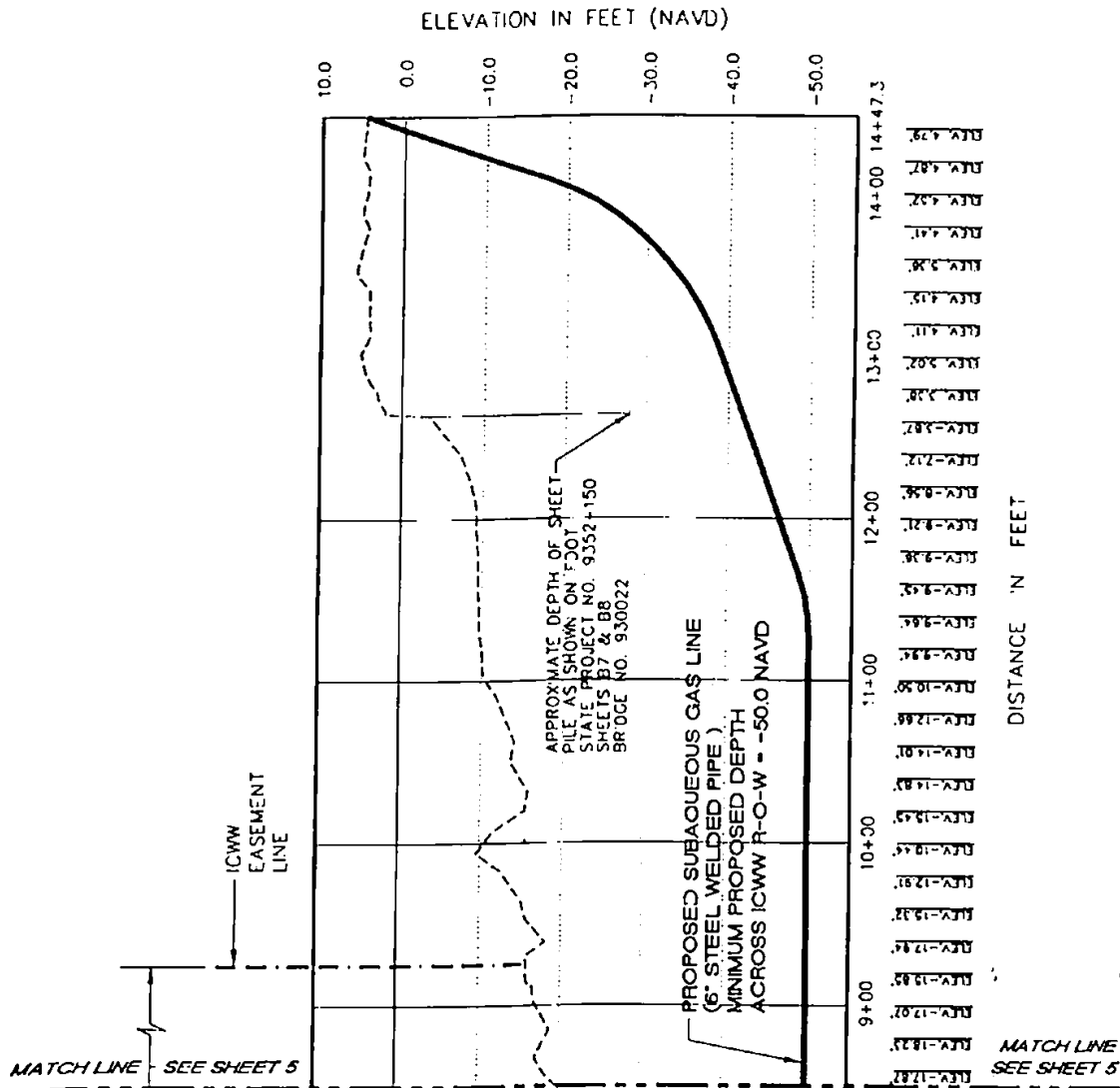
100740-02





100740-04	ROYAL PALM BRIDGE SUBAQUEOUS GAS MAIN CROSSING		PLAN VIEW		SHEET 4 OF 7 SHEETS
	 COASTAL TECH 3675 20TH STREET, VERO BEACH, FL 32960		PROJ. MGR LAE	REVIEW DATE 3/5/99 LAST REV	JOB NO 100,740

*



100740-05

ROYAL PALM BRIDGE
SUBAQUEOUS GAS MAIN CROSSING



COASTAL TECH
3625 20TH STREET, VERO BEACH, FL 32960

PROJ MGR
LAE

REVISED
SB

DATE 2/25/99
LAST REV


SHEET 6
OF 6 SHEETS
JOB NO 100,740

NOTES

1. These drawings are "PERMIT SKETCHES" intended to provide sufficient data to facilitate the evaluation and permitting for installation of one 6" steel welded pipe gas main for Florida Public Utilities Company, to be constructed by means of directional drilling across the Intracoastal Waterway in Palm Beach County, Florida. THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.
2. Elevations are referenced to North Atlantic Vertical Datum (NAVDSS)
3. Plan view information including existing conditions, bathymetry, ICWW easement lines, DOT right-of-way lines, other pertinent information, and the location of the proposed gas main is from a drawing by Greenhorne & O'Mara, Inc., dated Jan. 1999, Drawing No. 8767-RPB-643-0. NOTE: The existing gas main shown on sheets 2 through 4 will be removed in conjunction with demolition of the existing bridge under other permitted projects.
4. No dredging, excavation, or filling is proposed except for temporary excavation on upland areas.
5. PROJECT DESCRIPTION: One 6" steel welded pipe gas main will be installed across the Intracoastal Waterway adjacent to and north of the Royal Park Bridge (SR 704) from the City of West Palm Beach to the Town of Palm Beach as shown on sheets 2 through 4 of the plan view sheets of these sketches. The area that the steel pipe will occupy is approximately 543± sq. ft.
6. CONSTRUCTION METHODOLOGY: The tip of the directional drill has a mandrill which contains a geographical positioning system (GPS) to enable precision boring across the Intracoastal Waterway (ICWW) to the uplands within DOT right-of-way. The tip of the directional drill will be followed by a 12" pre-ream pipe and the 6" heavy wall steel pipe. Coordinates for the gas main crossing are entered into a computer which will control the mandrill (and pre-ream pipe and 6" steel pipe).

Beginning on the west side of the ICWW, the directional drill will come down at a steep angle commencing at station 0+00 and head down at a 30 degree angle, leveling off at -50 feet NAVD at station 3+00 and continuing across the ICWW in a straight line to the east side, where the directional drilling will be terminated on the uplands and within DOT right-of-way. The Contractor will construct a turn 90 degrees to the south and begin an upland trench to existing manholes; all upland construction is within DOT right-of-way.

100740-06

ROYAL PALM BRIDGE SUBAQUEOUS GAS MAIN CROSSING		NOTES		SHEET 7
 COASTAL TECH 3025 20TH STREET, VERO BEACH, FL 33760		PROJ MGR LAE	REVIEW	DATE 3/5/99 LAST REV
				OF 7 SHEETS JOB NO. 100.740

04/15/99 THU 13:42 FAX

001



COASTAL TECH
COASTAL TECHNOLOGY CORPORATION

COASTAL • ENVIRONMENTAL • CIVIL • ENGINEERING AND PLANNING
3625 20TH STREET, VERO BEACH, FLORIDA 32980 • (888) 562-8580

FAX TRANSMITTAL

Comm. No: 100740 Date: April 15, 1999
Sprint Code: 21
To: Brice McKoy Fax No: 561-683-4941
Company: U.S. ARMY CORPS OF ENGINEERS Tel No: 561-683-0792
From: Lois Edwards *lee* Fax No: 561-562-8432
Company: COASTAL TECH Tel No: 561-562-8580

PAGES TRANSMITTED INCLUDING COVER PAGE: 2

RE: USACE FILE#199901487 (GP-BM)
FLORIDA PUBLIC UTILITIES COMPANY

Comments:

Dear Brice:

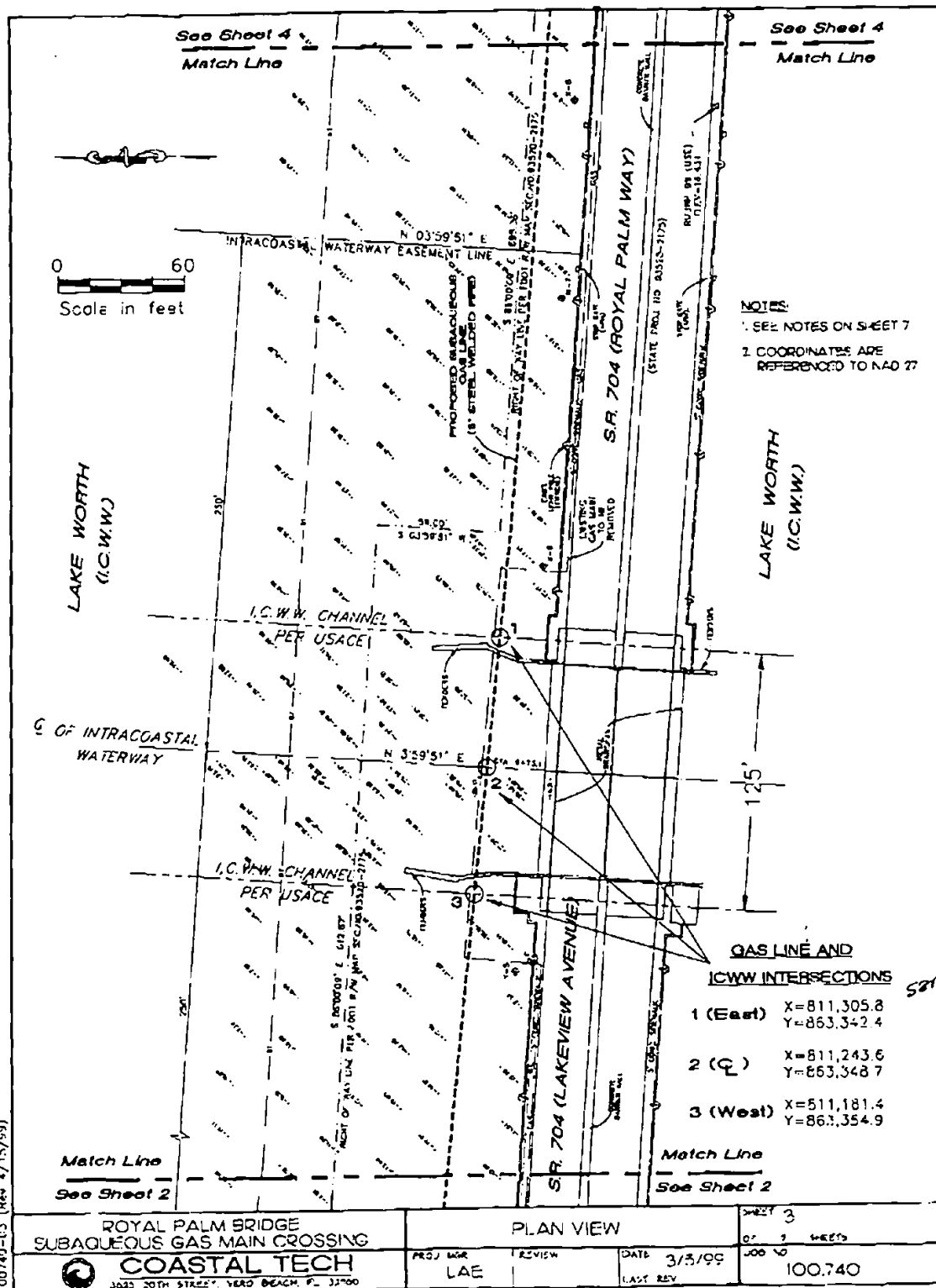
As you requested, attached is the revised permit sketch (sheet 3 of 7) which depicts the X/Y coordinates referenced to NAD 27 for:

- (1) eastern edge of the channel where gas line crosses;
- (2) centerline of channel where gas line crosses;
- and, (3) western edge of channel where the line crosses.

Please review the attached information and issue a U.S. Army Corps of Engineers General Permit for this project as soon as possible. If you have any questions, please contact me.

cc: Dave Pellico, FPUC via fax
Stephen Boehning, P.E. - Coastal Tech

VERO • DESTIN



DA# 19901487
4/28/99

** OUTPUT FROM FILE - A:\M

U.S. ARMY ENGINEER DISTRICT, JACKSONVILLE
ENGINEERING DIVISION, SURVEY BRANCH

E 0 4 (S404) Plane Coordinate Computation Routines

Version : 28 Oct 86 [BERGEN/WRIGHT/HOPKINS/RIMMER]

Station/Range Transforms

Project/Cut Azimuth: 2d 3m 40.00s

** STATION ID(0) =

STATION: + 0 + .00 X = 811284.870 LAT. = 26 D 42 M 32.97609 S
RANGE: 62.50 Y = 864578.400 LONG = 80 D 2 M 47.42747 S

1WJ JACKSONVILLE TO MIAMI CUT P 40

STATION ID(0) = EAST CROSSING

STATION: + 12 + 34.45 X = 811305.800 LAT. = 26 D 42 M 20.73446 S
RANGE: 127.87 Y = 863342.400 LONG = 80 D 2 M 47.29863 S

1WJ JACKSONVILLE TO MIAMI CUT P 40

** STATION ID(0) = CENTER LINE CROSSING

STATION: + 12 + 30.39 X = 811243.600 LAT. = 26 D 42 M 20.80145 S
RANGE: 65.48 Y = 863348.700 LONG = 80 D 2 M 47.98391 S

1WJ JACKSONVILLE TO MIAMI CUT P 40

** STATION ID(0) = WEST EDGE CROSSING

STATION: + 12 + 26.43 X = 811181.400 LAT. = 26 D 42 M 20.86746 S
RANGE: 3.10 Y = 863354.900 LONG = 80 D 2 M 48.66918 S

1WJ JACKSONVILLE TO MIAMI CUT P 40



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

MAR 01 1994

Regulatory Division
North Permits Branch
North Florida Field Office

DEPARTMENT OF THE ARMY PERMIT
GENERAL PERMIT SAJ-14

SUBAQUEOUS UTILITY AND TRANSMISSION LINES IN FLORIDA

Upon recommendation of the Chief of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act, general authority is hereby given to install and maintain subaqueous utility lines and associated backfill subject to the following conditions:

SPECIAL CONDITIONS:

1. The work herein authorized includes the installation and maintenance of subaqueous utility and transmission lines laid on or embedded in the bottom of navigable waters of the United States in the State of Florida.
2. No work shall be performed until the applicant submits satisfactory plans for the proposed activity and receives written authorization from the District Engineer
3. No utility and/or transmission lines will be embedded in the bottom of State Class I or Class II waters or aquatic preserves.
4. Permits must be obtained from the State of Florida, Department of Environmental Protection, for subaqueous utility and/or transmission lines involving structures and fill in the waters of the State.
5. All utility and/or transmission lines, cables, conduits, pipes, etc., authorized by this general permit must be installed a minimum of ~~6 feet below~~ the authorized depth of any Federal Channel it crosses. The 6 foot criteria applies to the entire authorized width of the channel, plus a ~~minimum of 25 feet~~ outside the channel edges, to allow for maintenance of the side slopes (in all Florida counties west of Jefferson County, the minimum clearance shall be 10 feet below the authorized channel depth or 4 feet below the mud line, whichever is greater).

6. Dredged or fill material placed as backfill or bedding for subaqueous utility and transmission lines must not change the preconstruction bottom contours. Excess material must be removed to an upland disposal area.
7. The permittee will install signs at the shoreline to notify navigation of the location of subaqueous utility and transmission lines.
8. No work shall be performed until after notification of the owner(s) or operator(s) of any marked utilities in the area of work.
9. When the work is completed, the permittee shall notify the District Engineer, attention Regulatory Division, Charting, at the letterhead address, and NOAA, C-322, Rockville, Maryland 20852. This notification will certify that the clearance of the line below water is authorized.
10. No structure shall be authorized by this general permit on the following environmental sensitive areas identified in the Wild and Scenic Rivers Act (16 U.S.C. 1371, et seq.): The Loxahatchee River and its North Fork and the St. Marys River, from its headwaters to its confluence with the Bells River. These activities shall require an individual permit.
11. No registered property or properties listed as eligible for inclusion in the National Register for Historic Places may be affected. The State Historic Preservation Officer in Tallahassee must be contacted for their concurrence prior to the start of work.
12. The permittee agrees that the contractor will instruct all personnel associated with the construction of the facility, of the presence of manatees and the need to avoid collisions with manatees.
13. The permittee agrees that all construction personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Endangered Species Act of 1973, the Marine Mammal Protection Act of 1972, and the Florida Manatee Sanctuary Act of 1978. The permittee and/or contractor will be held responsible for any manatees harmed, harassed, or killed as a result of construction of the project.
14. Siltation barriers will be made of material in which manatees cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.

15. The permittee agrees that all vessels associated with the project will operate at "no wake/idle" speeds at all times while in water where the draft of the vessel provides less than 4 feet clearance from the bottom and that vessels will follow routes of deep water whenever possible.

16. If manatees are seen within 100 yards of the dredging area, all appropriate precautions shall be implemented to ensure protection of the manatees. These precautions shall include operating all equipment in such a manner that moving equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of the equipment.

17. The permittee agrees that any collision with and/or injury to a manatee shall be reported immediately on the "Manatee Hotline" (1-800-DIAL FMP) and to the U.S. Fish and Wildlife Service, Jacksonville Field Office (904-232-2580) for north Florida and to the Vero Beach Field Office (407-562-3909) for south Florida.

18. A minimum of one 3-foot by 4-foot temporary manatee awareness construction signs labeled "Manatee Habitat - Idle Speed In Construction Area" shall be installed and maintained at prominent locations within the construction area/docking facility prior to initiation of construction. One temporary sign will be located prominently adjacent to the construction permit and, if required, a second temporary construction sign will be installed in a location prominently visible to water related construction crews. A temporary construction sign criteria sheet is enclosed. Temporary signs will be removed by the permittee upon completion of construction.

19. The permittee agrees that the contractor shall keep a log detailing sitings, collisions, or injury to manatees should they occur during the contract period. Following project completion, a report summarizing incidents and sightings will be submitted to the Florida Department of Environmental Protection, Marine Mammal Section, 100 Eighth Avenue, Southeast, St. Petersburg, Florida 33701-5095, the U.S. Fish and Wildlife Service, Jacksonville Field Office, Suite 310, 6620 Southpoint Drive, South, Jacksonville, Florida 32216 for north Florida and the U.S. Fish and Wildlife Service, P.O. Box 2676, Vero Beach, Florida 32390 for south, Florida.

20. This general permit will be valid until suspended or revoked by the issuance of a public notice by the District Engineer. Reviews will be conducted to determine if continuance of the permit is in the public interest every 5 years. Authorization of activities that have commenced or are under contract to commence in reliance on this general permit will remain in effect provided the activity is completed within 12 months of the date the general permit has expired or was revoked.

21. Conformance with the descriptions and criteria contained herein does not necessarily guarantee authorization under this general permit.

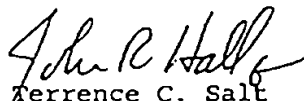
22. The permittee shall defend and hold the Government harmless from any and all claims by reason of the placement and installation of subaqueous utility and transmission lines authorized by this permit.

23. If the issuance of authorization under this permit is found or suspected of affecting any threatened or endangered species or could result in the destruction or adverse modification of critical habitat of such species, the activity will not be authorized by this general permit and an individual permit will be required.

24. The District Engineer reserves the right to require that any request for authorization under this general permit be processed as an individual permit.

25. The permittee shall perform all work in accordance with the general conditions for permits. A list of general conditions is attached as Enclosure 1.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


Terrence C. Salt
Colonel, U.S. Army
District Engineer

SUPPLIERS

DNR APPROVED MANATEE AWARENESS AND INFORMATION DISPLAY SIGNS

"Caution Manatee Area" and "Manatee Habitat/Construction Area" signs which meet Florida Department of Natural Resources (DNR) requirements are available through the sources listed below. Additional suppliers for construction of these signs may be available through local companies. However, any signs utilized must meet DNR requirements and must contain the exact information as outlined and illustrated on the attached Requirement Condition sheet.

"Caution Manatee Area" signs

Advanced Barricades
P.O. Box 1745
Jupiter, FL 33458-1745
407-746-5123

Municipal Supply & Sign Co.
P.O. Box 17
Naples, FL 33939-1765
813-262-4639

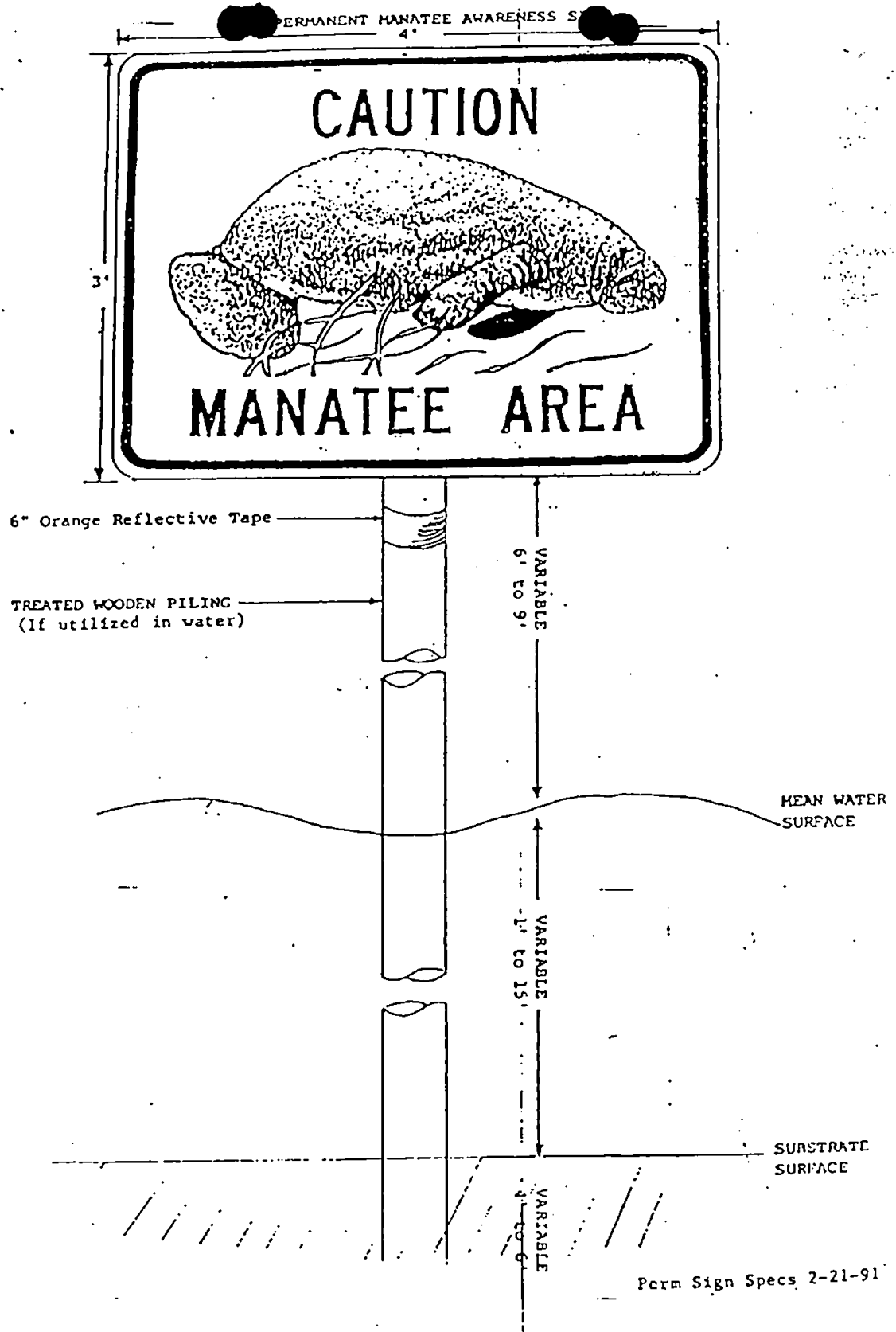
Information display signs which have been approved by the DNR and are in compliance with the lease requirements, are available through the two following sources:

"Information Display" signs (consist of two signs)

New City Sign
2245 Central Avenue
St. Petersburg, FL 33713
813-323-1897

Municipal Supply & Sign Co.
P.O. Box 17
Naples, FL 33939-1765
813-262-4639

Permit/lease holders, marinas, docking and launching facilities should contact these sign companies directly and arrange for shipment and billing on an individual basis.



DA# 19901487
4/28/99

** OUTPUT FROM FILE - ATWU

U.S. ARMY ENGINEER DISTRICT, JACKSONVILLE
ENGINEERING DIVISION, SURVEY BRANCH

2 E 0 4 (SA04) Plane Coordinate Computation Routines

Version : 28 Oct 86 (BERGEN/WRIGHT/HOPKINS/RIMMER)

Station/Range Transforms

Project/Cut Azimuth: 2d 3m 40.00s

** STATION ID(0) =

STATION: + 0 + .00 X = 811284.870 LAT. = 26 D 42 M 32.97609 S
RANGE: 62.50 Y = 864578.400 LONG = 80 D 2 M 47.42747 S

IWM JACKSONVILLE TO MIAMI CUT P 40

** STATION ID(0) = EAST CROSSING

STATION: + 12 + 34.45 X = 811305.800 LAT. = 26 D 42 M 20.73446 S
RANGE: 127.87 Y = 863342.400 LONG = 80 D 2 M 47.29863 S

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STATION: + 12 + 26.43 X = 811181.400 LAT. = 26 D 42 M 20.86746 S
RANGE: 3.10 Y = 863354.900 LONG = 80 D 2 M 48.66918 S

IWM JACKSONVILLE TO MIAMI CUT P 40

Crossing # 26 - 29



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSINGS 25-29



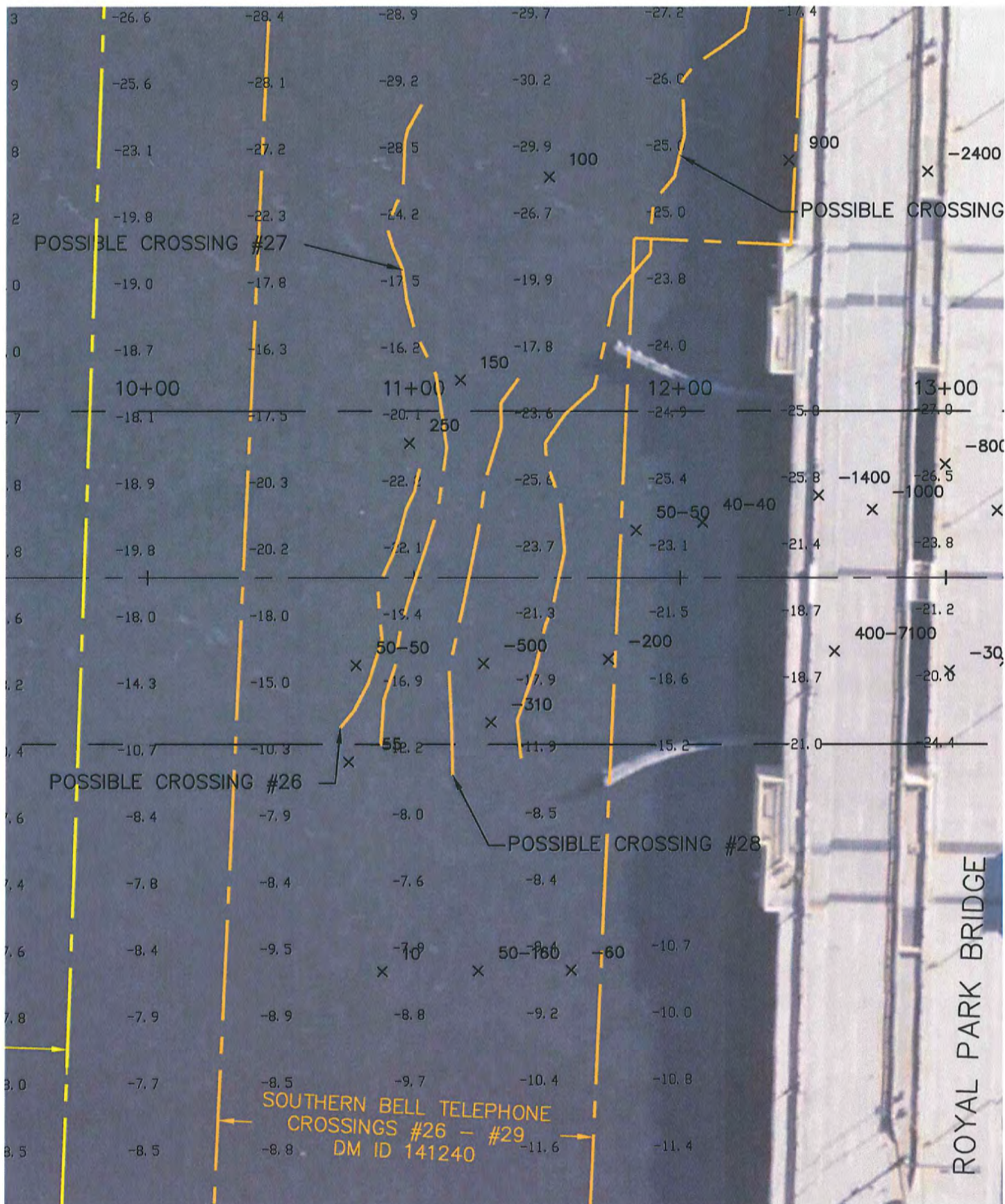
Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates
2011-2013



Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 15:25:25 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.



BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

EASEMENT

NO. 25829 (2754-50)

WHEREAS, pursuant to application made by Southern Bell Telephone and Telegraph Company for a right of way easement over certain lands held by the Board of Trustees of the Internal Improvement Trust Fund the Board of Trustees of the Internal Improvement Trust Fund on August 16, 1977, did agree to the granting of said easement.

WITNESS, THIS INDENTURE, between the Board of Trustees of the Internal Improvement Trust Fund, as grantor, and Southern Bell Telephone and Telegraph Company, as grantee,

The Board of Trustees of the Internal Improvement Trust Fund, for and in consideration of the sum of One Hundred and 00/100 Dollars (\$100.00), receipt of which is hereby acknowledged does hereby grant unto the said Southern Bell Telephone and Telegraph Company, its successors and assigns, a right of way easement for utilities construction purposes, subject to the conditions hereinafter set forth, in and to the following described land in Palm Beach County, Florida, to-wit:

A parcel of sovereignty land in Lake Worth abutting Section 22, Township 43 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

Commencing at the intersection of the Easterly right of way line of Flagler Drive with the centerline of the Royal Park Bridge, as same is shown on State of Florida State Road Department right of way map, Section 9352-150, dated 3-13-57; thence North 4°45'30" East, making an angle of 90° with said bridge centerline, a distance of 250.00 feet; thence South 85°24'30" East along a line parallel with said bridge centerline, a distance of 14.50 feet to a point in the right of way line on the Western shore of Lake Worth as shown on said right of way map and the point of beginning of the herein described easement; thence continue South 85°24'30" East across the waters of Lake Worth, a distance of 1541 feet, more or less,

to a point in the existing bulkhead on the Eastern shore of Lake Worth; thence South 1°59'00" West along said bulkhead, a distance of 200.21 feet to a point in the Northerly right of way line as shown on said right of way map; thence North 85°24'30" West along said right of way, a distance of 695.34 feet; thence North 4°35'30" East, a distance of 59.00 feet; thence North 85°24'30" West and continuing along the said North right of way line, a distance of 653.65 feet; thence North 50°20'46" West and continuing along said right of way, a distance of 245.45 feet to the point of beginning containing 5.61 acres, more or less.

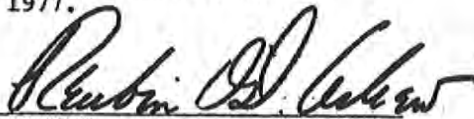
This easement is granted subject to the following provisions, viz:

1. The rights hereby conferred shall be subject to (a) any and all prior rights of the United States; and (b) any and all prior grants by the Board of Trustees of the Internal Improvement Trust Fund in and to submerged land situated within the limits of the right of way hereinabove described.
2. That no title to said land is conferred by this instrument.
3. That the above described strip of land shall be used solely as right of way for the construction, maintenance and use of subaqueous utilities. In the event the land herein described shall cease to be used for said purposes then the easement hereby granted covering said land shall revert to the Board of Trustees of the Internal Improvement Trust Fund.
4. That the grantee herein will not, in the construction and maintenance of said utilities, damage or unduly interfere with public or private rights therein.
5. That the grantee herein shall save and protect the Board of Trustees of the Internal Improvement Trust Fund from all damages and claims arising out of the construction, use and/or maintenance of said utilities.
6. That the grantee by acceptance of this agreement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and

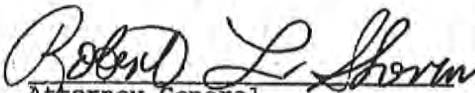
conditions shall be deemed covenants of the grantee, its successors and assigns.

TO HAVE AND TO HOLD said easement unto said grantee, its successors and assigns, for the purposes herein set forth.

IN TESTIMONY WHEREOF, the members of the Board of Trustees of the Internal Improvement Trust Fund have hereunto subscribed their names and have caused the official seal of said Board of Trustees of the Internal Improvement Trust Fund to be hereunto affixed, in the City of Tallahassee, Florida, on the 19th day of October, A.D. 1977.

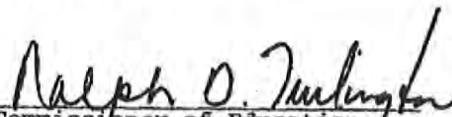

Governor



Secretary of State


Attorney General


Comptroller


Treasurer

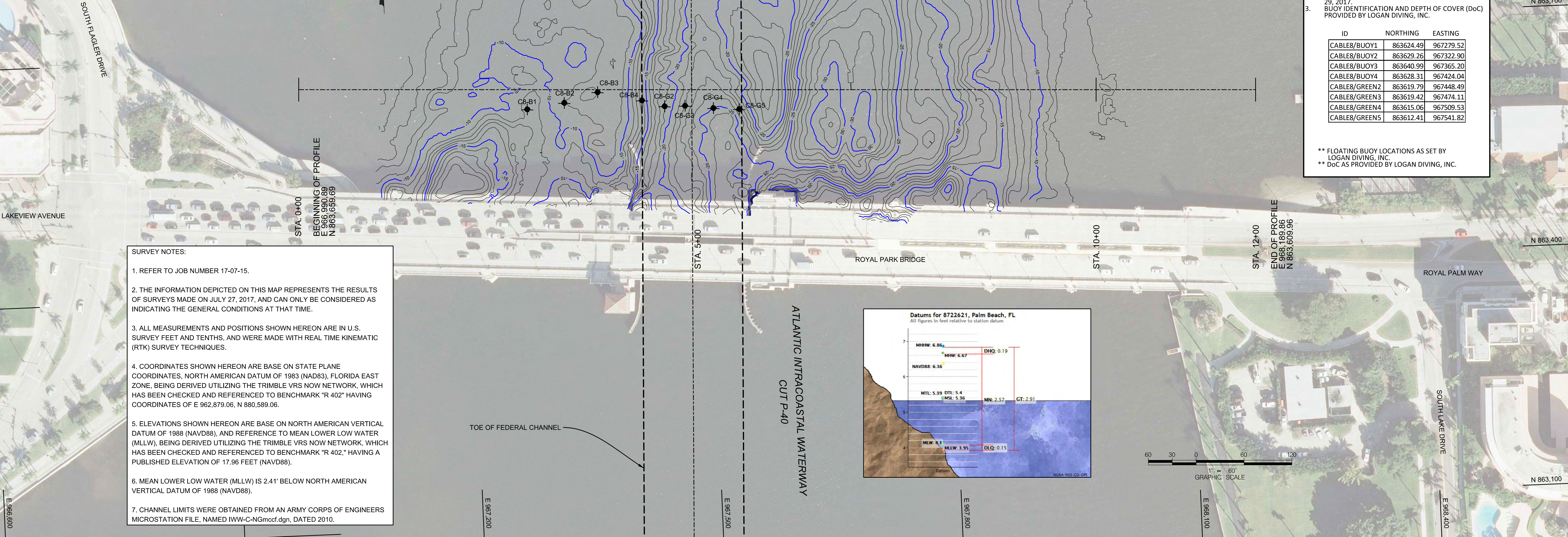

Commissioner of Education


Commissioner of Agriculture

As and Constituting the Board
of Trustees of the Internal
Improvement Trust Fund

(SEAL)
Board of Trustees
of the Internal
Improvement Trust
Fund

MAP SHOWING A HYDROGRAPHIC SURVEY OF:
A PORTION OF THE ATLANTIC INTRACOASTAL WATERWAY
ALONG AN AT&T COMMUNICATION CABLE CROSSING
NORTH OF ROYAL PARK BRIDGE,
PALM BEACH COUNTY, FLORIDA



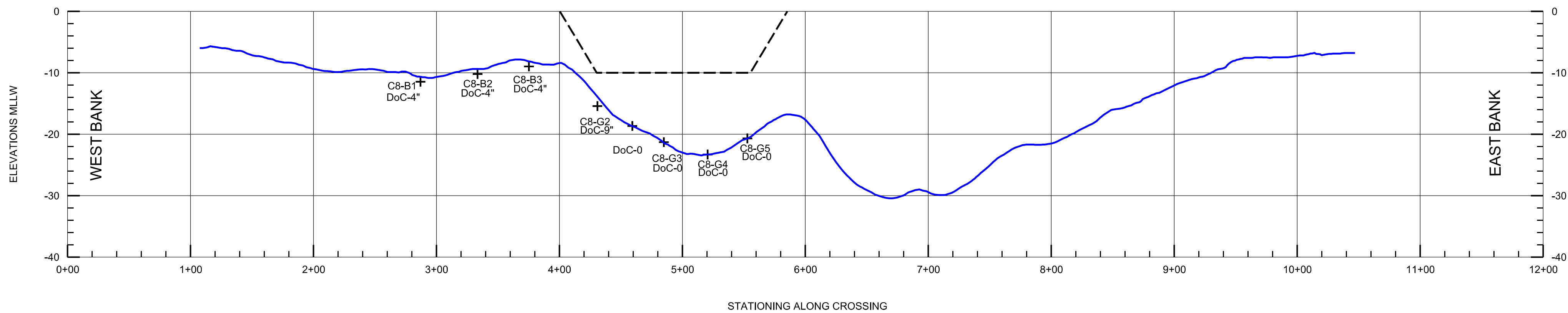
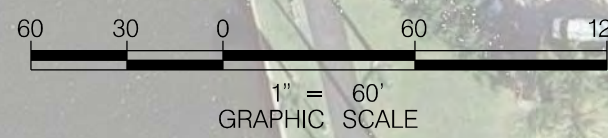
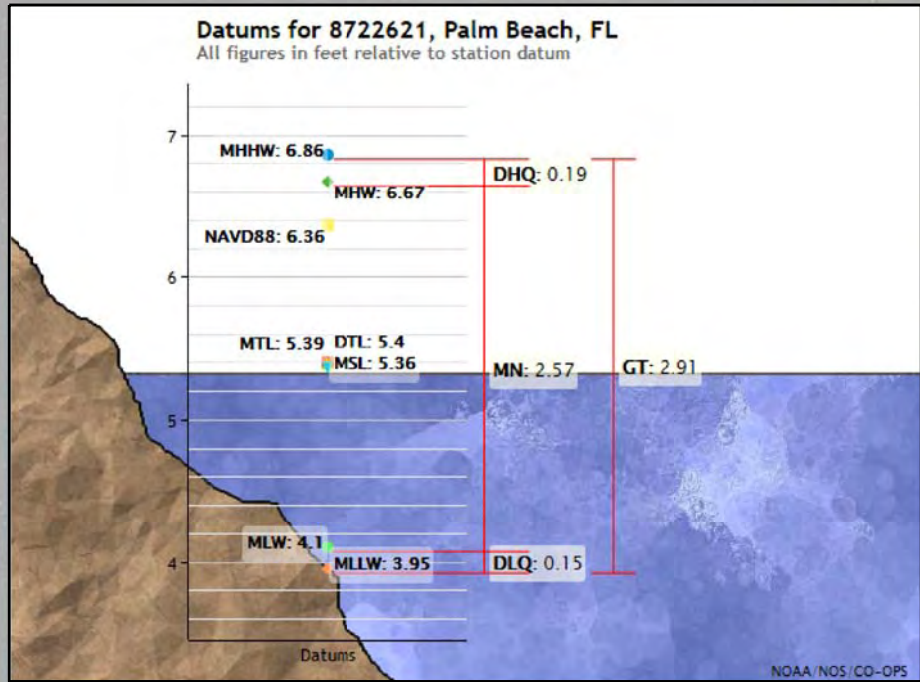
- SURVEY NOTES:**
1. REFER TO JOB NUMBER 17-07-15.
 2. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON JULY 27, 2017, AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
 3. ALL MEASUREMENTS AND POSITIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND TENTHS, AND WERE MADE WITH REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
 4. COORDINATES SHOWN HEREON ARE BASE ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE, BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402" HAVING COORDINATES OF E 962,879.06, N 880,589.06.
 5. ELEVATIONS SHOWN HEREON ARE BASE ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND REFERENCE TO MEAN LOWER LOW WATER (MLLW), BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402" HAVING A PUBLISHED ELEVATION OF 17.96 FEET (NAVD88).
 6. MEAN LOWER LOW WATER (MLLW) IS 2.41' BELOW NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 7. CHANNEL LIMITS WERE OBTAINED FROM AN ARMY CORPS OF ENGINEERS MICROSTATION FILE, NAMED IWW-C-NGmccf.dgn, DATED 2010.

CABLE/BUOY LOCATION:

1. FLOATING BUOY POSITIONS SHOWN HEREON WERE LOCATED BY REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
2. BUOYS WERE SET BY LOGAN DIVING, INC. ON AUG. 29, 2017.
3. BUOY IDENTIFICATION AND DEPTH OF COVER (DoC) PROVIDED BY LOGAN DIVING, INC.

ID	NORTHING	EASTING
CABLE8/BUOY1	863624.49	967279.52
CABLE8/BUOY2	863629.26	967322.90
CABLE8/BUOY3	863640.99	967365.20
CABLE8/BUOY4	863628.31	967424.04
CABLE8/GREEN2	863619.79	967448.49
CABLE8/GREEN3	863619.42	967474.11
CABLE8/GREEN4	863615.06	967509.53
CABLE8/GREEN5	863612.41	967541.82

**** FLOATING BUOY LOCATIONS AS SET BY LOGAN DIVING, INC.**
**** DoC AS PROVIDED BY LOGAN DIVING, INC.**



PROFILE LEGEND / ABBREVIATIONS

—	ARC HYDROGRAPHIC SURVEY MLLW, DATED 07/27/17
—	AIWW CHANNEL
—	10' MLLW, 2:1 SIDE SLOPES OBTAINED FROM ARMY CORPS OF ENGINEERS
+	BUOY LOCATION
C - CABLE #	B - BUOY #
DoC	DEPTH OF COVER FROM EXISTING BOTTOM

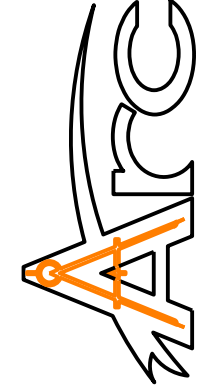
LOGAN DIVING NOTE:
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RICHARD J. SAWYER
PROFESSIONAL SURVEYOR AND MAPPER NO. 6131
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW North of Royal
Park Bridge,
Palm Beach County, Florida
LINE 1

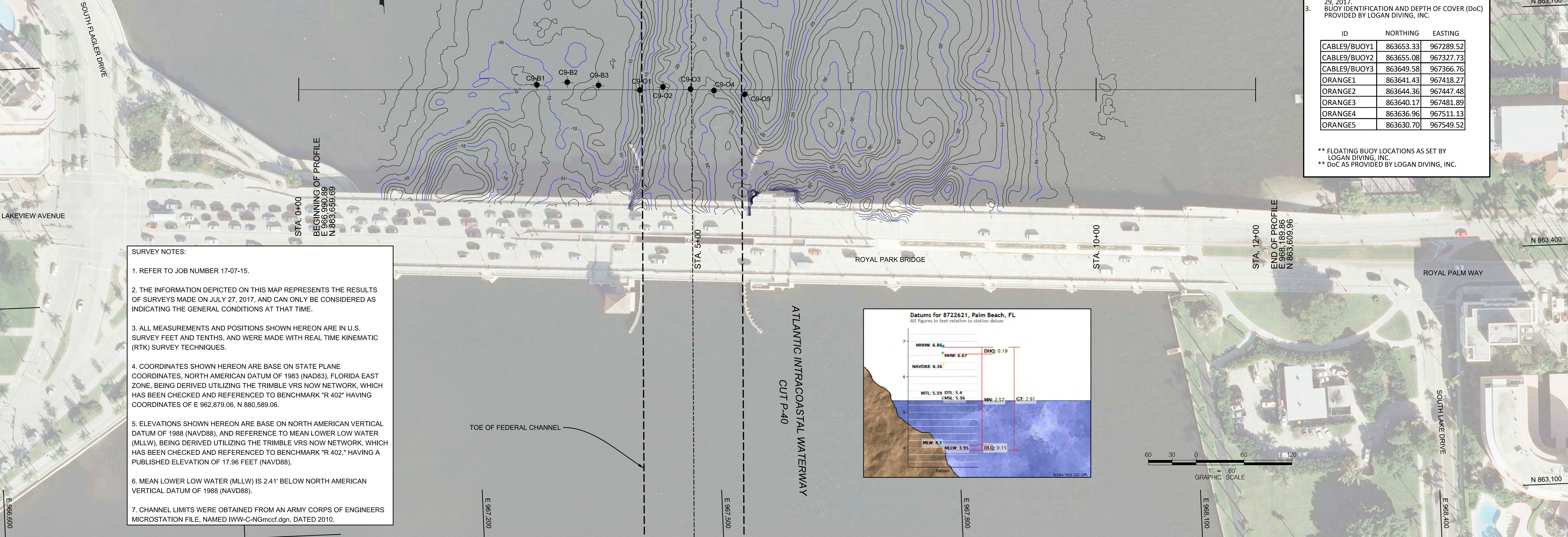
Prepared For:
Logan Diving & Salvage
2815 St Johns Bluff Rd. S.
Jacksonville, FL 32246

Arc Surveying & Mapping, Inc.
Professional Hydrographers • Surveyors • Mappers
5202 San Juan Avenue
Jacksonville, Florida 32210
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg.: NA
ARC Project No.:
17-07-15
SHEET: 1 OF: 1

MAP SHOWING A HYDROGRAPHIC SURVEY OF:
A PORTION OF THE ATLANTIC INTRACOASTAL WATERWAY
ALONG AN AT&T COMMUNICATION CABLE CROSSING
NORTH OF ROYAL PARK BRIDGE,
PALM BEACH COUNTY, FLORIDA



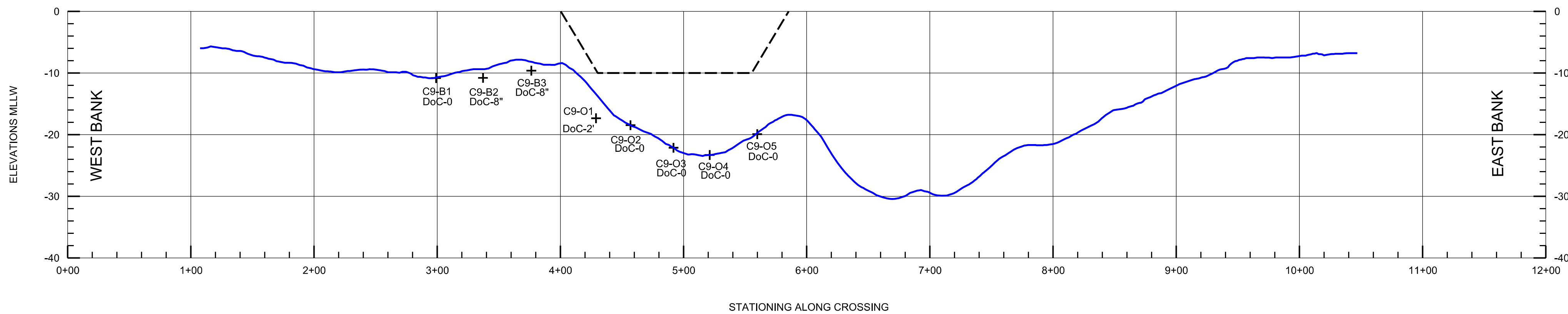
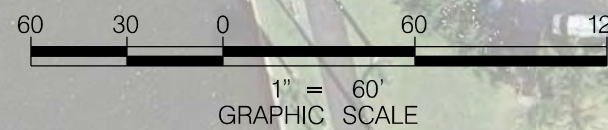
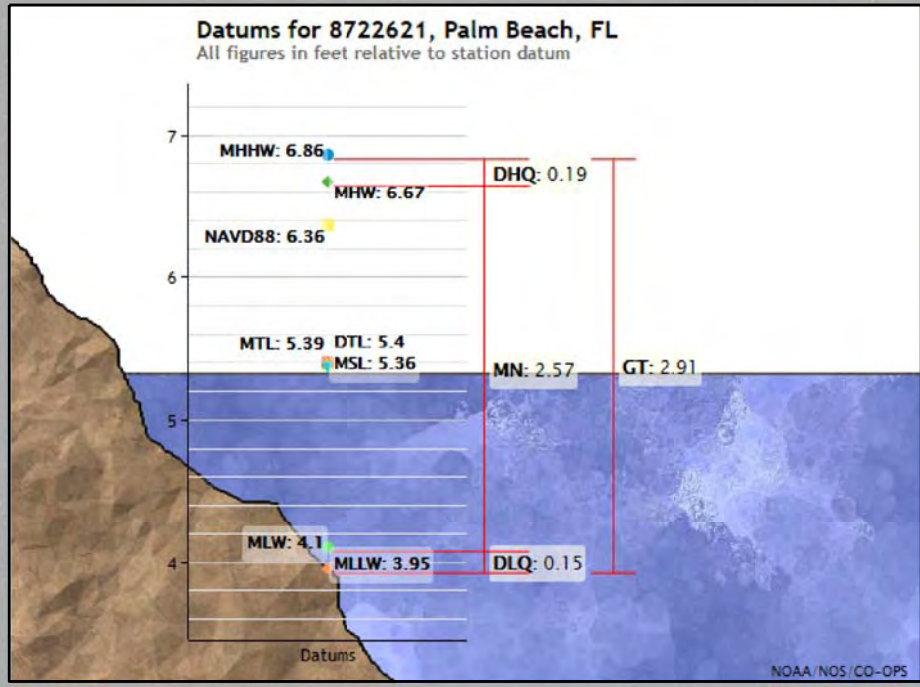
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CABLE/BUOY LOCATION:

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2. BUOYS WERE SET BY LOGAN DIVING, INC. ON AUG. 29, 2017.
3. BUOY IDENTIFICATION AND DEPTH OF COVER (DoC) PROVIDED BY LOGAN DIVING, INC.

ID	NORTHING	EASTING
CABLE9/BUOY1	863653.33	967289.52
CABLE9/BUOY2	863655.08	967327.73
CABLE9/BUOY3	863649.58	967366.76
ORANGE1	863641.43	967418.27
ORANGE2	863644.36	967447.48
ORANGE3	863640.17	967481.89
ORANGE4	863636.96	967511.13
ORANGE5	863630.70	967549.52

** FLOATING BUOY LOCATIONS AS SET BY LOGAN DIVING, INC.
** DoC AS PROVIDED BY LOGAN DIVING, INC.



PROFILE LEGEND / ABBREVIATIONS

—	ARC HYDROGRAPHIC SURVEY MLLW, DATED 07/27/17
—	AIWW CHANNEL
—	10' MLLW, 2:1 SIDE SLOPES OBTAINED FROM ARMY CORPS OF ENGINEERS
+	BUOY LOCATION
C-CABLE #	
B-BUOY #	
DoC	DEPTH OF COVER FROM EXISTING BOTTOM

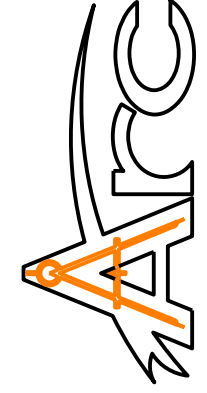
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RICHARD J. SAWYER
PROFESSIONAL SURVEYOR AND MAPPER NO. 6131
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW North of Royal
Park Bridge,
Palm Beach County, Florida
LINE 2

Prepared For:
Logan Diving & Salvage
2815 St Johns Bluff Rd. S.
Jacksonville, FL 32246

Arc Surveying & Mapping, Inc.
Professional Hydrographers • Surveyors • Mappers
5202 San Juan Avenue
Jacksonville, Florida 32210
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg.: NA
ARC Project No.:
17-07-15
SHEET: 1 OF: 1



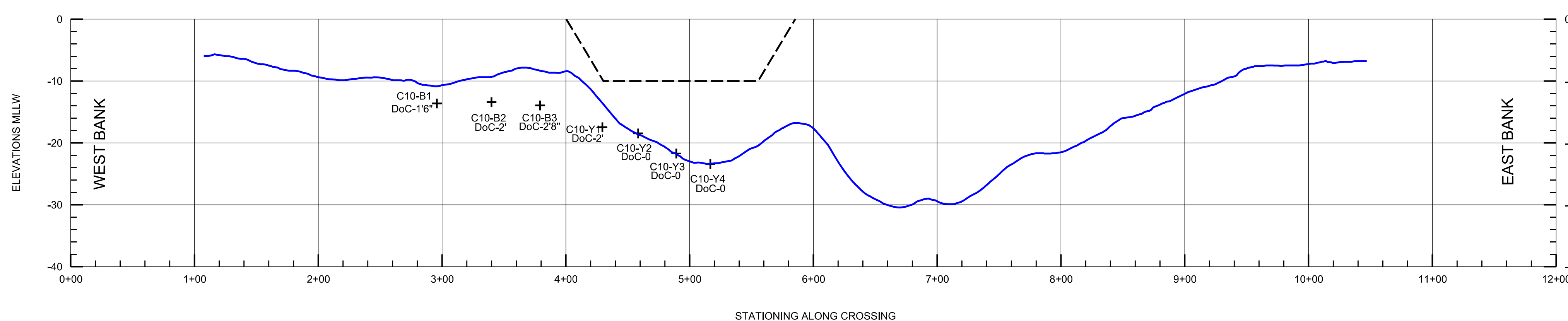
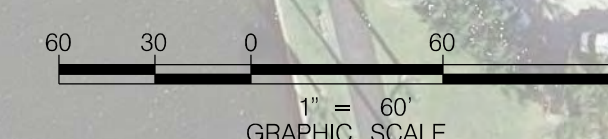
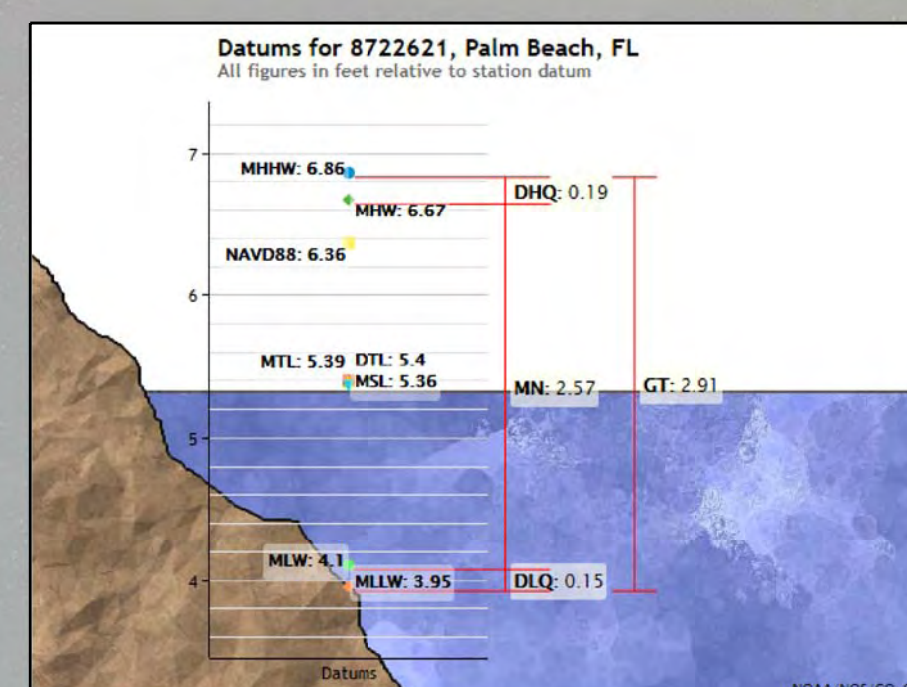
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3.	BUOY IDENTIFICATION AND DEPTH OF COVER (DoC) PROVIDED BY LOGAN DIVING, INC.

ID	NORTHING	EASTING
CABLE10/BUOY1	863666.41	967288.93
CABLE10/BUOY2	863674.76	967331.25
CABLE10/BUOY3	863661.48	967370.54
YELLOW1	863655.57	967419.53
YELLOW2	863648.67	967448.76
YELLOW3	863645.18	967479.44
YELLOW4	863643.52	967506.99
YELLOW5	863638.59	967546.07

** FLOATING BUOY LOCATIONS AS SET BY
LOGAN DIVING, INC.
** DOc AS PROVIDED BY LOGAN DIVING, INC.

SURVEY NOTES:

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PROFILE LEGEND / ABBREVIATIONS	
_____	ARC HYDROGRAPHIC SURVEY MLLW, DATED 07/27/17
_____	AIWW CHANNEL -10' MLLW, 3:1 SIDE SLOPES OBTAINED FROM ARMY CORPS OF ENGINEERS
C2-B9 +	BUOY LOCATION C - CABLE # B - BUOY #
DoC	DEPTH OF COVER FROM EXISTING BOTTOM

LOGAN DIVING NOTE:


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RICHARD J. SAWYER
PROFESSIONAL SURVEYOR AND MAPPER NO. 613
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAP

Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW North of Royal
Park Bridge,
Palm Beach County, Florida

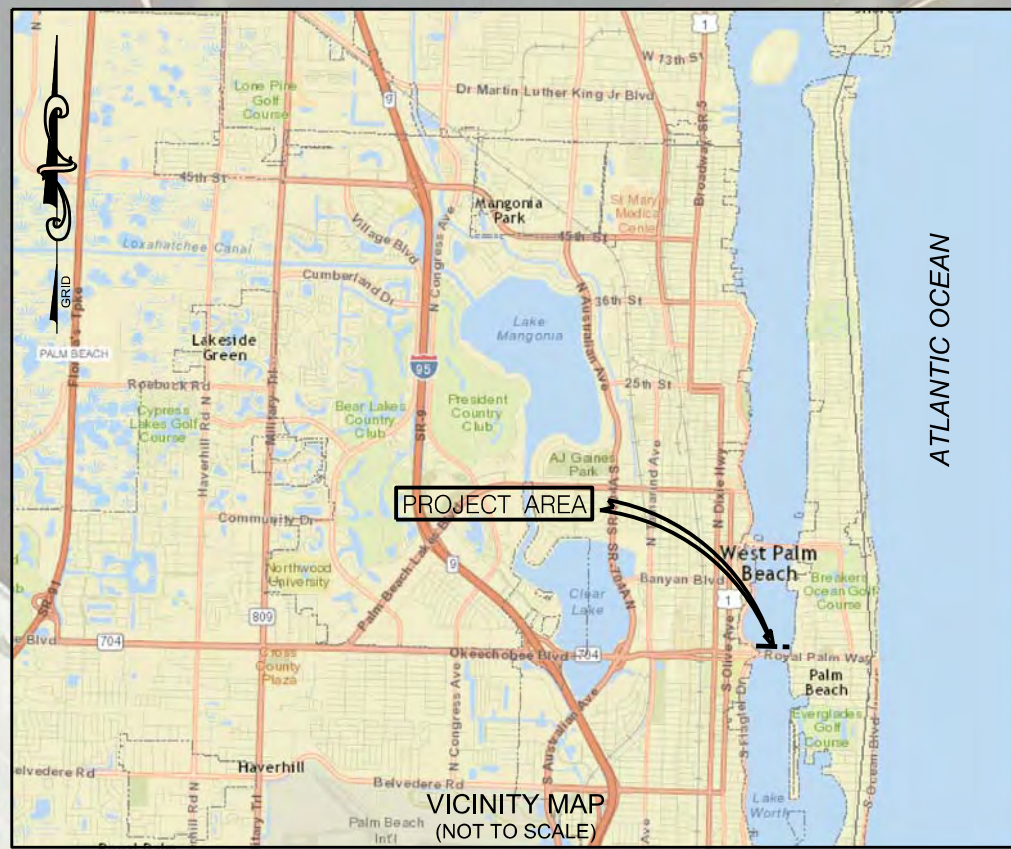
Logan Diving & Salvage
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5202 San Juan Avenue
Jacksonville, Florida 32210
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg: NA
ARC Project No.: 17-07-15
SHEET: 1 OF 1

MAP SHOWING A HYDROGRAPHIC SURVEY OF:
A PORTION OF THE ATLANTIC INTRACOASTAL WATERWAY
ALONG AN AT&T COMMUNICATION CABLE CROSSING
NORTH OF ROYAL PARK BRIDGE,
PALM BEACH COUNTY, FLORIDA



SURVEY NOTES:

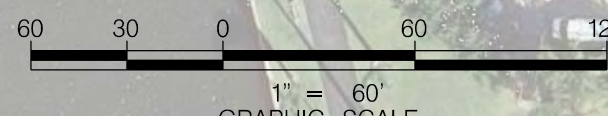
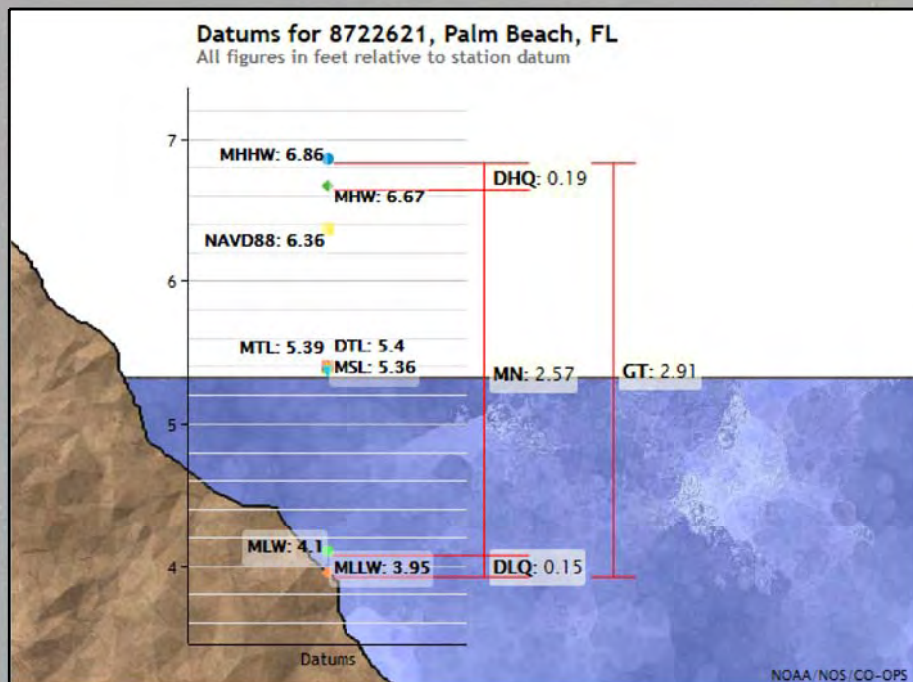
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3. BUOY IDENTIFICATION AND DEPTH OF COVER (DoC) PROVIDED BY LOGAN DIVING, INC.

ID	NORTHING	EASTING
CABLE11/BUOY1	863674.20	967294.37
CABLE11/BUOY2	863674.76	967331.29
CABLE11/BUOY3	863673.43	967370.49
WHITE1	863672.49	967421.77
WHITE2	863683.62	967458.71
WHITE3	863684.49	967484.83
WHITE4	863688.92	967521.96

** FLOATING BUOY LOCATIONS AS SET BY LOGAN DIVING, INC.
** DoC AS PROVIDED BY LOGAN DIVING, INC.



PROFILE LEGEND / ABBREVIATIONS

- ARC HYDROGRAPHIC SURVEY
- MLLW, DATED 07/27/17
- AIWW CHANNEL
- 10' MLLW, 2:1 SIDE SLOPES
- OBTAINED FROM ARMY CORPS OF ENGINEERS
- BUOY LOCATION
- C - CABLE #
- B - BUOY #
- DoC
- DEPTH OF COVER FROM EXISTING BOTTOM

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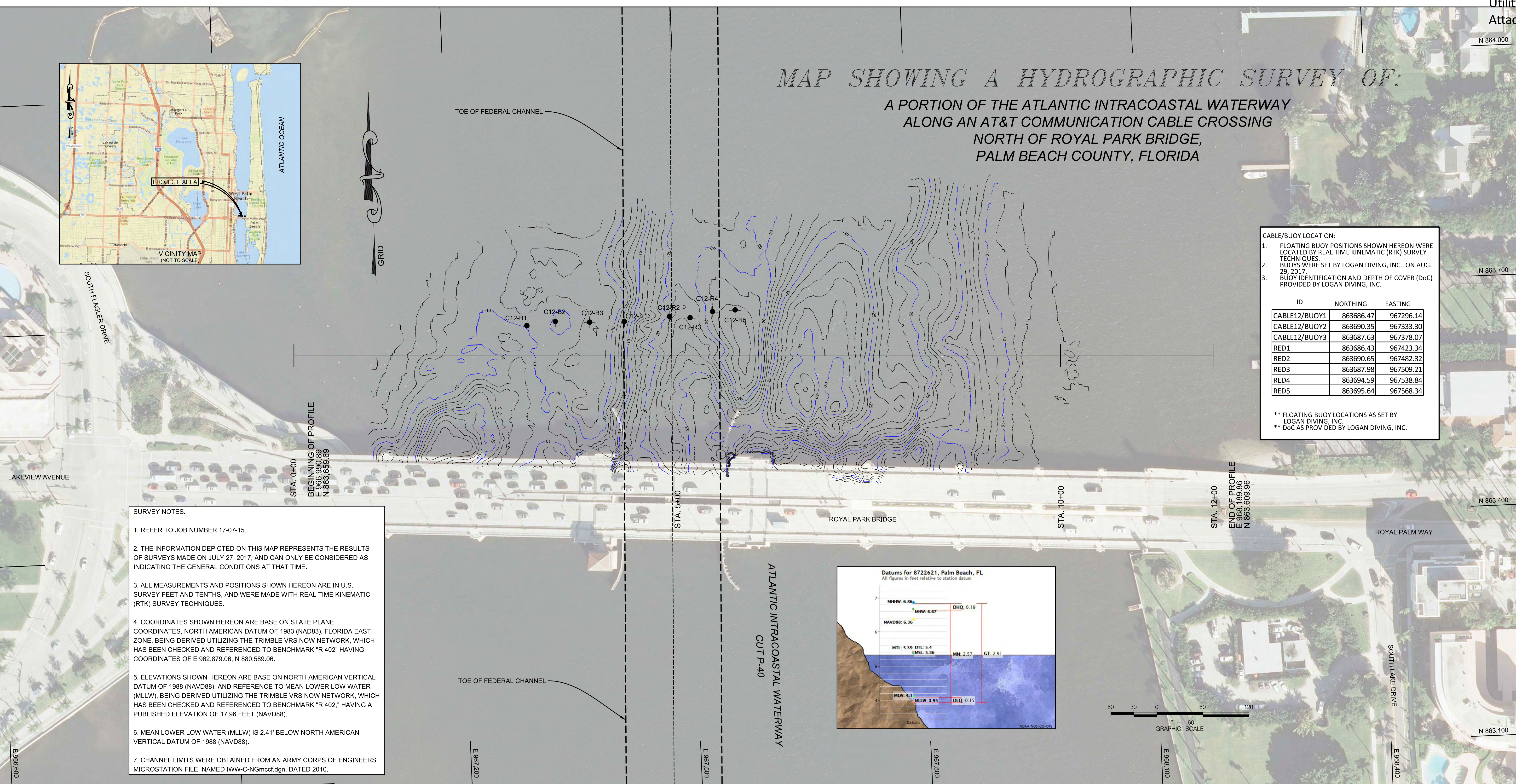
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Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW North of Royal
Park Bridge,
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LINE 4

DATE	BY	REVISION

LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg.: NA
ARC Project No.:
17-07-15
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MAP SHOWING A HYDROGRAPHIC SURVEY OF:
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NORTH OF ROYAL PARK BRIDGE,
PALM BEACH COUNTY, FLORIDA



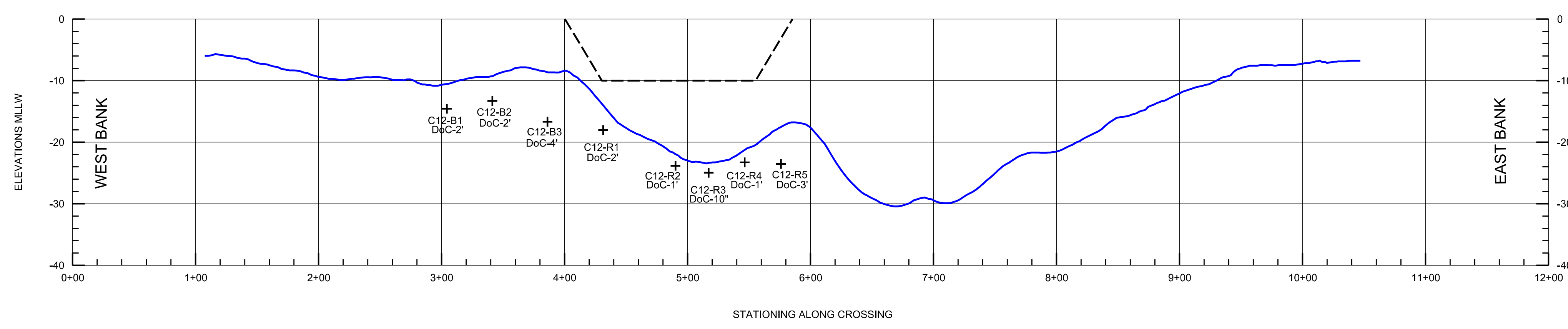
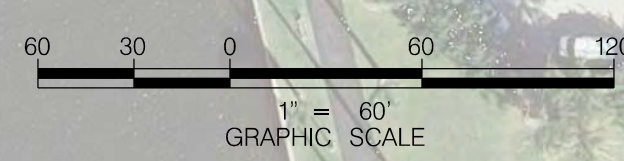
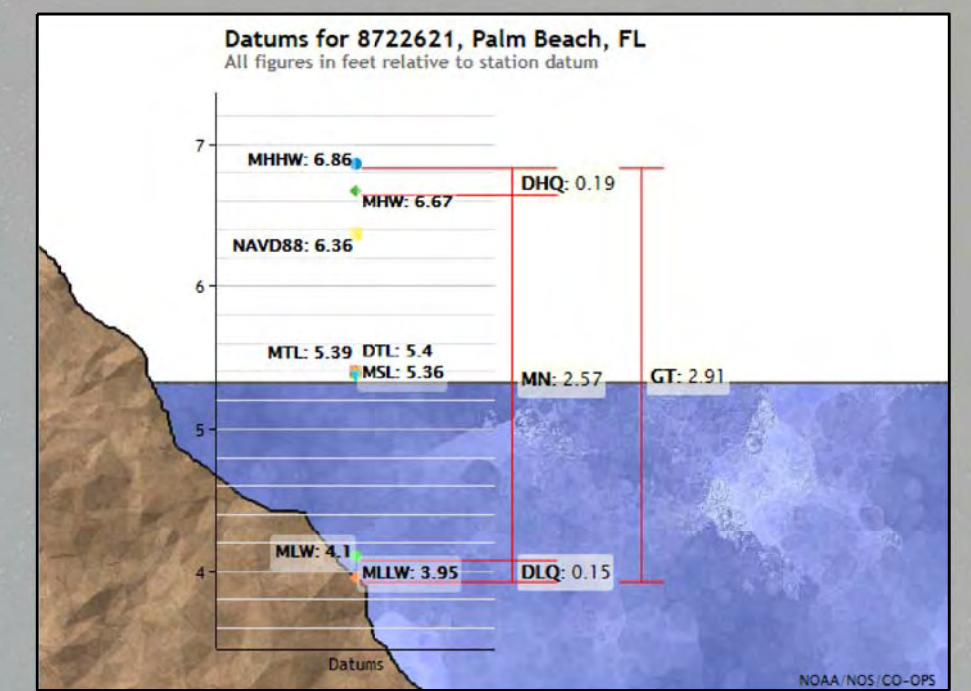
- SURVEY NOTES:**
1. REFER TO JOB NUMBER 17-07-15.
 2. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON JULY 27, 2017, AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
 3. ALL MEASUREMENTS AND POSITIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND TENTHS, AND WERE MADE WITH REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
 4. COORDINATES SHOWN HEREON ARE BASE ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE, BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402" HAVING COORDINATES OF E 962,879.06, N 880,589.06.
 5. ELEVATIONS SHOWN HEREON ARE BASE ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND REFERENCE TO MEAN LOWER LOW WATER (MLLW), BEING DERIVED UTILIZING THE TRIMBLE VRS NOW NETWORK, WHICH HAS BEEN CHECKED AND REFERENCED TO BENCHMARK "R 402" HAVING A PUBLISHED ELEVATION OF 17.96 FEET (NAVD88).
 6. MEAN LOWER LOW WATER (MLLW) IS 2.41' BELOW NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 7. CHANNEL LIMITS WERE OBTAINED FROM AN ARMY CORPS OF ENGINEERS MICROSTATION FILE, NAMED IWW-C-NGmccf.dgn, DATED 2010.

CABLE/BUOY LOCATION:

1. FLOATING BUOY POSITIONS SHOWN HEREON WERE LOCATED BY REAL TIME KINEMATIC (RTK) SURVEY TECHNIQUES.
2. BUOYS WERE SET BY LOGAN DIVING, INC. ON AUG. 29, 2017.
3. BUOY IDENTIFICATION AND DEPTH OF COVER (DoC) PROVIDED BY LOGAN DIVING, INC.

ID	NORTHING	EASTING
CABLE12/BUOY1	863686.47	967296.14
CABLE12/BUOY2	863690.35	967333.30
CABLE12/BUOY3	863687.63	967378.07
RED1	863686.43	967423.34
RED2	863690.65	967482.32
RED3	863687.98	967509.21
RED4	863694.59	967538.84
RED5	863695.64	967568.34

**** FLOATING BUOY LOCATIONS AS SET BY LOGAN DIVING, INC.**
**** DoC AS PROVIDED BY LOGAN DIVING, INC.**



PROFILE LEGEND / ABBREVIATIONS

—	ARC HYDROGRAPHIC SURVEY MLLW, DATED 07/27/17
—	AIWW CHANNEL
—	10' MLLW, 2:1 SIDE SLOPES OBTAINED FROM ARMY CORPS OF ENGINEERS
+	BUOY LOCATION
C - CABLE #	
B - BUOY #	
DoC	DEPTH OF COVER FROM EXISTING BOTTOM

LOGAN DIVING NOTE:

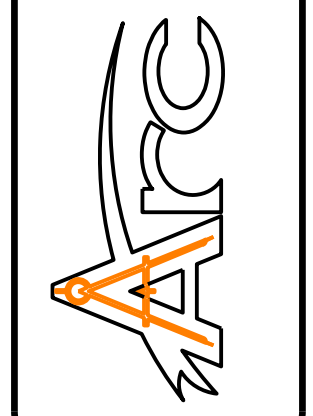
All horizontal and vertical location information was obtained electronically with a Radio Detection RD 7000, TX-10 Transmitter, and DD Underwater antenna. Cable locations noted on this drawing depicts the locations provided electronically by the RD 7000 and DD Underwater antenna. Where light/shallow depth of cover was indicated, the dive team physically uncovered and verified a cable with hands on. On electronic location readings indicating deep cover, the dive team did not excavate to confirm electronic locate readings. All locations are what was indicated electronically by the RD 7000 and DD Underwater antenna on the date of inspection. All TX-10 transmitter connections to reduce a hole to the cable was provided by AT&T representatives on site. Individual Cable ID on multiple cable crossings is as provided by AT&T representatives on site. For absolute definitive cable ID and location, the dive team must excavate and put hands on subject cables.

RICHARD J. SAWYER
PROFESSIONAL SURVEYOR AND MAPPER NO. 6131
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Project Title:
Hydrographic Survey of an
AT&T Cable Crossing the
AIWW North of Royal
Park Bridge,
Palm Beach County, Florida
LINE 5

Prepared For:
Logan Diving & Salvage
2815 St Johns Bluff Rd. S.
Jacksonville, FL 32246

Arc Surveying & Mapping, Inc.
Professional Hydrographers • Surveyors • Mappers
5202 San Juan Avenue
Jacksonville, Florida 32210
904.384.8377



LB No. 6487
Drawn By: M. SAWYER
Scale: SEE SHEET
Plot Date: 08/02/17
Checked By: R. SAWYER
Fld Bk / Pg.: NA
ARC Project No.:
17-07-15
SHEET: 1 OF: 1



**DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
WEST PALM BEACH REGULATORY OFFICE
400 NORTH CONGRESS AVENUE, SUITE 130
WEST PALM BEACH, FL 33401**

October 20, 2000

Regulatory Division
South Permits Branch
200001645 (LP-RM)

Florida Department of Transportation
ATTN: Patrick Webster, P.E.
3400 West Commercial Boulevard
Ft. Lauderdale, Florida 33309

Dear Permittee:

This is in reference to your request for a permit for work performed in or affecting navigable waters of the United States. Upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 3 March 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), you are authorized

to install a subaqueous cable; 2) East End of Bridge: Remove 404 feet of existing bulkhead from the east end of the bridge, excavate 0.13 acres landward of the existing bulkhead and install 166 feet of new bulkhead; and 3) West End of the Bridge: Remove 193 linear feet of bridge abutment from the west end of the bridge and install a 616.93 linear foot cantilever with a maximum 1.8 feet overhang on the south end of the bridge, install a 248 linear feet U-shaped cantilever with 18 pilings, and a 631.71 linear foot cantilever with a maximum 7.1 feet overhang on the north end of the bridge.

in the Intracoastal Waterway at the Royal Park Bridge, in Section 22, Township 43 south, Range 43 east, Palm Beach County, Florida

completed in accordance with the plans and conditions which are incorporated in, and made a part of, the permit. It is noted that the authorization for the subaqueous cable is being given based on the position of the structure as located using the X-Y State Plan coordinates furnished with the application. Should the completed structure have less clearance to the Federal Channel than the coordinates show, the permittee shall be deemed to be in violation of the permit. By accepting this authorization, the permittee agrees to furnish the "U.S. Army Corps of Engineers, at the letterhead address, an "As built

-2-

Survey" of the completed structure(s) including a certified/sealed drawing which includes the X-Y coordinates. This survey shall be furnished within 30 days of completion of the work for verification and acceptance by the Corps. No vessel(s) may utilize the facility prior to acceptance by the Corps.

Since the work is located within the Federal right-of-way for the Atlantic Intracoastal Waterway (AIWW), a Department of the Army Consent to Easement will be required prior to commencement of construction. By copy of this letter, the proposal is being forwarded to the Corps Real Estate Division for the action on the Consent. In addition, the permittee must comply with the following special conditions:

1. Install the subaqueous cable under the Federal Channel a minimum 18 feet below mean low water and 25 feet from the side slopes.
2. Within 60 days of the completion of the work authorized, the "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Corps of Engineers. Mail the completed form within 60 days of completion of the work authorized to the Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida, 32232-0019.
3. The permittee will comply with the attached Special Manatee Conditions;
4. Prior to initiation of construction, turbidity curtains will be deployed to isolate the construction site from adjacent waters. These will remain in place until all construction activity is complete and turbidity values have returned to preconstruction conditions;

In addition, please find enclosed a 2-page customer service survey, form 5065 and self-certification statement of compliance, that we request you fill out and return to the letterhead address.

Enclosed is a Notice of Authorization which should be displayed at the construction site. When you begin work, you

-3-

must notify the District Engineer's representative, at the above letterhead address, of:

- a. The date of commencement of work;
- b. The dates of work suspensions and resumptions if work is suspended over a week; and;
- c. The date of final completion.

If the work authorized is not completed on or before **October 20, 2005**, authorization, if not previously revoked or specifically extended, shall cease and be null and void.

You may accept the Letter of Permission or you may decline to accept the Letter of Permission because you object to certain terms and conditions therein. If you decline this Letter of Permission, you must return the Letter of Permission to the District Engineer and may not proceed with the work until notified by the District Engineer.

Your letter to the District Engineer must outline your objections to the terms and conditions of the Letter of Permission. Your objections must be received by the District Engineer within 60 days of the date of this Notification of Applicant Options (NAO), or you will forfeit your right to request changes to the terms and conditions of the Letter of Permission under this appeal process.

Upon receipt of your letter, the District Engineer will evaluate your objections, and may: (a) modify the Letter of Permission to address all of your concerns, or (b) modify the Letter of Permission to address some of your objections, or (c) not modify the Letter of Permission. In any of these three cases, the District Engineer will send you a final Letter of Permission for your reconsideration, as well as a notification of appeal (NAP) form and a request for appeal (RFA) form.

Should you decline the final Letter of Permission, you can appeal the declined Letter of Permission under the Corps of Engineers Administrative Appeal Process by submitting the completed RFA form to the Division Engineer. The Division Engineer must receive the RFA within 60 days of the date of the NAP that was transmitted with the second Letter of Permission.

-4-

If you have any questions regarding this permit authorization, please contact Ronald C. Miedema at the letterhead address or by telephone at 561-683-2917.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Robert W. Paulsen

FOR JAMES G. MAY
Colonel, U.S. Army
District Engineer

Enclosures

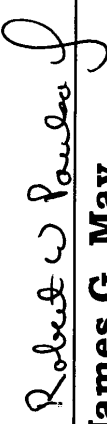


United States Army Corps of Engineers EXPIRES: (10/17/05)

to install a subaqueous cable; 2) East End of Bridge: Remove 404 feet of existing bulkhead from the east end of the bridge, excavate 0.13 acres landward of the existing bulkhead and install 166 feet of new bulkhead; and 3) West End of the Bridge: Remove 193 linear feet of bridge abutment from the west end of the bridge and install a 616.93 linear foot cantilever with a maximum 1.8 feet overhang on the south end of the bridge, install a 248 linear foot U-shaped cantilever with 18 pilings, and a 631.71 linear foot cantilever with a maximum 7.1 feet overhang on the north end of the bridge.

In Section 22, Township 43 south, Range 43 east, Palm Beach County, Florida
has been issued to Florida Department of Transportation
on October 17, 2000
Address of Permittee: 3400 West Commercial Boulevard
Ft. Lauderdale, Florida 33309

200001645(LP-RM)


James G. May
Colonel, U.S. Army
District Engineer

Approved:

OMB No.: 0710-0012

Expires: 30 September 2001

The Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0710-XXXX), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE ADDRESS. RETURN COMPLETED APPLICATION TO THE ADDRESS SHOWN ON THE APPLICATION INSTRUCTION SHEET.

**CUSTOMER SERVICE SURVEY - REGULATORY PROGRAM
U.S. ARMY CORPS OF ENGINEERS**

We at the U.S. Army Corps of Engineers Regulatory Branch are committed to improving service to our customers and would like to know how well we have been doing. Who are our customers? You are our customers if you submitted a permit application, requested a jurisdictional determination or wetland delineation, or scheduled a pre-application meeting with us. Other customers include those of you who receive our Public Notice and/or commented on a particular project or our work in general, because of your interest in the Regulatory Program. To identify how we can better serve you, we need your help. Please take the time to fill out this brief survey and mail it back to us. Your honest opinions will help us determine areas in which we need to improve. For each question, please indicate the level of service you received by marking the appropriate number on a scale from 1-5, with 1 being low (dissatisfied) and 5 being high (very satisfied). If the question does not apply to you, simply mark N/A. Thank you for your time and comments! Response to this survey is VOLUNTARY. If you choose not to respond, it will not affect any

I. FOR APPLICANTS & OTHERS REQUIRING AUTHORIZATIONS	LOW SATISFACTION			HIGH SATISFACTION		
	1	2	3	4	5	NA
1. Do you think you received your Corps permit decision in a reasonable amount of time?						
2. Do you think you received your Corps jurisdictional determination in a reasonable amount of time?						
3. If we recommended/required project changes/modifications to reduce impacts, did we clearly explain the reasons why?						
4. If we recommended/required project changes/modifications to reduce impacts, did the changes seem reasonable to you?						
5. If we denied your permit, did we clearly explain the reasons why?						
6. For enforcement cases, did our office clearly and professionally explain the basis for the enforcement action (e.g., what work we believe you performed without authorization)?						
7. For enforcement cases, did our office include options for resolution?						
II. FOR "OTHER" CUSTOMERS						
1. For permitted actions, was the permit effective in achieving appropriate protection/mitigation for impacts to aquatic resources?						
2. For enforcement actions, did the Corps require appropriate compensation/restoration for impacts to aquatic resources?						
III. FOR APPLICANTS & "OTHER" CUSTOMERS						
1. Did the Corps representative act professionally and treat you with courtesy?						
2. Did the Corps provide sufficient information to allow you to complete an application form, comment on a public notice, or otherwise evaluate our work?						
3. Did we respond to your letters and telephone calls in a reasonable amount of time?						
4. Did the Corps representative answer your questions clearly, giving you accurate information about our Regulatory Program?						
5. What is your OVERALL rating of the level of service provided by the Corps of Engineers Regulatory Program?						

Note: DATA FROM THIS QUESTIONNAIRE WILL BE USED BY THE DISTRICT TO IMPROVE SERVICE. ALSO, INFORMATION WILL BE TABULATED NATIONALLY BY SERVICE AREA. RESPONDENTS WILL NOT BE IDENTIFIED BY NAME OR ORGANIZATION FOR ANY REPORT DERIVED FROM THIS SURVEY

PLEASE COMPLETE THE FOLLOWING QUESTIONS BY GIVING US
ANY COMMENTS OR SUGGESTIONS FOR HOW WE CAN IMPROVE.

Please indicate the nature of your business (If applicable, check more than one):

- | | | |
|--|---|--|
| <input type="checkbox"/> Property developer | <input type="checkbox"/> Flood/Water Control District | <input type="checkbox"/> Sand & Gravel |
| <input type="checkbox"/> Public Agency Applicant | <input type="checkbox"/> Consultant | <input type="checkbox"/> Law Office |
| <input type="checkbox"/> Civic or Trade Organization | <input type="checkbox"/> Farming/Ranching | <input type="checkbox"/> Silviculture |
| <input type="checkbox"/> Member of Legislature | <input type="checkbox"/> Public Agency | <input type="checkbox"/> Mining |
| <input type="checkbox"/> Federal/State/Local | <input type="checkbox"/> Personal/Private Project | <input type="checkbox"/> Media |
| <input type="checkbox"/> Conservation Organization | <input type="checkbox"/> Adjacent Property Owner | <input type="checkbox"/> Native American |
| <input type="checkbox"/> Other (describe): _____ | | |

What Service(s) Did You Seek From the Corps? (If applicable, check more than one):

- | | |
|--|--|
| <input type="checkbox"/> General Information | <input type="checkbox"/> Jurisdictional/wetland determination |
| <input type="checkbox"/> Pre-application Consultation | <input type="checkbox"/> Resolution of violation/non-compliance |
| <input type="checkbox"/> Nationwide general permit | <input type="checkbox"/> Regulatory Program presentation |
| <input type="checkbox"/> Regional or programmatic general permit | <input type="checkbox"/> Commented on Public Notice/permit application |
| <input type="checkbox"/> Standard Individual permit | <input type="checkbox"/> Other (describe): _____ |
| <input type="checkbox"/> Letter of Permission | |

Which Corps office (District, Division, Headquarters, other) did you deal with? _____

Name of person you contacted in our office (optional): _____

Do you have any comments or suggestions on the Regulatory Program?

Information about you (optional):

Name/Title: _____

Address: _____

Telephone (include area code): _____

May we contact you? YES ☐ NO ☐

Authorities: The government Performance and Results Act of 1993 and Executive Order (EO) 12862, "Setting Customer Service Standards", dated September 11, 1993. Purpose: To determine the quality of services our customers expect, as well as their satisfaction with USACE's existing services. Information provided on this form will be used in evaluating the performance of the Corps Regulatory Program. Routine Uses: This information may be shared with the Office of Management and Budget, members of Congress, and other federal, state, and local government agencies. Disclosure: Providing requested information is voluntary. Failure to provide this information will not result in an adverse action.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

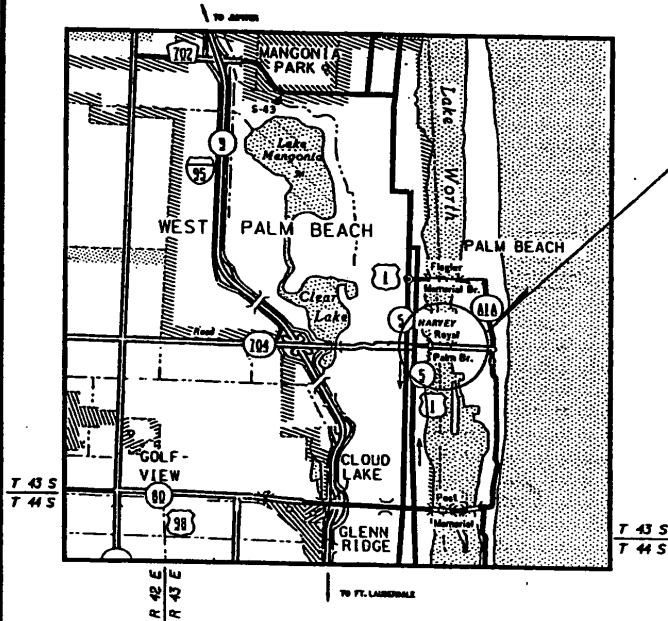
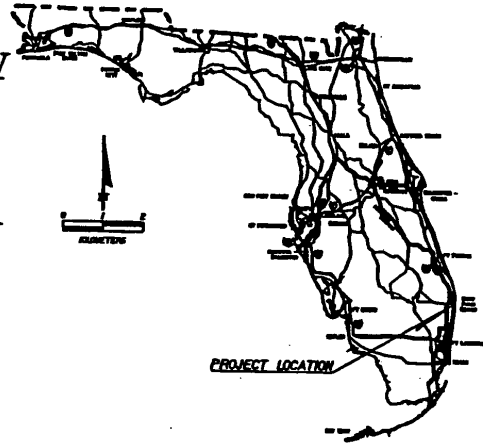
**ROYAL PARK
REPLACEMENT BRIDGE**

W.P.J. NO 4118943

STATE PROJECT NO 93280-3524

FINANCIAL PROJECT ID 229899-1-22-01

S.R. 704 OVER INTRACOASTAL WATERWAY
PALM BEACH COUNTY



PROJECT VICINITY

PLANS PREPARED BY
ECDriver

200 EAST PALMETTO PARK ROAD, SUITE 340
BOCA RATON, FLORIDA 33432
CDD 312-8076
VENDOR NUMBER 00-4570705

DESIGNED SPECIFICATIONS: FLORIDA DEPARTMENT
OF TRANSPORTATION. ROADWAY AND TRAFFIC
DESIGN STANDARDS EACH JANUARY 1990 AND
STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE
CONSTRUCTION 2000 EDITION.

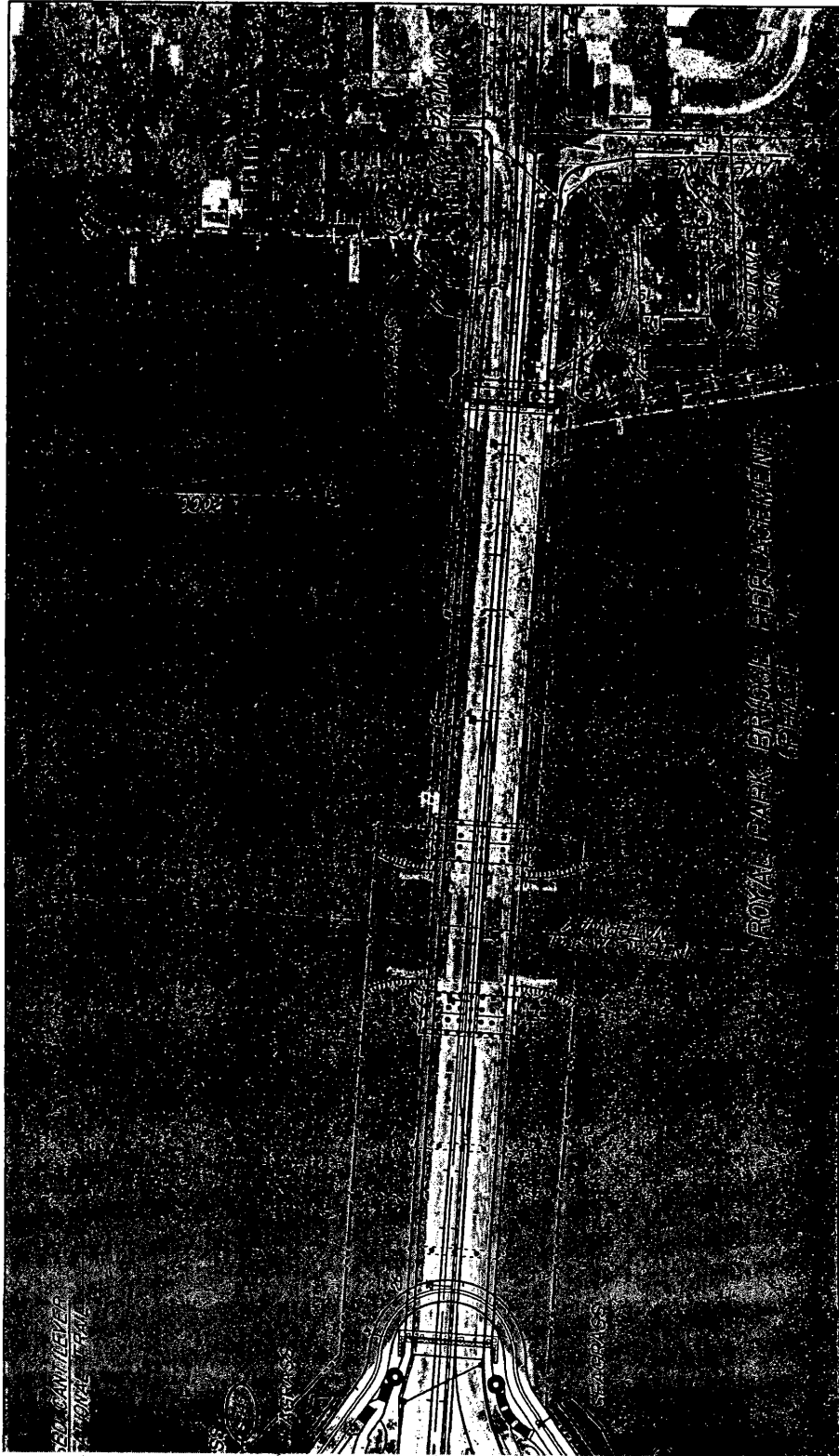
NOTE: THIS IS A METRIC UNIT PROJECT
FDOT PROJECT MANAGER: JOE BORELLO

APPLICANT:	FLORIDA DEPARTMENT OF TRANSPORTATION
WATER BODY:	ATLANTIC INTRACOASTAL WATERWAY - MILE 1022.6
LOCATION:	CITY OF WEST PALM BEACH AND TOWN OF PALM BEACH
SHEET NUMBER:	106 OF 11
DATE:	MARCH, 2000

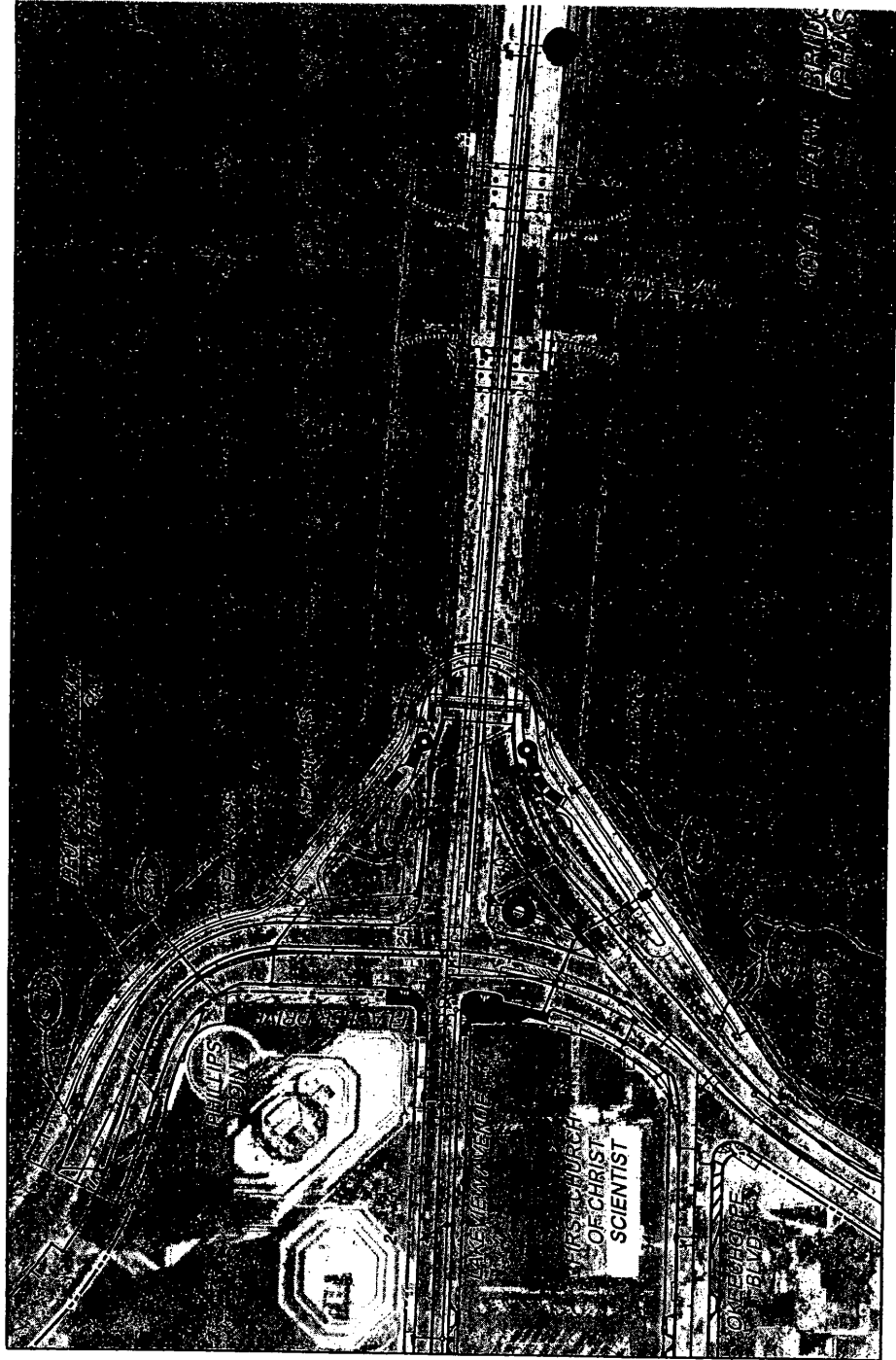
רד"מ

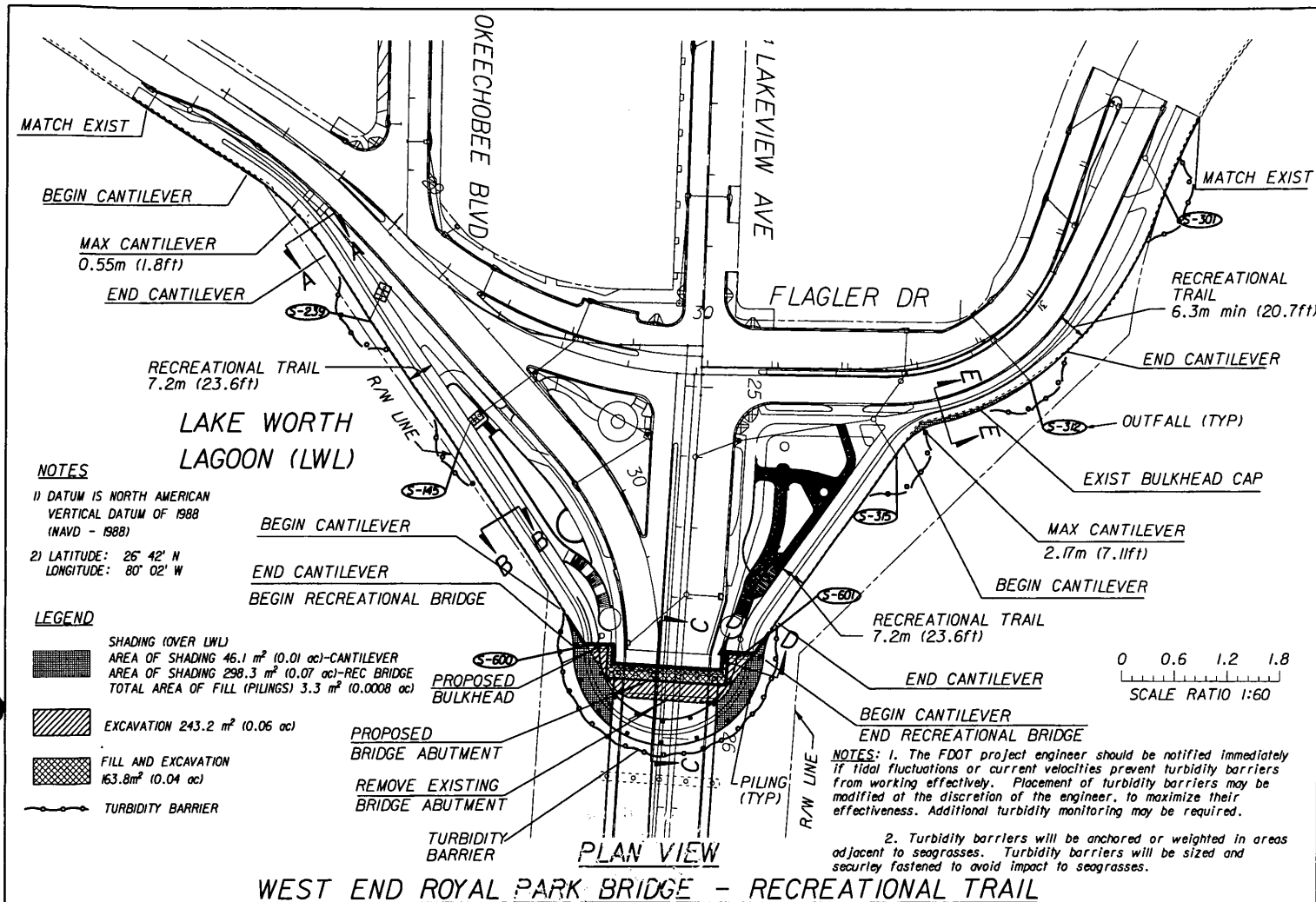
— SEAGRASS AREA SEPTEMBER 1998 FOOT SURVEY

..... SEAGRASS BOUNDARY LINE MAY 2000 FDOT SURVEY



LEGEND
—— SEAGRASS AREA SEPTEMBER 1998 FDOT SURVEY
..... SEAGRASS BOUNDARY LINE MAY 2000 FDOT SURVEY



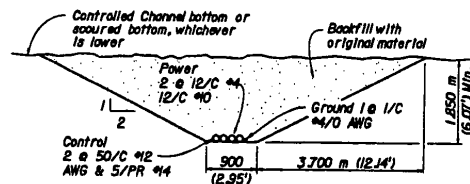
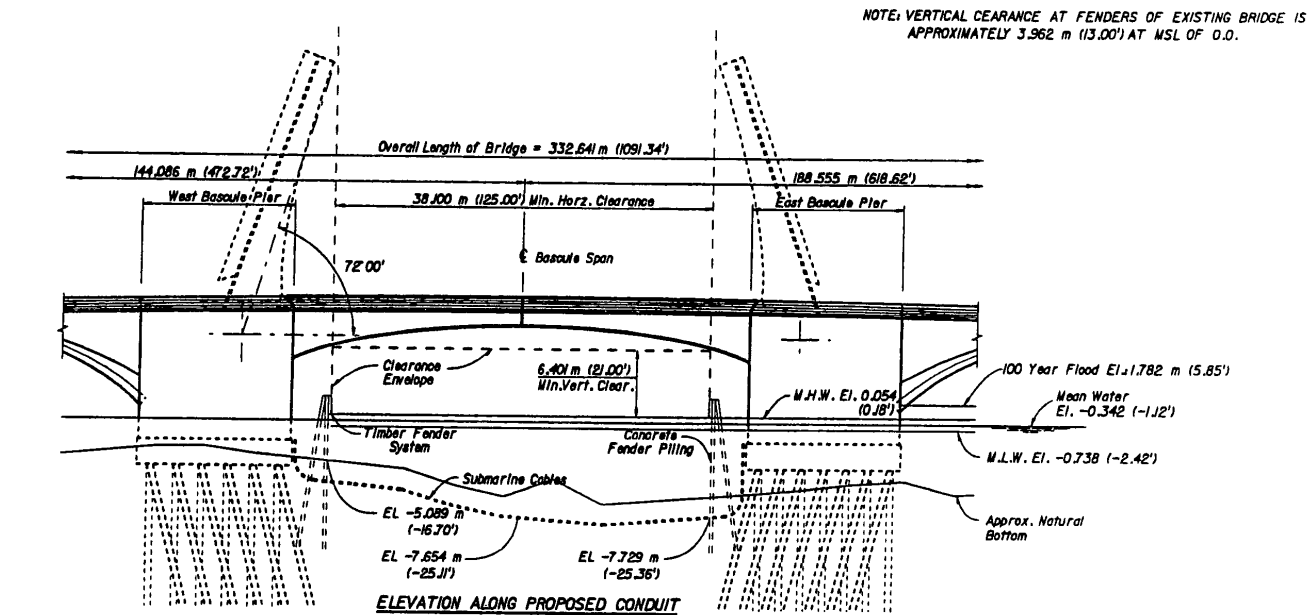


DATE: 9/15/00
TIME: 10:00 AM
FILE: 229899-1-52-01

APPLICANT FLORIDA DEPARTMENT OF TRANSPORTATION			UNITED STATES ARMY CORPS OF ENGINEERS			FPID 229899-1-52-01		
PROJECT DESCRIPTION ROYAL PARK BRIDGE			NAME: RAMON F. BRETON			COUNTY PALM BEACH COUNTY		
REPLACEMENT (PHASE 3)			SIGNATURE <i>[Signature]</i>			DER		
SEC 22			CERTIFICATE NO. 53139			CG		
TWP: 43S			DATE: 9/15/00			SHEET 4 OF 15		
RNG: 43E						COE		
						WMD		
						DATE 9/12/00		

03-APR-2000 10:24 g:\v297\coast_guardbasellev.dgn NONE

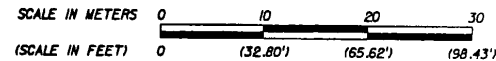
FINANCIAL PROJECT ID: 229899-1-22-01



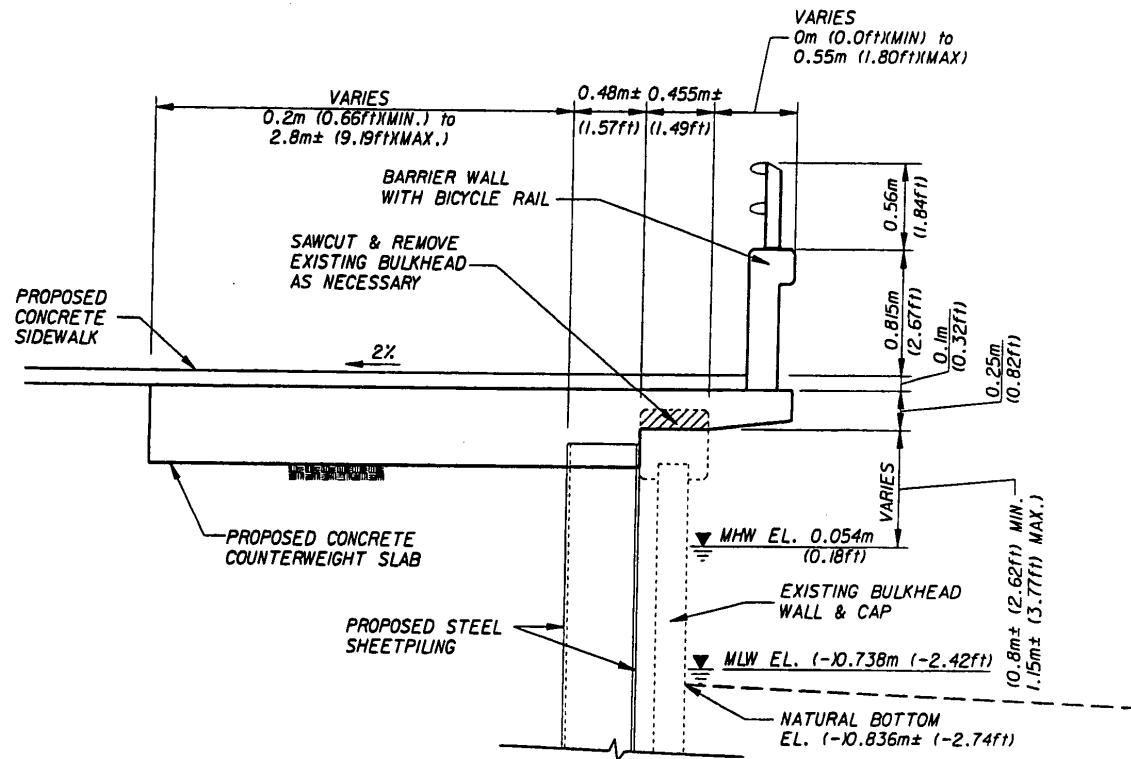
SUB CABLE TRENCH SECTION
N.T.S.

NOTE: VERTICAL SURVEY DATUM IS NAVD 1988.

Alfonso Caro
4/3/00

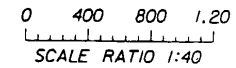


APPLICANT:	FLORIDA DEPARTMENT OF TRANSPORTATION
WATER BODY:	ATLANTIC INTRACOASTAL WATERWAY - MILE 1022.6
LOCATION:	CITY OF WEST PALM BEACH AND TOWN OF PALM BEACH
SHEET NUMBER:	3 OF 15
DATE:	MARCH, 2000



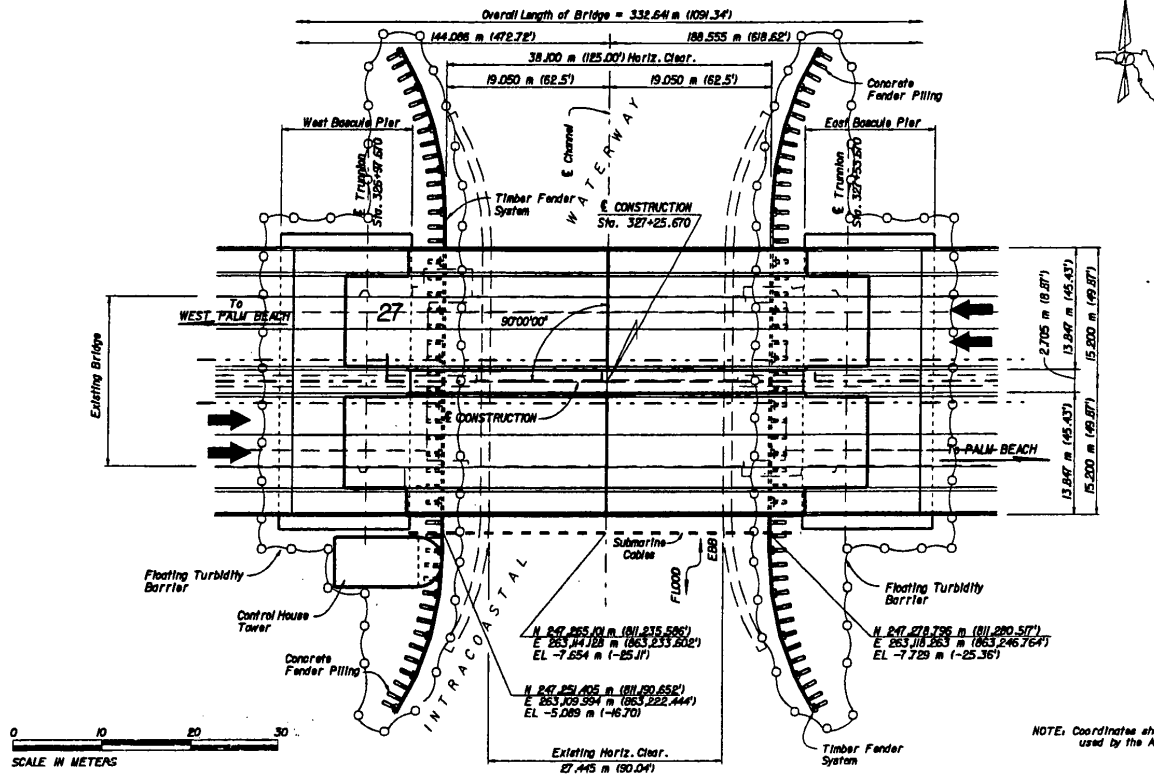
SECTION A-A

SOUTHSIDE ROYAL PARK BRIDGE



APPLICANT FLORIDA DEPARTMENT OF TRANSPORTATION					UNITED STATES ARMY CORPS OF ENGINEERS					FPID 229899-1-52-01					
PROJECT DESCRIPTION ROYAL PARK BRIDGE					NAME: KEITH TRIEGER					COUNTY PALM BEACH COUNTY					
REPLACEMENT (PHASE 3)					SIGNATURE 					DER		CG		SHEET 5 OF 15	
SEC 22 TWP. 43S RNG. 43E					CERTIFICATE NO. 41066					DATE: 4/3/2000		COE		WMD DATE 3/23/00	

07-JUN-2000 17:08 g:\297\replacement_permit\bascoe\bascoeplan.dgn NONE

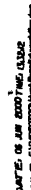


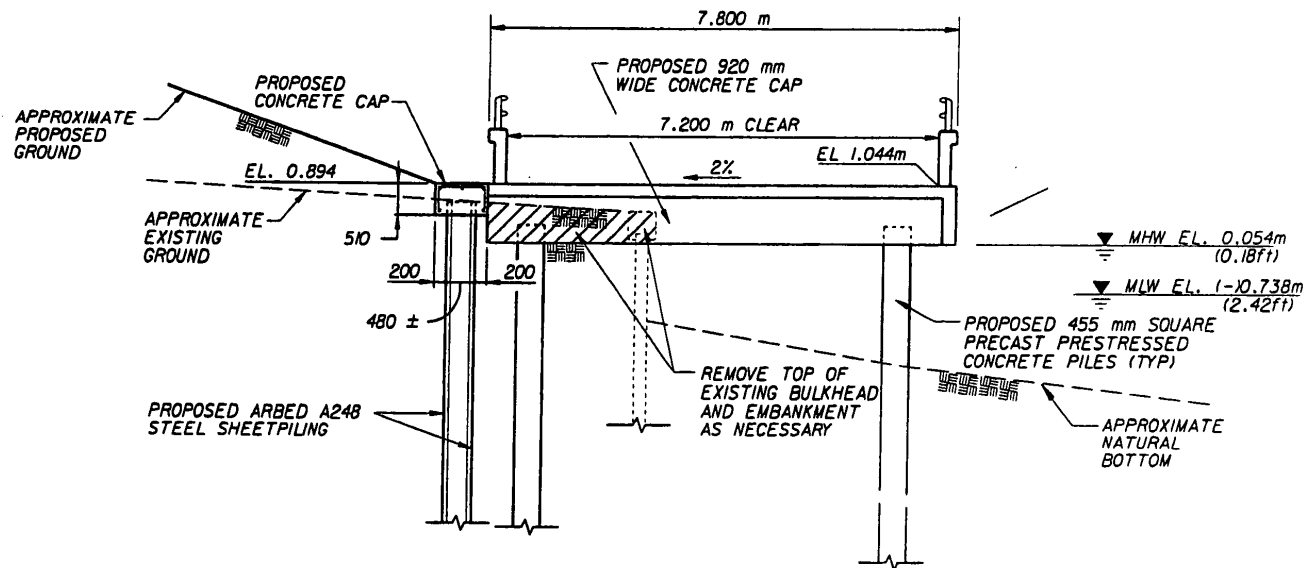
Rafaela Caro
6/7/00

SUBMARINE CABLE AND CONDUIT PLAN

NOTE: Coordinates shown based on 1927 State Plane Coordinate System used by the Army Corps of Engineers.

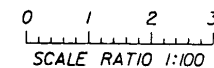
APPLICANT:	FLORIDA DEPARTMENT OF TRANSPORTATION
WATER BODY:	ATLANTIC INTRACOASTAL WATERWAY - MILE 1022.6
LOCATION:	CITY OF WEST PALM BEACH AND TOWN OF PALM BEACH
SHEET NUMBER:	5 OF 15
DATE:	JUNE, 2000





SECTION C-C

RECREATIONAL BRIDGE TRANSITION




DATE: 10 APR 2000 TIME: 04:10
FILE: 00000000-1-52-01

APPLICANT FLORIDA DEPARTMENT OF TRANSPORTATION				UNITED STATES ARMY CORPS OF ENGINEERS		FP1D 229899-1-52-01	
PROJECT DESCRIPTION ROYAL PARK BRIDGE				NAME: KEITH KRIEGER		COUNTY PALM BEACH COUNTY	
REPLACEMENT (PHASE 3)				SIGNATURE <i>[Signature]</i>		DER	CG
SEC 22	TWP: 43S	RNG: 43E		CERTIFICATE NO. 41066		COE	WMD
				DATE: 4/3/2000		SHEET 7 OF 15	
						DATE 3/23/00	



0 400 800 1.20
SCALE RATIO 1:40

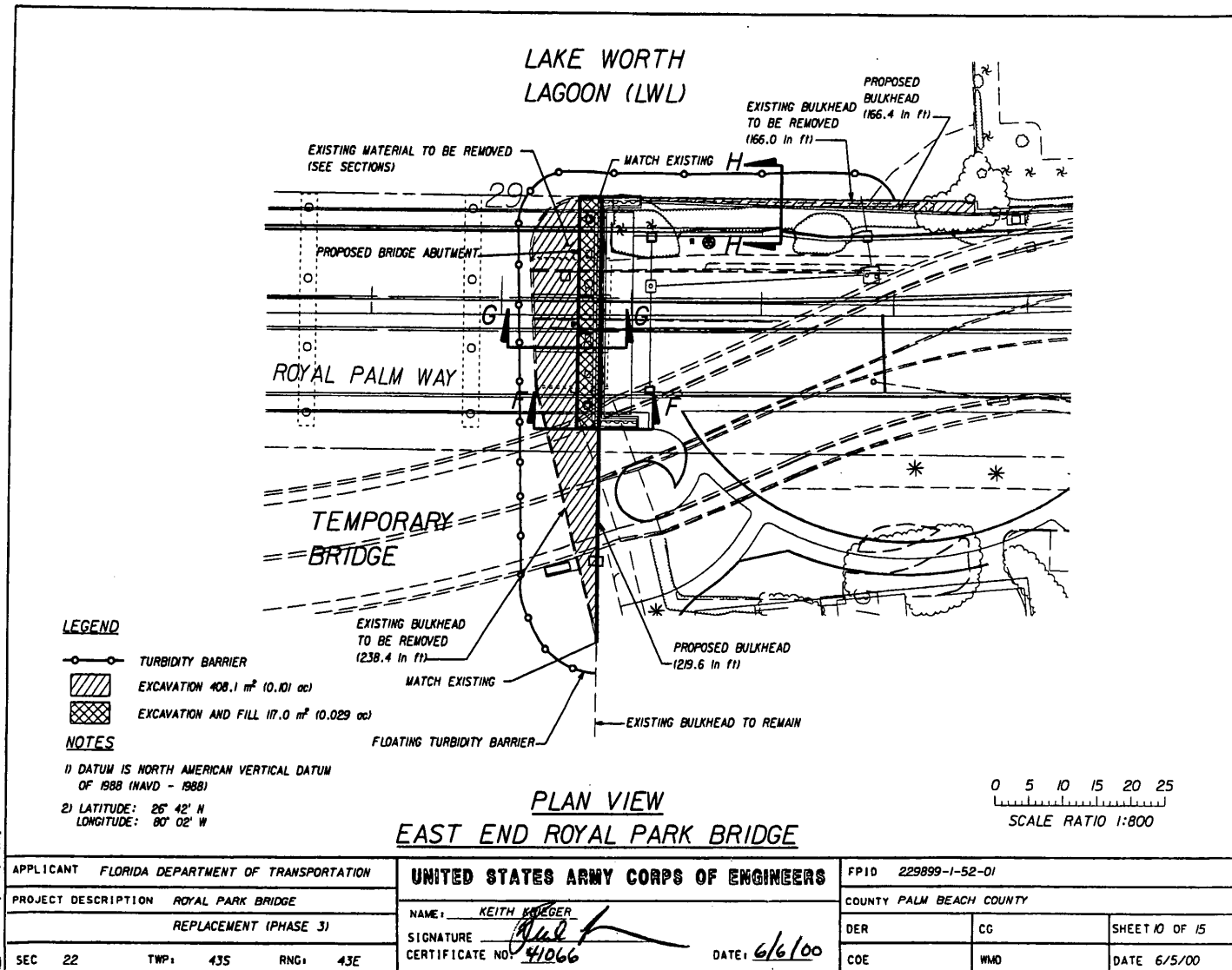
APPLICANT	FLORIDA DEPARTMENT OF TRANSPORTATION	UNITED STATES ARMY CORPS OF ENGINEERS		FPID	229899-1-52-01
PROJECT DESCRIPTION	ROYAL PARK BRIDGE	NAME:	KEITH KRIEBER	COUNTY	PALM BEACH COUNTY
	REPLACEMENT (PHASE 3)	SIGNATURE		DER	
SEC	22	CERTIFICATE NO.	41066	CG	SHEET 8 OF 15
TWP:	43S	DATE:	4/3/2000	COE	WMD
RNG:	43E				DATE 3/23/00

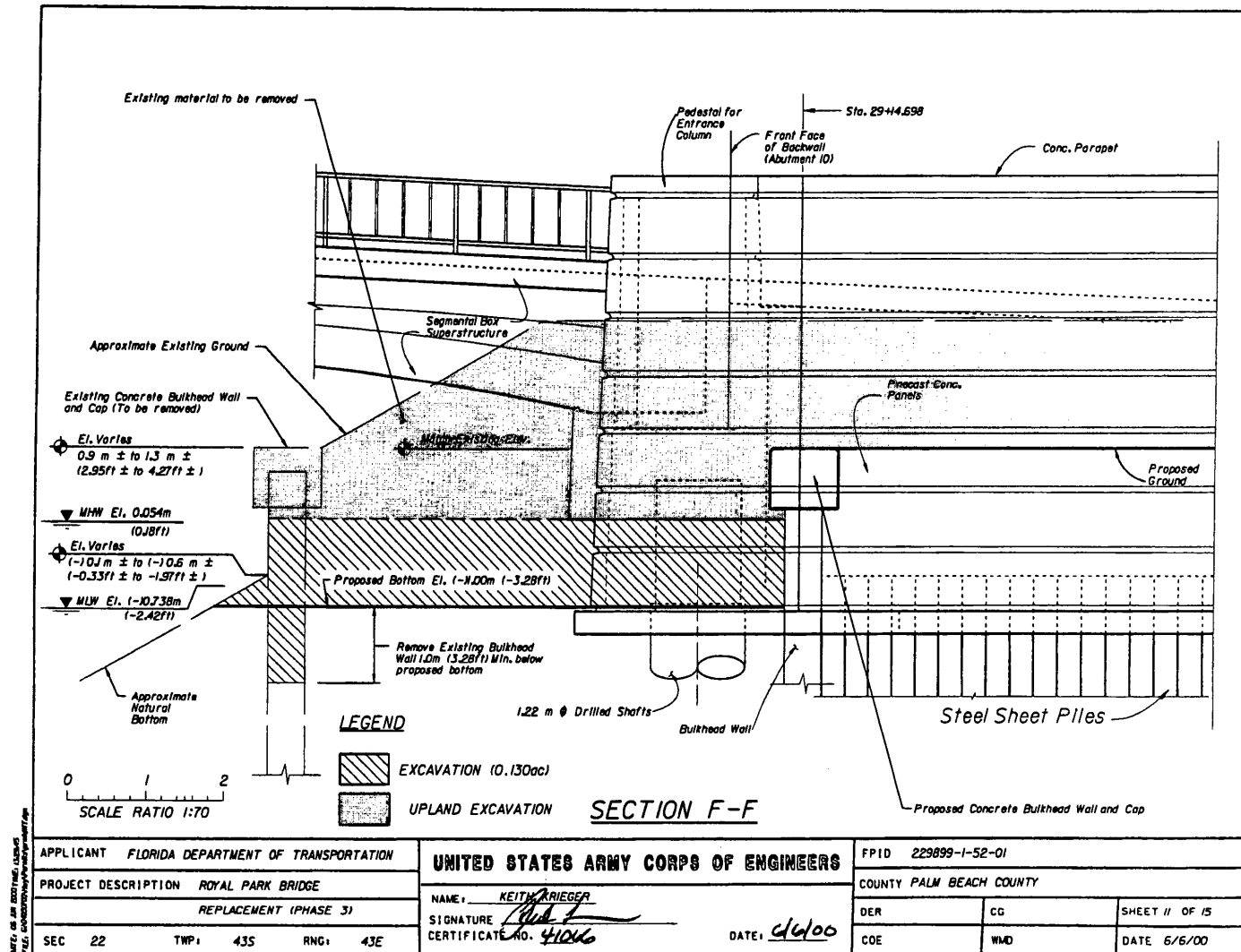
CONSTRUCTION ACTIVITY	TYPE OF IMPACT		
	Fill	Excavation	Shading
Recreational Trail	3.3 m2 (0.0008 ac.)	0	344.4 m2 (0.08 ac.)
TOTAL	3.3 m2 (0.0008 ac.)	0	344.4 m2 (0.08 ac.)

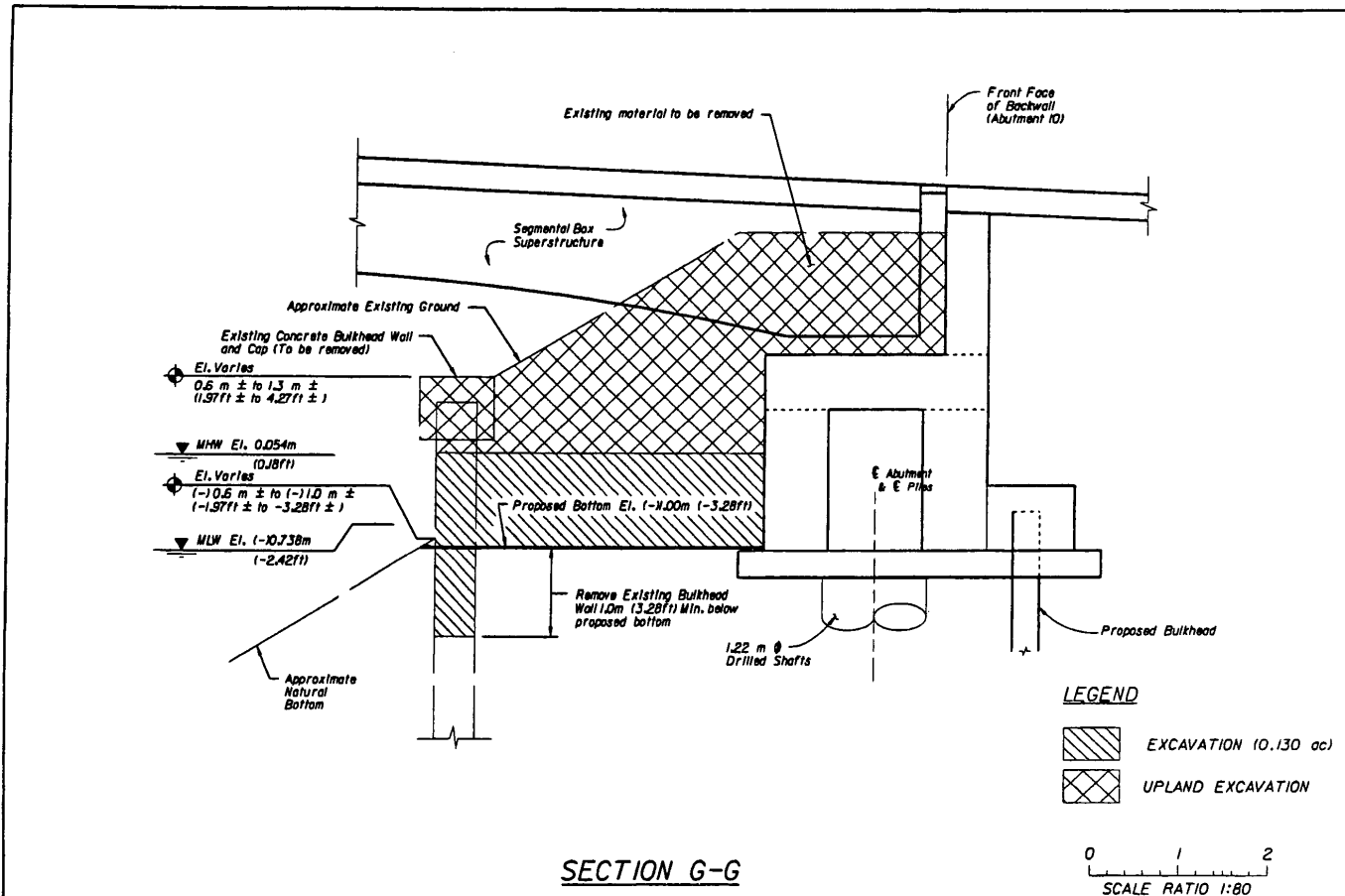
SUMMARY OF WETLAND/SURFACE WATER IMPACTS

DATE: 22 SEP 2000 TIME: 11:38:40
FILE: G:\04050700\hwy\Permits\USARMY\prmtsum2.dgn

APPLICANT FLORIDA DEPARTMENT OF TRANSPORTATION		UNITED STATES ARMY CORPS OF ENGINEERS		FPID 229899-1-52-01	
PROJECT DESCRIPTION ROYAL PARK BRIDGE		NAME: RAMON BRETON		COUNTY PALM BEACH COUNTY	
REPLACEMENT (PHASE 3)		SIGNATURE <i>[Signature]</i>		DER	CG
SEC 22	TWP: 43S	RNG: 43E	CERTIFICATE NO. 53139	DATE: 9/22/00	SHEET 9 OF 15
				COE	WMD
					DATE 9/22/00

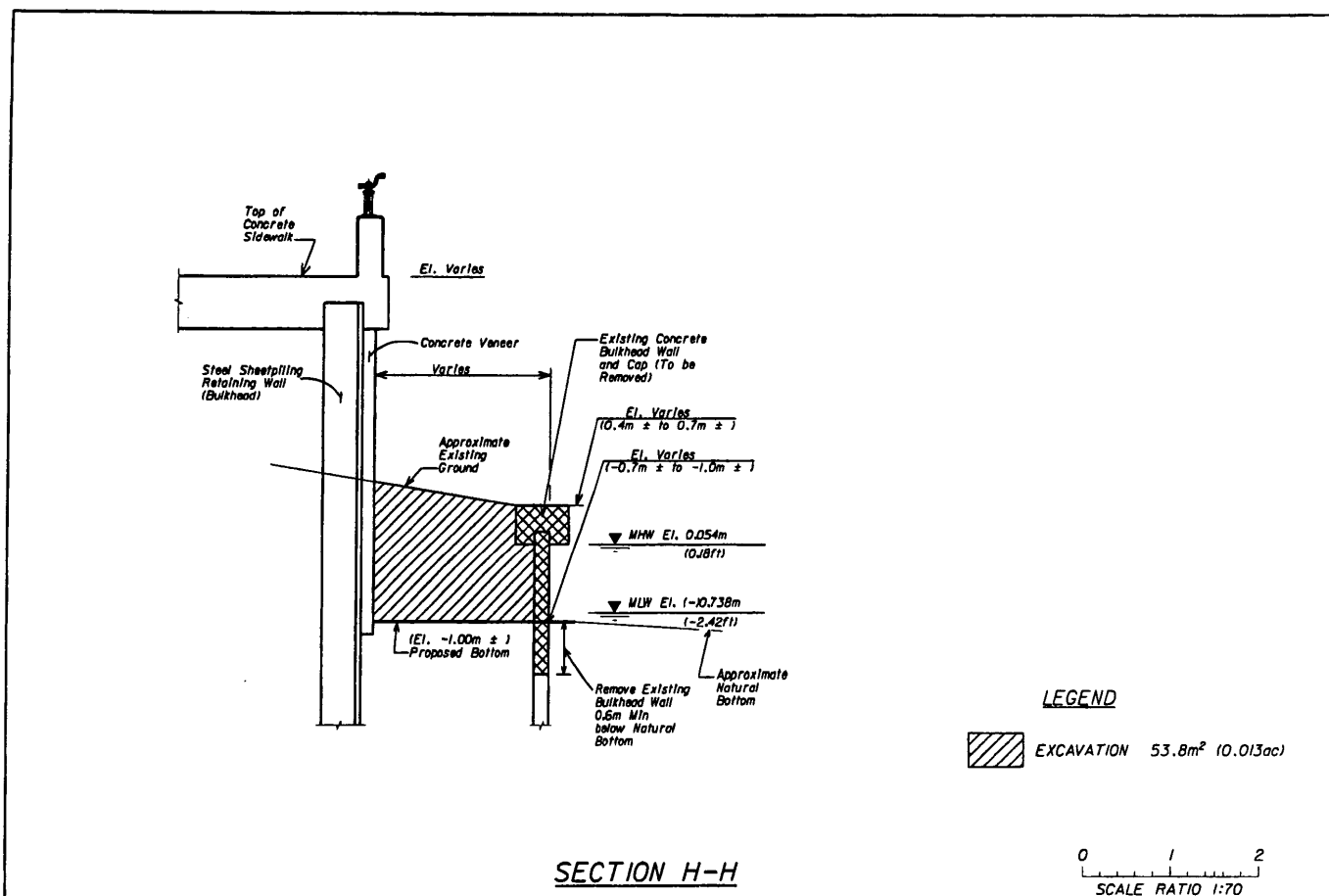




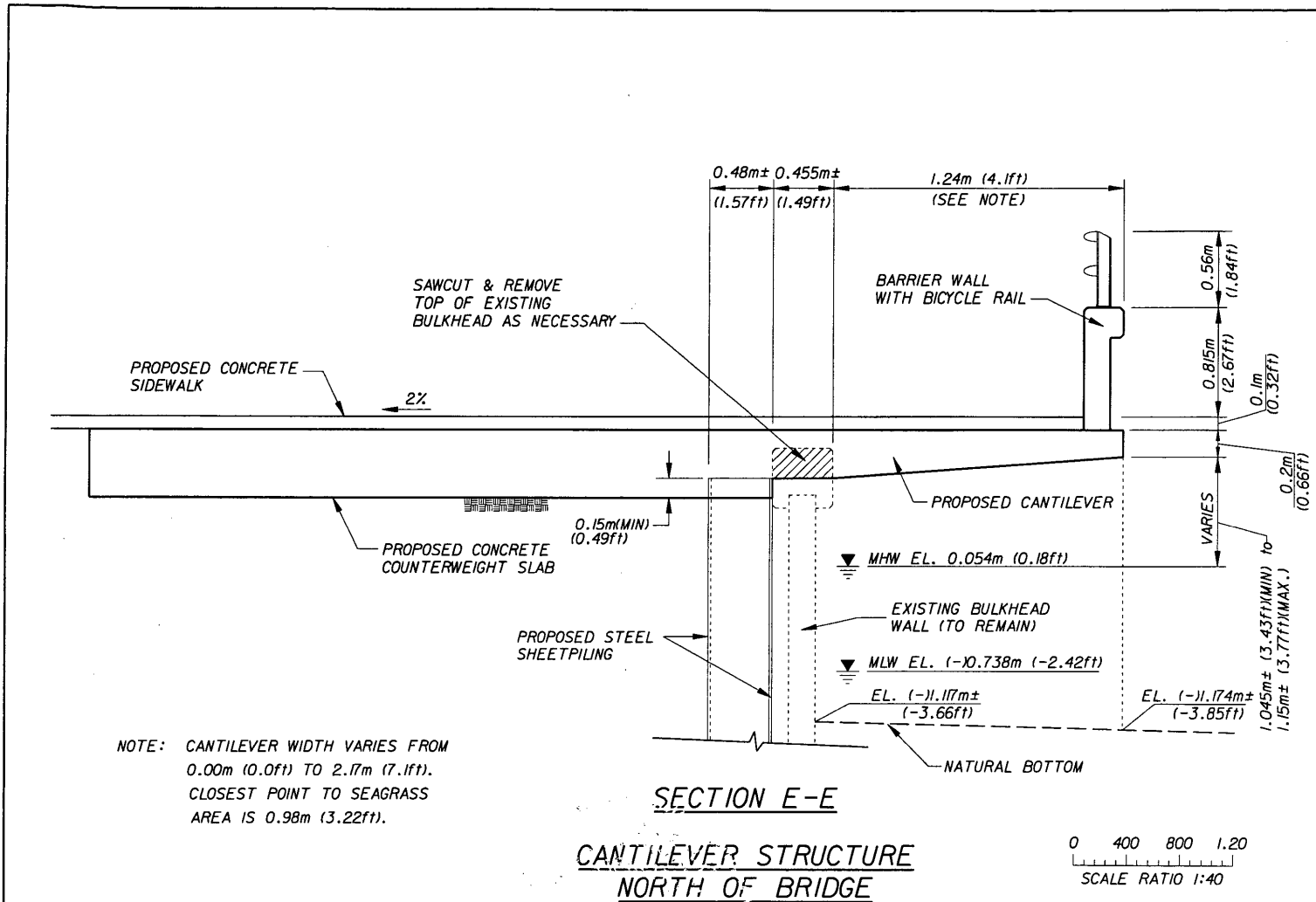


DATE: 06/06/00
BY: [Signature]
FIELD: [Signature]


APPLICANT FLORIDA DEPARTMENT OF TRANSPORTATION				UNITED STATES ARMY CORPS OF ENGINEERS			FPID 229899-1-52-01	
PROJECT DESCRIPTION ROYAL PARK BRIDGE				NAME: KEITH KRIEGER			COUNTY PALM BEACH COUNTY	
REPLACEMENT (PHASE 3)				SIGNATURE [Signature]			DER	CG
SEC 22	TWP 43S	RNG 43E		CERTIFICATE NO. 44060			COE	WMD
				DATE: 6/6/00			SHEET 12 OF 15	
							DATE 6/5/00	



APPLICANT FLORIDA DEPARTMENT OF TRANSPORTATION		UNITED STATES ARMY CORPS OF ENGINEERS		FPID 229899-1-52-01	
PROJECT DESCRIPTION ROYAL PARK BRIDGE		NAME: KEITH WRIEGER		COUNTY PALM BEACH COUNTY	
REPLACEMENT (PHASE 3)		SIGNATURE <i>[Signature]</i>		DER CG SHEET/ISA OF 15	
SEC 22 TWP 43S RNG 43E		CERTIFICATE NO. 41066		COE WMD DATE 6/6/00	



DATE: 09/15/00 TIME: 10:00 AM
FILE: 229899-1-52-01.dwg

APPLICANT FLORIDA DEPARTMENT OF TRANSPORTATION			UNITED STATES ARMY CORPS OF ENGINEERS		FPID 229899-1-52-01			
PROJECT DESCRIPTION ROYAL PARK BRIDGE			NAME: RAMON A. BRETON		COUNTY PALM BEACH COUNTY			
REPLACEMENT (PHASE 3)			SIGNATURE 		DER	CG	SHEET 5 OF 13	
SEC 22	TWP: 43S	RNG: 43E	CERTIFICATE NO. 53139		DATE: 9/15/00	COE	WMD	DATE 9/12/00

U.S. ARMY ENGINEER DISTRICT, JACKSONVILLE
ENGINEERING DIVISION, SURVEY BRANCH

Z E 0 4 (SA04) Plane Coordinate Computation Routines

Version : 28 Oct 86 [BERGEN/WRIGHT/HOPKINS/RIMMER]

PERMIT NO. 200001645 (LP-RM) FDOT

Station/Range Transforms

Project/Cut Azimuth: 2d 3m 40.00s

** STATION ID(0) =

STATION: + 0 + .00 X = 811284.870 LAT. = 26 D 42 M 32.97609 S

RANGE: 62.50 Y = 864578.400 LONG = 80 D 2 M 47.42747 S

IWW JACKSONVILLE TO MIAMI CUT P 40

** STATION ID(0) = WEST EDGE OF CHANNEL

STATION: + 13 + 58.47 X = 811190.652 LAT. = 26 D 42 M 19.55506 S

RANGE: 17.11 Y = 863222.444 LONG = 80 D 2 M 48.57809 S

17.11 FEET OFF WEST EDGE OF CHANNEL

IWW JACKSONVILLE TO MIAMI CUT P 40

** STATION ID(0) = CENTER OF CHANNEL

STATION: + 13 + 45.70 X = 811235.586 LAT. = 26 D 42 M 19.66223 S

RANGE: 61.61 Y = 863233.602 LONG = 80 D 2 M 48.08175 S

62.50

-61.61

.89 FEET OFF CENTER OF CHANNEL

IWW JACKSONVILLE TO MIAMI CUT P 40

** STATION ID(0) = EAST EDGE OF CHANNEL

STATION: + 13 + 30.93 X = 811280.517 LAT. = 26 D 42 M 19.78925 S

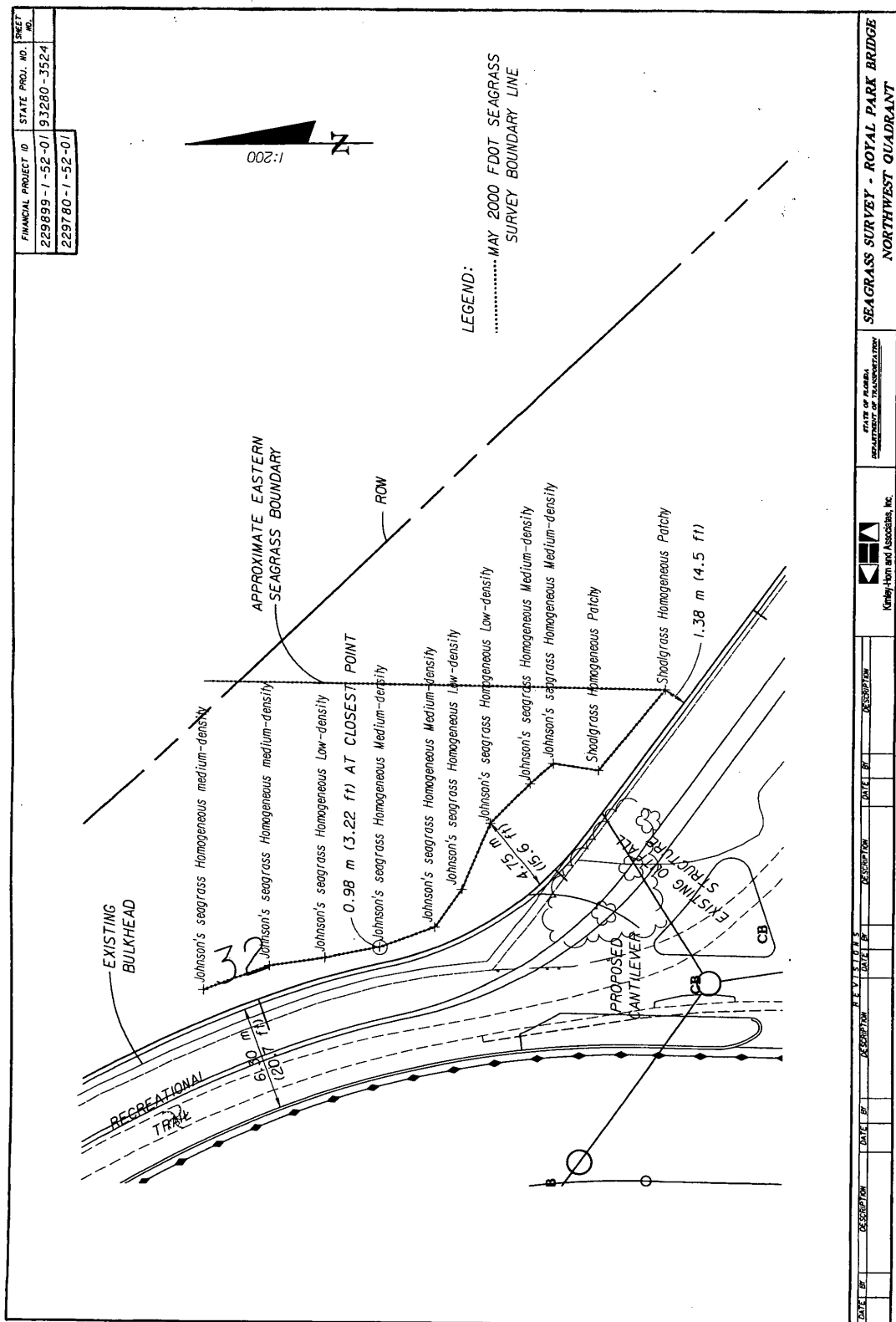
RANGE: 106.04 Y = 863246.764 LONG = 80 D 2 M 47.58528 S

125.00

-106.04

18.96 FEET OFF EAST EDGE OF THE CHANNEL

IWW JACKSONVILLE TO MIAMI CUT P 40



STANDARD MANATEE CONSTRUCTION CONDITIONS
MARCH 27, 1995

- a. The lessee/grantee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).
- b. The lessee/grantee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972, The Endangered Species Act of 1973 and the Florida Manatee Sanctuary Act.
- c. Siltation barriers shall be made of material in which manatees cannot become entangled, are properly secured and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exits from essential habitat.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- e. If manatee(s) are seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.

STANDARD MANATEE CONDITIONS
March 27, 1995

f. A collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-DIAL-FMP (1-800-342-5367). Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-407-562-3909) in south Florida.

g. Temporary signs concerning manatees shall be posted prior to and during all construction/dredging activities. All signs are to be removed by the lessee/grantee upon completion of the project. A sign measuring at least 3 feet by 4 feet which reads *Caution: Manatee Area* will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. The second sign should be at least 8 1/2 inches by 11 inches which reads:

Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of the operation. A collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-DIAL-FMP (1-800-343-5367) and the U.S. Fish and Wildlife Service at (1-904-232-2580) for north Florida or (1-407-562-3909) for south Florida.

SAJRD
GENERAL PERMIT

GENERAL CONDITIONS

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Condition j hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended, or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306, and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816) or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the construction or work authorized herein in a manner so as to minimize any adverse impact of the construction or work on fish, wildlife, and natural environmental values.

e. That the permittee(s) agree to prosecute the construction or work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

SAJRO
GENERAL PERMIT

p. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Conditions hereof, he must restore the area to a condition satisfactory to the District Engineer.

q. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

r. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

s. That authorization under this permit may not be transferred to a third party without prior written notice to the District Engineer by the transferee's written agreement to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Registrar of Deeds or other appropriate official if the permit is transferred.

t. The term "permittee" means the party or parties authorized by the District Engineer to accomplish work under this general permit.

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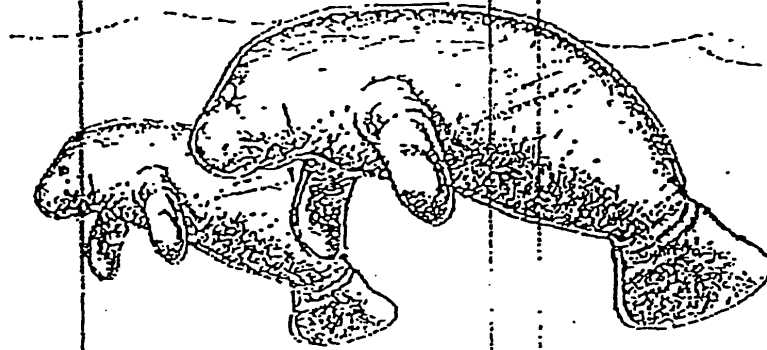
is necessary

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PERMANENT MANATEE SIGNS INSTALLATION PROCEDURES



There are two types of manatee signs that may be required, 1) "Caution Manatee Area"; and 2) "Manatee Informational Displays" (see attached examples). The typical Manatee Informational Displays include two signs: a "Manatee Fact Sheet" and "Basics for Boaters". These signs are intended to increase the awareness of boaters of the presence of manatees in the area and of the potential threat boats pose to the animals. Custom-designed signs are allowable if the basic specifications and information are comparable, but must be approved by the Department. These signs are non-regulatory in nature.

Procedure for Approval:

1. The applicant should forward a project site plan, with the type and locations for signs to the Bureau of Protected Species Management, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 245, Tallahassee, Florida 32399. The applicant should also include a chart indicating the location of the facility in relation to waterways and county location, and the Permit and/or Lease number associated with the project.

2. The Bureau of Protected Species Management will review the proposed site sign plan. The applicant will be notified within 30 days if the signs and locations proposed by the applicant are unacceptable. Correspondence will be sent to offer suggestions on the type, number and locations of sign(s). If the applicant has not received a response within 30 days, the proposed signs and their locations should be considered approved.

3. If during a site visit, approved signs and their locations are found not to be in accordance with the instructions given in this document, failure to follow these directions may require relocation or addition of signs.

RECEIVED
MAR 22 1995

**PERMANENT MANATEE SIGNS
INSTALLATION PROCEDURES**
(continued)

Instructions for location and types:

FACILITY TYPE/SIZE	SIGN REQUIREMENT
Private, Commercial, or Public facility <10 wet or dry slips, for <u>permanent</u> mooring	No Signs Required
Private, Commercial, or Public Facility with 5 or more slips for <u>temporary</u> mooring (In association with upland service restaurants, charters, etc.)	Manatee Informational Displays
Private, Commercial, or Public facility with 10-19 wet, dry, temporary or permanent slips	Caution Manatee Area Signs Required
Private, Commercial, or Public facility with >20 slips (wet, dry, temporary or permanent)	Caution Manatee Area Signs and Manatee Informational Displays
Boat Ramp, Private or Public	Manatee Informational Displays

Manatee Informational Displays must be located in a prominent location, such as near walkways, dockmaster offices, restrooms or foot traffic access points to piers/docks for maximum visibility.

Caution Manatee Signs for docking facilities should be placed on land, walkways or docks. These signs should be oriented so that the boaters using this facility will be reminded to watch for manatees while boating. These signs are not required to be placed in view for the general boating public. If a facility has separate docks with separate access walkways, a Caution Manatee Sign should be installed near each walkway or dock. Permanent manatee signs should not be installed on pilings in water, or be attached to navigational markers, or in any way impede navigation.

RECEIVED

ATTACHMENT - March 15, 1995

03/27/1995 09:35

12706005 P.05

**INSTALLATION REQUIREMENTS
for Permanent Manatee Signs
(continued)**

Approved Sign Suppliers:

Both types of signs are available through the companies listed below and may also be available from other local suppliers throughout the state. Permit/lease holders, marinas, and boat docking/launching facilities should contact sign companies directly to arrange for shipping and billing.

Cautlon and Informational Signs:

Cape Coral Signs & Designs Inc.
1311 Del Prado Boulevard
Cape Coral, Florida 33990
1-800-813-9992
813-772-9992
FAX 813-772-8882

JADCO Signing Inc.
708 Commerce Way
Post Office Box 911
Jupiter, Florida 33458
1-800-432-3404
407-747-1065
FAX 407-744-2985

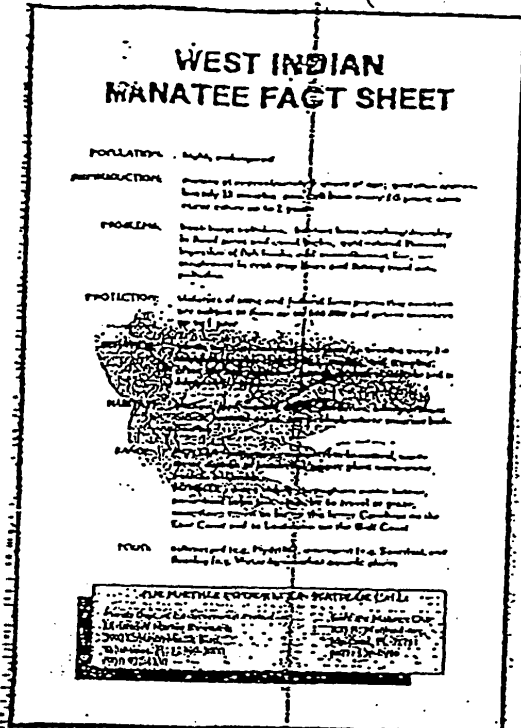
Municipal Supply and Sign Company

Post Office Box 17
Naples, Florida 33939-1765
1-800-329-5366
813-262-4639
FAX 813-262-4645

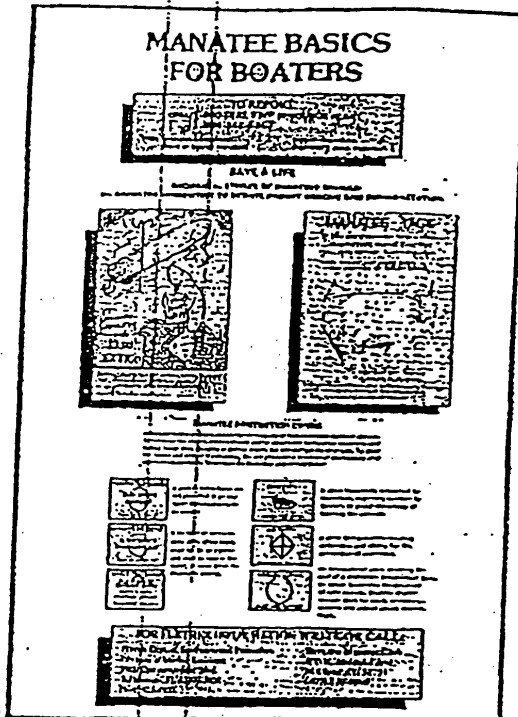
Information Signs (only)

New City Sign Company
2245 Central Avenue
St. Petersburg, FL 33713
813-323-7897
FAX 813-323-1897

RECEIVED AUG 22 1995
RRC



Manatee Informational Display
(1 of 2)



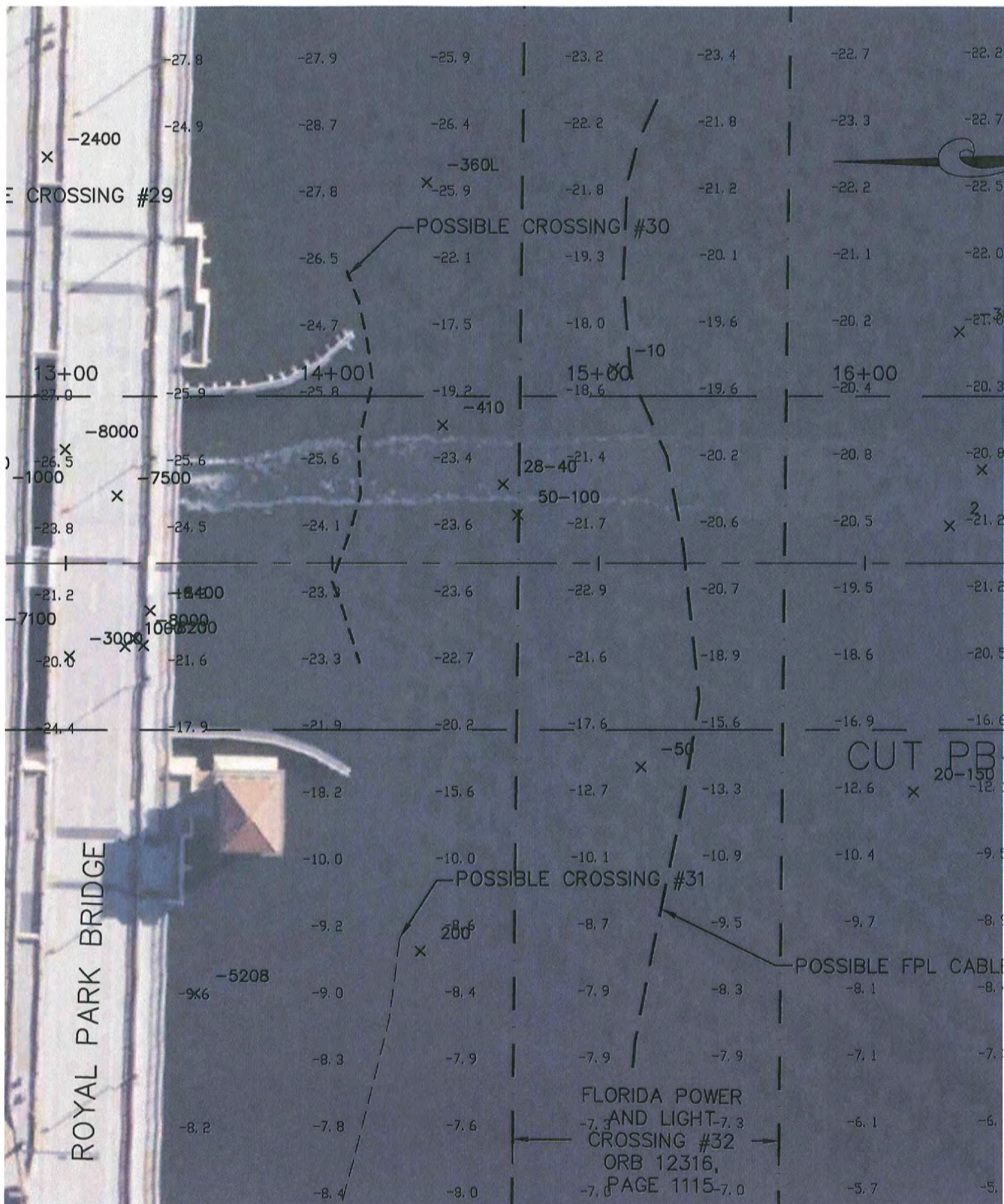
Manatee Informational Display
(2 of 2)



Caution Manatee Area

RECEIVED AUG 22 1995

Crossing # 30 - 31





DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

July 31, 1991

REPLY TO
ATTENTION OF

Miami Regulatory
Field Office
199131122 (NW-CS)

Comcast Cable
1401 Northpoint Parkway
West Palm Beach, Florida 33407

Dear Gentlemen:

Reference is made to your permit application concerning the replacement and repair of a subaqueous crossing in the IWW, Palm Beach County, Florida..

Your proposal is authorized by a nationwide permit in accordance with the enclosed copy of our regulations as stated in 33 CFR Part 330.5(a)(3). This verification will be valid until the nationwide permit is modified, reissued, or revoked. All the nationwide permits are scheduled to be modified, reissued, or revoked prior to January 13, 1992. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice announcing the changes when they occur. Furthermore, if you commence or are under contract to commence this activity before the date the nationwide permit is modified or revoked, you will have twelve months from the date of the modification or revocation to complete the activity under the present terms and conditions of this nationwide permit.

A separate Department of the Army permit is not required providing the work is done in accordance with the enclosed drawings/information submitted, the conditions listed in 33 CFR 330.5(b)(1-14), and the following conditions: Activities authorized by a Nationwide Permit may be initiated only after the State permit/certification pursuant to Chapters 253 and 403 of Florida Statutes and concurrence with coastal zone consistency pursuant to 15 CFR 930, if applicable, has been granted by the State of Florida. The State shall not be deemed to waive its right to certify any activity proposed under Corps Nationwide Permits for failure to issue a State permit or certification within 60 days of application to the State. Waivers shall only be effective when specifically exercised by the State.

This letter does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone or floodway area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If the local office cannot provide you the necessary information, you may provide this office a letter with a small scale map showing the location of the site, requesting a flood-hazard evaluation of the site. The request should be addressed to the Chief, Flood Control and Floodplain Management Branch, Jacksonville District, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019. This letter of authorization does not obviate the necessity to obtain any other Federal, State, and local permits which may be necessary for your proposed work. You should check State permitting requirements with the Florida Department of Environmental Regulation. A list of addresses of the appropriate State office is enclosed for your information and use.

Thank you for your cooperation with our permit program.

Sincerely,

Charles A. Schnepel
Charles A. Schnepel
Chief, Regulatory Section

Comcast Cablevision
of West Palm Beach, Inc.
1401 Northpoint Parkway
West Palm Beach, Florida 33407
(407) 478-5888
(407) 888-9499 FAX



July 30, 1991

Mr. Chuck Schnepel
Army Corps of Engineers
8410 NW 53rd Terrace, Suite 225
Miami, FL 33166

Ref: Sub-Aqueous maintenance channel
crossing @ Royal Palm Bridge
State Road 704 in Palm Bch. County

Dear Mr. Schnepel:

On July 22, 1991 AM, I was informed by my supervisor, Mr. Pete Gardner, and by the Maintenance Supervisor, Mr. John Norton, that we will need to replace a section of cable that is rapidly deteriorating. This section of cable is attached to the above Reference Bridge. This existing line is the main and only feed to the island of Palm Beach and is effecting customers from Sloans Curve north to the Town limits. Due to this unforeseen event, we would like to request a letter of maintenance from the Corps of Engineers to replace and repair the sub-aqueous CATV crossing in the Intracoastal Waterway Channel only.

I am also sending you a copy of the original corp. permit.

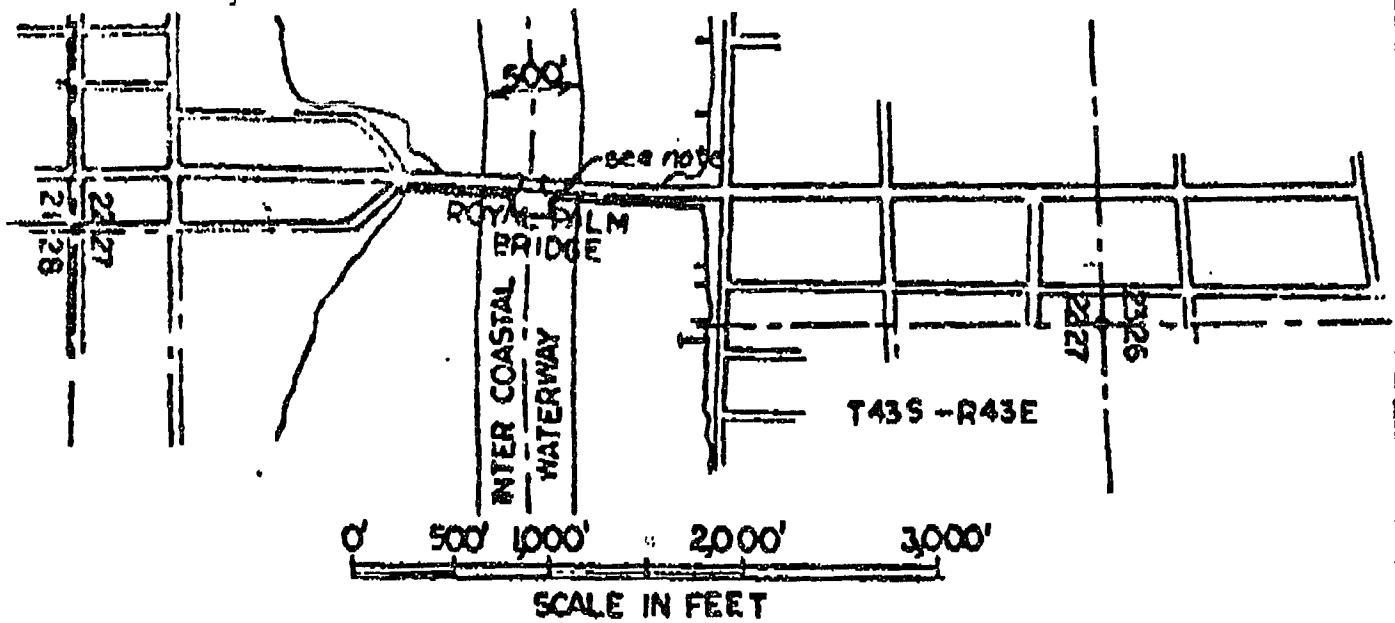
Sincerely,


Leonard Maxwell
Permit Coordinator

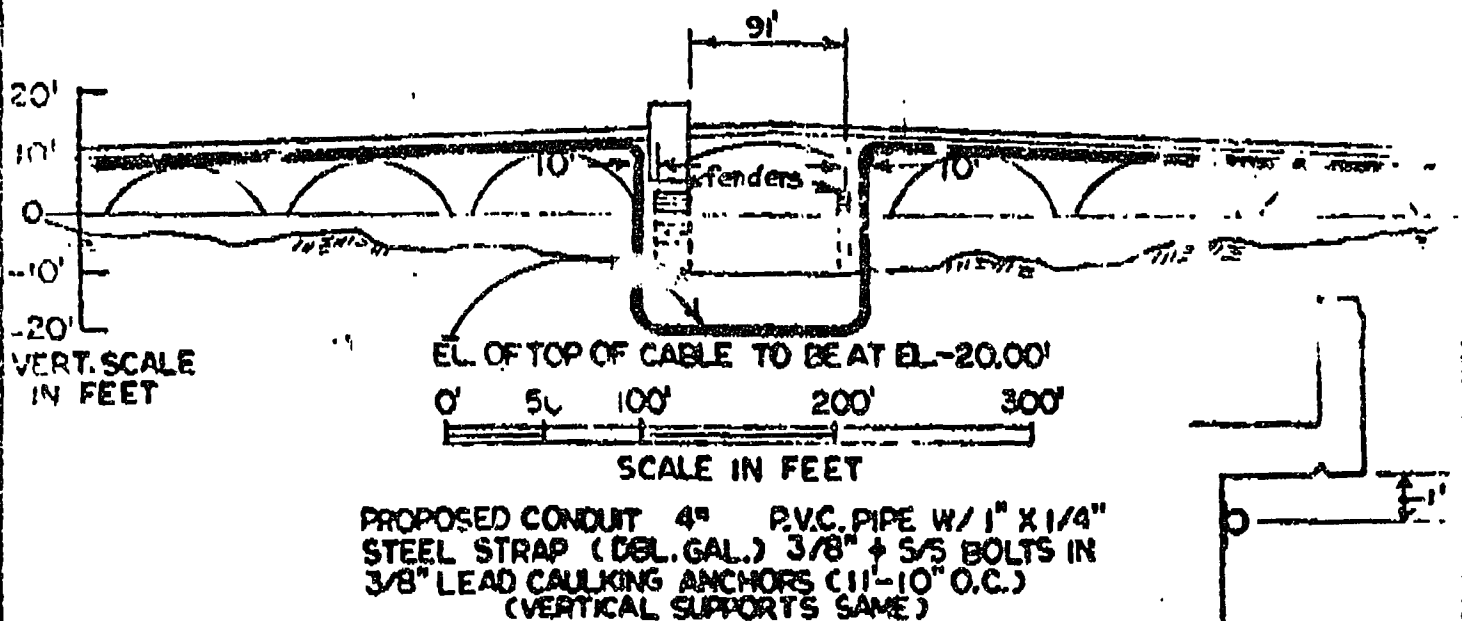
Enclosure

cc: Mal
Pete
Sealand Systems
Project File(072291)
File

PLAN VIEW



SECTION VIEW



SCALE — AS NOTED

TELEPROMPTER FLORIDA

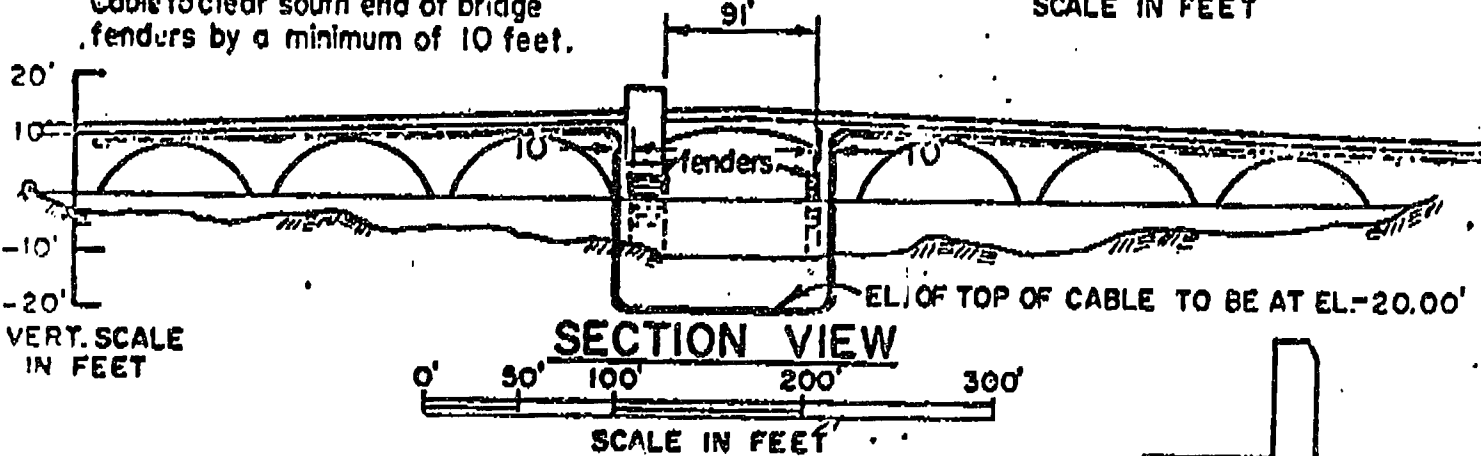
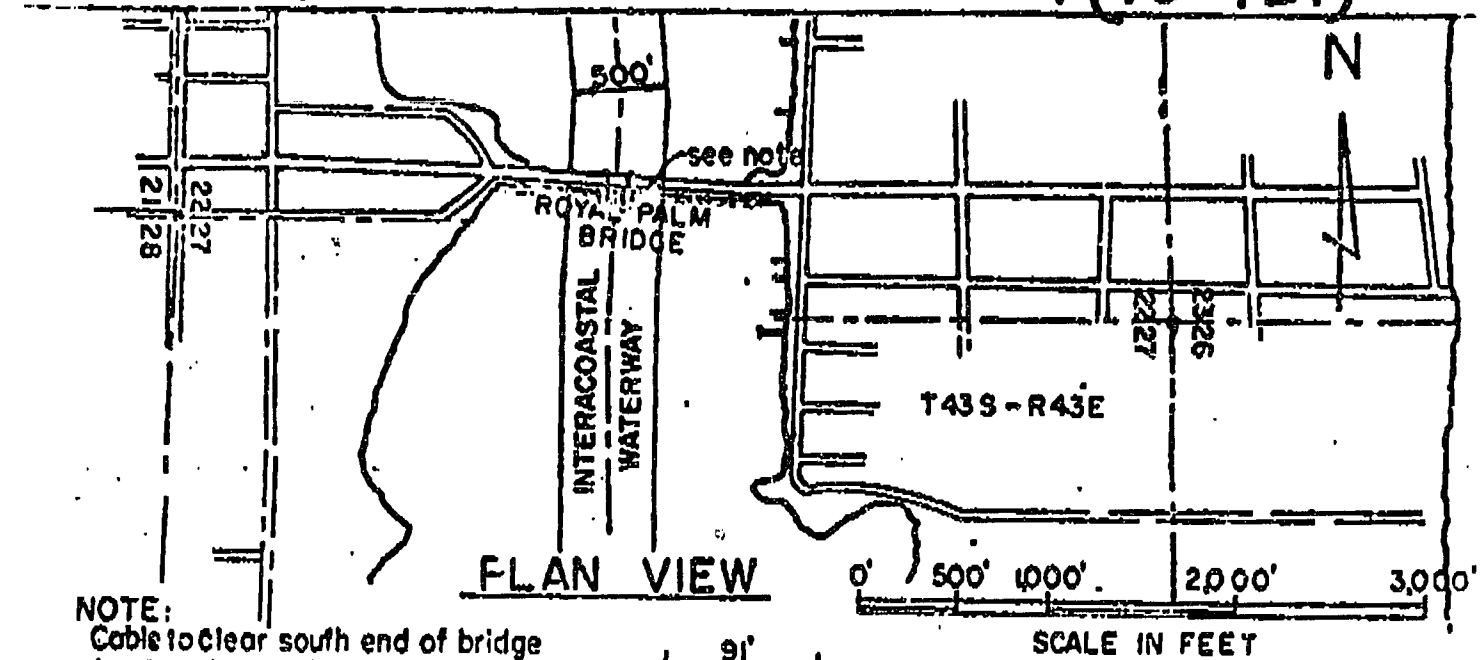
CATV CORP.

WEST PALM BEACH, FLORIDA

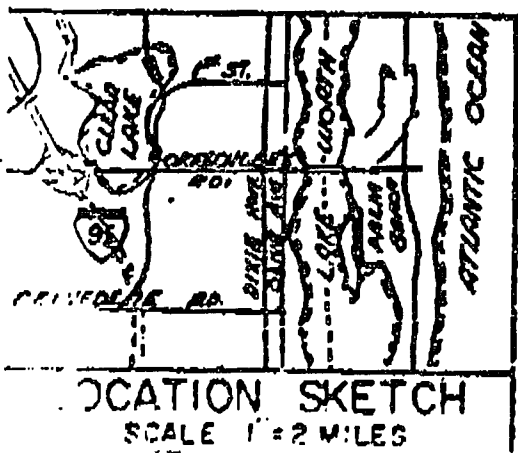
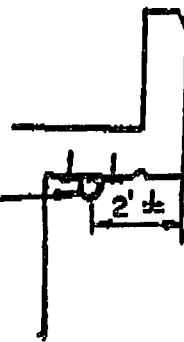
TELEPROMPTER FLA.
CATV CORPORATION
ROYAL PALM BRIDGE
AS BUILT DRAWING

JUL-30-91 TUE 22:54

P(70-121)



PROPOSED CONDUIT 2 1/2" P.V.C. PIPE W/ 1" X 1/4" STEEL STRAP (DBL. GAL.) 3/8" S/S BOLTS IN 3/8" LEAD CAULKING ANCHORS (11'-10" O.C.) (VERTICAL SUPPORTS SAME)



BRIDGE HANGER DETAIL

Revised 2-11-70

PROPOSED TV CABLE CROSSING
ROYAL PALM BRIDGE
FOR TELEPROMPTER OF FLORIDA
APPLICATION PREPARED BY
BROCKWAY, OWEN & ANDERSON ENGINEERS
JANUARY, 1970

70-1004

Crossing # 32



Map Direct: Division of State Lands Land Records (BTLDS) Embedded Map

POSSIBLE CROSSING 32



Aerial Imagery 2011-2013

- ☐ All Parcel Types (BTLDS)
- ☐ Public Land Survey System 2006
- ☐ TIGER 2010 Places

Aerial Imagery Flight Dates 2011-2013

26°42'29.2102", -80°3'1.3561"

Scale 1:4,093

26°42'28.4208", -80°2'33.8426"



26°42'10.2583", -80°3'2.0348"

1 inch = 341 feet

26°42'9.4689", -80°2'34.5226"

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 17 May 2016 15:34:05 GMT is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

TFI Cover Sheet

DM ID _____

Document Type: Trustees of the Internal Improvement Trust Fund Instruments

Instrument: ☐ Deed ☐ Lease ☒ Easement ☐ Permit ☐ Management Agreement

☐ Use Agreement ☐ Disclaimer ☐ Quitclaim ☐ Dedication ☐ Release

☐ Acts of Legislation ☐ Other

Instrument Number: 30604

Extension: A

File Number: 5330

Document Date: 11-12-1999

Consideration: _____

Water Body: Lake North

Reservations / Reverter: Y/Y

Original County: Palm Beach

Section: 22

Township: 43 S

Range: 43 E

Total Area / Area Unit: 3.07 (A) Acreage (S) Square Feet

Comments:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

7. **RIGHT TO INSPECT:** Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts of omissions of Grantor.

9. **VENUE:** Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Florida Power & Light Company
7200 Northwest 4th Street
Plantation, Florida 33317
Attn: Warren Tittle

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. **ACOE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee, pursuant to section 18-21.009, Florida Administrative Code, must either be the record owner of the riparian upland property or have the written consent of the riparian upland property owner(s) to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Judy Woodard
Original Signature

Judy Woodard
Print/Type Name of Witness

Betissa Vickers
Original Signature

Betissa Vickers
Print/Type Name of Witness

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 12th day of January, 2001, by Gloria C. Nelson, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands, Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. She is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

Sam L. Her
DEP Attorney

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

(SEAL)

BY: Gloria C. Nelson
Gloria C. Nelson, Operations and Management Consultant
Manager, Bureau of Public Land Administration,
Division of State Lands, Department of Environmental
Protection, as agent for and on behalf of the Board of Trustees of
the Internal Improvement Trust Fund of the State of Florida

"GRANTOR"

Keith E. Clayton
Notary Public, State of Florida

KEITH E. CLAYTON
Printed, Typed or Stamped Name

My Commission Expires:



Keith E. Clayton
MY COMMISSION # CC677553 EXPIRES
September 4, 2001
BONDED THRU TROY FARM INSURANCE, INC.

Commission/Serial No. _____

WITNESSES:

Mary Ann D'Angelo
Original Signature

Mary Ann D'Angelo
Typed/Printed Name of Witness

Donna M. Rodebaugh
Original Signature

Donna M. Rodebaugh
Typed/Printed Name of Witness

STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 15th day of January, 2001, by John M. Chism as Director of Land Management and Assistant Secretary of Florida Power & Light Company, a Florida corporation, for and on behalf of the corporation. He is personally known to me or produced _____ as identification.

My Commission Expires:

OFFICIAL NOTARY SEAL
DONNA M. RODEBAUGH
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC683992
MY COMMISSION EXPI. OCT. 24, 2001

Commission/Serial No. _____

Florida Power & Light Company,
a Florida corporation (SEAL)

BY: John M. Chism
Original Signature of Executing Authority

John M. Chism
Typed/Printed Name of Executing Authority

Corp Real Estate
Title of Executing Authority

Director of Land Management and Assistant Secretary
Title of Executing Authority

Director of Land Management and Assistant Secretary
Title of Executing Authority

"GRANTEE"

Donna M. Rodebaugh
Notary Public, State of FLORIDA

DONNA M. RODEBAUGH
Printed, Typed or Stamped Name



DESCRIPTION OF PROPOSED SUBMERGED LANDS EASEMENT

A PARCEL OF SOVEREIGN SUBMERGED LANDS, LYING IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT UNITED STATES COAST AND GEODETIC SURVEY PERMANENT REFERENCE MONUMENT "HARVEY 1934", HAVING COORDINATES OF NORTHING 865671.15 FEET, AND EASTING 965728.86 FEET, REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983; PROCEED SOUTH 24°53'13" EAST, A DISTANCE OF 2614.17 FEET TO A POINT ON THE EASTERLY FACE OF A CONCRETE BULKHEAD AND THE POINT OF BEGINNING (HAVING COORDINATES OF NORTHING 863298.73 FEET, AND EASTING 966828.98 FEET, NAD 83); THENCE SOUTH 67°28'11" EAST INTO THE WATERS OF LAKE WORTH, A DISTANCE OF 1261.45 FEET TO A POINT ON THE WESTERLY FACE OF A CONCRETE BULKHEAD; THENCE SOUTH 09°28'07" EAST ALONG THE FACE OF SAID BULKHEAD, A DISTANCE OF 102.24 FEET TO A POINT; THENCE NORTH 67°28'11" WEST, A DISTANCE OF 1412.28 FEET TO A POINT ON THE EASTERLY FACE OF A CONCRETE BULKHEAD; THENCE NORTH 54°32'02" EAST ALONG THE FACE OF SAID BULKHEAD, A DISTANCE OF 103.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.07 ACRES MORE OR LESS.

SEE SHEET 2 FOR SKETCH OF DESCRIPTION

CERTIFICATE OF AUTHORIZATION 031 No. 1238
MORGAN & EKLUND, INC.
PROFESSIONAL SURVEY CONSULTANTS

8750 U.S. HIGHWAY 1
P.O. BOX 1430
DEERFIELD BEACH, FL 33441
PHONE: (561) 288-3344
FAX: (561) 288-3188

1000 S.E. 3RD COURT
SUITE 200
DEERFIELD BEACH, FL 33441
PHONE: (561) 421-0452
FAX: (561) 421-0451

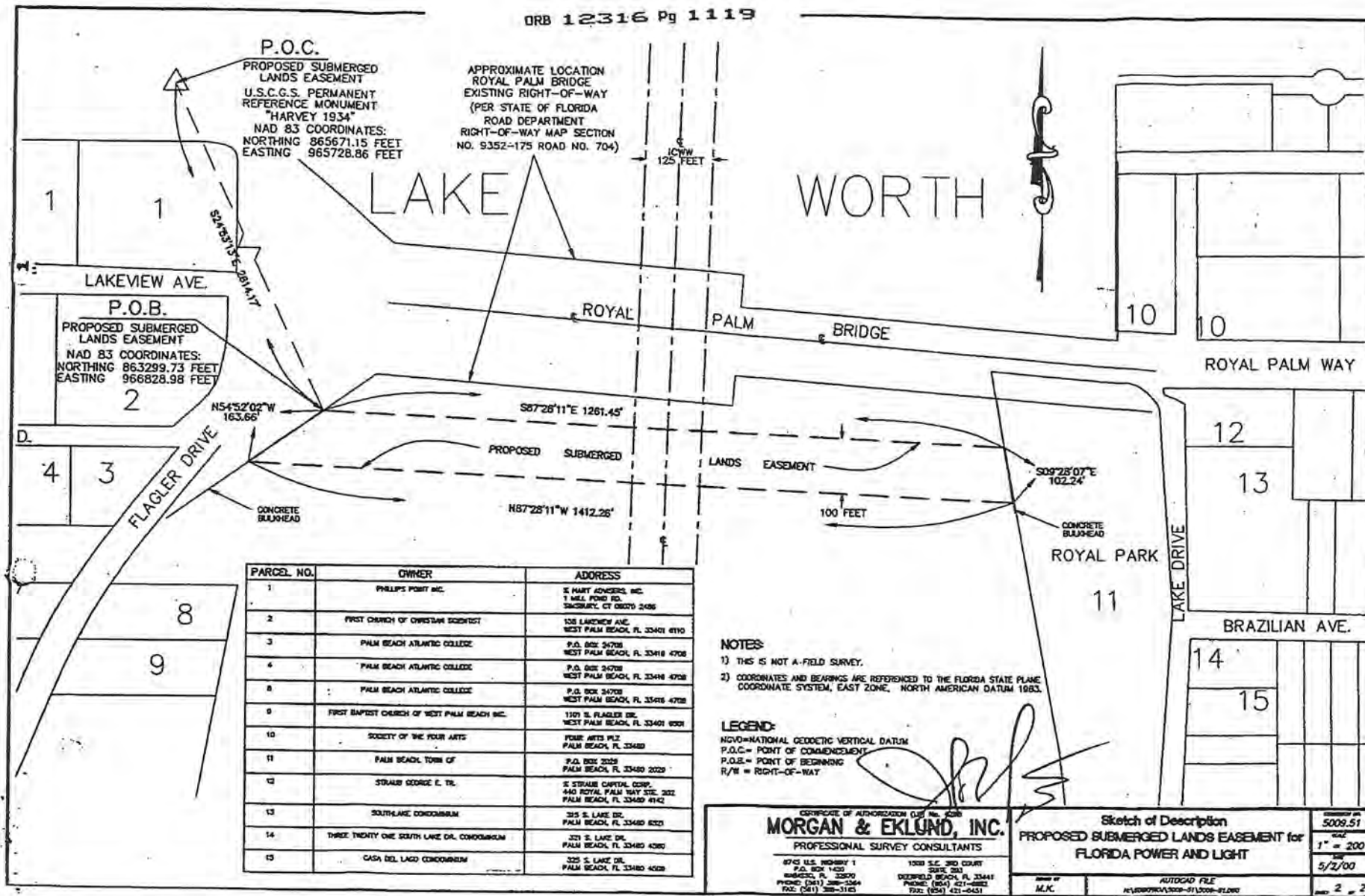
Location Sketch
PROPOSED SUBMERGED LANDS EASEMENT for
FLORIDA POWER AND LIGHT

M.K.

AUTOCAD FILE

5009.51
NONE
5/2/00
1 2

Attachment A
Page 5 of 6 pages
Easement No. 30604 (5330-5D)



LAR
6/30



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
WEST PALM BEACH REGULATORY OFFICE
400 NORTH CONGRESS AVENUE, SUITE 130
WEST PALM BEACH, FLORIDA 33401

November 29, 1999

Regulatory Division
South Permits Branch
199905027 (GP-BM)

Florida Power & Light
ATTN: Warren Tittle
P.O. Box 1119
Sarasota, Florida 34231

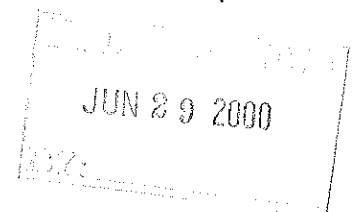
Dear Applicant:

Reference is made to the Department of the Army (DA) permit application you submitted on behalf of Florida Power & Light to install two 8 inch PVC conduits using the directional bore technique beneath Intracoastal Waterway (ICW). The subaqueous crossings will be on the south side of Royal Palm Bridge, within Section 22, Township 43 South, Range 43 East of Palm Beach County. The purpose of the PVC conduit pipes is to house the electrical lines to serve to Palm Beach. The application has been assigned DA number 199905027 (GP-BM). Please refer to this number in future correspondence.

The proposed work is authorized by General Permit SAJ-14, a copy of which is enclosed for your information and use. You are authorized to proceed with the project in accordance with the enclosed drawings subject to ALL conditions of the permit.

Since the work is located within the Federal right-of-way for the Atlantic Intracoastal Waterway (AIWW), a Department of the Army Consent to Easement will be required prior to commencement of construction. By copy of this letter, the proposal is being forwarded to the Corps Real Estate Division for the action on the Consent

If the work authorized herein is not completed by March 1, 2000, no further work may be undertaken and you should contact this office. A determination of the status of the General Permit will be made and you will be advised. If the General Permit has been reissued with no substantive change(s), a request for an extension of your previous authorization will be considered. If the General Permit has not been reissued or was reissued with new conditions, a new application and drawings may need to be submitted for further review.

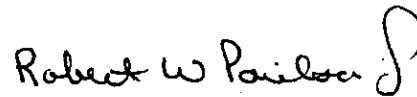


-2-

As built drawings with the X-Y coordinates must be provided to the West Palm Beach Office within 10 days of the completion of the project. The X-Y coordinates must be based on the North American Datum of 1927 and show the crossing of the line at the eastern, centerline, and western edges of the ICW.

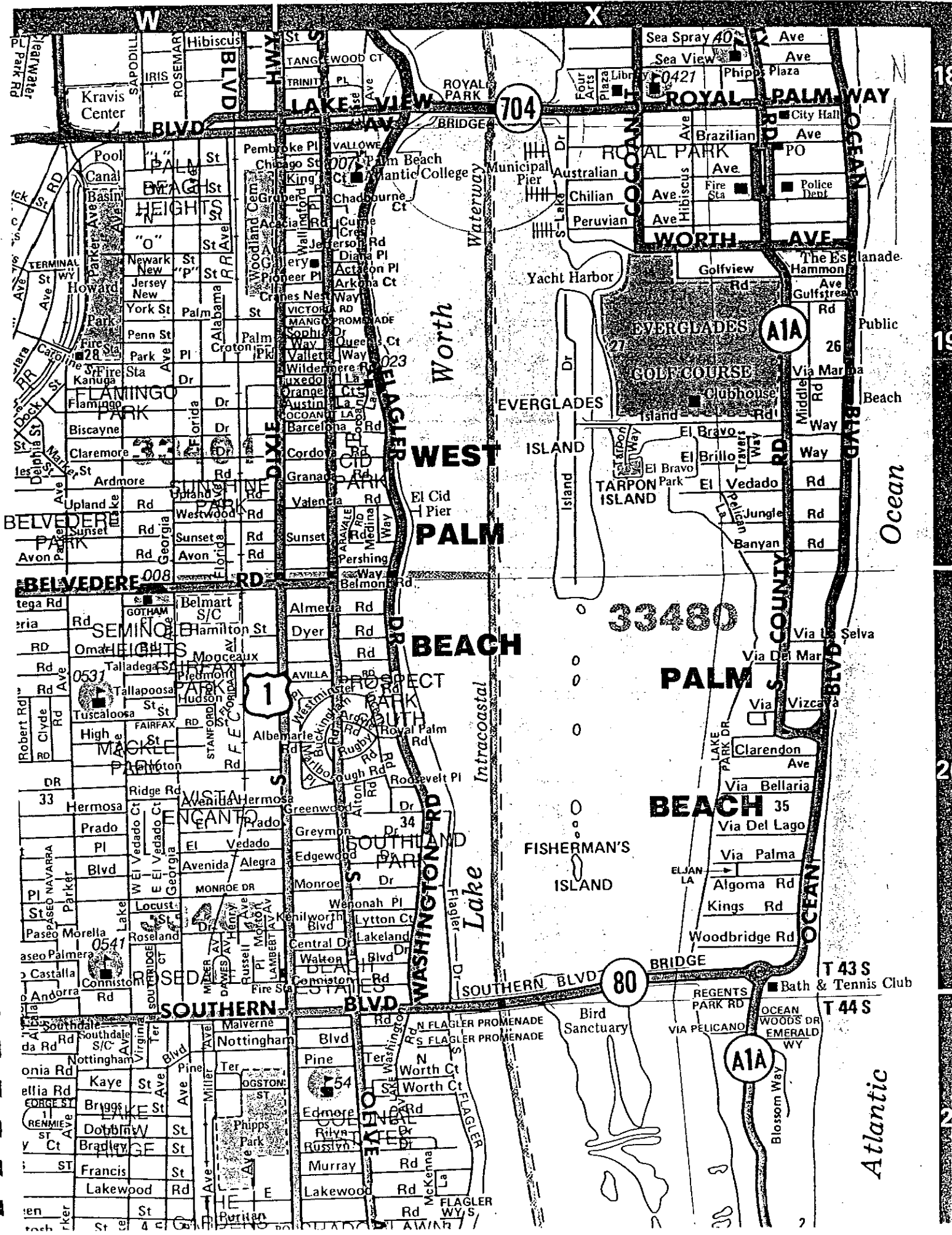
Thank you for your cooperation with our permit program.

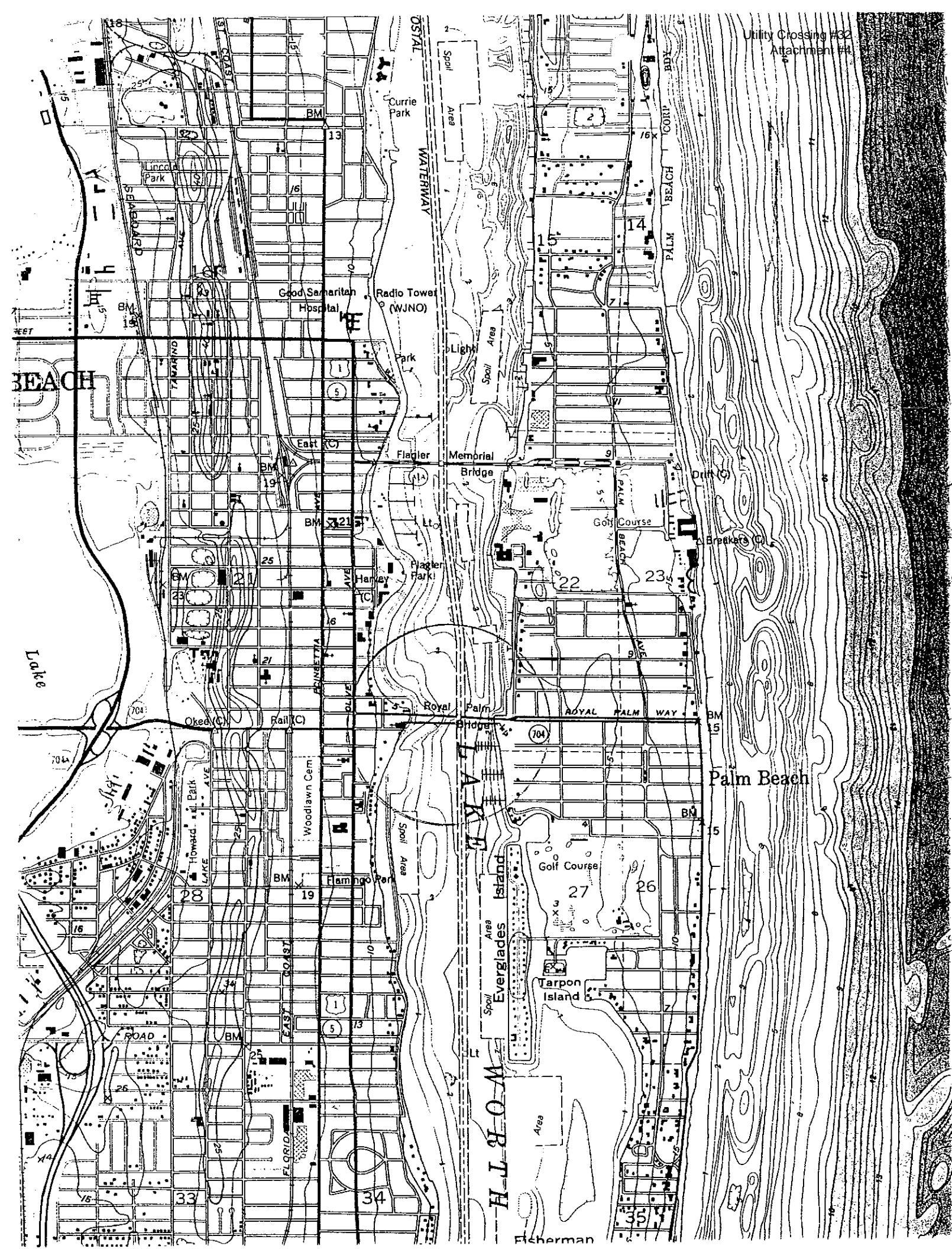
Sincerely,



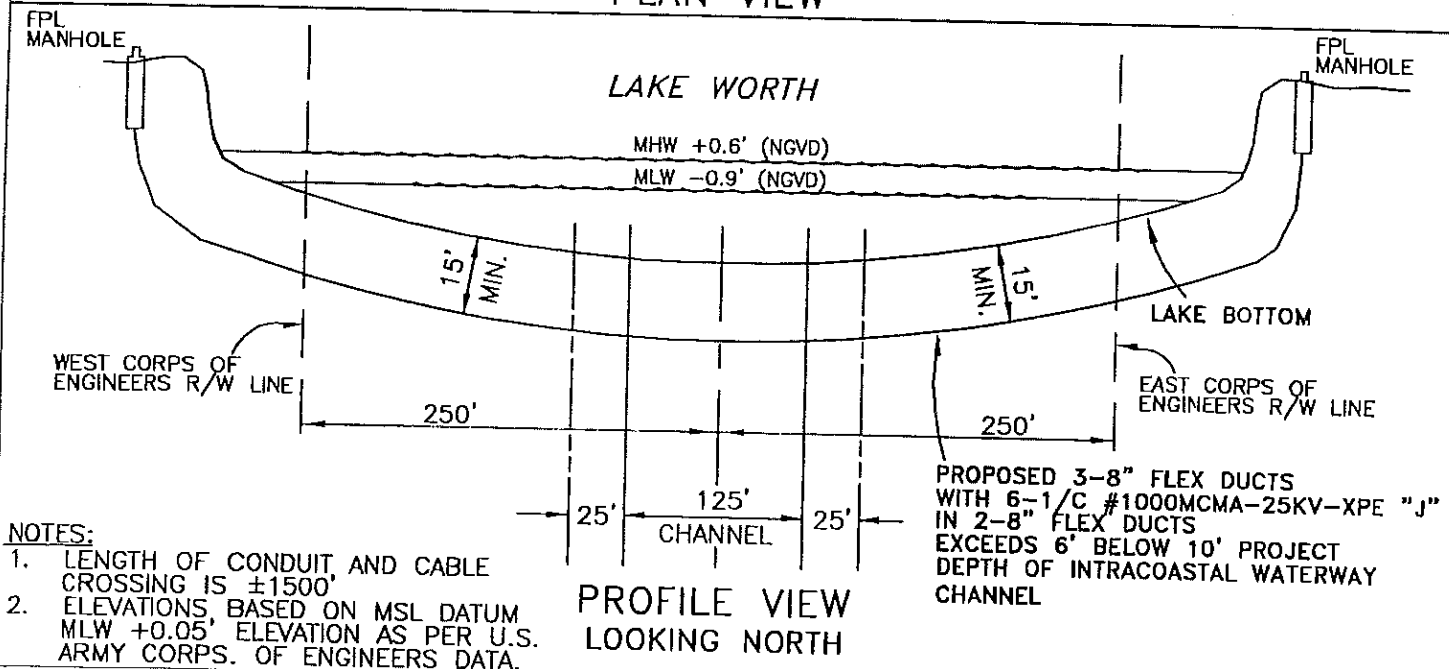
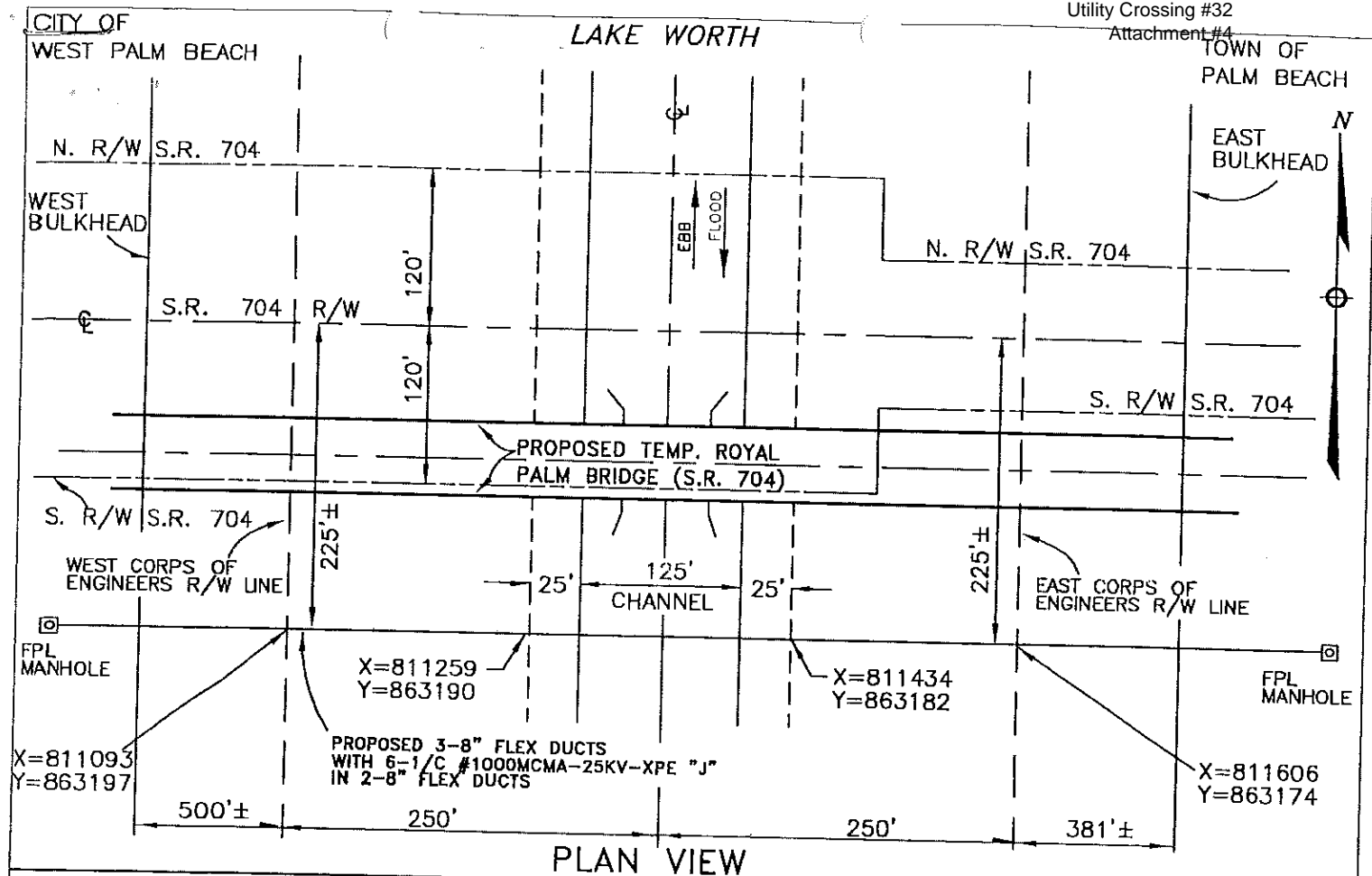
RS Linda S. Ferrell
Chief, South Permits Branch

Enclosure(s)









U.S. ARMY CORPS OF ENGINEERS

SUBAQUEOUS CROSSING
LAKE WORTH

MAX CONDUCTOR VOLT 34KV

S/S/O ROYAL PALM BRIDGE FROM
WEST PALM BEACH TO PALM BEACH

WEST PALM BEACH, FL

SECTION: 22

LATITUDE: 26°42'20"N

TOWNSHIP: 43S

LONGITUDE: 80°02'46"

RANGE: 43E

ENGINEER: CAVALIER



FPL

DATE 11/22/99

JOB NO. 8253-04-454

MAP NO. A1033

REV. NO.

DWG. NO. P22148

1

PLOT DATE: 00/00/00

PLOT TIME: 00:00:00

CAD NAME: IIO-NAME

Crossing # 32A



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

March 13, 2017

REPLY TO
ATTENTION OF

Jacksonville District Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section
SAJ-2017-00022(GP-CGK)

Florida Power and Light
Sandra McNulty
810-B Charlotte Avenue
West Palm Beach, Florida 33401

Dear Ms. McNulty:

Your application for a Department of the Army permit received on January 6, 2017, has been assigned number SAJ-2017-00022(GP-CGK). A review of the information and drawings provided shows the proposed work is to install 1175 linear feet of steel pipe under the Intracoastal Waterway by HDD. The steel pipe consists of 6 inches and shall be equipped with four 1.5 inches High-Density Polyethylene (HDPE) conduits with a fiber optic cable running through one of the conduits. All bore pits are located within uplands. The project would affect waters of the United States within the Intracoastal Waterway between West Palm Beach and Palm Beach on the southern side of and parallel to the Royal Palm Way Bridge, in Section 23, Township 43 South, Range 43 East, Palm Beach County, Florida.

Your project, as depicted on the enclosed drawings (Attachment A), is authorized by Regional General Permit (GP) SAJ-14. This authorization is valid until December 20, 2018. Please access the Corps of Engineers (Corps) Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-14 which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits". Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. Reporting Address: All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 4400 PGA Boulevard, Suite

500, Palm Beach Gardens, FL 33410. The Permittee shall reference this permit number, SAJ-2017-00022(GP-CGK), on all submittals.

2. Consent to Easement: A portion of the authorized work may be located within the Federal right-of-way for the Intracoastal Waterway and would require a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps' Real Estate Division for action on the Consent to Easement. Failure to obtain the Consent to Easement or waiver invalidates this authorization.

3. Notice of Work Starting: At least 2 weeks prior to the start of the authorized work, the permittee must notify the National Oceanic and Atmospheric Administration (NOAA) and the Corps in writing that the work is commencing; and again upon completion of the work. The permittee shall notify the District Engineer at the letterhead address, attention Regulatory Division; and the NOAA either in mailed correspondence to Nautical Data Branch Office of Coast Survey N/CS26, 1315 East-West Highway, Silver Spring, MD 20910-3282 or by electronic mail correspondence, with scans of the requisite documents attached, through osc.ndb@noaa.gov. The post-construction notification will include "as-built plans," signed and sealed by a registered survey or/engineer licensed in the State of Florida, that certify the project is constructed as authorized; and must include an accurate depiction of the location and configuration of the completed activity in relation to the mean high water or the navigable water.

4. Frac-Out Plan: To ensure that secondary impacts do not occur to waters of the U.S. during drilling activities, the permittee will be required to adhere to the (Attachment B) Florida Power and Light "Frac-Out Monitoring Plan."

5. Bore Depth and Drilling Fluid Pressure: This permit requires that the top of the horizontal directional drill boring is no less than 14-feet beneath the bottom of the contour of the Intracoastal Waterway and the total drilling fluid pressure is not to exceed 10 psi.

6. Erosion Control: Prior to the initiation of any of the work authorized by this permit the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands or waters of the United States shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

7. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

8. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

9. As-Built with X-Y Coordinates: Within 60 days of completion of the authorized work, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment C) to the Corps. The drawings shall

be signed and sealed by a surveyor licensed under Florida Statute 472 and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) on 8½-inch by 11-inch paper. The drawings shall include the X & Y State Plane coordination points of the most water-ward point of the structure and a point at the mean high water line (MHWL) or the face of the bulkhead/seawall, if present. The drawings shall include: the dimensions of the structure, depth of water (at mean low water) at the water-ward end of the structure, and the distance from the water-ward end of the structure to the near bottom edge of the channel.

b. Listing of any deviations between the work authorized by this permit and the work as constructed. In the event the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. Placement of the Department of the Army Permit number on all sheets submitted

10. Notice of Permit: The Permittee shall complete and record the “Notice of Department of the Army Permit” form (Attachment D) with the Clerk of the Circuit Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. Within 90 days from the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit to the Corps clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded and the date of recording.

This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced RGP, please contact Christian Karvounis by telephone at 561-472-3516.

Thank you for your cooperation with our permit program. The Corps’ Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our

environment. We invite you to complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,

Christian Karvounis
Project Manager

Enclosures:

Attachment A: Drawings

Attachment B: Frac-Out Plan

Attachment C: As-Built with X-Y's

Attachment D: Notice of Permit

Attachment E: Manatee Conditions

Attachment F: Sea Turtle and Smalltooth Sawfish Conditions

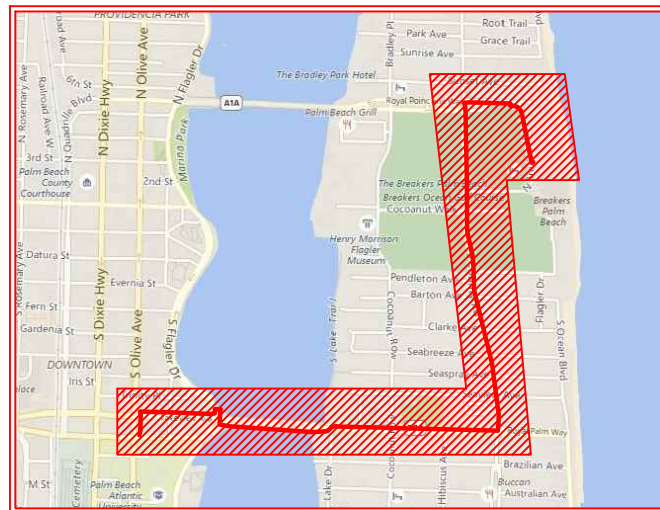
Copies Furnished:

Raysa Gomez rgmoez@draftprosinc.com

CESAJ-RD-PE

"1 S COUNTY RD" AT:
1 S COUNTY RD.
PALM BEACH, FL 33417

001 OF 019 TO 019 OF 019	— PLANS
01A OF 019 TO 03A OF 019	— PROFILES
05A OF 019 TO 19A OF 019	— PROFILES
001 OF 006 TO 006 OF 006	— CANAL DETAILS



LOCATION MAP
N.T.S.

- MAINTENANCE OF TRAFFIC TO BE SUPERVISED BY A CERTIFIED PERSON.
- TEST RESULTS OF ANY TEST TAKEN FOR OR DURING CONSTRUCTION OF THE PERMITTED WORK SHALL BE PROVIDED TO THE FDOT UPON REQUEST.
- THE CONTRACTOR SHALL NOTIFY THE DEPARTMENT A MINIMUM OF TWO BUSINESS DAYS PRIOR TO ANY LANE CLOSURES OR BEGINNING ANY CONSTRUCTION WITHIN THE FDOT RIGHT-OF-WAY.
- ALL WORK PERFORMED WITHIN THE FDOT RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF FDOT DESIGN STANDARDS, SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, AND THE UTILITY ACCOMMODATION MANUAL.
- EXISTING GAS MAIN SHALL BE PROTECTED AT ALL TIMES DURING EXCAVATION, DRILLING AND CONDUIT INSTALLATION ACTIVITIES. UTILITY GAS COMPANY SHALL BE PRESENT AT THE PRE-WORK MEETING AND GIVE WRITTEN CLEARANCE PRIOR TO COMMENCEMENT OF ANY PERMIT OPERATIONS.
- EXISTING FDOT DRAINAGE SYSTEM SHALL BE PROTECTED AT ALL TIMES BY THE PERMITEE. ANY DAMAGE TO FDOT DRAINAGE SYSTEM (STRUCTURES OR PIPES) SHALL BE REPAIRED/REPLACED BY THE PERMITEE AT NO COST TO THE DEPARTMENT.
- ALL CONCRETE TO BE REMOVED SHALL BE SAW CUT AT THE NEAREST JOINT IN REASONABLY GOOD CONDITION, SO AS TO PRODUCE A CONNECTION WITH NEW CONCRETE THAT IS FREE OF CRACKS, DEFORMITY IN SHAPE, NOTICEABLE VOIDS, SURFACE IRREGULARITIES, AND OTHER DEFECTS. CONCRETE GUTTER SHALL BE SAW CUT BETWEEN ASPHALT AND GUTTER BEFORE REMOVAL.
- IT WILL BE THE RESPONSIBILITY OF THE PERMITEE TO REPAIR ANY DAMAGE TO FDOT FACILITIES CAUSED BY CONSTRUCTION OF THE PROJECT.
- ALL CONCRETE SHALL BE AN APPROVED FDOT MIX DESIGN OF 3,000 PSI.

1. ANY DAMAGE TO PBC-TRAFFIC ITS FACILITIES CAUSED BY CONSTRUCTION OF THIS PROJECT MUST BE REPAIRED OR REPLACED TO ORIGINAL OR BETTER CONDITION AT NO COST TO PALM BEACH COUNTY.
2. PALM BEACH COUNTY RESERVES THE RIGHT TO DETERMINE IF DAMAGED FACILITIES WILL BE REPLACED OR REPAIRED.
3. CONTRACTOR SHALL CONTACT PALM BEACH COUNTY TRAFFIC OPERATIONS AT 561-233-3900 FORTY-EIGHT (48) HOURS PRIOR TO CONSTRUCTION IF WORK IS BEING DONE WITHIN 10 FEET OF ANY SIGNAL EQUIPMENT.
4. DAMAGES TO LOOPS OR ANY SIGNAL EQUIPMENT CAUSED BY CONSTRUCTION OF THIS PROJECT MUST BE REPAIRED OR REPLACED TO ORIGINAL OR BETTER CONDITION AT NO COST TO PALM BEACH COUNTY.

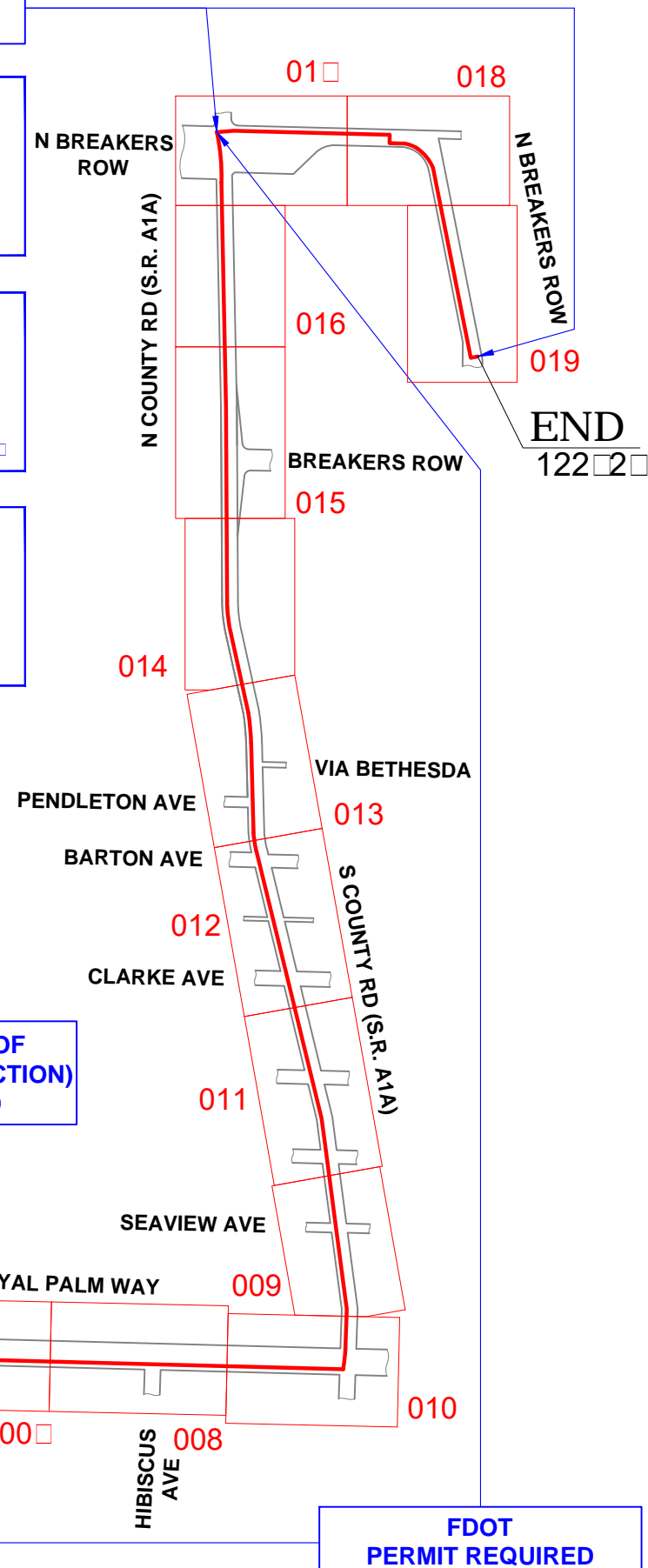
PENDING RECEIPT OF CUSTOMER'S FINAL DESIGN -
UPDATED DESIGN TO BE PROVIDED WHEN CUSTOMER'S
DRAWINGS ARE RECEIVED

MARY BOWEN
VERIZON CONSTRUCTION
PROJECT MANAGER
954.616.0359

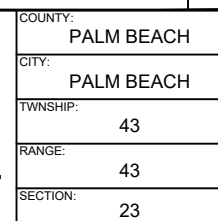
[Redacted]

PERMIT PACKAGE MUST BE
SUBMITTED TO THE WANTMAN
GROUP OFFICE FOR THEM TO
ISSUE AN APPROVAL LETTER.
SEND PACKAGE TO ERIK
BRUENINGSEN AT
Erik.Brue@wmg.com Wantman Group

SITE INFO:
CV# _____ (TO BE ASSIGNED)
WBS B-4644
SITE ID #122036
THE BREAKERS HOTEL
1 S COUNTY RD.
PALM BEACH, FL 33417

[illegible]

DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGE AS PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI



SITE RING:		SITE ID: -----	
PROJECT NAME: 1 S COUNTY RD			
PROJECT ADDRESS: 1 S COUNTY RD			
OSP-ENG: SANDRA MCNULTY	OSP PH #: (561) 358-9165	APPV BY:	
PROJECT CODE: WBS#	DRAWN BY: Dr□□Pr□□□□		
APPROVED ORIGINAL ISSUE:			
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2□) - DESIGN			
SCALE: N T S	PAGE: COVER 001	OF: 001	

SEE SHEET: 002 OF 019

MATCH LINE STATION: 12+05

DIRECTIONAL BORE
INSTALL 3-1.25" HDPE CONDUITS
& PULL 1-216 CT FOC FOR FIBERNET
DIRECT . (60" MINIMUM COVER)

FOC STATION DETAIL	
STATION NUMBER:	
MANUFACTURER:	
CABLE YEAR BUILT:	
SERIAL NUMBER:	
STRANDS:	
SEQUENTIAL "IN"	
SEQUENTIAL "OUT"	

INSTALL NEW HH
(30"x48"x36"). LEAVE 100'
COIL FOR SLACK STORAGE
LID = 15K, BOX = 22K

14+00 REMOVE AND RESTORE 25' OF CONCRETE SIDEWALK TO EQUAL OR BETTER CONDITION

DIRECTIONAL BORE
INSTALL 3-1.25" HDPE CONDUITS
& PULL 1-216 CT FOC FOR FIBERNET DIRECT.(48" MINIMUM COVER)

FOC STATION DETAIL	
STATION NUMBER:	
MANUFACTURER:	
CABLE YEAR BUILT:	
SERIAL NUMBER:	
STRANDS:	
SEQUENTIAL "IN"	
SEQUENTIAL "OUT"	

INSTALL NEW HH
(30"x48"x36"). LEAVE 100'
COIL FOR SLACK STORAGE
LID = 15K, BOX = 22K

14+20 REMOVE AND RESTORE 25' OF CONCRETE SIDEWALK TO EQUAL OR BETTER CONDITION

DIRECTIONAL BORE
INSTALL 3-1.25" HDPE CONDUITS
& PULL 1-216 CT FOC FOR FIBERNET
DIRECT . (108" MINIMUM COVER)

FOC STATION DETAIL	
STATION NUMBER:	
MANUFACTURER:	
CABLE YEAR BUILT:	
SERIAL NUMBER:	
STRANDS:	
SEQUENTIAL "IN"	
SEQUENTIAL "OUT"	

INSTALL NEW
HH (30"x48"x36").
LEAVE 100' COIL FOR
SLACK STORAGE
LID = 15K, BOX = 22K

15+63 REMOVE AND RESTORE 25' OF CONCRETE SIDEWALK TO EQUAL OR BETTER CONDITION

DIRECTIONAL BORE
INSTALL 3-1.25" HDPE CONDUITS
& PULL 1-216 CT FOC FOR FIBERNET
DIRECT . (108" MINIMUM COVER)

UG CONSTRUCTION NOTES:

- RESTORE ALL SURFACES TO EQUAL OR BETTER CONDITION.

- VERIFY ALL MEASUREMENTS AND DISTANCES.

- MAINTAIN MINIMUM 12" SEPARATION BETWEEN PROPOSED FIBERNET DIRECT DUCTS & EXISTING UTILITIES.

- NO PROPOSED RUNNING LINE CHANGES ARE TO BE DONE WITHOUT FIBERNET OSPE APPROVAL.

SANDRA MCNULTY (561) 358-9165

- MAINTAIN A MIN BENDING RADIUS OF 5' ON ALL DUCT CONFIGURATION.

**ANNULAR DRILLING PRESSURE SHALL NOT EXCEED 10 PSI AT ANY TIME.
(REFER TO ITEM #5 OF FRAC-OUT PLAN)**

THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION

FOC STATION DETAIL	
STATION NUMBER:	
MANUFACTURER:	
CABLE YEAR BUILT:	
SERIAL NUMBER:	
STRANDS:	
SEQUENTIAL "IN"	
SEQUENTIAL "OUT"	

INSTALL NEW HH (30"x48"x36").
LEAVE 100' COIL FOR SLACK
STORAGE
LID = 15K, BOX = 22K

1+83 REMOVE AND RESTORE 25' OF CONCRETE SIDEWALK TO EQUAL OR BETTER CONDITION

BEGIN BORE STA 17+83 GPS
NORTHING 863395.17 N 26° 42' 20.84"
EASTING 966757.44 W 80° 02' 55.15"

INSTALL (1) 6" STEEL PIPE EQUIPED WITH (4) 1.5" HDPE CONDUITS INSIDE VIA DIRECTIONAL BORE, PULL 1-216CT FOC & A LOCATING WIRE THROUGH ONE OF THE FOUR DUCTS THE OTHER THREE EMPTY FOR FUTURE USE (708" MINIMUM COVER)



DIRECTION OF
ENGINEERING.



9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

UNIT	TY

REVISIONS/APPROVALS

DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGES PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI



Know what's below.
Call before you dig.

COUNTY: PALM BEACH
CITY: PALM BEACH
TOWNSHIP: 43
RANGE: 43
SECTION: 23

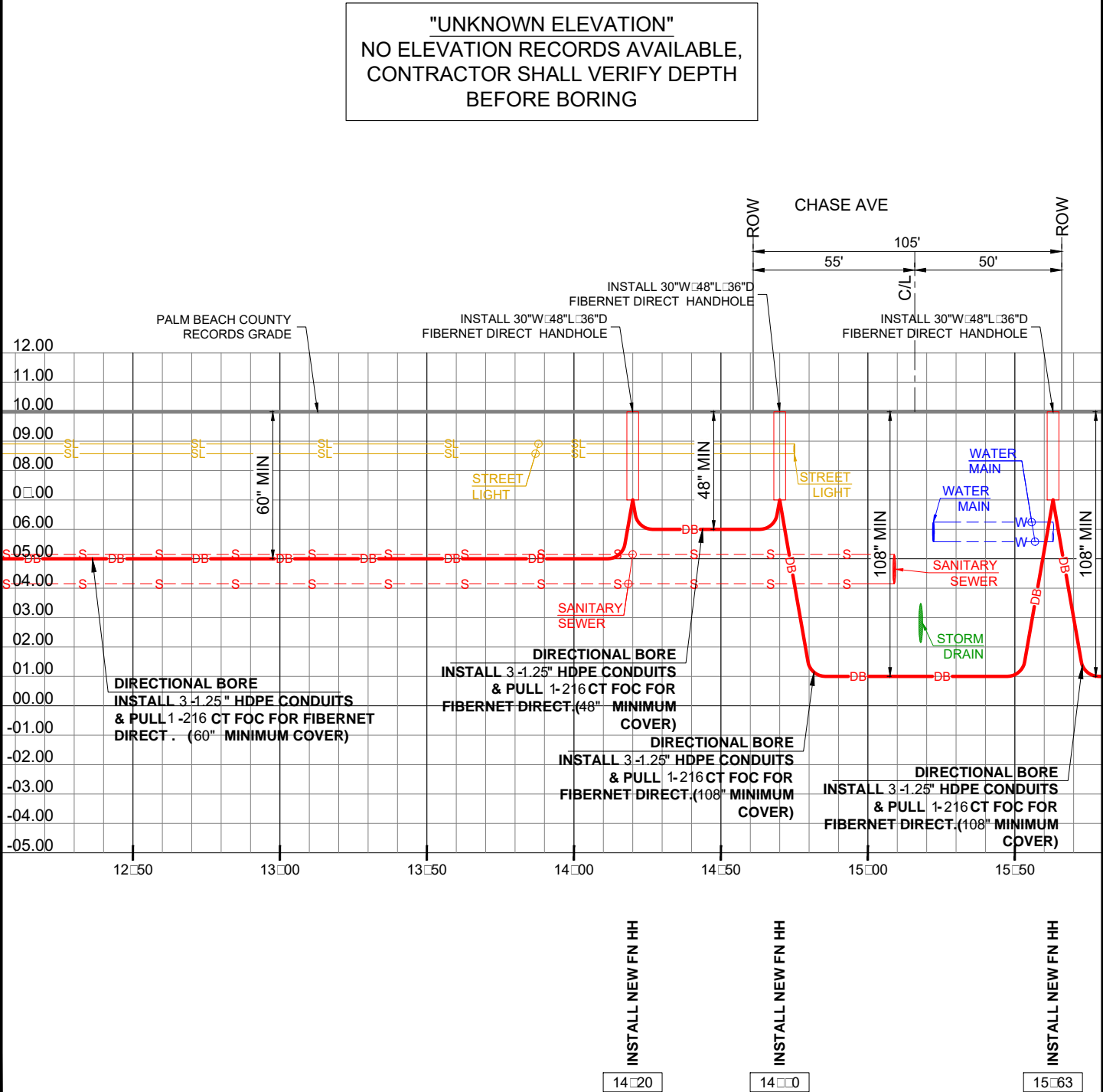
SITE RING:	SITE ID: ----
PROJECT NAME:	1 S COUNTY RD
PROJECT ADDRESS:	1 S COUNTY RD
OSP ENG: SANDRA MCNULTY	OSP PH #: (561) 358-9165
PROJECT CODE: WBS#	APPR BY: Dr. Pr. []
APPROVED ORIGINAL ISSUE:	
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2) - DESIGN	
SCALE: 1" = 50'	PAGE: 003 OF: 019

SEE SHEET: 004 OF 019

MATCH LINE STATION: 21+32

SEE SHEET: 02A OF 019

MATCH LINE STATION: 12+05



SEE SHEET: 03B OF 019

MATCH LINE STATION: 15+80

PROFILE - LAKEVIEW AVE (SR. 704)

HORIZONTAL SCALE 1"=50'
VERTICAL SCALE 1"=5'



DIRECTION OF
ENGINEERING.



9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

UNIT	TY

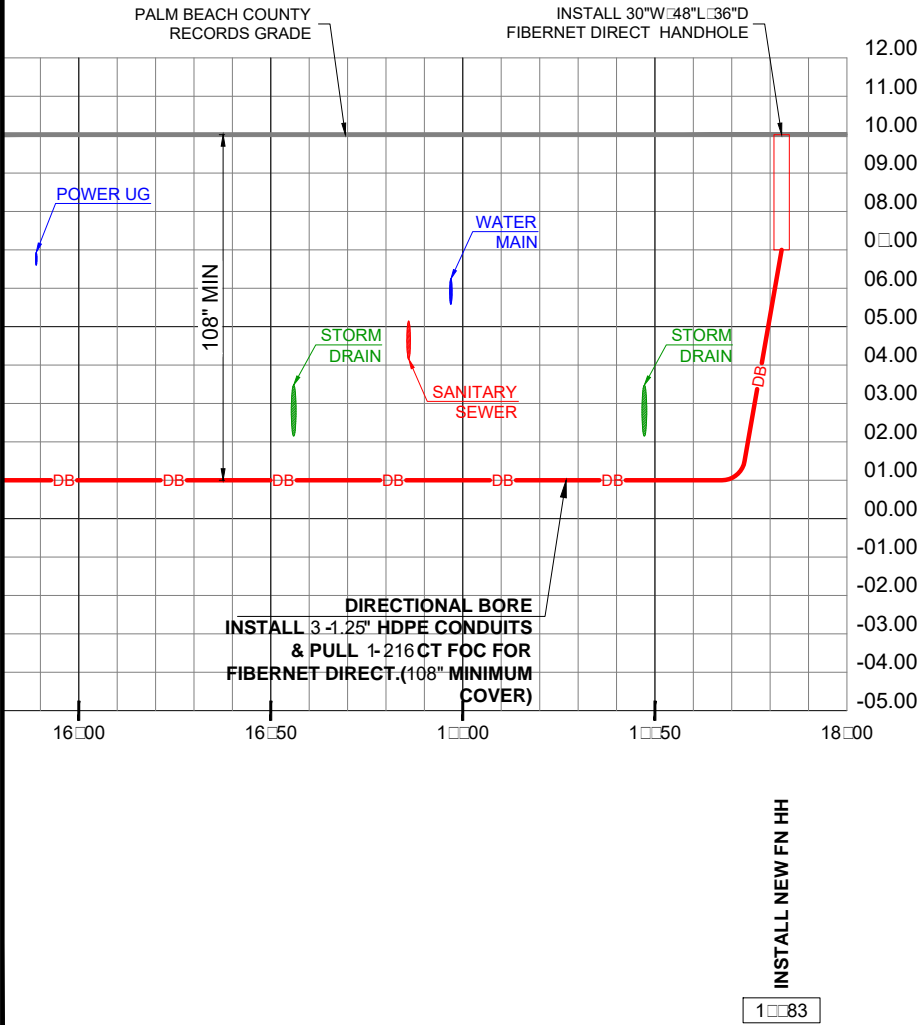
REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI

	COUNTY:	PALM BEACH
	CITY:	PALM BEACH
	TOWNSHIP:	43
	RANGE:	43
	SECTION:	23
SITE RING:		SITE ID: ----
PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP. ENG: SANDRA MCNULTY	OSP. PH. #: (561) 358-9165	APPV. BY:
PROJECT CODE: WBS#	DRAWN BY: Dr. Pr.	
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2016) - DESIGN		
SCALE: 1" = 50'	PAGE: 03A	OF: 019

SEE SHEET: 03A OF 019

MATCH LINE STATION: 15+80

"UNKNOWN ELEVATION"
NO ELEVATION RECORDS AVAILABLE,
CONTRACTOR SHALL VERIFY DEPTH
BEFORE BORING



PROFILE - LAKEVIEW AVE (SR. 704)

HORIZONTAL SCALE 1"=50'
VERTICAL SCALE 1"=5'



DIRECTION OF
ENGINEERING.


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WITHOUT WRITTEN CONSENT OF FPL
FIBERNET



9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

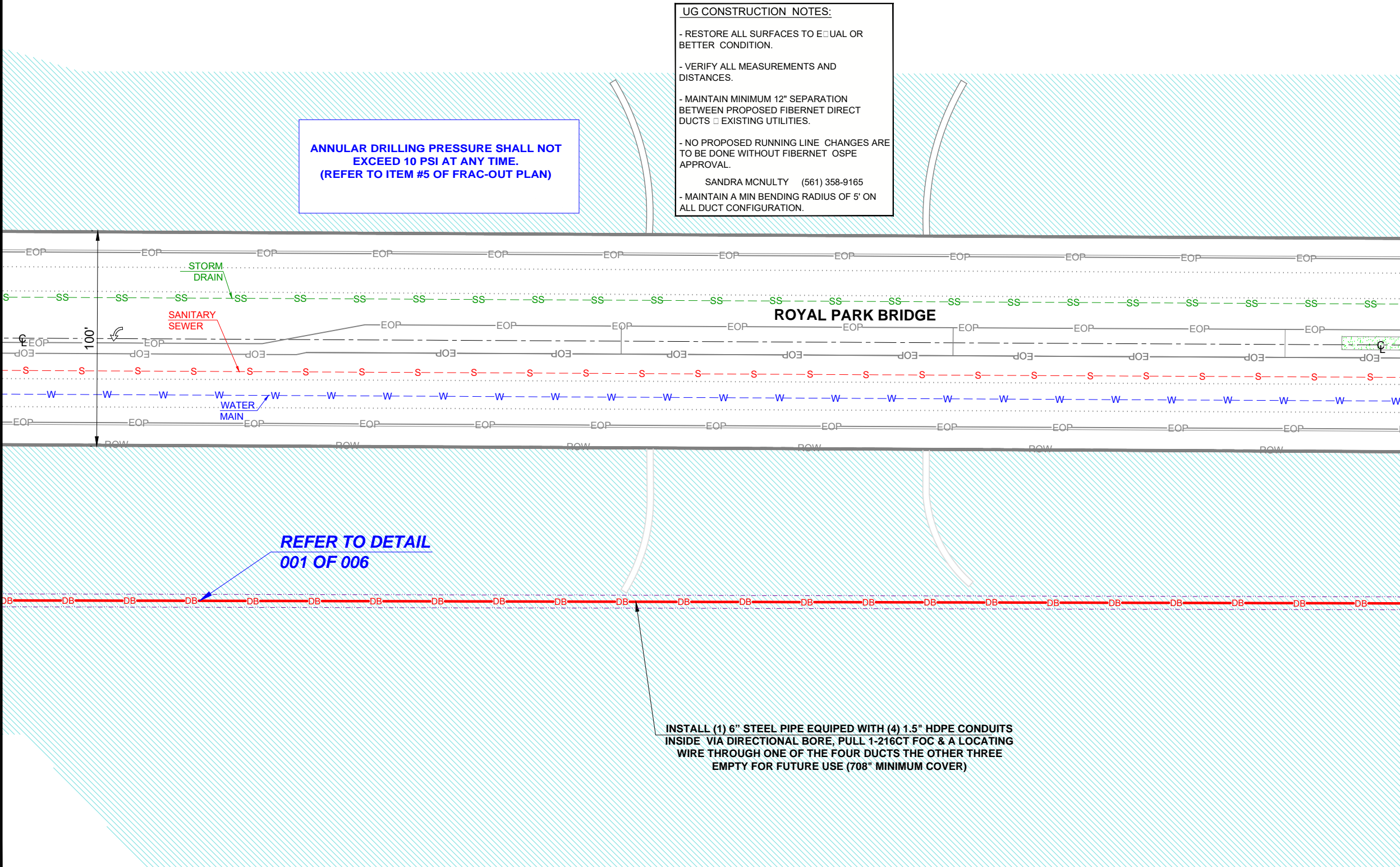
UNIT	QTY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI

 Know what's below. Call before you dig.	COUNTY:	PALM BEACH
	CITY:	PALM BEACH
	TOWNSHIP:	43
	RANGE:	43
	SECTION:	23
SITE RING:		SITE ID: ----
PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP ENG:	OSP PH #:	APPV BY:
SANDRA MCNULTY	(561) 358-9165	
PROJECT CODE:	WBS#	DRAWN BY:
		DrPr
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2024) - DESIGN		
SCALE: 1" = 50'	PAGE: 03B	OF: 019

SEE SHEET: 003 OF 019

MATCH LINE STATION: 21+32



ANNULAR DRILLING PRESSURE SHALL NOT EXCEED 10 PSI AT ANY TIME.
(REFER TO ITEM #5 OF FRAC-OUT PLAN)

UG CONSTRUCTION NOTES:

- RESTORE ALL SURFACES TO EQUAL OR BETTER CONDITION.
- VERIFY ALL MEASUREMENTS AND DISTANCES.
- MAINTAIN MINIMUM 12" SEPARATION BETWEEN PROPOSED FIBERNET DIRECT DUCTS & EXISTING UTILITIES.
- NO PROPOSED RUNNING LINE CHANGES ARE TO BE DONE WITHOUT FIBERNET OSPE APPROVAL.
- SANDRA MCNULTY (561) 358-9165
- MAINTAIN A MIN BENDING RADIUS OF 5' ON ALL DUCT CONFIGURATION.



DIRECTION OF ENGINEERING.



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9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

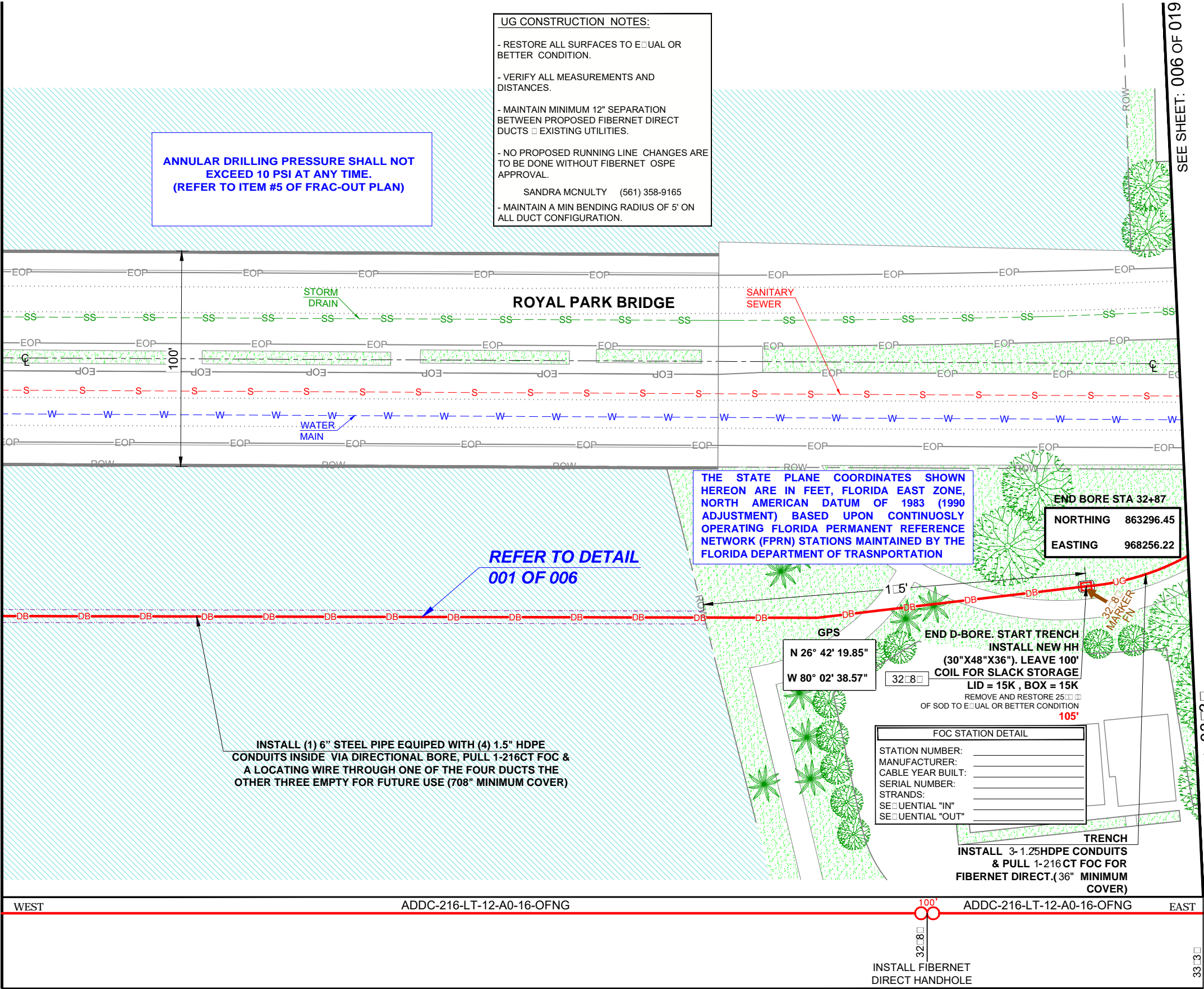
UNIT	QTY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGE AS PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI

	COUNTY:	PALM BEACH
	CITY:	PALM BEACH
	TOWNSHIP:	43
	RANGE:	43
	SECTION:	23
SITE RING:	SITE ID:	----
PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP. ENG: SANDRA MCNULTY	OSP. PH. #: (561) 358-9165	APPV BY:
PROJECT CODE: WBS#	DRAWN BY: Dr. Pr. I. I.	
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (200) - DESIGN		
SCALE: 1" = 50'	PAGE: 004	OF: 019

SEE SHEET: 004 OF 019

MATCH LINE STATION: 2+82



UG CONSTRUCTION NOTES:

- RESTORE ALL SURFACES TO EQUAL OR BETTER CONDITION.
- VERIFY ALL MEASUREMENTS AND DISTANCES.
- MAINTAIN MINIMUM 12" SEPARATION BETWEEN PROPOSED FIBERNET DIRECT DUCTS & EXISTING UTILITIES.
- NO PROPOSED RUNNING LINE CHANGES ARE TO BE DONE WITHOUT FIBERNET OSPE APPROVAL.
- SANDRA MCNULTY (561) 358-9165
- MAINTAIN A MIN BENDING RADIUS OF 5' ON ALL DUCT CONFIGURATION.

ANNULAR DRILLING PRESSURE SHALL NOT EXCEED 10 PSI AT ANY TIME.
(REFER TO ITEM #5 OF FRAC-OUT PLAN)

THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION

END BORE STA 32+87
NORTHING 863296.45
EASTING 968256.22

GPS
N 26° 42' 19.85"
W 80° 02' 38.57"

END D-BORE. START TRENCH
INSTALL NEW HH
(30"X48"X36"). LEAVE 100'
COIL FOR SLACK STORAGE
LID = 15K, BOX = 15K
REMOVE AND RESTORE 25' OF SOD TO EQUAL OR BETTER CONDITION
105'

FOC STATION DETAIL

STATION NUMBER:	
MANUFACTURER:	
CABLE YEAR BUILT:	
SERIAL NUMBER:	
STRANDS:	
SEQUENTIAL "IN"	
SEQUENTIAL "OUT"	

TRENCH
INSTALL 3-1.25 HDPE CONDUITS
& PULL 1-216 CT FOC FOR
FIBERNET DIRECT (36" MINIMUM COVER)



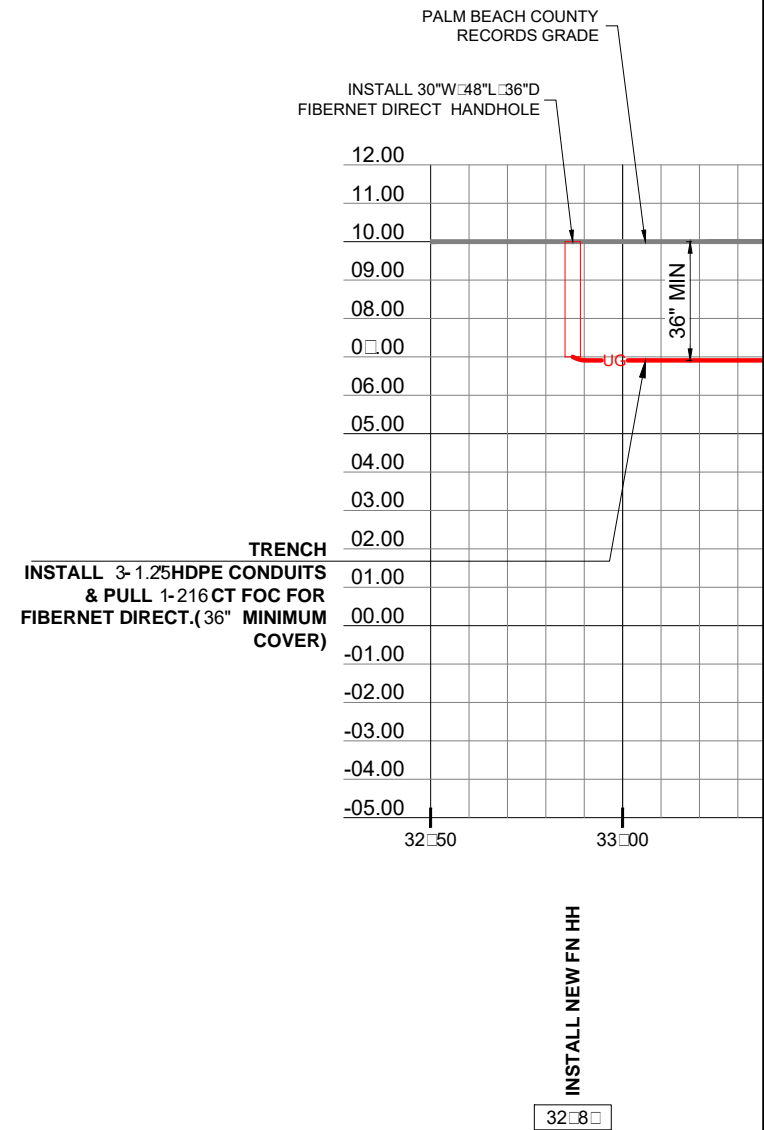
9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

UNIT	TY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGE AS PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI

	COUNTY:	PALM BEACH
	CITY:	PALM BEACH
	TOWNSHIP:	43
	RANGE:	43
	SECTION:	23
SITE RING:	SITE ID: ----	
PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP ENG: SANDRA MCNULTY	OSP PH #: (561) 358-9165	APPV BY:
PROJECT CODE: WBS#	DRAWN BY: DrPr	
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (200) - DESIGN		
SCALE: 1" = 50'	PAGE: 005	OF: 019

"UNKNOWN ELEVATION"
NO ELEVATION RECORDS AVAILABLE,
CONTRACTOR SHALL VERIFY DEPTH
BEFORE BORING



PROFILE - LAKEVIEW AVE (SR. 704)
HORIZONTAL SCALE 1"=50'
VERTICAL SCALE 1"=5'

SEE SHEET: 06A OF 019

MATCH LINE STATION: 33+30

DIRECTION OF
ENGINEERING.



9250 W. FLAGLER ST, MIAMI, FL 33104 / 1-866-STRANDS

UNIT	QTY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI

COUNTY: PALM BEACH
CITY: PALM BEACH
TOWNSHIP: 43
RANGE: 43
SECTION: 23

SITE RING: SITE ID: ----

PROJECT NAME: 1 S COUNTY RD

PROJECT ADDRESS: 1 S COUNTY RD

OSP ENG: SANDRA MCNULTY

OSP PH #: (561) 358-9165

APPV BY:

PROJECT CODE: WBS#

DRAWN BY: DrPr

APPROVED ORIGINAL ISSUE:

FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2024) - DESIGN

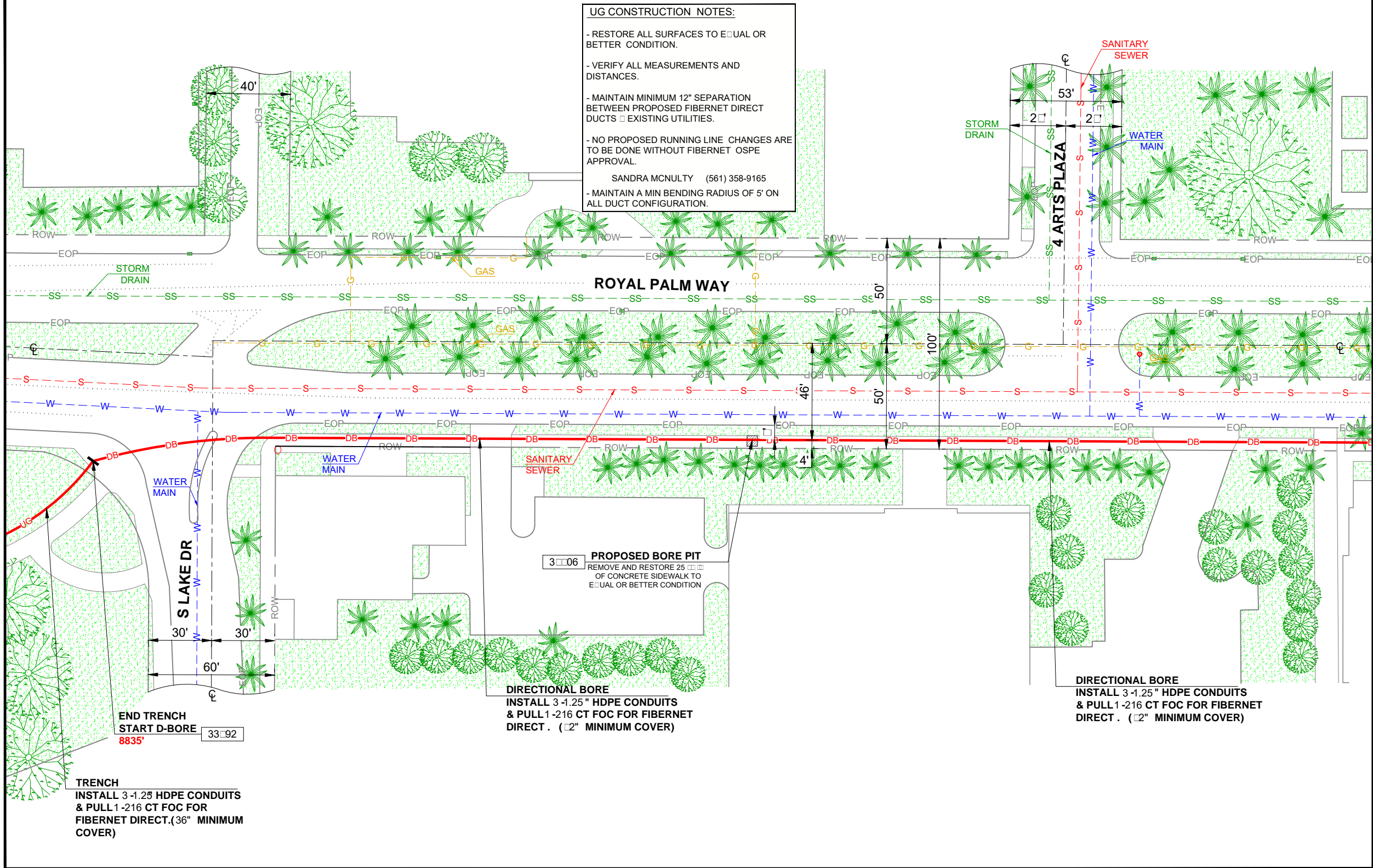
SCALE: 1" = 50'

PAGE: 05A

OF: 019

SEE SHEET: 005 OF 019

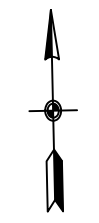
MATCH LINE STATION: 33+30



UG CONSTRUCTION NOTES:

- RESTORE ALL SURFACES TO EQUAL OR BETTER CONDITION.
- VERIFY ALL MEASUREMENTS AND DISTANCES.
- MAINTAIN MINIMUM 12" SEPARATION BETWEEN PROPOSED FIBERNET DIRECT DUCTS & EXISTING UTILITIES.
- NO PROPOSED RUNNING LINE CHANGES ARE TO BE DONE WITHOUT FIBERNET OSPE APPROVAL.
- SANDRA MCNULTY (561) 358-9165
- MAINTAIN A MIN BENDING RADIUS OF 5' ON ALL DUCT CONFIGURATION.

DIRECTION OF
ENGINEERING.



9250 W. FLAGLER ST, MIAMI, FL 33141 / 1-866-STRANDS

UNIT	QTY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI

COUNTY: PALM BEACH

CITY: PALM BEACH

TOWNSHIP: 43

RANGE: 43

SECTION: 23

SITE RING: SITE ID: ----

PROJECT NAME: 1 S COUNTY RD

PROJECT ADDRESS: 1 S COUNTY RD

OSP ENG: SANDRA MCNULTY	OSP PH #: (561) 358-9165	APPV BY:
PROJECT CODE: WBS#		DRAWN BY: DrPr

APPROVED ORIGINAL ISSUE:

FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2016) - DESIGN

SCALE: 1" = 50' PAGE: 006 OF: 019

SEE SHEET: 00 OF 019

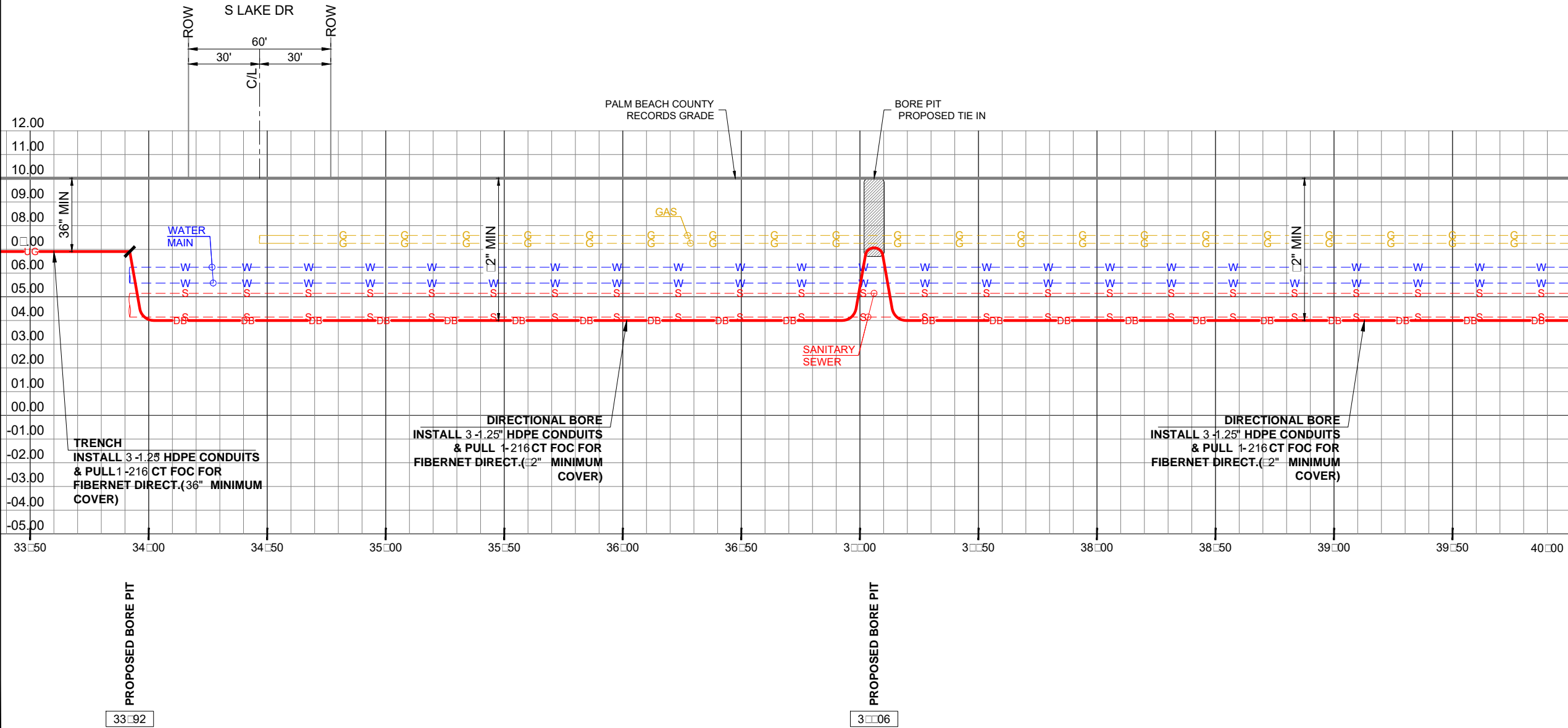
MATCH LINE STATION: 40+00

WEST ADDC-216-LT-12-A0-16-OFNG EAST

SEE SHEET: 05A OF 019

MATCH LINE STATION: 33+30

"UNKNOWN ELEVATION"
NO ELEVATION RECORDS AVAILABLE,
CONTRACTOR SHALL VERIFY DEPTH
BEFORE BORING



PROFILE - ROYAL PALM WAY


HORIZONTAL SCALE 1"=50'
VERTICAL SCALE 1"=5'



9250 W. FLAGLER ST, MIAMI, FL 33104 / 1-866-STRANDS

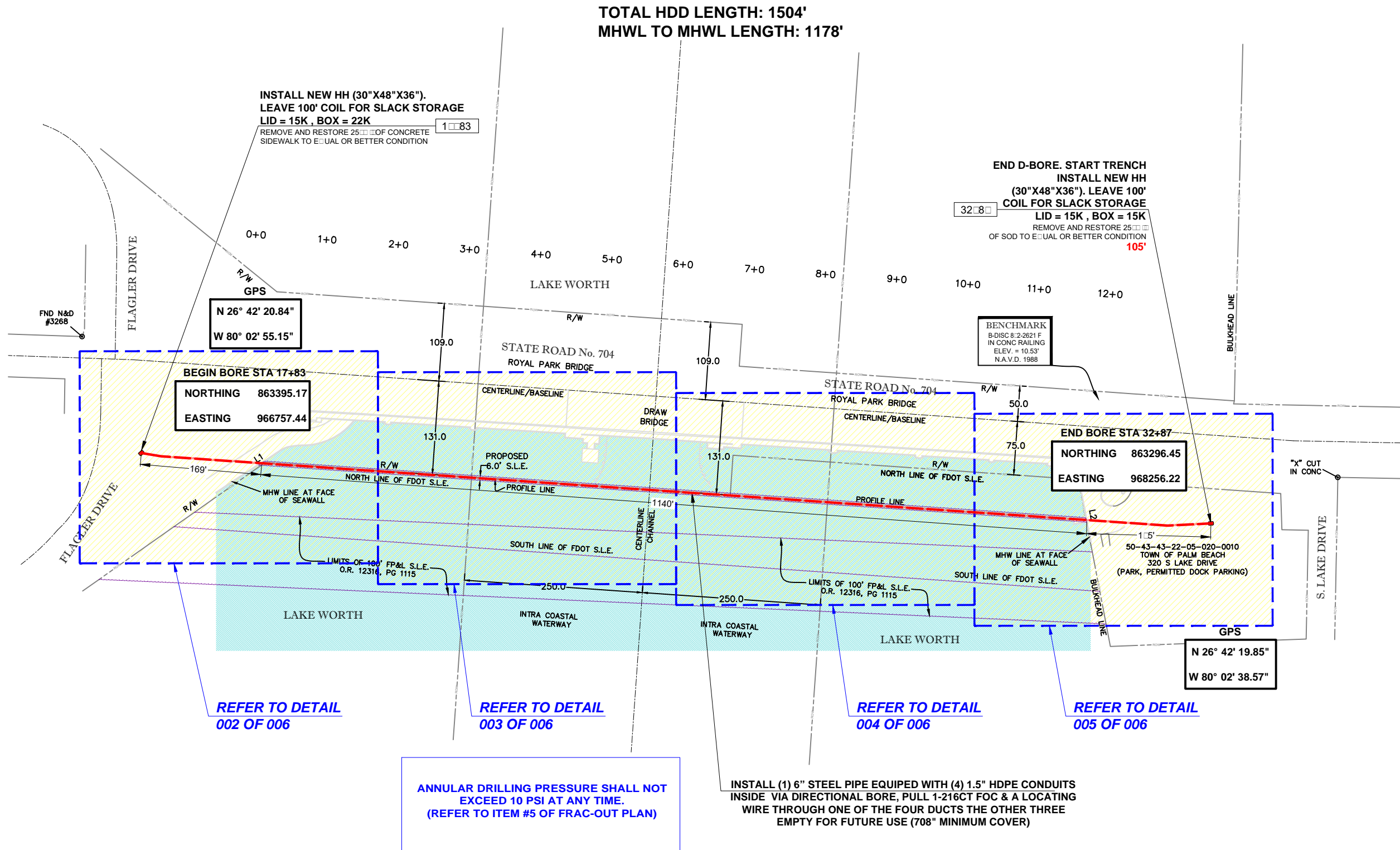
UNIT	TY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI

 Know what's below. Call before you dig.	COUNTY:	PALM BEACH
	CITY:	PALM BEACH
	TOWNSHIP:	43
	RANGE:	43
	SECTION:	23
SITE RING:		SITE ID: ----
PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP/ENG: SANDRA MCNUITY	OSP PH #: (561) 358-9165	APPV BY:
PROJECT CODE: WBS#		DRAWN BY: DrPr
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (200) - DESIGN		
SCALE: 1" = 50'	PAGE: 06A	OF: 019

SEE SHEET: 06A OF 019

MATCH LINE STATION: 40+00



DIRECTION OF
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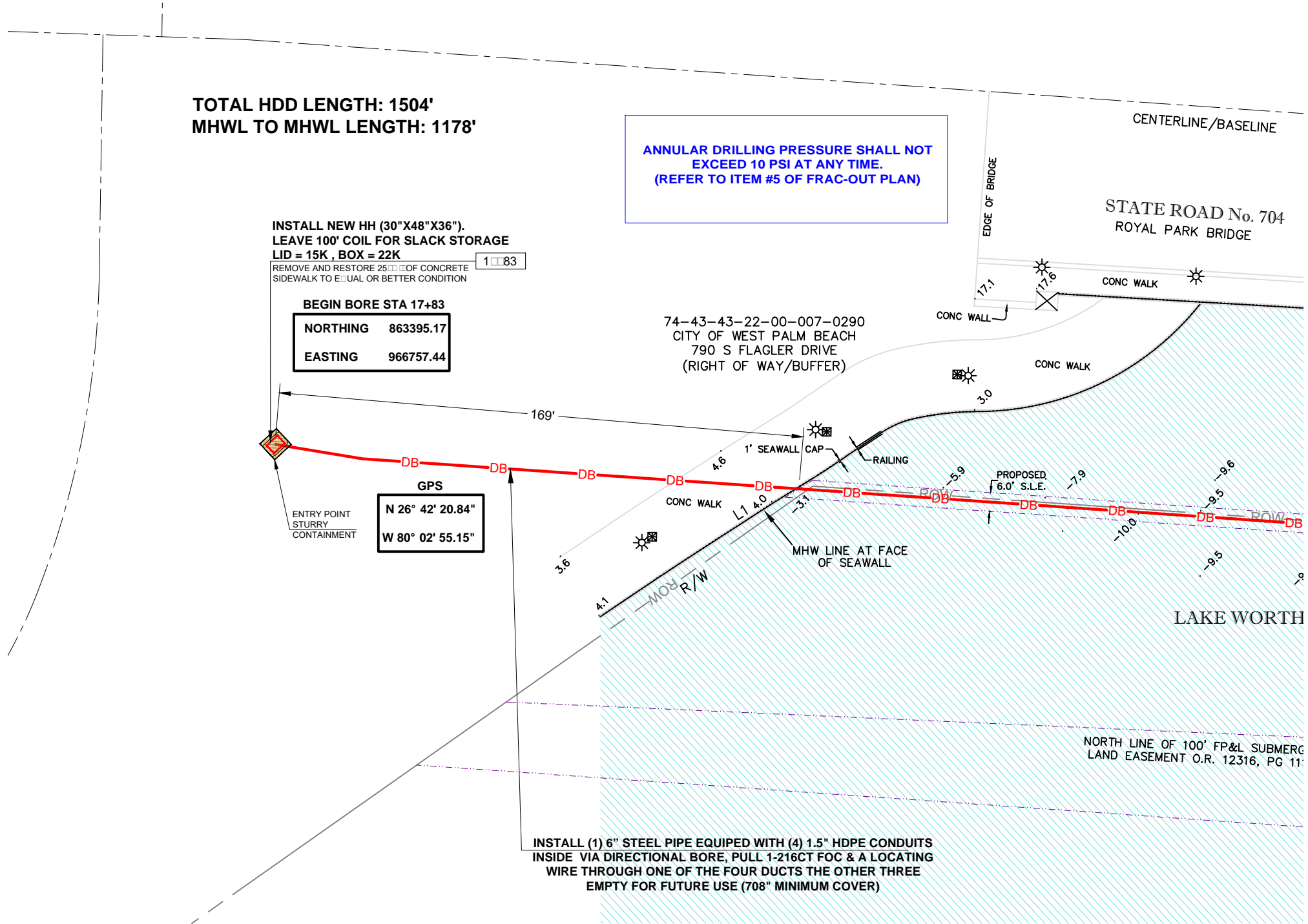



9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS


UNIT	TY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGES PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI

	COUNTY:	PALM BEACH
	CITY:	PALM BEACH
	TOWNSHIP:	43
	RANGE:	43
	SECTION:	23
SITE RING:	SITE ID:	----
PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP ENG: SANDRA MCNULTY	OSP PH #: (561) 358-9165	APPV BY:
PROJECT CODE: WBS#	DRAWN BY: DrPr	
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (200) - DESIGN		
SCALE: 1" = 150'	PAGE: DETAIL 001	OF: 006




DIRECTION OF
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9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

UNIT	TY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGE AS PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI


Know what's below.
Call before you dig.

COUNTY:
PALM BEACH

CITY:
PALM BEACH

TOWNSHIP:
43

RANGE:
43

SECTION:
23

SITE RING:

SITE ID:

PROJECT NAME:

1 S COUNTY RD

PROJECT ADDRESS:

1 S COUNTY RD

OSP ENG:
SANDRA MCNULTY

OSP PH #:
(561) 358-9165

APPV BY:

PROJECT CODE:
WBS#

DRAWN BY:
DrPr

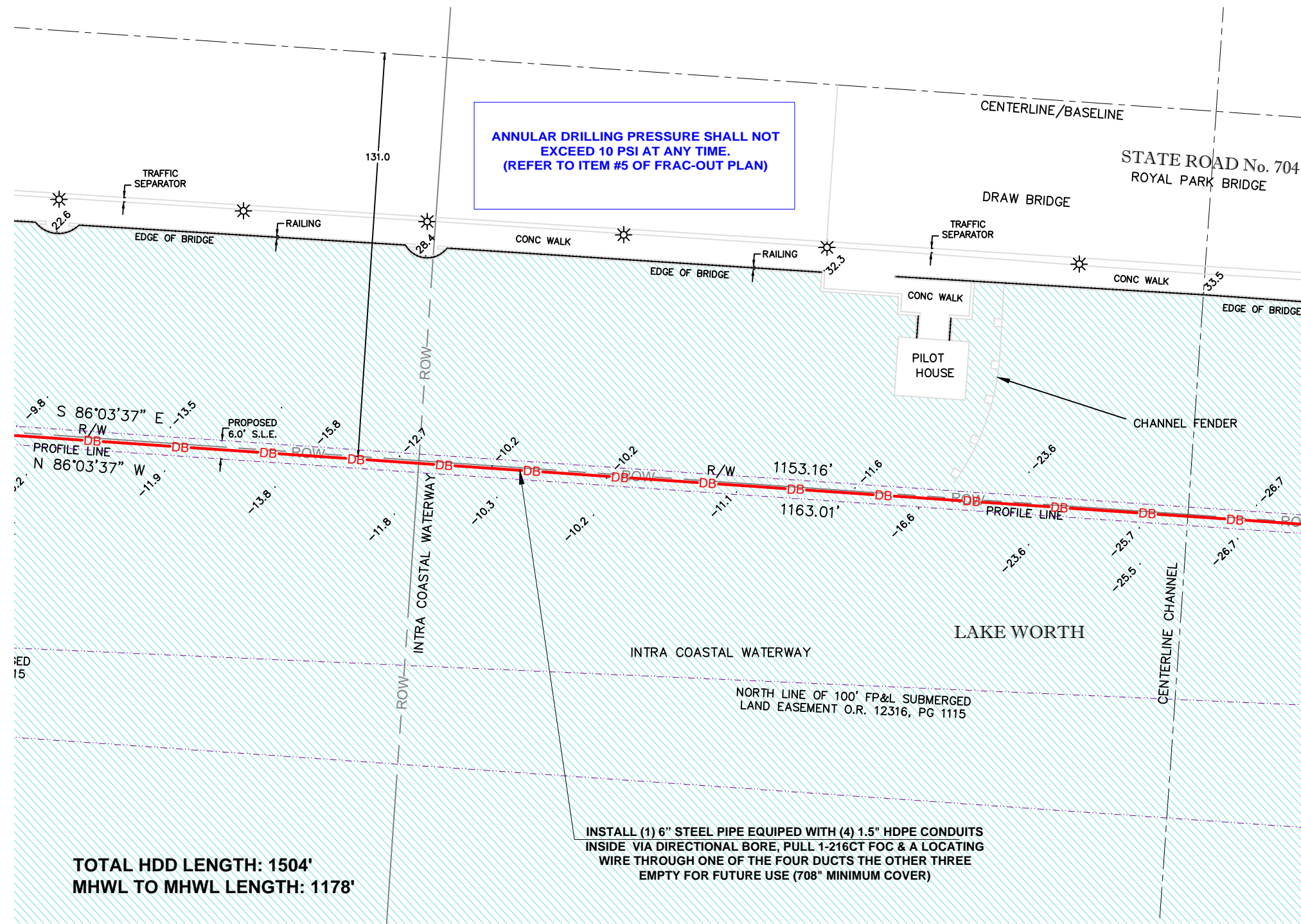
APPROVED ORIGINAL ISSUE:

FILE NAME:
1 S COUNTY RD - THE BREAKERS HOTEL (2) - DESIGN


SCALE:
1" = 40'

PAGE:
DETAIL 002


OF:
006




TOTAL HDD LENGTH: 1504'
MHWL TO MHWL LENGTH: 1178'



DIRECTION OF
ENGINEERING.



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9250 W. FLAGLER ST, MIAMI, FL 3314 / 1-866-STRANDS

UNIT	TY

REVISIONS/APPROVALS

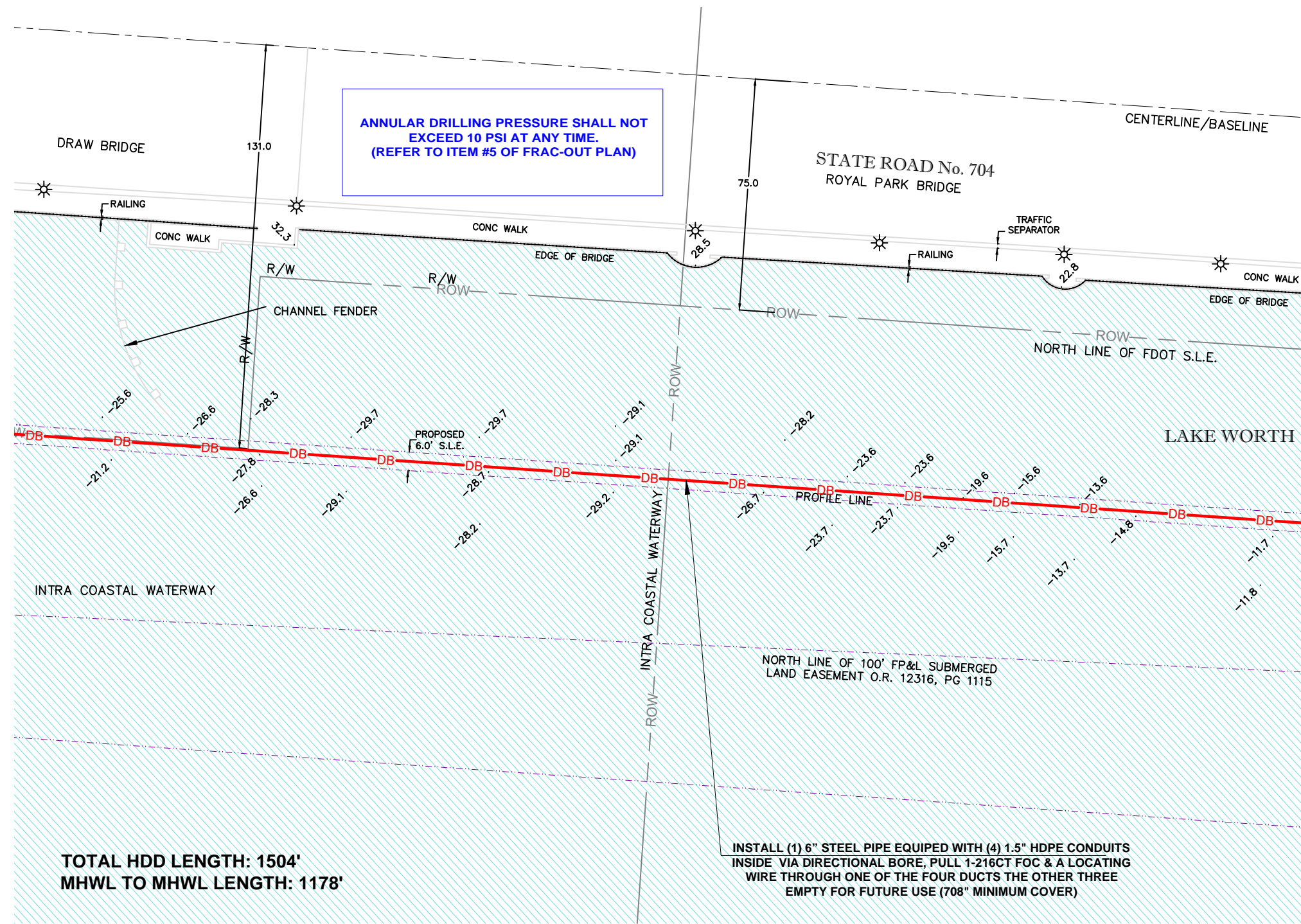
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGES PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI



Know what's below.
Call before you dig.

COUNTY:	PALM BEACH
CITY:	PALM BEACH
TOWNSHIP:	43
RANGE:	43
SECTION:	23
SITE ID:	----

PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP ENG: SANDRA MCNULTY	OSP PH #: (561) 358-9165	APPV BY:
PROJECT CODE: WBS#	DRAWN BY: DrPr	
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2) - DESIGN		
SCALE: 1" = 40'	PAGE: DETAIL 003	OF: 006



TOTAL HDD LENGTH: 1504'
MHWL TO MHWL LENGTH: 1178'

INSTALL (1) 6" STEEL PIPE EQUIPED WITH (4) 1.5" HDPE CONDUITS
INSIDE VIA DIRECTIONAL BORE, PULL 1-216CT FOC & A LOCATING
WIRE THROUGH ONE OF THE FOUR DUCTS THE OTHER THREE
EMPTY FOR FUTURE USE (708" MINIMUM COVER)




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WITHOUT WRITTEN CONSENT OF FPL
FIBERNET

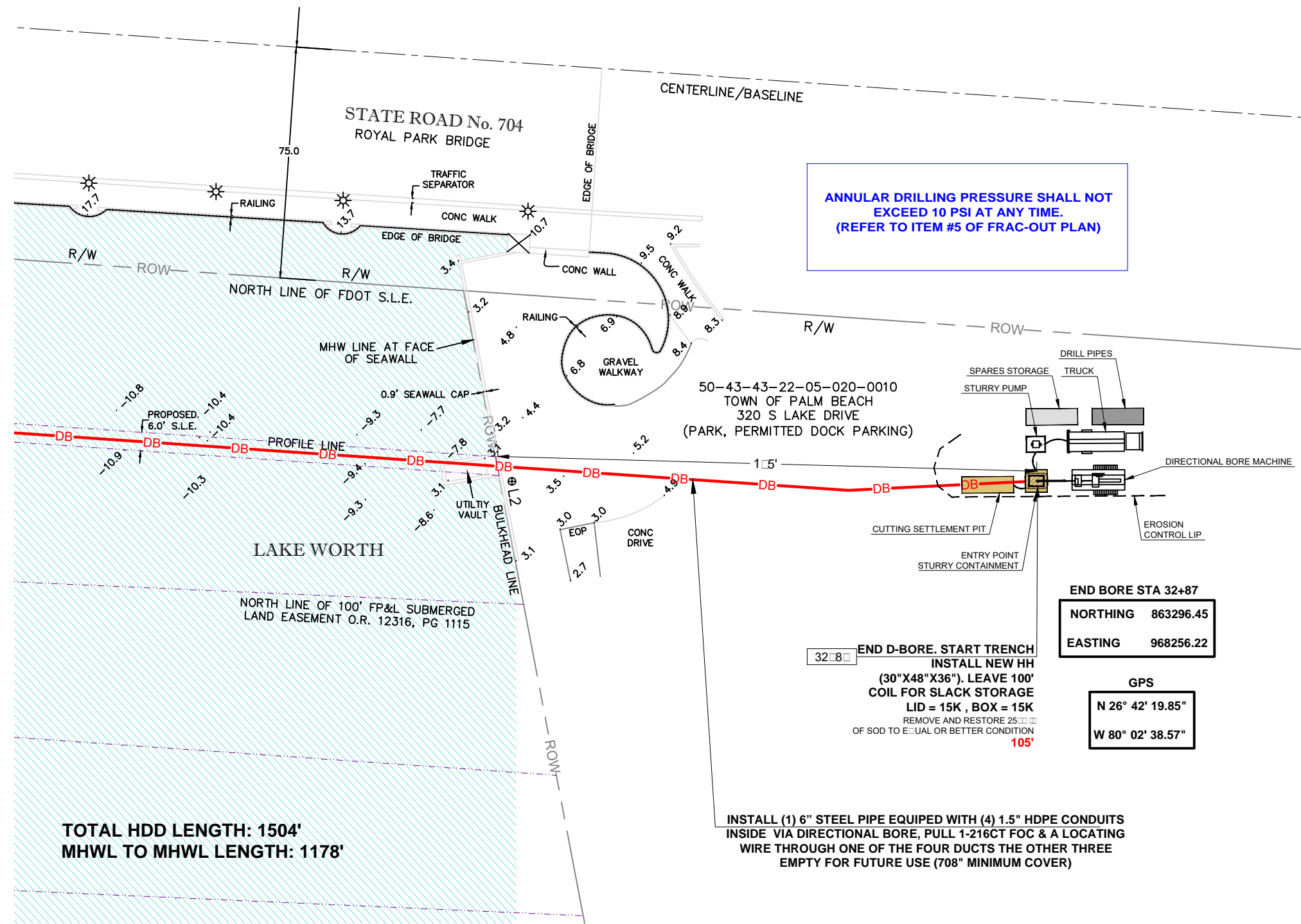


9250 W. FLAGLER ST, MIAMI, FL 33114 / 1-866-STRANDS

UNIT	TY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGE AS PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI

 Know what's below. Call before you dig.	COUNTY:	1" = 40'	
	CITY:	PALM BEACH	
	TOWNSHIP:	43	
	RANGE:	43	
	SECTION:	23	
SITE RING:	SITE ID: ----		
PROJECT NAME: 1 S COUNTY RD			
PROJECT ADDRESS: 1 S COUNTY RD			
OSP ENG:	OSP PH #:	APPV BY:	
SANDRA MCNULTY	(561) 358-9165		
PROJECT CODE:	WBS#	DRAWN BY:	
		Dr Pr	
APPROVED ORIGINAL ISSUE:			
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2) - DESIGN			
SCALE: 1" = 50'	PAGE: DETAIL 004	OF: 006	



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9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

UNIT	TY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGES PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI

COUNTY: PALM BEACH
CITY: PALM BEACH
TOWNSHIP: 43
RANGE: 43
SECTION: 23
SITE RING:
SITE ID: ----
PROJECT NAME: 1 S COUNTY RD
PROJECT ADDRESS: 1 S COUNTY RD
OSP ENG: SANDRA MCNULTY
OSP PH #: (561) 358-9165
PROJECT CODE: WBS#
APPROVED ORIGINAL ISSUE:
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2017) - DESIGN
SCALE: 1" = 40'
PAGE: DETAIL 005
OF: 006

PROFILE

1-83
INSTALL NEW HH
(30"x48"x36").
LEAVE 100' COIL FOR SLACK
STORAGE
LID = 15K , BOX = 22K
REMOVE AND RESTORE 25' OF
CONCRETE
SIDEWALK TO EQUAL OR BETTER
CONDITION

BEGIN BORE STA 17+83
NORTHING 863395.17
EASTING 966757.44

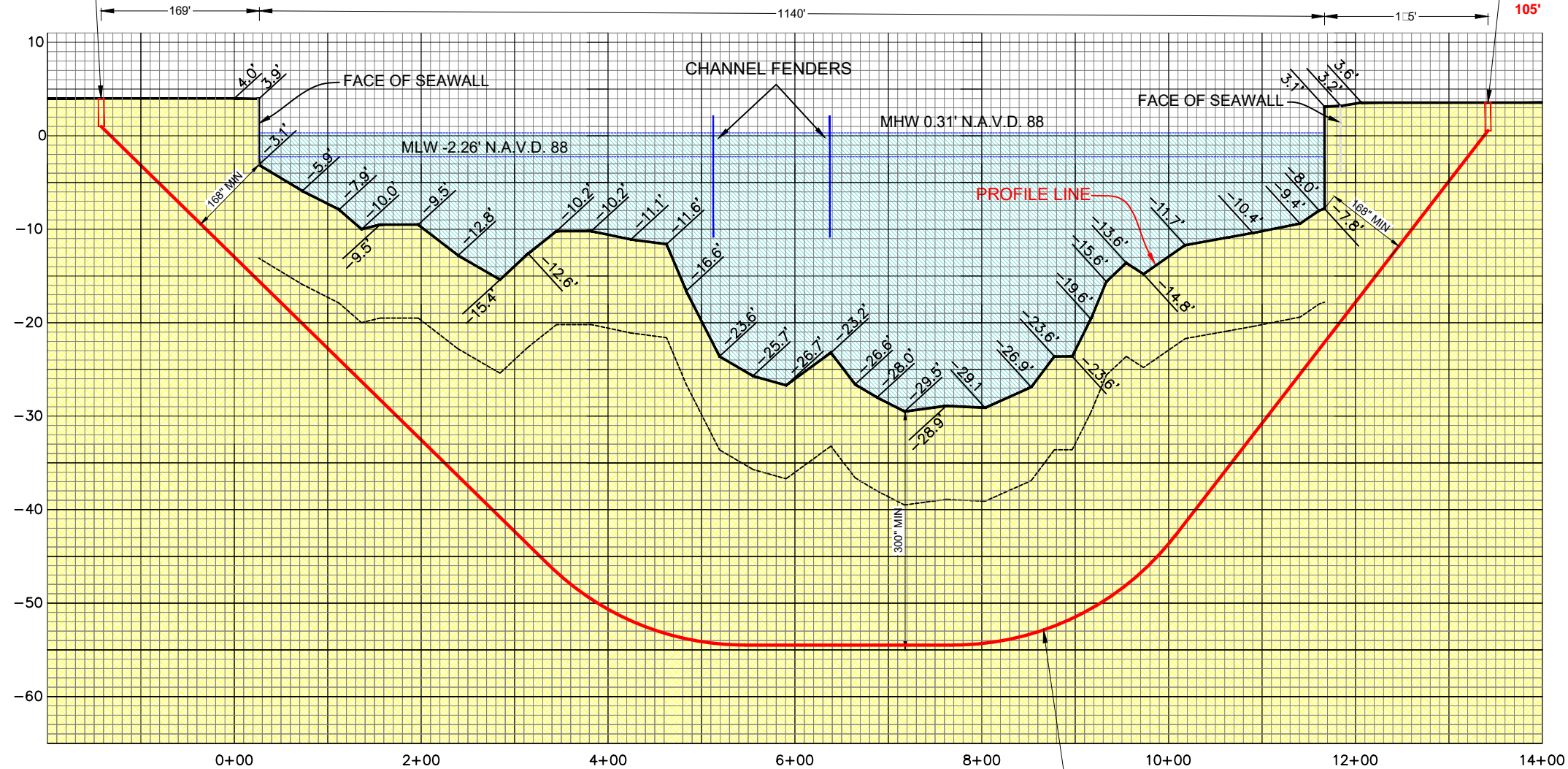
GPS
N 26° 42' 20.84"
W 80° 02' 55.15"

GPS
N 26° 42' 19.85"
W 80° 02' 38.57"

END BORE STA 32+87
NORTHING 863296.45
EASTING 968256.22

END D-BORE.
START TRENCH.
INSTALL NEW HH
(30"x48"x36").
LEAVE 100' COIL FOR SLACK
STORAGE
LID = 15K , BOX = 15K
REMOVE AND RESTORE 25' OF
SOD TO EQUAL OR BETTER CONDITION
105'

32-8



HORIZONTAL SCALE: 1" = 150'
VERTICAL SCALE: 1" = 15'

ANNULAR DRILLING PRESSURE SHALL NOT
EXCEED 10 PSI AT ANY TIME.
(REFER TO ITEM #5 OF FRAC-OUT PLAN)

INSTALL (1) 6" STEEL PIPE EQUIPED WITH (4) 1.5" HDPE CONDUITS
INSIDE VIA DIRECTIONAL BORE, PULL 1-216CT FOC & A LOCATING
WIRE THROUGH ONE OF THE FOUR DUCTS THE OTHER THREE
EMPTY FOR FUTURE USE (708" MINIMUM COVER)

DIRECTION OF
ENGINEERING.


INFORMATION ON THIS DOCUMENT IS
PROPRIETARY AND SHALL NOT BE
USED, COPIED, REPRODUCED OR
DISCLOSED IN WHOLE OR IN PART
WITHOUT WRITTEN CONSENT OF FPL
FIBERNET



9250 W. FLAGLER ST, MIAMI, FL 33144 / 1-866-STRANDS

UNIT	TY

REVISIONS/APPROVALS		
DATE	DESCRIPTION	INITIAL
11/19/2016	ORIGINAL SUBMITTAL	DPI
01/25/2017	CHANGE AS PER U.S. ARMY CORPS OF ENGINEERS COMMENTS	DPI

 Know what's below. Call before you dig.	COUNTY:	PALM BEACH
	CITY:	PALM BEACH
	TOWNSHIP:	43
	RANGE:	43
	SECTION:	23
SITE RING:	SITE ID:	----
PROJECT NAME: 1 S COUNTY RD		
PROJECT ADDRESS: 1 S COUNTY RD		
OSP ENG: SANDRA MCNULTY	OSP PH #: (561) 358-9165	APPV BY:
PROJECT CODE: WBS#	DRAWN BY: Dr. Pr.	
APPROVED ORIGINAL ISSUE:		
FILE NAME: 1 S COUNTY RD - THE BREAKERS HOTEL (2) - DESIGN		
SCALE: 1" = 150'	PAGE: DETAIL 006	OF: 006

Proposed Methods for Protection of Water Quality Directional Bored Water Crossings (Frac-out Plan)

- 1. FPL FIBERNET and Contractor will implement the following “Best Management Practices” (BMP’s) to minimize the potential for adverse environmental impacts during “Horizontal Directional Drilling” (HDD) activities:**
 - 1a. BMP’s for erosion control within the staging area shall be implemented and maintained at all times during drilling and back-reaming operations to prevent siltation and turbid discharges in excess of State Water Quality Standards. Methods shall include, but are not limited to the immediate placement of turbidity containment devices such as turbidity screen, silt containment fence, hay bails, and earthen berms, etc. to contain the drilling mud. Earthen berms shall not be utilized as to impact wetlands or other surface waters.
- 2. To provide an additional level of resource protection, the following measures shall be taken to monitor any potential release of drilling fluid:**
 - 2a. FPL Fibernet contractor will identify prior to commencement of construction an environmental scientist/biologist with experience in water quality monitoring and habitat protection to be used in the event of a frac-out.
 - 2b. At all times, adequate protection will be taken to avoid impacts to the aquatic preserve / outstanding Florida waters and contiguous wetlands. This shall include, but is not limited to halting of construction / drilling and/or placement of turbidity containment devices.
 - 2c. A Vactor truck shall be onsite and available at all times.
 - 2d. A spill kit (ie., absorbent pads/boom, goggles, gloves, etc.) shall be on site and available at all times.
- 3. Should a release occur, the following measures shall be taken:**
 - 3a. If a frac-out is confirmed, all construction activity contributing to the frac-out shall be cease immediately
 - 3b. If the return drilling mud/fluid is less than the projected amount to be recovered, divers shall immediately begin their search for the missing material. Once the drilling mud and frac-out is located, then the drilling mud containment plan shall be immediately implemented.
- 4. Drill mud containment plan:**

4a. The Florida Department of environmental protection shall be notified immediately (within 2 hours) of the frac-out by telephone.

4b. The scientist/biologist underwater divers will guide the suction hose of the pump to minimize both the removal of natural bottom material and the disturbance of any existing vegetation.

4c. Any released material will be carefully removed to avoid impacts to seagrasses and/or resources.

4d. Any escaped drilling lubricant must be pumped into filter bags or directly into a vector truck.

4e. A barge company will be contacted to transport a vector truck should it be needed to respond "in-water".

4f. Once the spill is contained, the escaped drilling lubricant shall be properly disposed of in an approved inland disposal site.

4g. Clean up with a vacuum system shall commence within 24 hours.

4h. After containment/recovery of the drilling material/resources, a detail written report shall be submitted to the Department, within 10 business days, indicating the location of the frac-out, amount of drilling material discharged and the amount of drilling mud recovered, the process in which the drilling mud was recovered, and the area that was affected by the drilling discharges.

5. Drilling Procedures

Drilling pressures shall be closely monitored so they do not exceed those needed to penetrate the formation. Pressure levels shall be monitored randomly by the operator. Pressure levels shall be set at a minimum level to prevent frac-outs. During the pilot bore, maintain the drilled annulus. Cutters and reamers will be pulled back into previously drilled sections after each new joint of pipe is added. **Annular drilling pressure shall not exceed 10 psi at any time.**

Once the drill rig is in place, and the drilling begins, the drill operator shall stop work whenever the pressure in the drill rig drops, or there is a lack of returns in the entrance pit. At this time, the site supervisor/foreman shall be informed of the potential frac-out. The site supervisor/foreman and the drill rig operator(s) shall work to coordinate the likely location of the frac-out. The location of the frac-out shall be recorded and notes made on the location and measures taken to address the concern.

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida, 33410. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3131.

1. Department of the Army Permit Number: SAJ-2017-00022(GP-CGK)

2. Permittee Information:

Name: _____

Address: _____

3. Project Site Identification (physical location/address):

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (*Please type*)

(FL, PR, or VI) Reg. Number

Company Name

City

State

ZIP

(Affix Seal)

Date

Telephone Number

Date Work Started: _____ Date Work Completed: _____

Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

Prepared by: Christian Karvounis
Permittee: Raysa Gomez
Address: 5015 North Hiatus Road
Sunrise, Florida, 33351
Phone: (786)-564-9490

NOTICE OF DEPARTMENT OF THE ARMY PERMIT

TAKE NOTICE the U.S. Army Corps of Engineers (Corps) has issued Department of the Army Permit SAJ-2017-00022 to Raysa Gomez (Permittee) on **February 13, 2017**, authorizing impacts to waters of the United States in accordance with Section 10 of the Rivers and Harbors Act on a parcel of land known as Folio/Parcel ID:

_____ encompassing _____ acres
located within a portion of Section _____, Township _____ south, Range
_____ east, _____, _____ County, Florida.

Within 30 days of any transfer of interest or control of that portion of the premises containing the area authorized to be filled (or any portion thereof), the Permittee must notify the Corps in writing of the property transfer by submitting the completed permit transfer page of the permit. Notification of the transfer does not by itself constitute a permit transfer. Therefore, purchasers of that portion of the premises containing the area authorized to be filled (or any portion thereof) are notified that it is unlawful for any person to construct, alter, operate, maintain, remove or abandon any works, including dredging or filling, without first having obtained a permit from the Corps in the purchaser's name.

The subject Permit concerns only that portion of the property determined to fall within the jurisdiction of the Corps and this notice is applicable only to those portions of the subject property containing areas authorized to be filled and wetland mitigation/conservation areas subject to the Permit.

Conditions of the Permit: The Permit is subject to General Conditions and Special Conditions which may affect the use of the subject property. Accordingly, interested parties should closely examine the entire Permit, all associated applications, and any subsequent modifications.

To obtain a copy of the permit in its entirety submit a written request to:

U.S. Army Corps of Engineers
Regulatory Division - Special Projects & Enforcement Branch
Post Office Box 4970
Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to:

U.S. Army Corps of Engineers
Enforcement Section
Post Office Box 4970
Jacksonville, Florida 32232-0019

Conflict Between Notice and Permit

This Notice of Permit is not a complete summary of the Permit. Provisions in this Notice of Permit shall not be used in interpreting the Permit provisions. In the event of conflict between this Notice of Permit and the Permit, the Permit shall control.

This Notice is Not an Encumbrance

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

Release

This Notice may not be released or removed from the public records without the prior written consent of the Corps.

This Notice of Permit is executed on this _____ day of _____, 20____. This document is being submitted for recordation in the Public Records of _____ County, Florida as part of the requirement imposed by Department of the Army Permit No SAJ-2017-00022 issued by the Corps.

Permittee:

Address:

Phone: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or has produced _____ as identification.

(seal)

Notary Public

Print

My Commission Expires _____

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc





**FLORIDA INLAND NAVIGATION DISTRICT
INTRACOASTAL WATERWAY
MAINTENANCE DREDGING
SOUTH OF PORT OF PALM BEACH
PALM BEACH COUNTY, FLORIDA**

**APPENDIX H
DRAFT SUBMITTAL REGISTER**



**SECTION 01 33 00A
DRAFT SUBMITTAL REGISTER**



PROJECT NAME: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA					CONTRACTOR:									
TRANSMITTAL NO.	SPEC. SECTION NO.	DESCRIPTION OF ITEMS SUBMITTED	TYPE				CONTRACTOR ACTION				ENGINEER ACTION		REMARKS	
			NOTICE TO PROCEED	PRE-CURATIVE	ENGINEERING	INFORMATION	SUBMISSION	REVIEW	APPROVAL	MAINTENANCE	DATE	DRAFT		APPROVAL
SECTION 00 73 19 SAFETY AND OCCUPATIONAL HEALTH REQUIREMENTS														
1	00 73 19	Accident Prevention Plan (APP)	X	X		X								
2	00 73 19	Activity Hazard Analysis (AHA)				X								
3	00 73 19	Accident Reports				X								
4	00 73 19	Drug Free Work Place Compliance		X		X								
5	00 73 19	Personnel Qualification Requirements		X	X									
SECTION 01 29 00 MEASUREMENT AND PAYMENT														
6	01 29 00	Schedule of Values			X									
7	01 29 00	Construction Schedule		X	X									
8	01 29 00	Revised Construction Schedule			X									
9	01 29 00	Payment Surveys			X									
SECTION 01 31 00 PROJECT MANAGEMENT AND COORDINATION														
10	01 31 00	List of Subcontractors		X		X								
11	01 31 00	Signature of Authority		X		X								
SECTION 01 33 00 SUBMITTAL PROCEDURES														
12	01 33 00	Draft Submittal Register		X	X									
13	01 33 00	Revised Submittal Register			X									

PROJECT NAME: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA										CONTRACTOR:			
TRANSMITTAL NO	SPEC. SECTION NO.	DESCRIPTION OF ITEMS SUBMITTED	TYPE				CONTRACTOR ACTION				ENGINEER ACTION		REMARKS
			NOTICE OF SUBMITTAL	PRE-CUBNSIT	ENGINEER APPROVAL	INFORMATION ONLY	REVIEWER	SUBMISSION DATE	APPROVAL	MAINTENANCE	DATE	APPROVAL	
SECTION 01 33 00 APPROVAL CODES: AP - APPROVED RE - REJECTED RR - REVISE AND RESUBMIT AC - APPROVED AS CORRECTED SNR - SUBMITTAL NOT REQUIRED - RETURNED WITHOUT REVIEW SRI - SUBMITTAL RECEIVED, FOR INFORMATION ONLY SSI - SUBMIT SPECIFIED ITEM													
SECTION 01 35 43 ENVIRONMENTAL PROTECTION													
14	01 35 43	Environmental Protection Plan	X	X	X								
15	01 35 43	Manatee Observation: Qualifications	X	X									
16	01 35 43	Manatee Observation: Daily Reports				X							
17	01 35 43	Manatee Observation: Summary Report				X							
18	01 35 43	Shorebird Monitor: Qualifications		X	X								
19	01 35 43	Shorebird Monitor: Daily Reports			X								
20	01 35 43	Turbidity and Water Quality Management and Monitoring Plan	X	X	X								
21	01 35 43	Daily Turbidity Monitoring Reports				X							
22	01 35 43	Project Environmental Summary Sheet				X							
SECTION 01 40 00 CONTRACTOR QUALITY CONTROL													
23	01 40 00	Contractor Quality Control Plan	X	X	X								
24	01 40 00	Preparatory and Initial Phase Checklists				X							
25	01 40 00	Registered Surveyor Qualifications				X							
SECTION 01 50 00 TEMPORARY FACILITIES AND CONTROLS													
26	01 50 00	Mobilization/Demobilization Plan			X								
27	01 50 00	Security Plan			X								
28	01 50 00	Hurricane and Severe Storm Plan				X							
29	01 50 00	Temporary Facility Shop Drawings				X							
30	01 50 00	Boat Operator's License				X							

PROJECT NAME: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA										CONTRACTOR:			
TRANSMITTAL NO	SPEC. SECTION NO.	DESCRIPTION OF ITEMS SUBMITTED	TYPE				CONTRACTOR ACTION				ENGINEER ACTION		REMARKS
			NOTICE TO TRAFFIC	PRE-CURB SUBMITTAL	ENGINEER APPROVAL	INFORMATION ONLY	REVIEWER	SUBMISSION DATE	APPROVAL	MATERIAL	DATE	APPROVAL	
SECTION 01 33 00 APPROVAL CODES: AP - APPROVED RE - REJECTED RR - REVISE AND RESUBMIT AC - APPROVED AS CORRECTED SNR - SUBMITTAL NOT REQUIRED - RETURNED WITHOUT REVIEW SRI - SUBMITTAL RECEIVED, FOR INFORMATION ONLY SSI - SUBMIT SPECIFIED ITEM													
SECTION 01 78 00 PROJECT CLOSEOUT													
31	01 78 00	Record Drawings			X								
32	01 78 00	As-Built Drawings			X								
33	01 78 00	Request for Inspection				X							
SECTION 35 20 23 DREDGING AND DREDGED MATERIAL PLACEMENT													
34	35 20 23	Notice to Mariners				X							
35	35 20 23	Notification of Discovery of Historical Resources				X							
36	35 20 23	Notice of Misplaced Material				X							
37	35 20 23	Notification of Aids Relocation				X							
38	35 20 23	Dredge Plan	X	X	X								
39	35 20 23	Maintenance of Marine Traffic Plan	X	X	X								
40	35 20 23	DMMA Facility Operation Plan: Site Plan		X	X								
41	35 20 23	DMMA Facility Operation Plan: Placement Operations Plan		X	X								
42	35 20 23	ADA-Accessible Pedestrian Walkway Shop Drawings			X								
43	35 20 23	Preservative Treatment Certificate Lumber				X							
44	35 20 23	Hardware Manufacturer Information				X							
45	35 20 23	Daily Dredging Report of Operations				X							
46	35 20 23	Daily DMMA Placement Report of Operations				X							
47	35 20 23	Waterfront Marine Structures Photo-Documentation: Pre-Construction			X								

PROJECT NAME: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA								CONTRACTOR:					
TRANSMITTAL NO	SPEC. SECTION NO.	DESCRIPTION OF ITEMS SUBMITTED	TYPE				CONTRACTOR ACTION				ENGINEER ACTION		REMARKS
			NOTICE TO PROCEED	SUBMITTAL REVIEW	ENGINEERING APPROVAL	INFORMATION ONLY	REVIEWER	SUBMISSION DATE	APPROVAL	MAINTENANCE	DATE	APPROVAL CODE	
													SECTION 01 33 00 APPROVAL CODES: AP - APPROVED RE - REJECTED RR - REVISE AND RESUBMIT AC - APPROVED AS CORRECTED SNR - SUBMITTAL NOT REQUIRED - RETURNED WITHOUT REVIEW SRI - SUBMITTAL RECEIVED, FOR INFORMATION ONLY SSI - SUBMIT SPECIFIED ITEM
48	35 20 23	Waterfront Marine Structures Photo-Documentation: Post-Construction			X								
49	35 20 23	Pre-Construction Bathymetric Survey			X								
50	35 20 23	Pre-Construction Utility Survey			X								
51	35 20 23	Post-Construction Bathymetric Survey (by Acceptance Section and Comprehensive)			X								
52	35 20 23	Post-Construction DMMA Topographic Survey			X								



**FLORIDA INLAND NAVIGATION DISTRICT
INTRACOASTAL WATERWAY
MAINTENANCE DREDGING
SOUTH OF PORT OF PALM BEACH
PALM BEACH COUNTY, FLORIDA**

**APPENDIX I
GENERAL FORMS**

**CERTIFICATION LETTER ACKNOWLEDGING RECEIPT AND
UNDERSTANDING OF ALL PERMITS AND LICENSES**

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

I _____ have a copy of all permits and license agreements for the
CQC System Manager

Intracoastal Waterway Maintenance Dredging; South of Port of Palm Beach; Palm Beach

County, Florida project and have read, understand, and will comply with the conditions stated
therein.

Signature of Contractor's Quality Control (CQC)
System Manager

Date

CQC System Manager Business Name, Address, and Phone No.

Phone: (____) _____ - _____

TURBIDITY MONITORING

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

DATE: _____ **COLLECTOR:** _____

DATE AND TIME OF TURBIDITY METER CALIBRATION: _____

DREDGE STATUS: WORKING (____) NOT WORKING (____) STATION (_____)

WEATHER AND WATER OBSERVATIONS:

WIND VELOCITY: _____ DIRECTION FROM: _____ CURRENT DIRECTION: _____

TIDAL STAGE: HIGH: _____ LOW: _____ (PREDICTED) EST

WEATHER CONDITIONS: _____

ICWW BACKGROUND STATION

WATER BODY DEPTH _____

Approximately 100 ft up-current of dredge

ICWW BG SAMPLE COLLECTION DATA	1-FT BELOW SURFACE	MID-DEPTH	1-FT ABOVE BOTTOM
WATER TEMPERATURE (°F)			
COLLECTION DEPTH			
COLLECTION TIME			
ANALYSIS TIME			
TURBIDITY (NTU)			

ICWW COMPLIANCE STATION

WATER BODY DEPTH _____

Immediately outside the 150-meter mixing zone

ICWW CS-1 SAMPLE COLLECTION DATA	1-FT BELOW SURFACE	MID-DEPTH	1-FT ABOVE BOTTOM
WATER TEMPERATURE (°F)			
COLLECTION DEPTH			
COLLECTION TIME			
ANALYSIS TIME			
TURBIDITY (NTU)			
TURBIDITY VARIANCE (NTU) (Compliance - Background)			

DMMA BACKGROUND STATION DATA

WATER BODY DEPTH _____

Approximately 100 ft up-current of discharge

DCC BG SAMPLE COLLECTION DATA	1-FT BELOW SURFACE	MID-DEPTH	1-FT ABOVE BOTTOM
WATER TEMPERATURE (°F)			
COLLECTION DEPTH			
COLLECTION TIME			
ANALYSIS TIME			
TURBIDITY (NTU)			

COLLECTOR'S INITIALS: _____

DMMA COMPLIANCE STATION

WATER BODY DEPTH _____

Inside DMMA at weir discharge structure

DCC CS-1 SAMPLE COLLECTION DATA	1-FT BELOW SURFACE	MID-DEPTH	1-FT ABOVE BOTTOM
WATER TEMPERATURE (°F)			
COLLECTION DEPTH			
COLLECTION TIME			
ANALYSIS TIME			
TURBIDITY (NTU)			
TURBIDITY VARIANCE (NTU) (Compliance - Background)			

TURBIDITY REVIEW

DID THE ANY OF THE COMPLIANCE STATION'S NTU EXCEED BACKGROUND NTU BY MORE THAN 29 NTU? CIRCLE: YES OR NO

IF SO, WHEN AND AT WHAT COMPLIANCE STATION: _____

INDICATE LOCATION OF STATIONS ON MAP AND IN TABLE BELOW.

STATION	X	Y
ICWW BG		
ICWW CS		
DMMA BG		
DMMA CS		

SAMPLES ARE COLLECTED AND IMMEDIATELY ANALYZED FOR TURBIDITY WITH A _____ TURBIDITY METER. THE METER IS CLEANED AND CALIBRATED ACCORDING TO UNIT INSTRUCTIONS BEFORE EACH DAY'S SAMPLING.

I HEREBY ATTEST TO THE ACCURACY, PRECISION, AND AUTHENTICITY OF THE DATA PRESENTED IN THIS REPORT.

COLLECTOR'S SIGNATURE: _____ DATE: _____

COLLECTOR'S INITIALS: _____

DAILY MANATEE REPORTING LOG

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

DATE: _____ **OBSERVER:** _____

1. **MANATEES SIGHTED:** YES _____ NO _____
(If "NO" proceed to Signature)

2. **TIME:** _____

3. **NUMBER OF MANATEES SIGHTED:**

ADULT: _____ JUVENILE: _____

4. **NUMBER OF MANATEES INJURED:**

ADULT: _____ JUVENILE: _____ Work Related: YES _____ NO _____

5. **NUMBER OF MANATEES KILLED:**

ADULT: _____ JUVENILE: _____ Work Related: YES _____ NO _____

6. **LOCATION:**

7. **REMARKS:**

8. **SIGNATURE:** _____

9. **TITLE:** _____

DATE: _____
 DAY OF WEEK: _____
 MONTH NO: _____ REPORT NO: _____

DAILY REPORT OF OPERATIONS

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

WEATHER SUMMARY

TIME	CONDITIONS	TEMPERATURE (F)	HUMIDITY (%)	PRECIPITATION (IN)	WIND SPEED (MPH) AND DIRECTION

PROGRESS SUMMARY

ITEM	DAY	TO DATE
WORKED HOURS		
DOWN TIME		
ESTIMATED VOLUME DREDGED (CY)		
DREDGE ADVANCE (FT)		
ESTIMATED VOLUME TRANSFERRED OFF-SITE FROM DMMA (CY)		

DREDGE AREA – DREDGING IN PROGRESS

ACCEPTANCE SECTION No.	CUT	START STATION	END STATION	START TIME	END TIME

EXPLANATION OF DOWNTIME

DMMA – OPERATIONS IN PROGRESS

DISCHARGE GPS COORDINATES (CY)	WATER ELEVATION DMMA (FT)	DISCHARGE WEIR ELEVATION (FT)	MATERIAL TRANSFERRED FROM DREDGE (CY)	COMMENTS

EXPLANATION OF DOWNTIME

CQC SYSTEM MANAGER INITIALS: _____

DATE: _____
DAY OF WEEK: _____
MONTH NO: _____ REPORT NO: _____

SUPPORT EQUIPMENT USED TODAY

ITEM	LOCATION (DREDGE/DMMA)	TOTAL HOURS	DOWN TIME

ON-SITE PERSONNEL HOURS TODAY

EMPLOYEE	COMPANY/SUB	POSITION	HOURS

CQC SYSTEM MANAGER INITIALS: _____

PROJECT ENVIRONMENTAL SUMMARY SHEET

Note: This sheet shall be submitted within 30 days following completion of the project. The Contractor will prepare this sheet so as to include all Subcontractor information also. Use additional sheets as necessary.

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

DATE: _____ **NTP DATE:** _____

1. PROJECT ACTIVITIES THAT HAVE OCCURRED:

Permit Condition/ Activity	% Completion	Date of Anticipated Completion	Date of Actual Completion
-------------------------------	--------------	-----------------------------------	------------------------------

2. DESCRIBE PROJECT SURVEY BENCHMARK IF A STRUCTURE IS INVOLVED:

3. CHECK WHETHER THE FOLLOWING ENVIRONMENTAL INCIDENTS OCCURRED:

	<u>Yes*:</u>	<u>No:</u>
a. Spill of petroleum or hazardous substance	<input type="checkbox"/>	<input type="checkbox"/>
b. Surface water or ground water contamination event	<input type="checkbox"/>	<input type="checkbox"/>
c. Air pollution event	<input type="checkbox"/>	<input type="checkbox"/>
d. Monitoring sample outside limit	<input type="checkbox"/>	<input type="checkbox"/>
e. Required sampling or monitoring not conducted	<input type="checkbox"/>	<input type="checkbox"/>
f. Event which threatened or actually harmed:		
i. Vegetation, habitat, or wetland	<input type="checkbox"/>	<input type="checkbox"/>
ii. Human, fish, bird, or other wildlife species	<input type="checkbox"/>	<input type="checkbox"/>
iii. Protected soil or water bottom	<input type="checkbox"/>	<input type="checkbox"/>
iv. Historic, archeological, or cultural resources	<input type="checkbox"/>	<input type="checkbox"/>
g. Regulatory violation, regulatory warning, permit violation, newsworthy event, or other (describe):	<input type="checkbox"/>	<input type="checkbox"/>

4. FOR EACH ASTERISKED (*) 'YES' ITEM:

- Describe incident and how discovered:
- Describe how, when, and if incident reported (initially and subsequently):
- Describe act which resulted in incident:
- Describe any failures of containment systems, contingency plans, or emergency procedures:
- Describe severity or extent of incident and landowner(s) affected:
- Describe how situation corrected and verified:
- List and describe costs involved with incident correction (\$_____):
- Additional sheets, sketches, pertinent photographs with annotations and dates, daily reports, or other items attached? Yes____ No____

Typed or Handwritten Name: _____
Position: _____

Contractor Signature: _____
Phone Number: _____

PREPATORY PHASE CHECKLIST

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

SPECIFICATION SECTION & PARAGRAPH: _____ **TITLE:** _____

DRAWING SHEET NUMBER: _____ **WORK SEGMENT:** _____

A. PERSONNEL PRESENT

NAME	POSITION	COMPANY
1.		
2.		
3.		
4.		
5.		

**Attach additional sheets as necessary*

B. HAS EACH SPECIFICATION PARAGRAPH AND DRAWING BEEN STUDIED?

YES ____ NO ____

C. SUBMITTALS INVOLVED

NUMBER AND ITEM	CODE	CONTRACTOR OR ENGINEER APPROVAL
1.		
2.		
3.		
4.		
5.		

**Attach additional sheets as necessary*

HAVE ALL ITEMS INVOLVED BEEN APPROVED?

YES ____ NO ____

IF NO, LIST: _____

D. ARE ALL MATERIALS ON HAND?

YES ____ NO ____

**HAVE ALL MATERIALS BEEN CHECKED FOR CONTRACT COMPLAINE
AGAINST SHOP APPROVED DRAWINGS?**

YES ____ NO ____

ITEMS NOT ON HAND OR IN ACCORDANCE WITH TRANSMITTALS:

1. _____
2. _____
3. _____

E. TESTS REQUIRED IN ACCORDANCE WITH CONTRACT REQUIREMENTS:

TEST	NUMBER AND ITEM
1.	
2.	
3.	
4.	

**Attach additional sheets as necessary*

F. ACCIDENT PREVENTION PREPLANNING – HAZARD CONTROL MEASURES

APPLICABLE OUTLINES (attach completed copies):

1.	
2.	
3.	
4.	

OPERATIONAL EQUIPMENT CHECKLISTS

ATTACHED FOR:

1.	
2.	
3.	
4.	

ON FILE FOR:

1.	
2.	
3.	
4.	

G. HAVE PROCEDURES FOR ACCOMPLISHING WORK BEEN REVIEWED WITH APPROPRIATE PEOPLE?

YES ____ NO ____

H. HAS ALL PRELIMINARY WORK BEEN ACCOMPLISHED IN ACCORD WITH CONTRACT REQUIREMENTS AND IS THIS SEGMENT OF WORK READY TO START?

YES ____ NO ____

IF NO, EXPLAIN ANY PROBLEMS ON ATTACHED SHEETS.

CQC SYSTEM MANAGER SIGNATURE & DATE

INITIAL PHASE CHECKLIST

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503(RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

SPECIFICATION SECTION & PARAGRAPH: _____ **TITLE:** _____
DESCRIPTION AND LOCATION OF WORK INSPECTED: _____

A. PERSONNEL PRESENT

NAME	POSITION	COMPANY
1.		
2.		
3.		
4.		
5.		

**Attach additional sheets as necessary*

**B. MATERIAL BEING USED ARE IN STRICT COMPLIANCE WITH THE CONTRACT
PLANS AND SPECIFICATIONS?**
YES ____ NO ____

IF NO, EXPLAIN: _____

**C. PROCEDURES AND/OR WORK METHODS WITNESSED ARE IN STRICT
COMPLIANCE WITH THE REQUIREMENT OF THE CONTRACT
SPECIFICATIONS?**
YES ____ NO ____

IF NO, EXPLAIN: _____

D. WORKMANSHIP IS ACCEPTABLE?
YES ____ NO ____

STATE AREAS WHERE IMPROVEMENT IS NEEDED: _____

E. SAFETY VIOLATIONS AND CORRECTIVE ACTIONS TAKEN? _____

CQC SYSTEM MANAGER SIGNATURE & DATE

AFFIDAVIT

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA

COUNTY OF _____

Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared _____, who, after being first duly sworn, upon oath deposes and says that all lienors contracting directly with, or directly employed by (him, them, it) and that all taxes imposed by Chapter 212, Florida Statutes (Sales and Use Tax) as amended, have been paid and discharged, and that all bills, wages, fees, claims, and other charges incurred by _____ in connection with the construction of: _____

_____ have been paid in full.

SIGNED:

By: _____

WITNESSES:

By: _____

Sworn and subscribed to before me this day _____, 20____AD.

Notary Public
State of Florida-at-Large
My Commission Expires: _____

CERTIFICATION OF CONTRACTOR

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

According to the best of my knowledge and belief, I certify that all items and amounts shown on Application for Payment No. _____ are correct, and that all work has been performed and/or materials supplied in full accordance with the terms and conditions of this Contract, dated _____, 20_____, between _____ (Owner) and _____ (Contractor);

I further certify that all just and lawful bills against the undersigned and his subcontractors and suppliers for labor, materials and equipment employed in the performance of this Contract have been paid in full accordance with their terms and conditions; that all taxes imposed by Chapter 212, Florida Statutes (Sales and Use Tax Act), as amended, have been paid and discharged; and that there are no Vendor's, Mechanic's or other Liens or right to liens or conditional sales contracts which should be satisfied or discharged before such payment is made.

Date: _____ Contractor: _____

STATE OF FLORIDA

COUNTY OF _____

Personally appeared before me this _____ day of _____, 20____

_____ known (or made known) to me as the _____

_____ (Owner) (Partner) (Corporate Officer) – Give Title of _____

_____ Contractor(s), who subscribed and swore to the above instrument in my presence.

Notary Public
State of Florida-at-Large
My Commission Expires: _____

The Contractor shall execute this Certificate and attach it to each Application for Payment.

FINAL RELEASE OF LIEN

PERMIT/LICENSE: FDEP 50-0351799-001-EE; USACE SAJ-2017-00503 (RGP-LCK)

PROJECT: INTRACOASTAL WATERWAY MAINTENANCE DREDGING; SOUTH OF
PORT OF PALM BEACH; PALM BEACH COUNTY, FLORIDA

KNOW ALL MEN BY THESE PRESENT, that _____
_____ for and in consideration of the sum
of _____ Dollars (\$) paid
to _____ by the _____
_____ receipt of which is hereby acknowledged, do(es) hereby release and quitclaim to
the Owner, its successors or assigns, all liens, lien rights, claims or demands of any kind
whatsoever which _____ now has (have)
or might have against the property, building, and/or for any incidental expense for the
construction of: _____

thereon or in otherwise improving said property situated as above described.

IN WITNESS WHEREOF _____ have (has) hereunto set hand and seal this _____
day of _____, 20____, A.D.

WITNESS:

(Seal)

Sworn and subscribed to before me this day _____, 20____AD.

Notary Public
State of Florida-at-Large
My Commission Expires: _____



**FLORIDA INLAND NAVIGATION DISTRICT
INTRACOASTAL WATERWAY
MAINTENANCE DREDGING
SOUTH OF PORT OF PALM BEACH
PALM BEACH COUNTY, FLORIDA**

**APPENDIX J
AT&T UTILITY DECOMMISSION LETTER**

PENDING