

This document prepared by:  
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**DECLARATION OF COVENANTS AND RESTRICTIONS**

SIERRA CLUB FOUNDATION, a not-for-profit corporation, qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, whose address is 85 2<sup>nd</sup> Street, Suite 750, San Francisco, California, hereinafter identified as “Declarant”, makes this Declaration of Covenants and Restrictions (“Declaration”) on the \_\_\_\_\_ day of \_\_\_\_\_, 2004.

**B A C K G R O U N D**

A. The Declarant is the owner of the real property described in Exhibit “A” attached hereto (“Land”) located in Walton County, Florida. The Declarant acquired the Land from various parties subject to certain land use limitations and restrictions, including written deed restrictions which appear in the Public Records of Walton County, Florida.

B. Contemporaneously with the execution and delivery of the Declaration, the Declarant is conveying the Land to Coffeen Land Trust, Inc., a Florida not-for-profit corporation qualified as an exempt organization under Section 501 (c)(3) of the Internal Revenue Code, and Declarant wishes to impose upon the Land certain limitations and restrictions on the future use of the Land. Declarant intends that this Declaration

establish and memorialize its intent with respect to the restrictions and limitations on the future use of the Land in perpetuity from the recording of the Declaration.

C. The Declarant intends that this Declaration be binding upon the current owner of the Land, the assigns of the owner and all future owners of the Land (collectively hereinafter referred to as "Owner").

D. Declarant further wishes to identify and establish an entity responsible for monitoring adherence of the Owner to the provisions of this Declaration. Conservation Trust for Florida, Inc., a Florida not-for-profit corporation ("Trust") qualified as an exempt organization under Section 501(c)(3) has agreed to serve as the entity with responsibility to monitor compliance with the terms and conditions of the Declaration. Trust and its successors and assigns are collectively hereinafter referred to as the "Monitor".

NOW THEREFORE, the Declarant, as the current owner of the Land, for and in consideration of the benefits to be derived by the Declarant, its predecessors in interest, and each and every subsequent Owner of the Land or any portion of the Land, hereby declares, submits, establishes and imposes the hereinafter described covenants, restrictions, obligations and conditions upon the Land in perpetuity, which the covenants, restrictions, obligations and conditions shall run with the Land and be binding upon the Owner of the Land.

1. Purpose. The purpose of the Declaration is to perpetuate and confirm the intentions and wishes of those parties who have conveyed to the Grantor the Land made subject to this Declaration, including the preservation of the Land for the benefit of those members of the public having legitimate and specific interests that can be beneficially

furthered by their admission to and use of the Land, such public use being by reservation on the part of individuals or small groups under responsible leadership for educational, historical, observational or scientific purposes. A further purpose of this Declaration shall be to conserve and preserve the natural beauty and characteristics of the Land for educational, conservation and scientific purposes limited by the size, sensitivity and character of the Land.

2. Preservation. The Land shall be preserved, protected and maintained in the natural vegetative and hydrological conditions existing at the time of the execution and delivery of this conveyance; provided, however, Owner may undertake the making of improvements to the Land for facilities which are consistent with and enhance the uses of the Land contemplated herein.

3. Recreation. The Land shall be preserved for recreational uses of quiet enjoyment through walks on nature trails, canoeing on water bodies, nature photography, landscape painting and other appreciative arts with respect to the Land.

4. Principles. The preservation of the Land as contemplated herein shall be undertaken through management guided by the following principles:

- A. Protection of scenic and other distinctive rural character of the landscape;
- B. Maintenance of soil productivity and control of soil erosion;
- C. Maintenance and enhancement of wildlife habitat;
- D. Protection of unique and fragile natural areas and native habitats;
- E. Maintenance of value of resource in avoiding land fragmentation;
- F. Protection of surface water quality;

G. Protection of Gulf of Mexico and adjacent sand dunes.

5. Prohibitions. Except to the extent necessary to carryout the purposes for use of the Land described herein, the activities on the Land shall be subject to the following prohibitions:

A. Dumping or placing of soil or other substances or material as landfill or dumping or placing trash, waste or unsightly or offensive materials;

B. Removal or destruction of trees, shrubs or other vegetation, with exception of nuisance and exotic plant species and the removal or destruction of vegetation for fire control and prevention in the interest of public safety or forestry management;

C. Excavation, dredging or removal of loam, sand, peat, gravel, soil, rock or other material substances in such manner as to affect the surface;

D. Surface use except for purposes that permit the land and water areas to remain in their existing condition;

E. Activities detrimental to fish and wildlife habitat preservation;

F. Acts or uses detrimental to such aforementioned retention and maintenance of land or water areas; and

G. Acts or uses detrimental to the preservation of any features or aspects of the property having historical, archaeological or cultural significance.

6. Land Management Plan. Owner shall adopt a land management plan ("Plan") for the Land within 180 days of the recording of the Declaration. The Plan shall be consistent with the Declaration and shall address subjects appropriate for such plans.