

DESIGNATION OF SAWMILL SLOUGH PRESERVE

THIS DESIGNATION OF SAWMILL SLOUGH PRESERVE ("Designation") is made this 24 day of May, 2006, by **THE UNIVERSITY OF NORTH FLORIDA BOARD OF TRUSTEES**, a public body corporate of the State of Florida, for and on behalf of The University of North Florida ("UNF"), whose mailing address is 4567 St. Johns Bluff Road South, Suite 2800, Jacksonville, Florida 32224.

WITNESSETH:

WHEREAS, by UNF is the successor lessee to that certain Lease Agreement Number 2556 dated October 7, 1971, as amended by Amendment to Lease Number 2556 dated December 19, 1985, as further amended by Amendment Number 1 to Lease Number 2556 dated May 7, 1997, by and between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and the Florida Board of Regents (the "Lease"), of certain real property located in Duval County, Florida, as more particularly described in the Lease, the description of which is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, UNF has determined that the best interests of UNF are served by imposing certain restrictions upon certain land located in Duval County, Florida, more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference for the purpose of maintaining such land in a natural and undeveloped state for so long as UNF enjoys a leasehold interest in such land.

NOW, THEREFORE, UNF does hereby designate the land more particularly described in Exhibit "B" the Sawmill Slough Preserve. The Sawmill Slough Preserve shall be leased and occupied subject to the following:

1. **Purpose.** The purpose of this Designation is to assure that the Sawmill Slough Preserve will persist in a natural condition for a period coterminous with the Lease, including any renewals or extensions thereof (the "Lease Period") and to prevent any use of the Sawmill Slough Preserve that will impair or interfere with the environmental value of the Sawmill Slough Preserve during the Lease Period. UNF may subject all or any part of the Sawmill Slough Preserve to conservation easements or designate conservation areas thereon for purposes of wetlands mitigation. This Designation also appoints a manager of the Sawmill Slough Preserve for the purpose of its stewardship.

2. **Prohibited Uses.** Except as described herein, UNF agrees not to undertake or authorize any activity on or use of the Sawmill Slough Preserve inconsistent with the purpose of this Designation. Without limiting the generality of the foregoing, the following activities and uses ("Prohibited Uses") are expressly prohibited during the Lease Period:

(a) Construction or placing buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground.

(b) Dumping or placing soil or other substance or material as landfill or dumping or placing of trash, waste or unsightly or offensive materials.

(c) Removing, trimming or destroying trees, shrubs or other vegetation.

(d) Excavating, dredging or removing loam, peat, gravel, soil, rock or other material substances in such a manner as to affect the surface.

(e) Surface use, except for the purposes that permit the land or water area to remain predominantly in its natural condition.

(f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation or fish and wildlife habitat preservation.

(g) Acts or uses detrimental to such retention of land or water areas.

(h) Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological or cultural significance.

(i) Application of herbicides or pesticides.

The following activities and uses ("Permitted Uses") by UNF are consistent with the purpose of this Designation and are not Prohibited Uses:

- (I) Construction of an ecologically sensitive roadway for pedestrian and vehicular travel in the approximate location shown on Exhibit "B" attached to this Designation, and post-construction maintenance and repair of such roadway.
- (II) Construction of an ecologically sensitive boardwalk for pedestrian travel in the approximate location shown on Exhibit "B" attached to this Designation, and post-construction maintenance and repair of such boardwalk.
- (III) Prescribed fires, controlled burns and other techniques (A) designed to protect vegetation from future fire, disease and insects, to improve habitat or to manage competing vegetation or (B) required in order to comply with the fire safety requirements of the State of Florida Division of Forestry.
- (IV) Non-invasive environmental research, including installation, maintenance and repair of environmental monitoring devices

- (V) Control of invasive or exotic plant material, including control by application of herbicides and pesticides, if reasonably necessary, and restoration of the Sawmill Slough Preserve to natural states.
- (VI) Extension and maintenance of nature trails and installation, maintenance and repair of trail directional and interpretative signage. Any interest of the United States Department of the Interior in the maintenance of designated trails crossing the Sawmill Slough Preserve is prior in time and right to the restrictions created hereunder and agrees that such interest is not diminished by virtue of this Designation.

The Prohibited Uses hereby created are restrictions which shall run with the land and be binding upon UNF and shall remain in full force and effect during the Lease Period.

3. **Reserved Rights.** UNF reserves unto itself and its successors and assigns all rights accruing from the Lease, including the right to engage in or permit or invite others to engage in all uses of the Sawmill Slough Preserve that are not expressly prohibited herein and are not inconsistent with the purpose of this Designation. Nothing herein shall be construed to limit the right of UNF at any time to subject all or any part of the Sawmill Slough Preserve to conservation easements or to designate conservation areas thereon for purposes of wetlands mitigation so long as no such act results in the use of the Sawmill Slough Preserve for any of the Prohibited Uses.

4. **Acts Beyond UNF's Control.** Nothing contained in this Designation shall be construed to entitle any entity to bring any action against UNF for any injury to or change in the Sawmill Slough Preserve resulting from natural causes beyond UNF's control, including, without limitation, fire, flood, storm and earth movement or from any necessary action taken by UNF under emergency conditions to prevent, abate or mitigate significant injury to the Sawmill Slough Preserve or UNF campus or to persons resulting from such causes.

5. **Master Plan.** The Sawmill Slough Preserve is identified, described and located in the University of North Florida's Master Plan.

6. **Manager.** Authority for the regular administration, management and stewardship of the Sawmill Slough Preserve shall be vested in the UNF Campus Preserve Curator ("Preserve Curator"). Such administration, management and stewardship shall be consistent with the terms and purpose of this Designation and guided by the advice and counsel of the UNF Environmental Advisory Council.

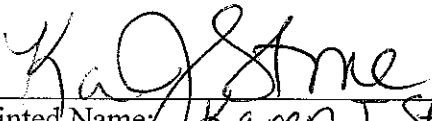
7. **Beneficiary; Successors.** The terms and restrictions of this Designation shall inure to the benefit of UNF and its successors and assigns and shall continue as a servitude running with UNF's interest in the Sawmill Slough Preserve created under the Lease for the Lease Period.

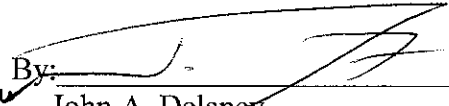
8. **Amendments.** This Designation may be amended only by written instrument.


IN WITNESS WHEREOF, UNF has executed this Designation on the day and year first above written.

Signed, sealed and delivered in the presence of :

THE UNIVERSITY OF NORTH FLORIDA
BOARD OF TRUSTEES


Printed Name: Karen J. Stone


By: 
John A. Delaney


Printed Name: P. C. Wrenn

STATE OF FLORIDA
COUNTY OF DUVAL

BEFORE ME, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared John A. Delaney, to me personally known and known to me to be the President of The University of North Florida, who, with due authority, executed the foregoing and acknowledged the execution thereof to be his free act and deed on behalf of The University of North Florida Board of Trustees for the purposes set forth therein.

WITNESS my hand and official seal this 24 day of May, 2006.


Notary Public

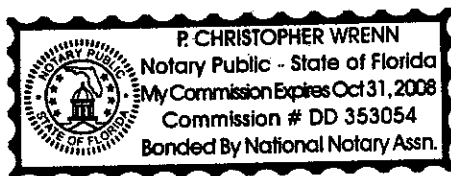


EXHIBIT "A"
Legal Description of Property Subject to Lease

All those certain lands described in Official Records Volume 3249, Page 1182 through 1184, inclusive, of the public records of Duval County, Florida, comprising the University of North Florida campus

Together with the following described parcels B-1 and B-2:

PARCEL B-1

A PART OF TRACT "B", BEACHWOOD ACREAGE REPLAT, AS RECORDED IN PLAT BOOK 29, PAGE 86 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH A PART OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 28 EAST, OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF HUFFMAN BOULEVARD (A 200 FOOT RIGHT OF WAY AS PER OFFICIAL RECORDS VOLUME 3741, PAGE 460, PORTION CLOSED AND ABANDONED BY CITY OF JACKSONVILLE ORDINANCE 74-538-239 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY) WITH THE NORTHERLY RIGHT OF WAY LINE OF ALUMNI WAY (A 150 FOOT RIGHT OF WAY AS PER OFFICIAL RECORDS VOLUME 3073, PAGE 731 OF SAID PUBLIC RECORDS); THENCE SOUTH 88°56'40" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1382.37 FEET TO THE WESTERLY LINE OF THOSE LANDS SHOWN ON PLAT OF REGENT BOULEVARD, AS RECORDED IN PLAT BOOK 50, PAGES 77 AND 77A THROUGH 77E OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING FOR THE LANDS HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, SOUTH 88°56'40" WEST, A DISTANCE OF 1974.49 FEET TO THE CENTERLINE OF AN 80 FOOT DRAINAGE EASEMENT TO THE CITY OF JACKSONVILLE AS RECORDED IN OFFICIAL RECORDS VOLUME 5272, PAGE 322 OF SAID PUBLIC RECORDS; THENCE NORTH 01°03'20" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 155.13 FEET; THENCE CONTINUE ALONG SAID CENTERLINE, NORTH 11°58'50" WEST, A DISTANCE OF 496.49 FEET TO THE SOUTHERLY LINE OF A 20 FOOT ACCESS EASEMENT TO CITY OF JACKSONVILLE AS RECORDED IN SAID OFFICIAL RECORDS VOLUME 5272, PAGE 322; THENCE NORTH 77°30'00" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 237.72 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 74.01 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 120.14 FEET, MAKING A CENTRAL ANGLE OF 93°00'15" AND HAVING A CHORD BEARING OF NORTH 30°59'53" EAST AND A CHORD DISTANCE OF 107.38 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 15°30'15" WEST, A DISTANCE OF 553.57 FEET; THENCE NORTH 48°32'26" WEST, A DISTANCE OF 129.79 FEET TO THE NORTH LINE OF SAID SECTION 5 (THE SAME BEING THE SOUTH LINE OF SAID TRACT "B" AND ALSO THE SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 5883, PAGE 2340 OF SAID PUBLIC RECORDS); THENCE NORTH 88°58'32" EAST, ALONG LAST SAID LINE, A DISTANCE OF 1664.58 FEET TO THE WEST LINE OF THOSE LANDS DESCRIBED AS PARCEL C IN OFFICIAL RECORDS VOLUME 6255, PAGE 1166 OF SAID PUBLIC RECORDS; THENCE NORTH 00°41'40" WEST, ALONG LAST SAID LINE, A DISTANCE OF 51.79 FEET TO SAID WESTERLY LINE OF THOSE LANDS SHOWN ON THE PLAT OF REGENT BOULEVARD; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, THE FOLLOWING SEVEN COURSES: SOUTH 16°01'28" EAST, A DISTANCE OF 84.10 FEET; SOUTH 28°06'09" EAST, A DISTANCE OF 273.71 FEET; SOUTH 15°10'35" EAST, A DISTANCE OF 198.48 FEET; SOUTH 15°38'37" WEST, A DISTANCE OF 190.33 FEET; SOUTH 01°03'20" EAST, A DISTANCE OF 185.70 FEET; SOUTH 30°03'29" EAST, A DISTANCE OF 211.63 FEET; SOUTH 16°18'38" EAST, A DISTANCE OF 399.14 FEET TO THE POINT OF BEGINNING. CONTAINING 57.0 ACRES, MORE OR LESS.

A PART OF TRACT "B", BEACHWOOD ACREAGE REPLAT, AS RECORDED IN PLAT BOOK 29, PAGE 86 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF HUFFMAN BOULEVARD (A 200 FOOT RIGHT OF WAY AS PER OFFICIAL RECORDS VOLUME 3741, PAGE 460, PORTION CLOSED AND ABANDONED BY CITY OF JACKSONVILLE ORDINANCE 74-538-239 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY) WITH THE NORTHERLY RIGHT OF WAY LINE OF ALUMNI WAY (A 150 FOOT RIGHT OF WAY AS PER OFFICIAL RECORDS VOLUME 3073, PAGE 731 OF SAID PUBLIC RECORDS); THENCE SOUTH 88°56'40" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1382.37 FEET TO THE WESTERLY LINE OF THOSE LANDS SHOWN ON PLAT OF REGENT BOULEVARD (AS RECORDED IN PLAT BOOK 50, PAGES 77 AND 77A THROUGH 77E OF SAID PUBLIC RECORDS); THENCE NORTHERLY ALONG SAID WESTERLY LINE, THE FOLLOWING SEVEN COURSES: NORTH 16°18'38" WEST, A DISTANCE OF 399.14 FEET; NORTH 30°03'29" WEST, A DISTANCE OF 211.63 FEET; NORTH 01°03'20" WEST, A DISTANCE OF 185.70 FEET; NORTH 15°38'37" EAST, A DISTANCE OF 190.33 FEET; NORTH 15°10'35" WEST, A DISTANCE OF 198.48 FEET; NORTH 28°06'09" WEST, A DISTANCE OF 273.71 FEET; NORTH 16°01'28" WEST, A DISTANCE OF 30.49 FEET TO THE SOUTH LINE OF SAID TRACT "B" AND ALSO THE SOUTH LINE OF THOSE LANDS DESCRIBED AS PARCEL C IN OFFICIAL RECORDS VOLUME 6255, PAGE 1166 OF SAID PUBLIC RECORDS; THENCE SOUTH 88°58'32" WEST, ALONG LAST SAID LINE, A DISTANCE OF 14.18 FEET TO THE WEST LINE OF SAID PARCEL C AND THE POINT OF BEGINNING FOR THE LANDS HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID SOUTH LINE OF TRACT "B", SOUTH 88°58'32" WEST, A DISTANCE OF 1529.57 FEET TO THE EASTERLY LINE OF PARKSIDE DRIVE (AN EASEMENT GRANTED TO THE CITY OF JACKSONVILLE BY OFFICIAL RECORDS VOLUME 5374, PAGE 835 OF SAID PUBLIC RECORDS); THENCE NORTHERLY ALONG LAST SAID LINE, ALONG THE ARC OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 1497.89 FEET, A DISTANCE OF 299.16 FEET, MAKING A CENTRAL ANGLE OF 11°26'35" AND HAVING A CHORD BEARING OF NORTH 05°53'40" WEST AND A CHORD DISTANCE OF 298.66 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 1557.89 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY LINE OF PARKSIDE DRIVE, A DISTANCE OF 51.63 FEET, MAKING A CENTRAL ANGLE OF 01°53'56" AND HAVING A CHORD BEARING OF NORTH 01°07'19" WEST AND A CHORD DISTANCE OF 51.63 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 7281, PAGE 493 OF SAID PUBLIC RECORDS; THENCE ALONG THE BOUNDARY OF LAST SAID LANDS, THE FOLLOWING SEVEN COURSES: NORTH 86°46'00" EAST, A DISTANCE OF 443.00 FEET; SOUTH 01°01'28" EAST, A DISTANCE OF 216.00 FEET; NORTH 80°55'00" EAST, A DISTANCE OF 360.57 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 110.00 FEET; NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A

DISTANCE OF 49.17 FEET, MAKING A CENTRAL ANGLE OF 25°36'40" AND HAVING A CHORD BEARING OF NORTH 21°52'04" WEST AND A CHORD DISTANCE OF 48.76 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 1352.53 FEET; NORTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 189.74 FEET, MAKING A CENTRAL ANGLE OF 08°02'36" AND HAVING A CHORD BEARING OF NORTH 05°02'36" WEST AND A CHORD DISTANCE OF 139.59 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 624.81 FEET; NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 219.66 FEET, MAKING A CENTRAL ANGLE OF 20°08'36" AND HAVING A CHORD BEARING OF NORTH 11°05'46" WEST AND A CHORD DISTANCE OF 218.53 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 40.00 FEET, MAKING A CENTRAL ANGLE OF 91°39'48" AND HAVING A CHORD BEARING OF NORTH 66°59'58" WEST AND A CHORD DISTANCE OF 35.86 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF CENTRAL PARKWAY (A RIGHT OF WAY OF VARIOUS WIDTHS DEDICATED TO THE CITY OF JACKSONVILLE BY OFFICIAL RECORDS VOLUME 5272, PAGE 347); THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 622.96 FEET, A DISTANCE OF 323.42 FEET, MAKING A CENTRAL ANGLE OF 29°44'47" AND HAVING A CHORD BEARING OF NORTH 52°13'48" EAST AND A CHORD DISTANCE OF 319.80 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 400.00 FEET, A DISTANCE OF 343.07 FEET, MAKING A CENTRAL ANGLE OF 49°08'26" AND HAVING A CHORD BEARING OF SOUTH 32°43'13" EAST AND A CHORD DISTANCE OF 332.65 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 08°09'00" EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 450.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 231.53 FEET, MAKING A CENTRAL ANGLE OF 29°28'44" AND HAVING A CHORD BEARING OF SOUTH 22°53'22" EAST AND A CHORD DISTANCE OF 228.98 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 225.00 FEET; THENCE SOUTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 227.72 FEET, MAKING A CENTRAL ANGLE OF 57°59'14" AND HAVING A CHORD BEARING OF SOUTH 66°37'21" EAST AND A CHORD DISTANCE OF 218.12 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 84°23'02" EAST, A DISTANCE OF 109.77 FEET TO SAID WESTERLY LINE OF THOSE LANDS SHOWN ON THE PLAT OF REGENT BOULEVARD; THENCE SOUTH 16°01'28" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 205.17 FEET TO SAID WEST LINE OF PARCEL C; THENCE SOUTH 00°41'40" EAST, ALONG SAID WEST LINE, A DISTANCE OF 51.79 FEET TO THE POINT OF BEGINNING, CONTAINING 15.5 ACRES, MORE OR LESS.

R 622.96' L 323.42'
DELTA 29°44'47"

EXHIBIT "B"
Description of Sawmill Slough Preserve

Sawmill Slough Preserve, as identified by legend and outlined in red on the Final Master Plan Figure of the University of North Florida 2005-2015 Master Plan Update

