

**PROGRAM SECTION
INSTITUTIONAL CONTROL
PRE-ATTORNEY-REVIEW CHECKLIST**

OGC # 16-0044
FILE NAME: Pinellas Cnty Transit Authority
FAC ID/PROJ. #: 529807469 PROGRAM AREA: Petroleum
Project Manager: Andy Moore Phone: (727) 538-7277 ext. 7912
Location: Pinellas D.O.H. Local Program

☒ ICOR - OGC REVIEW REQUEST - DRC PACKAGE

☐ ALDOCS UPLOAD OF ICOR

☒ FDEP CONTRACT/PROJECT/SITE MANAGER'S TRANSMITTAL MEMO TO OGC
Includes

☒ CONTRACT/PROJECT/SITE MANAGER'S CHECKLIST

☐ R/C DRAFTER'S TRANSMITTAL OF DRAFT R/C

☒ DRAFT RESTRICTIVE COVENANT

☐ EXHIBIT A _____

☐ EXHIBIT B _____

☐ EXHIBIT _____

☐ EXHIBIT _____

☒ DEEDS TO THE PROPERTY

☒ TITLE SEARCH REPORT O + E dated 7-18-01 to 11-24-16 (OGC rec'd 2-2-16)

☒ EXHIBIT OF LEGAL DESCRIPTION SEARCHED

☐ DEEDS BACK TO ROOT OF TITLE

☐ ENCUMBRANCES (EASEMENTS, LIENS, ETC)

☐ COUNTY PROPERTY APPRAISER INFORMATION (VERIFICATION)

☐ RELATED PARTIES OR DEP CASES

☐ NOTICE SENT TO EASEMENT HOLDER OR BANK

☐ MISCELLANEOUS _____

INSTITUTIONAL CONTROL TRANSMITTAL PACKAGE

☒ DECLARATION OF RESTRICTIVE COVENANT
☐ MEMORANDUM OF AGREEMENT for RESTRICTIVE COVENANT
☐ RESTRICTIONS RELYING ON LOCAL GOV'T ORDINANCE
☐ OTHER: _____

The following information is required to open a case in OGC:

TODAY'S DATE: February 1, 2016

PARTY/CLIENT NAME: Pinellas Suncoast Transit Authority
(this is the name of the PROPERTY OWNER **executing** the document)

FACILITY/SITE ID: 529807469
(FAC ID; COM_/PROJ#)

SITE NAME: Pinellas Suncoast Transit Authority
(if referred to by a specific project or the prior owner reference, i.e.: Former Joe's Junk Shop)

DISCHARGE DATE: August 12, 2012
(for petroleum cleanup sites)

BSRA EXECUTION DATE: NA
(for Brownfield sites)

SITE ADDRESS: 3201 Scherer Drive, St. Petersburg, FL 33716
(should be the physical address or location for these matters)

PROGRAM AREA: Petroleum Restoration Program
DISTRICT: Southwest
COUNTY: Pinellas

PROJECT/SITE MANAGER: _____
(DEP staff)

CONTACT INFO: _____
(Phone) (Email)

PROJECT/SITE MANAGER: Andrew Moore
(DELEGATED Program staff, if any)

CONTACT INFO: 727.538.7277, x7912 _____ andrew.moore@flhealth.gov _____
(Phone) (Email)

RELATED CASE(s) #: none
(if any – may be enforcement matter, or prior DRC)

PARCEL ID # if KNOWN: 11/30/16/00000/230/0200

PROPERTY OWNER NAME: _Pinellas Suncoast Transit Authority_____
ADDRESS: 3201 Scherer Drive, St. Petersburg, FL 33716_____
EMAIL: _mknight@psta.net_____
PHONE: _727.540.1906_____

PROPERTY REP NAME: _Zachary Lombardo, Bryant Miller Olive, PA_____
ADDRESS: 101 N. Monroe Street, Suite 900, Tallahassee, FL 32301_____
EMAIL: zlombardo@bmlaw.com_____
PHONE: 850.222.8611_____

CONSULTANT NAME: Kenneth Caldwell, GHD, Inc._____
ADDRESS: 4019 East Fowler Avenue, Tampa, FL 33617_____
EMAIL: Kenneth.caldwell@ghd.com_____
PHONE: 813.971.3882_____

*If another Responsible Party, other than the property owner, is involved in the cleanup, please include their information:

RESPONSIBLE PARTY NAME: _NA_____
CONTACT INFO: _____

*If you are aware of a sale pending the processing of this IC, please include the purchaser's information:

BUYER NAME: _NA_____
CONTACT INFO: _____

THE DRC PACKAGE DOCUMENTS: The IC Package should be scanned into Oculus as a single document. The email to the Agency Clerk requesting OGC Review of the IC Package should contain the link to the IC Package to be reviewed.

EMAIL completed form and link to: LEA CRANDALL, AGENCY CLERK
Agency_Clerk@dep.state.fl.us

SITE/PROJECT SRCO WITH CONDITIONS

The Petroleum Restoration Program/Pinellas Local Program has reviewed documentation related to a Site Rehabilitation Completion Order (SRCO) with Conditions recommendation for the above-referenced facility, which has a petroleum discharge dated 8/21/2012. The request for the SRCO with Conditions contains the information required in the FDEP Institutional Controls Procedures Guidance Document dated November 2013. Herein I have provided a rationale for the Petroleum Restoration Program/Pinellas Local Program concurrence with the SRCO with Conditions recommendation.

Remaining contamination is located only in soils.

RATIONALE:

The Petroleum Restoration Program/Pinellas Local Program has determined that the requirements of Rule 62-780.680(2), F.A.C., have been met for the above-referenced discharge.

Specifically,

- Source contaminated soil was initially removed from the site and subsequently treated with a dual phase extraction system. To reduce the risk of exposure to the remaining contaminated soils (above residential Soil Cleanup Target Levels) land-use restrictions are proposed in the Draft Declaration of Restrictive Covenant for the entire source property. The property is currently being used as a public bus line service and refueling facility. While it is proposed that excavation can occur on the parcel in the future, the Draft Declaration provides that the soils must be properly disposed in accordance with Chapter 62-780, F.A.C., and that the risk of exposure be minimized to workers.

It is the Petroleum Restoration Program/Pinellas Local Program opinion that the restrictions proposed in the Draft Declaration are adequate to ensure that remaining contamination will not pose an unacceptable risk to human health.

You will find the Attachment 5 Checklist, proof of property ownership (screenshot from county property appraiser website) and the Draft Institutional Control package at the following link to Oculus:
<http://depdms.dep.state.fl.us/Oculus/servlet/preview?Action=ViewDoc&DocGUID=11.3226590.1&SearchTerm=>

ATTACHMENT 5: DECLARATION OF RESTRICTIVE COVENANT CHECKLIST

Does ~~site~~ meet statutory and rule requirements that allow an SRCO with conditions?
Yes ☒ No ☐

What restrictions are necessary to reduce or eliminate the risk of exposure? Consider all affected media (i.e., groundwater, soil, surface water, and/or sediments), and determine which type of restrictions are required for each affected medium.

The following technical checklist applies to RMO II sites, which most commonly have contaminated groundwater and/or soil. For RMO III sites, please explain in the cover memo for the RC package how the rule criteria are met and what restrictions are being proposed for the source property and any other affected properties. Decisions for RMO III contaminated sites are very site-specific and may be based on risk assessment analysis or include properties other than the source property; therefore, these sites do not lend themselves to a simple checklist for the technical aspects of site closure. Additionally, the checklist below is a shortened summary of the details provided in Subsection 62-780.680(2), F.A.C. Please refer to the rule for the specific criteria that must be met.

If **groundwater** is contaminated:

☒ Is an interim control proposed?;

OR

- ☐ (a) Is the plume stable or shrinking?
- ☐ (b) Is the plume contained within the property boundaries?
- ☐ (c) Is the plume less than $\frac{1}{4}$ acre in size? If not, then which of the following alternative scenarios applies (check one or more, as applicable):
 - ☐ groundwater meets low yield or poor quality designation. Please refer to guidance available at http://www.dep.state.fl.us/waste/quick_topics/publications/wc/Guidance_for_Evaluation_of_Low_Yield_Poor_Quality_Criteria.pdf;
 - ☐ an engineering control (EC) prevents plume migration. If an EC is used, e.g., a slurry wall, it should be in place and PE-certified, and it should be identified on an exhibit to the RC (usually Exhibit B) that is a Survey showing the size and location of the EC including State Plane Coordinates or geographical coordinates for four corners.
 - ☐ plume affects or may potentially affect *only* a marine surface water body.
- ☐ (d) Does the Property currently include stormwater swales, stormwater detention or retention facilities or ditches? If so, the PRSR should include an exhibit to the RC (usually Exhibit B) that is a survey map identifying the size and location of the existing stormwater features. The RC should include language stating that these existing stormwater features should not

be altered, modified or expanded without prior FDEP Division of Waste Management approval in writing, followed by a recorded amendment to the RC.

If soil is contaminated:

- ☒ (a) **Direct Exposure** criteria have been met. Check one or more of the following, as applicable:
- ☒ The Chapter 62-777, F.A.C., commercial/industrial SCTLs are met;
 - ☐ An engineering control (EC) prevents direct exposure to contaminated soils (which may exceed the commercial/industrial SCTLs with an EC) [See *Note below];
 - ☐ The soil meets alternative SCTLs using site-specific soil properties;
 - ☐ Soil concentrations of the site-specific fractions of TRPHs do not exceed the Chapter 62-777, F.A.C., commercial/industrial SCTLs for the TRPH fractions;
 - ☐ The 95% UCL approach is utilized to calculate average soil contaminant concentrations. If the 95% UCL approach is used, please describe this in the cover memo and include the exposure unit and parcel size.
- ☒ (b) **Leachability** criteria have been met. Check one or more of the following, as applicable:
- ☐ Soil contaminant concentrations do not exceed the alternative leachability-based SCTLs established pursuant to Ch. 62-777, F.A.C., Figure 8;
 - ☐ Direct leachability testing was used to meet rule criteria (e.g., SPLP or TCLP); please refer to guidance at http://www.dep.state.fl.us/waste/quick_topics/publications/wc/GuidanceforDeterminingLeachabilitybySPLPAnalysisDraftVersion1-8.pdf;
 - ☐ An EC that prevents water infiltration has been implemented (e.g., an *impervious* cap such as a concrete slab, parking lot, building foundation, etc.) [See *Note below];
 - ☐ The soil meets alternative SCTLs using site-specific soil properties;
 - ☐ Soil concentrations of the site-specific fractions of TRPHs do not exceed the alternative leachability-based SCTLs for the TRPH fractions;
 - ☐ PRSR has demonstrated, based on site-specific conditions and at least a year of groundwater monitoring data that contaminants will not leach at concentrations that exceed the rule criteria.

***Note:** If an EC is used to address either Direct Exposure or Leachability for soil contamination, it must be in place and PE-certified, and it should be identified on an exhibit to the RC (usually Exhibit B) that is a Survey showing the size and location of the EC and including State Plane Coordinates or geographical coordinates for four corners.

NA If soil contamination presents a Direct Exposure threat, and the PRSR is not utilizing an EC, then the Land Use Restriction language listing the prohibited uses is included in the RC.

____ If the PRSR has elected to use an EC to prevent exposure to contaminated soil, then the Land Use Restriction language has been deleted from the RC.

Restriction Location: Entire Property ☒ Portion of Property _____

Why are these restrictions adequate? (Found in letter to owner preliminarily agreeing to use of conditional SRCO.)

SRCO will be issued after RC recorded (Final RC). ☒ or
SRCO will *not* be issued after RC recorded (Interim RC). _____

If a restrictive covenant is appropriate, the following supporting documents should be provided to the FDEP OGC:

Copy of the deed is included. Yes ☒ No _____

Does the name of the owner/grantee on the deed match the name of the person who claims to be the property owner? Yes ☒ No _____

Property ownership confirmed on county internet web site. Yes ☒ No _____

Legal description of the entire property (Exhibit A to covenant) is included even if only a portion of the property will be encumbered/restricted. Yes ☒ No _____

If only a portion of the parcel will be restricted, then:

A Specific Purpose Survey, Boundary Survey or Sketches to Accompany Descriptions (as defined under Chapter 5J-17, F.A.C.) prepared using the minimum technical standards (MTS)(collectively referred to as a "Survey") should be provided, and it should include four corners labeled with the State Plane Coordinates (SPC) system or geographical coordinates, clearly labeling the attachment as Exhibit "B," and labeling the encumbered area on the attachment as "restricted area" or another phrase that tracks the RC language] (Exhibit B to covenant).

Yes _____ No _____ N/A ☒

Title Report is included [Title search commences with instrument constituting root of title under Marketable Record Title Act (MRTA) that is at least 30 years old and includes review of all subsequently recorded instruments, and prior recorded instruments that are not eliminated by MRTA.] Yes ☒ No _____

Tax Lien information – either that lien has been removed or copy of lien—is included. Yes _____ No _____ N/A ☒

Easements are included (list of any easements & copies of recorded easements.)

Yes ___ No ___ N/A ☒

A Diagram of the location of the easements in relation to the restricted area is included.

Yes ___ No ___ N/A ☒

Leases – copies of all recorded leases, subleases and assigned leases are included.

Yes ___ No ___ N/A ☒

UCC Liens – copies of and releases from any liens are included.

Yes ___ No ___ N/A ☒

A completed and signed Subordination or Joinder and Consent is included only for any liens, leases, easements or other encumbrances that are in material conflict with the provisions of the RC. Yes ___ No ___ N/A ☒

A completed and signed Subordination of Mortgage is included only for each financial institution or lender of existing mortgages for which a material conflict exists with the provisions of the RC. Yes ___ No ___ N/A ☒

Is 95% UCL analysis used? Yes ___ No ☒

If yes, what is the exposure unit and parcel size? _____

Has the PRSR provided actual notice of the proposed IC/EC to all mortgagors and holders of liens, leases or other encumbrances on the property?

Yes ☒ No ___

Has the PRSR published constructive notice regarding use of IC/EC based upon preliminary approval of the Conditional No Further Action Proposal?

Yes ☒ No ___

If yes, where the Tampa Tribune and when 11-11-2015?

Has the 30-day comment period elapsed? Yes ☒ No ___

Cover memo to Tallahassee is included. Yes ☒ No ___

Site/Project Mgr. Name Andrew Moore

Address 8751 Ulmerton Rd, Suite 2000, Largo, FL 33771

Email andrew.moore@flhealth.gov

Phone 727. 538. 7277, ext. 7912

Prop. Owner Rep. Name Zachary Lombardo

Address Bryant, Miller, Olive, P.A.

101 N. Monroe St., Suite 900
Tallahassee, FL 32301 60

Email z.lombardo@bmo/aw.com
Phone 850.222.8611

Prop. Owner Name Pinellas Suncoast Transit Authority
Address 3201 Sherer Drive, St. Petersburg, FL 33716-1004
Email _____
Phone _____

Contractor Name Kenneth Caldwell, P.E., GHD, Inc.
Address 4019 E. Fowler Ave., Tampa, FL 33617
Email kenneth.caldwell@ghd.com
Phone 813.971.3882

MAIL:

- District-lead sites – mail directly to FDEP OGC Tallahassee.
- Contracted-local-government-lead sites – mail directly to the FDEP Local Program Coordinator who will contact the appropriate Tallahassee technical support for review prior to OGC review.

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

**Rick Scott**

Governor

John H. Armstrong, MD, FACS

State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

Date: January 4, 2016

To: Susan Fields, P.E., Petroleum Restoration Program

From: Andrew Moore, P.G., Florida Dept. of Health in Pinellas County

Subject: Proposed Restrictive Covenant
Pinellas Suncoast Transit Authority
3201 Scherer Drive
St. Petersburg, Florida
Facility No. 529807469
Discharge Date: August 21, 2012 (Non-program)

ARM
1-4-16

The subject property is owned by the Pinellas Suncoast Transit Authority (PSTA) and is currently occupied by a service and refueling center for the bus line. Of the four reported discharges for this facility, this is the only discharge which has not received a Site Rehabilitation Completion Order. While resolving this discharge, Benzo(a)pyrene Equivalent exceedances in the soil, likely unrelated to the discharge, were assessed. The owner would like to resolve the petroleum discharge listed above by recording a Restrictive Covenant to limit the property uses to non-residential ones in return for the FDEP granting a No Further Action with Conditions.

Contact Information

Local Program Reviewer: Andrew Moore, P.G., Florida Dept. of Health in Pinellas County
Telephone: 727.538.7277, extension 7912
Email: Andrew.moore@flhealth.gov

Property Owner: Pinellas Suncoast Transit Authority
3201 Sherer Drive
St. Petersburg, Florida 33716-1004

Owner Legal Rep.: Zachary W. Lombardo
Bryant Miller Olive, P.A.
101 North Monroe Street, Suite 900
Tallahassee, Florida 32301
Telephone: 850.222.8611
Email: zlombardo@bmlaw.com

Consultant: For PSTA:
Kenneth Caldwell, P.G.
GHD Inc. (f/k/a Conestoga-Rovers & Associates)

4019 East Fowler Avenue
Tampa, Florida 33617
Telephone: 813.971.3882
Email: Kenneth.caldwell@ghd.com

Consultant: For contractor Pepper Contracting Services, Inc.:
Robert Sheridan, P.G.
Florida Geotechnical Engineering, Inc.
P.O. Box 76006
Tampa, Florida 33675
Telephone: 813.248.4835
Email: bsheridan@flgeotech.com

History

This particular discharge was caused by a contractor replacing a concrete-paved area. Rebar used during concrete replacement punctured a fuel supply line. The area around the discharge was excavated until it became apparent that the remaining Benzo(a)pyrene contamination was not related to the punctured line. Additional excavation was performed, but there remains on site Benzo(a)pyrene equivalent contamination that exceeds the Residential Direct Exposure SCTL, but not the Commercial Industrial Direct Exposure SCTL.

Because there have been several discharges at this facility that have been resolved by soil excavation source removal, please note: in Oculus, ***the Source Removal Report that describes this discharge is dated 11-24-2014 and received 12-02-2014.***

Rationale

The proposed restrictive covenant would prevent residential or equivalent property usage, thus limiting exposure and allowing for a higher existing soil contaminant concentration without undue risk to occupants.

Attached please find a copy of the proposed Restrictive Covenant, checklist, Ownership and Encumbrance Report, supporting documentation and a copy of the published Constructive Notice.

Constructive notice was published on November 11, 2015. No comment has yet been received at our office.

Storage Tank Contamination Tracking - Discharge Information									
Discharge ID: <input type="text" value="9807469"/>		Discharge Date: <input type="text" value="01/10/2010"/>		Discharge Time: <input type="text" value="14:00"/>		Discharge Location: <input type="text" value="01"/>		Discharge Status: <input type="text" value="01"/>	
Discharge Type: <input type="text" value="LP"/>		Discharge Reason: <input type="text" value="LP"/>		Discharge Method: <input type="text" value="LP"/>		Discharge Equipment: <input type="text" value="LP"/>		Discharge Operator: <input type="text" value="LP"/>	
Discharge Unit: <input type="text" value="LP"/>		Discharge Tank: <input type="text" value="LP"/>		Discharge Tank ID: <input type="text" value="LP"/>		Discharge Tank Name: <input type="text" value="LP"/>		Discharge Tank Status: <input type="text" value="LP"/>	
Discharge Tank: <input type="text" value="LP"/>		Discharge Tank ID: <input type="text" value="LP"/>		Discharge Tank Name: <input type="text" value="LP"/>		Discharge Tank Status: <input type="text" value="LP"/>		Discharge Tank Location: <input type="text" value="LP"/>	
Discharge Tank: <input type="text" value="LP"/>		Discharge Tank ID: <input type="text" value="LP"/>		Discharge Tank Name: <input type="text" value="LP"/>		Discharge Tank Status: <input type="text" value="LP"/>		Discharge Tank Location: <input type="text" value="LP"/>	

SRR/NFAH dated 11-24-14 (rev'd 12-2-14)

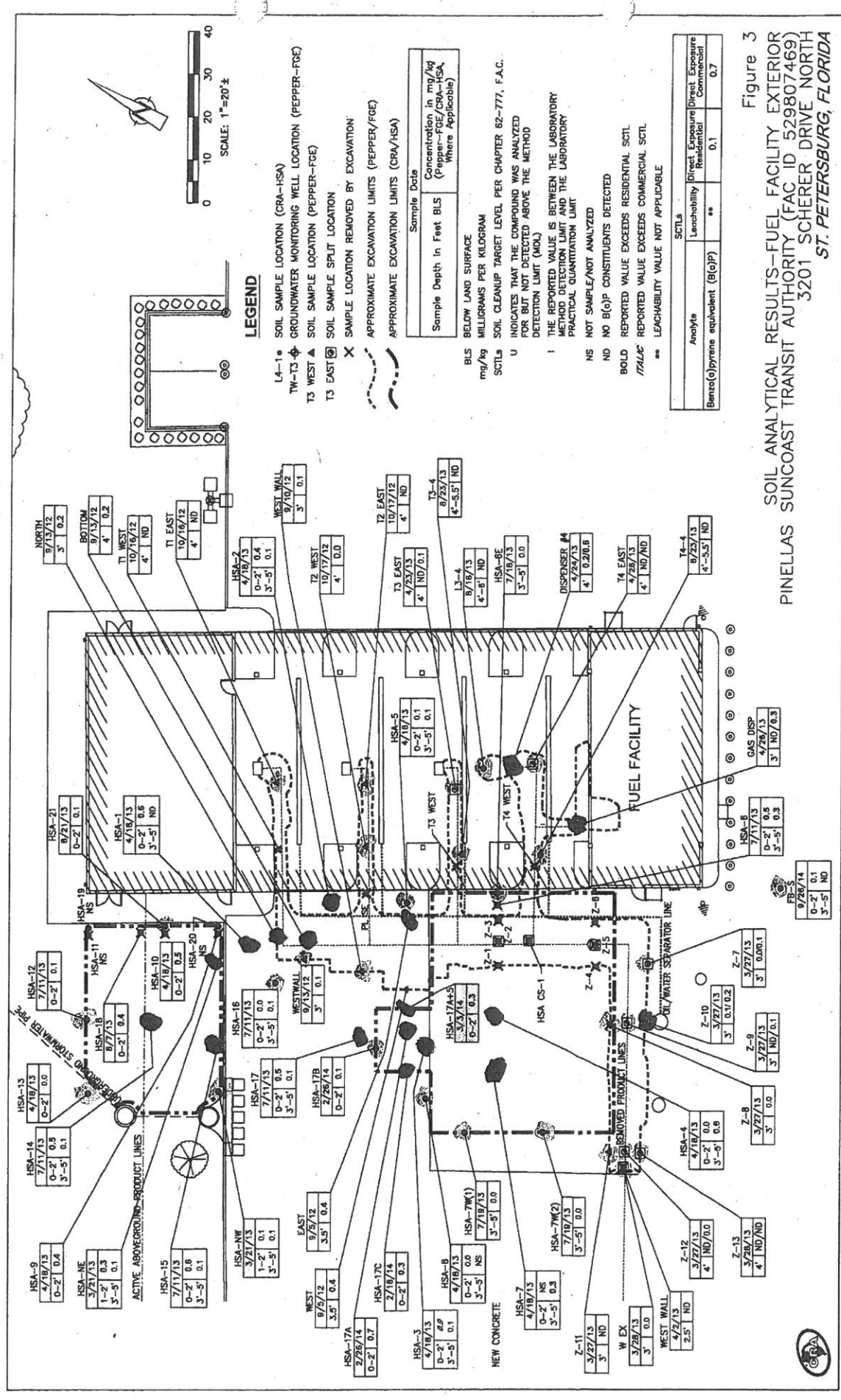
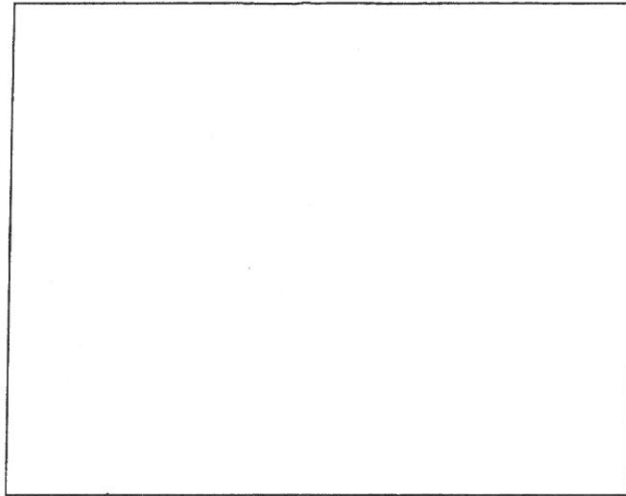


Figure 3



This instrument prepared by:
Charles L. Cooper, Jr., Esq.
Bryant Miller Olive P.A.
101 North Monroe Street, Suite 900
Tallahassee, Florida 32301

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (hereinafter "Declaration") is made this ____ day of _____, 2015, by Pinellas Suncoast Transit Authority, an independent taxing district (hereinafter "GRANTOR") and the Florida Department of Environmental Protection (hereinafter "FDEP").

RECITALS

A. GRANTOR is the fee simple owner of that certain real property situated in the County of Pinellas, State of Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Property").

B. The FDEP Facility Identification Number for the Property is 529807469. The facility name at the time of this Declaration is Pinellas Suncoast Transit Authority. This Declaration addresses the discharge that was reported to the FDEP on August 21, 2012.

C. On August 21, 2012, a construction contractor inserted a metal pin into the ground in the process of installing concrete pavement. The pin punctured a diesel fuel line. The leak was discovered on August 21, 2012. It was determined that approximately 860 gallons of fuel leaked as a result of the line puncture. All of the fuel was removed by August 22, 2012. The discharge of petroleum on the Property is documented in the following reports that are incorporated by reference:

1. Site Assessment Report dated November 11, 2013, submitted by Florida Geotechnical Engineering, Inc.; and
2. No Further Action with Conditions Proposal or Site Rehabilitation Completion Report dated July 31, 2015, submitted by the Florida Department of Health in Pinellas County; and

D. The reports noted in Recital C set forth the nature and extent of the resulting contamination that occurred on the Property. These reports confirm that contaminated soil as defined by Chapter 62-780, Florida Administrative Code (F.A.C.), exists on the Property.

E. It is the intent of Grantor and FDEP that the restrictions in this Declaration reduce or eliminate the risk of exposure of users or occupants of the Property and the environment to the contaminants and to reduce or eliminate the threat of migration of the contaminants.

F. FDEP has agreed to issue a Site Rehabilitation Completion Order with Conditions (hereinafter "Order") upon recordation of this Declaration. FDEP can unilaterally revoke the Order if the conditions of this Declaration or of the Order are not met. Additionally, if concentrations of petroleum products increase above the levels approved in the Order, or if a subsequent discharge occurs at the Property, FDEP may require site rehabilitation to reduce concentrations of contamination to the levels allowed by the applicable FDEP rules. The Order relating to FDEP Facility No. 529807469, can be found by contacting the appropriate FDEP district office or Tallahassee program area.

G. GRANTOR deems it desirable and in the best interest of all present and future owners of the Property that an Order be obtained and that the Property be held subject to certain restrictions, all of which are more particularly hereinafter set forth.

NOW, THEREFORE, to induce FDEP to issue the Order and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the undersigned parties, GRANTOR agrees as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.

2. GRANTOR hereby creates, grants and imposes upon the Property the following restrictions and requirements:

a. The following uses of the Property are prohibited: agricultural use of the land including forestry, fishing and mining; hotels or lodging; recreational uses including amusement parks, parks, camps, museums, zoos, or gardens; residential uses, and educational uses such as elementary or secondary schools, or day care services. These prohibited uses are specifically defined by using the North American Industry Classification System, United States, 2012 (NAICS), Executive Office of the President, Office of Management and Budget. The prohibited uses by code are: Sector 11 Agriculture, Forestry, Fishing and Hunting; Subsector 212 Mining (except Oil and Gas); Code 512132 Drive-In Motion Picture Theaters; Code 51912 Libraries and Archives; Code 53111 Lessors of Residential Buildings and Dwellings; Subsector 6111 Elementary and Secondary Schools; Subsector 623 Nursing and Residential Care Facilities; Subsector 624 Social Assistance; Subsector 711 Performing Arts, Spectator Sports and Related Industries; Subsector 712 Museums, Historical Sites, and Similar Institutions; Subsector 713 Amusement, Gambling, and Recreation Industries; Subsector 721 Accommodation (hotels, motels, RV parks, etc.); Subsector 813 Religious, Grantmaking, Civic, Professional, and Similar Organizations; and Subsector 814 Private Households.

3. In the remaining paragraphs, all references to "GRANTOR" and "FDEP" shall also mean and refer to their respective successors and assigns.

4. For the purpose of monitoring compliance with the restrictions contained herein, FDEP is hereby granted a right of entry upon and access to the Property at reasonable times and with reasonable notice to GRANTOR.

5. It is the intention of GRANTOR that this Declaration shall touch and concern the Property, run with the land and with the title to the Property, and shall apply to and be binding upon and inure to the benefit of GRANTOR and FDEP, and to any and all parties hereafter having any right, title or interest in the Property or any part thereof. FDEP may enforce the terms and conditions of this Declaration by injunctive relief and other appropriate available legal remedies. Any forbearance on behalf of FDEP to exercise its right in the event of the failure of GRANTOR to comply with the provisions of this Declaration shall not be deemed or construed to be a waiver of FDEP's rights hereunder. The covenants and terms contained in this Declaration shall be perpetual, unless otherwise modified or terminated in writing by GRANTOR and FDEP as provided in paragraph 7 hereof. These restrictions may also be enforced in a court of competent jurisdiction by any other person, firm, corporation, or governmental agency that is substantially benefited by these restrictions. If GRANTOR does not or will not be able to comply with any or all of the provisions of this Declaration, GRANTOR shall notify FDEP in writing within three (3) calendar days. Additionally, GRANTOR shall notify FDEP thirty (30) days prior to any conveyance or sale, granting or transferring the Property or portion thereof, to any heirs, successors, assigns or grantees, including, without limitation, the conveyance of any security interest in said Property.

6. In order to ensure the perpetual nature of this Declaration, GRANTOR shall reference these restrictions in any subsequent lease or deed of conveyance, including the recording book and page of record of this Declaration. Furthermore, prior to the entry into a landlord-tenant relationship with respect to the Property, GRANTOR agrees to notify in writing all proposed tenants of the Property of the existence and contents of this Declaration of Restrictive Covenant.

7. This Declaration is binding until a written release of covenant or termination of covenant is executed by FDEP Secretary (or designee) and is recorded in the public records of the county in which the land is located. To receive prior approval from FDEP to remove any requirement herein, cleanup target levels established pursuant to Florida Statutes and FDEP rules must be achieved. This Declaration may not be modified or terminated except by a written instrument, in recordable form, signed by FDEP. Any subsequent amendment must be by written instrument, in recordable form, executed by both GRANTOR and FDEP, and such instrument must be recorded by GRANTOR in the Official Records in and for Pinellas County, Florida, as an amendment hereto.

8. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of that provision shall not affect the overall validity of the remaining provisions of this Declaration. All such other provisions shall continue

unimpaired in full force and effect and the court may enforce this Declaration without reference to the invalid provision.

9. GRANTOR covenants and represents that on the date of execution of this Declaration that GRANTOR is seized of the Property in fee simple and has good right to create, establish, and impose this restrictive covenant on the use of the Property. GRANTOR also covenants and warrants that the Property is free and clear of any and all liens, mortgages, or encumbrances that could impair GRANTOR'S rights to impose the restrictive covenant described in this Declaration.

(This space is intentionally left blank. Signatures appear on the next succeeding page.)

IN WITNESS WHEREOF, Pinellas Suncoast Transit Authority has executed this instrument, this ____ day of _____, 2015.

GRANTOR

Pinellas Suncoast Transit Authority

By: _____

Name: _____

Title: _____

Full Mailing Address:

3201 Scherer Drive

St. Petersburg, Florida 33716

Signed, sealed and delivered in the presence of:

_____ Date: _____

Witness

Print Name: _____

_____ Date: _____

Witness

Print Name: _____

STATE OF FLORIDA

COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this ____ day of ____
2015, by _____, as _____ of Pinellas
Suncoast Transit Authority, an independent special taxing district, on behalf of the
authority.

Personally Known _____ OR Produced Identification _____.
Type of Identification Produced _____.

Signature of Notary Public

Approved as to form by the Florida Department of Environmental Protection, Office of
General Counsel. _____.

IN WITNESS WHEREOF, the Florida Department of Environmental Protection
has executed this instrument, this _____ day of _____, 20__.

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: _____

Name: _____

Title: _____

Division of Waste Management:
Petroleum Cleanup Program

Signed, sealed and delivered in the presence of:

Witness: _____ Date: _____

Print Name: _____

Witness: _____ Date: _____

Print Name: _____

STATE OF _____)

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
20 __, by _____ as representative for the Florida
Department of Environmental Protection.

Personally Known _____ OR Produced Identification _____.
Type of Identification Produced _____.

Signature of Notary Public

Print Name of Notary Public

Commission No. _____

Commission Expires: _____

Exhibit "A"

Being a portion of the property described in that certain instrument recorded in Official Records Book 9303, Page 858, in the Public Records of Pinellas County, Florida, and lying within Section 11, Township 30 South, Range 16 East, and being more particularly described as follows:

Commence at the Northwest corner of Section 11, Township 30 South, Range 16 East; thence South 00 deg. 07'20" East, along the West line of the Northwest 1/4 of said Section 11, for 522.00 feet; thence North 89 deg. 50'28" East, for 150.00 feet to the Northwest corner of said property also being a point on the Southerly line of Tech Drive (having a right-of-way which varies in width), as recorded in Official Records Book 4867, Page 23, in the Public Records of Pinellas County, Florida; thence along said right-of-way line the following three (3) courses: (1) thence North 89 deg. 50'28" East for 603.45 feet; (2) thence South 50 deg. 16'24" East for 1073.04 feet to the Point of Beginning; (3) thence continue South 50 deg. 16'24" East for 65.27 feet; thence South 00 deg. 16'28" East along the East edge of said described property for 1689.10 feet to a point on the North line of 125th Avenue North (also known as Scherer Drive), having a right-of-way 80 feet in width as recorded in Official Records Book 4808, Page 134, in the Public Records of Pinellas County, Florida; thence South 89 deg. 43'32" West, along said right-of-way line for 1555.13 feet to a point on the Easterly right-of-way line of 34th Street North, having a right-of-way that varies in width; thence along said right-of-way line as recorded in Official Records Book 5689, Page 1316 and Official Records Book 4218, Page 1265, both being in the Public Records of Pinellas County, Florida for the following five (5) courses: (1) thence North 45 deg. 21'49" West for 29.74 feet; (2) thence North 00 deg. 27'02" West for 116.66 feet; (3) thence North 03 deg. 18'47" West, for 80.10 feet; (4) thence North 00 deg. 27'02" West, along a line 50.00 feet East of and parallel to the West line of the Southwest 1/4 of said Section 11, (said West line also being the basis of bearings of this description), for 80.38 feet; (5) thence North 00 deg. 07'20" West, for 544.66 feet; thence meandering through aforesaid described property the following thirteen (13) courses: (1) thence North 89 deg. 56'03" East, for 287.56 feet; (2) thence South 10 deg. 00'07" East, for 60.92 feet; (3) thence South 32 deg. 30'35" East, for 83.34 feet; (4) thence South 52 deg. 12'41" East for 77.85 feet; (5) thence South 64 deg. 31'53" East, for 51.42 feet; (6) thence South 87 deg. 57'11" East, for 99.11 feet; (7) thence North 70 deg. 00'03" East, for 125.00 feet; (8) thence North 55 deg. 00'10" East, for 115.00 feet; (9) thence North 32 deg. 57'21" East for 113.62 feet; (10) thence North 19 deg. 25'48" East, for 157.34 feet; (11) thence North 00 deg. 00'00" East, for 76.13 feet; (12) thence North 58 deg. 27'51" East, for 763.66 feet; (13) thence North 00 deg. 16'28" West, for 271.00 feet to the Point of Beginning.

③ 19.50
40,250.00

RETURN TO
Chicago Title Insurance Co.
5426 Beaumont Center Blvd., Ste. 320
Tampa, Florida 33634 JS

This instrument was prepared by 200100798
and should be returned to:

Thomas W. Black
Hill, Ward & Henderson, P.A.
101 East Kennedy Boulevard
Suite 3700
Tampa, FL 33602

01-248034 JULY-18-2001 2:29pm
PINELLAS CO BK 11482 PG 1725
[Barcode]

Parcel ID Nos. 11/30/16/00000/230/0200
11/30/16/00000/320/0500

KARLEEN F. DE BLAKER, CLERK OF COURT
PINELLAS COUNTY, FLORIDA

40165109 07-18-2001 14:28:46 SSS
51 DEED-SUNCOAST
000000
IN:01248034 BK:11482 SPG:1725 EPG:1728
RECORDING 004 PAGES 1 \$19.50
DOC STAMP - BR209 3 \$40,250.00

TOTAL: \$40,269.50
CHECK AMT. TENDERED: \$40,269.50
CHANGE: \$.00
BY [Signature] DEPUTY CLERK

SPECIAL WARRANTY DEED

4
REC 19.50
40,250.00
INT
FEES
MTF
P/C
REV
TOTAL 40,269.50

THIS SPECIAL WARRANTY DEED, made and executed this 18th day of July, 2001, by HIGHWOODS/FLORIDA HOLDINGS, L.P., a Delaware limited partnership ("Grantor"), to PINELLAS SUNCOAST TRANSIT AUTHORITY, an independent special taxing district ("Grantee"), whose address is 14840 49th Street North, Clearwater, Florida 33762-2893;

WITNESSETH:

THAT Grantor, for and in consideration of the sum of ten dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey, and confirm unto Grantee, its successors and assigns, forever, the real property located in Pinellas County, Florida, more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property");

TOGETHER WITH any and all of Grantor's right, title and interest in and to any and all strips, gores, easements, privileges, rights-of-way, riparian and other water rights, rights to lands underlying any adjacent streets or roads, and other tenements, hereditaments and appurtenances pertaining to or accruing to the benefit of the Property.

TO HAVE AND TO HOLD the Property in fee simple forever.

AND Grantor does hereby covenant with and warrant to Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; that the Property is free and clear of all liens and encumbrances made by Grantor, except certain Permitted Exceptions (as hereinafter defined); and that Grantor fully warrants the title to the Property and will defend the same against the demands and lawful claims of all persons claiming by, through or under Grantor, but against none other.

THE conveyance made herein, however, is expressly made subject to all matters affecting the Property set forth in Exhibit B attached hereto and made a part hereof by reference (the "Permitted Exceptions").

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed in manner and form sufficient to bind Grantor as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Chase Collier
Name: Chase Collier
(Print or Type Name)

Rebecca Hill
Name: Rebecca Hill
(Print or Type Name)

HIGHWOODS/FLORIDA HOLDINGS, L.P.,
a Delaware limited partnership

By: Highwoods/Florida GP Corp., a Delaware
corporation, its sole General Partner

By: Stephen A. Meyers
Stephen A. Meyers
Vice President

Address: 3111 W. Martin Luther King Blvd.
Suite 300
Tampa, Florida 33607

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 18th day of July, 2001, by Stephen A. Meyers, as Vice President of Highwoods/Florida GP Corp., a Delaware corporation, on behalf of the corporation as the sole general partner on behalf of Highwoods/Florida Holdings, L.P., a Delaware limited partnership. He is personally known to me or produced a Florida driver's license as identification.

Rebecca Hill
Notary Public

(NOTARY SEAL)

RENEE HILL
(Type or Print Name)

My commission expires:



Exhibit A

Being a portion of the property described in that certain instrument recorded in Official Records Book 9303, page 858, in the public records of Pinellas County, Florida, and lying within Section 11, Township 30 South, Range 16 East, and being more particularly described as follows:

Commence at the Northwest corner of Section 11, Township 30 South, Range 16 East; thence South $00^{\circ} 07'20''$ East, along the West line of the Northwest $1/4$ of said Section 11, for 522.00 feet; thence North $89^{\circ} 50'28''$ East, for 150.00 feet to the Northwest corner of said property also being a point on the Southerly line of Tech Drive (having a right-of-way which varies in width), as recorded in Official Records Book 4867, page 23, in the public records of Pinellas County, Florida; thence along said right-of-way line the following three (3) courses: (1) thence North $89^{\circ} 50'28''$ East, for 603.45 feet; (2) thence South $50^{\circ} 16'24''$ East, for 1073.04 feet to the Point of Beginning; (3) thence continue South $50^{\circ} 16'24''$ East, for 65.27 feet; thence South $00^{\circ} 16'28''$ East, along the East edge of said described property, for 1689.10 feet to a point on the North line of 125th Avenue North (also known as Scherer Drive), having a right-of-way 80 feet in width as recorded in Official Records Book 4808, page 134, in the public records of Pinellas County, Florida; thence South $89^{\circ} 43'32''$ West, along said right-of-way line, for 1555.13 feet to a point on the Easterly right-of-way line of 34th Street North, having a right-of-way that varies in width; thence along said right-of-way line as recorded in Official Records Book 5689, page 1316 and Official Records Book 4218, page 1265, both being in the public records of Pinellas County, Florida for the following five (5) courses: (1) thence North $45^{\circ} 21'49''$ West, for 29.74 feet; (2) thence North $00^{\circ} 27'02''$ West, for 116.66 feet; (3) thence North $03^{\circ} 18'47''$ West, for 80.10 feet; (4) thence North $00^{\circ} 27'02''$ West, along a line 50.00 feet East of and parallel to the West line of the Southwest $1/4$ of said Section 11, (said West line also being the basis of bearings of this description), for 80.38 feet; (5) thence North $00^{\circ} 07'20''$ West, for 544.66 feet; thence meandering through aforesaid described property the following thirteen (13) courses: (1) thence North $89^{\circ} 56'03''$ East, for 287.56 feet; (2) thence South $10^{\circ} 00'07''$ East, for 60.92 feet; (3) thence South $32^{\circ} 30'35''$ East, for 83.34 feet; (4) thence South $52^{\circ} 12'41''$ East, for 77.85 feet; (5) thence South $64^{\circ} 31'53''$ East, for 51.42 feet; (6) thence South $87^{\circ} 57'11''$ East, for 99.11 feet; (7) thence North $70^{\circ} 00'03''$ East, for 125.00 feet; (8) thence North $55^{\circ} 00'10''$ East, for 115.00 feet; (9) thence North $32^{\circ} 57'21''$ East, for 113.62 feet; (10) thence North $19^{\circ} 25'48''$ East, for 157.34 feet; (11) thence North $00^{\circ} 00'00''$ East, for 76.13 feet; (12) thence North $58^{\circ} 27'51''$ East, for 763.66 feet; (13) thence North $00^{\circ} 16'28''$ West, for 271.00 feet to the Point of Beginning.

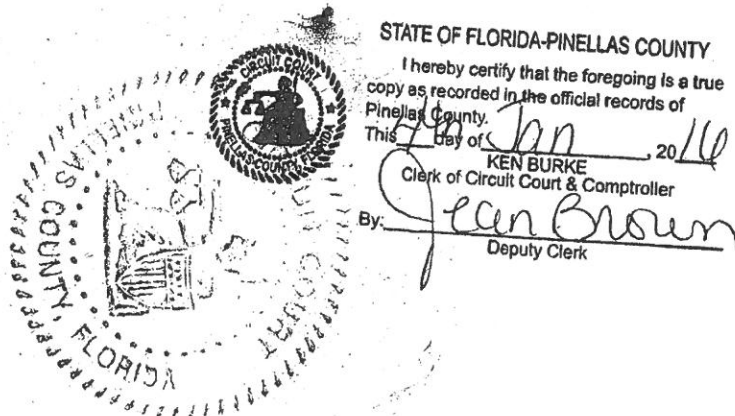
EXHIBIT B

PINELLAS COUNTY FLA.
OFF REC BK 11482 PG 1728

Permitted Exceptions

1. Release of Easement and Grant of Substituted Easements in favor of the City of Largo recorded in O.R. Book 4333, page 1010.
2. Drainage Easement in favor of Pinellas County recorded in O.R. Book 4889, page 57.
3. Guying Easement in favor of Florida Power Corporation recorded in O.R. Book 7449, page 770.
4. Easement Agreement dated March 24, 1998, recorded in O.R. Book 10036, page 2384, as amended by First Amendment to Easement Agreement dated July 15, 1999, recorded in O.R. Book 10616, page 576.
5. Declaration of Restrictive Covenant dated March 31, 1998, recorded in O.R. Book 10053, page 852.

All of the recorded documents referred to above have been recorded in the public records of Pinellas County, Florida.



OWNERSHIP AND ENCUMBRANCE REPORT

Order No.: 5456917

Customer Reference: 26165.034 PSTA/Dept of Health

Certified Party:

Bryant, Miller & Olive, P.A.

101 North Monroe Street, Suite 900

Tallahassee, FL 32301

Phone: 850-222-8611

Fax: 850-222-8969

This will serve to certify that Chicago Title Insurance Company has caused to be made a search of the Public Records of Pinellas County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from July 18, 2001, through November 24, 2015 at 8:00 AM, as to the following described real property lying and being in the aforesaid County, to-wit:

Being a portion of the property described in that certain instrument recorded in Official Records Book 9303, Page 858, in the Public Records of Pinellas County, Florida, and lying within Section 11, Township 30 South, Range 16 East, and being more particularly described as follows:

Commence at the Northwest corner of Section 11, Township 30 South, Range 16 East; thence South 00 deg. 07'20" East, along the West line of the Northwest 1/4 of said Section 11, for 522.00 feet; thence North 89 deg. 50'28" East, for 150.00 feet to the Northwest corner of said property also being a point on the Southerly line of Tech Drive (having a right-of-way which varies in width), as recorded in Official Records Book 4867, Page 23, in the Public Records of Pinellas County, Florida; thence along said right-of-way line the following three (3) courses: (1) thence North 89 deg. 50'28" East for 603.45 feet; (2) thence South 50 deg. 16'24" East for 1073.04 feet to the Point of Beginning; (3) thence continue South 50 deg. 16'24" East for 65.27 feet; thence South 00 deg. 16'28" East along the East edge of said described property for 1689.10 feet to a point on the North line of 125th Avenue North (also known as Scherer Drive), having a right-of-way 80 feet in width as recorded in Official Records Book 4808, Page 134, in the Public Records of Pinellas County, Florida; thence South 89 deg. 43'32" West, along said right-of-way line for 1555.13 feet to a point on the Easterly right-of-way line of 34th Street North, having a right-of-way that varies in width; thence along said right-of-way line as recorded in Official Records Book 5689, Page 1316 and Official Records Book 4218, Page 1265, both being in the Public Records of Pinellas County, Florida for the following five (5) courses: (1) thence North 45 deg. 21'49" West for 29.74 feet; (2) thence North 00 deg. 27'02" West for 116.66 feet; (3) thence North 03 deg. 18'47" West, for 80.10 feet; (4) thence North 00 deg. 27'02" West, along a line 50.00 feet East of and parallel to the West line of the Southwest 1/4 of said Section 11, (said West line also being the basis of bearings of this description), for 80.38 feet; (5) thence North 00 deg. 07'20" West, for 544.66 feet; thence meandering through aforesaid described property the following thirteen (13) courses: (1) thence North 89 deg. 56'03" East, for 287.56 feet; (2) thence South 10 deg. 00'07" East, for

60.92 feet; (3) thence South 32 deg. 30'35" East, for 83.34 feet; (4) thence South 52 deg. 12'41" East for 77.85 feet; (5) thence South 64 deg. 31'53" East, for 51.42 feet; (6) thence South 87 deg. 57'11" East, for 99.11 feet; (7) thence North 70 deg. 00'03" East, for 125.00 feet; (8) thence North 55 deg. 00'10" East, for 115.00 feet; (9) thence North 32 deg. 57'21" East for 113.62 feet; (10) thence North 19 deg. 25'48" East, for 157.34 feet; (11) thence North 00 deg. 00'00" East, for 76.13 feet; (12) thence North 58 deg. 27'51" East, for 763.66 feet; (13) thence North 00 deg. 16'28" West, for 271.00 feet to the Point of Beginning.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

Pinellas Suncoast Transit Authority, an independent special taxing district by virtue of that Special Warranty Deed recorded in Official Records Book 11482, Page 1725.

The following liens against the said real property recorded in the aforesaid Public Records have been found:

None found for time period searched.

Additional Matters:

- A. Assignment and Assumption of Easement Agreement recorded in Official Records Book 11482, Page 1751.
- B. Distribution Easement in favor of Progress Energy recorded in Official Records Book 14255, Page 507.
- C. Communication Easement in favor of Verizon Florida, Inc., recorded in Official Records Book 14345, Page 419.
- D. Conservation Easement in favor of Pinellas County Development Review Services, recorded in Official Records Book 14854, Page 1883.
- E. Distribution Easement in favor of Florida Power Corporation doing business as Progress Energy Florida, Inc., recorded in Official Records Book 16866, Page 1635.
- F. There appears of record a Final Judgment recorded in Official Records Book 18324, Page 515. No certified copy thereof has been recorded as of the effective date hereof.

2015 Real Property Taxes are \$0.00, under Tax I.D. No. 11/30/16/00000/230/0200.

2015 Real Property Taxes are \$0.00, under Tax I.D. No. 11/30/16/00000/320/0500.

NOTE: All recording references in this report shall refer to the public records of Pinellas County, Florida, unless otherwise noted.

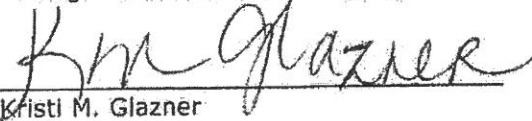
Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a Chicago Title Insurance Company agent for the purpose of issuing a Chicago Title Insurance Company title insurance commitment or policy.

In accordance with Florida Statutes Section 627.7843, the liability Chicago Title Insurance Company may sustain for providing incorrect information in this Report shall be the actual loss or damage of the Certified Party named above up to a maximum amount of \$1,000.00.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Report to be issued in accordance with its By-Laws.

Chicago Title Insurance Company


Kristi M. Glazner

LIMITATIONS OF LIABILITY

THIS REPORT IS LIMITED IN SCOPE. IT IS NOT A COMMITMENT, ABSTRACT OF TITLE, TITLE OPINION, CERTIFICATE OF TITLE OR PRELIMINARY TITLE REPORT, NOR IS IT A REPRESENTATION OF THE STATUS OF TITLE, AND ITS ACCURACY IS NOT INSURED. WHILE THIS INFORMATION IS BELIEVED TO BE CORRECT, THE COMPANY MAKES NO REPRESENTATIONS AS TO ITS ACCURACY, DISCLAIMS ANY WARRANTIES AS TO THE REPORT, ASSUMES NO DUTIES TO YOU OR ANY THIRD PARTY, DOES NOT INTEND FOR YOU OR ANY THIRD PARTY TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THIS REPORT OR OTHERWISE. IN PROVIDING THIS REPORT, THE COMPANY IS NOT ACTING AS AN ABTRACTOR OF TITLE. IF IT IS DESIRED THAT LIABILITY BE ASSUMED BY THE COMPANY, YOU MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE. CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REQUESTED REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT, THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT. IN NO EVENT WILL THE COMPANY, ITS SUBSIDIARIES, AFFILIATES, EMPLOYEES, SUBCONTRACTORS OR AGENTS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, DIRECT, INDIRECT, PUNITIVE, EXEMPLARY OR SPECIAL DAMAGES REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE OF THE COMPANY, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PROPOSED AGENCY ACTION

The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } SS.

The Florida Department of Environmental Protection (FDEP) gives notice that it proposes to approve a No Further Action Proposal with Institutional Controls or with Engineering and Institutional Controls and issue a Site Rehabilitation Completion Order with controls for a contaminated site. Pinellas Suncoast Transit Authority is seeking this order in reference to FDEP Site ID # 529807469, Pinellas Suncoast Transit Authority, 3201 Scherer Drive, St. Petersburg, Pinellas County, Florida, and intends to restrict exposure to contamination in the following manner: land use restrictions to prevent the property from being used for non-commercial/ non-industrial purposes.

Complete copies of the No Further Action Proposal, the draft restrictive covenant, and the FDEP's preliminary evaluation are available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m. Monday through Friday, except legal holidays at Florida Department of Health (FDH) in Pinellas County, 8751 Ulmerton Road, Suite 2000, Largo, Florida 33771.

Local governments with jurisdiction over the property subject to the Institutional Control, real property owner(s) of any property subject to the Institutional Control, and residents of any property subject to the Institutional Control have 30 days from publication of this notice to provide comments to the FDH. Such comments must be sent to FDH Andrew Moore, Andrew.moore@flhealth.gov, 8751 Ulmerton Road, Suite 2000, Largo, Florida 33771.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Analyst of The Tampa Tribune, a daily newspaper published in Hillsborough County and distributed to Pinellas, Pasco, Polk, Hernando & Highlands Counties, Florida; that the attached copy of the advertising being a

Legal Ads IN THE Tampa Tribune

In the matter of

Legal Notices

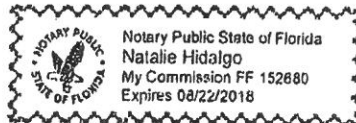
was published in said newspaper in the issues of

11/11/2015

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 12 day
of Nov., A.D. 2015

Personally Known / or Produced Identification
Type of Identification Produced



#4871

11/11/2015

