

PREPARED BY AND RETURN TO:

Susan C. Trokey
U.S. Fish and Wildlife Service
1 Wildlife Drive
Sanibel, FL 33957

LA- Florida
St. Marks NWR
Apalachee Bay VFD (161)
USA Tract (29hXL)

EXCHANGE DEED
(Land for Land)

THIS EXCHANGE DEED is made this 20th day of May, 2015, by and between **Apalachee Bay Volunteer Fire & Rescue Department, Inc., a not for profit organization, organized under the State of Florida**, whose address is 1448 Shell Point Road, Crawfordsvile, FL 32327, hereinafter styled the **GRANTOR** for themselves, their heirs, executors, administrators, successors, and assigns, and the **UNITED STATES OF AMERICA Secretary of the Interior acting by and through the Fish and Wildlife Service**, whose mailing address is 1875 Century Boulevard NE, Suite 420, Atlanta, Georgia 30345, (404-586-4540), hereinafter styled the **UNITED STATES**.

WITNESSETH:

WHEREAS, the UNITED STATES, acting by and through the Regional Director, U.S. Fish and Wildlife Service, for and on behalf of the Secretary of the Interior, entered into an agreement for the exchange of lands with the GRANTOR under the authority of the National Wildlife Refuge System Administration Act of 1966, 16 U.S.C. Section 668dd(b)(3); and,

WHEREAS, the GRANTOR owns Tract 161 at St. Marks National Wildlife Refuge which contains 1.89 acres, more or less, and situated in Wakulla County, Florida; and,

WHEREAS, the UNITED STATES owns Tract 29hXL at St. Marks National Wildlife Refuge which contains 2.45 acres, more or less, and situated in Wakulla County, Florida, and

WHEREAS, in that the values of the lands are not equal, the GRANTOR will pay unto the United States an equalization payment of \$1,575.00.

NOW THEREFORE, in consideration for the exchange of lands, the GRANTOR does hereby convey to the UNITED STATES the following described lands constituting Tract 161 at St. Marks National Wildlife Refuge consisting of approximately 1.89 acres, more or less, and situated in Wakulla County, Florida, to wit:

See Attached Exhibit "A"

The GRANTOR, for itself, its heirs, and assigns, does hereby covenant that it fully warrants title to the premises herein granted and conveyed and will forever defend the same unto the UNITED STATES and its assigns against the lawful claims and demands of all persons whomsoever.

The GRANTOR has full right, power and authority to convey to the UNITED STATES, the fee simple title thereto, clear, free and unencumbered, except subject to the following:

- a. Existing easements for canals, ditches, flumes, pipelines, railroads, public highways and public roads, telephone, telegraph power transmission lines and public utilities.

TO HAVE AND TO HOLD with all and singular, the rights, tenements, appurtenances, and hereditaments thereunto belonging or in anywise appertaining unto the UNITED STATES and its assigns, in fee simple.

AND THE SAID GRANTOR, for itself, its heirs and assigns, hereby covenants that the property is free of all encumbrances, except as stated above, that it is lawfully seized in fee of the said premises, that it has good right to sell and convey the same to the said UNITED STATES, and its assigns, forever.

FURTHER, the GRANTOR does hereby release and quitclaim unto the UNITED STATES and its assigns, all the right, title and interest, legal and equitable, which the GRANTOR may have in the banks, beds, and waters of any streams opposite to or fronting upon said land including all littoral and/or riparian right incident thereto and in alleys, roads, streets, ways, strips, gores, or railroad right-of-way abutting or adjoining said lands and in any means of ingress and egress appurtenant thereto.

All of the land described above as Tract 161 is being acquired for administration by the Secretary of the Interior, through the United States Fish and Wildlife Service, as a national wildlife refuge.

In consideration of the foregoing conveyance, the UNITED STATES releases and quitclaims to the GRANTOR the following described lands constituting Tract 29hXL in Wakulla County, Florida, and consisting of 2.45 acres more or less, to wit:

See Attached Exhibit "B"

FURTHER, the UNITED STATES does hereby release, quitclaim unto the GRANTOR and its assigns, all rights, title and interest, legal or equitable, which the UNITED STATES may have in the banks, beds, and waters of any streams opposite to or fronting upon said land including all littoral and/or riparian rights incident thereto and in alleys, roads, streets, ways, strips, gores, or railroad right-of-way abutting or adjoining said lands in any means of ingress and egress appurtenant thereto.

TO HAVE AND TO HOLD with all and singular, the rights, tenements, appurtenances, and hereditaments thereunto belonging or in anywise appertaining unto the GRANTOR(S) and their assigns, in fee simple.

Conveyance of the lands described in above as Tract 29hXL and interests herein shall not exempt such lands and interests from all federal, state, and local laws and regulations applicable thereto by virtue of their characteristics as floodplains, or as wetlands, subject to Executive Order 11988 (May 24, 1977).

NOW THEREFORE, the before mentioned GRANTOR and UNITED STATES, mutually accept in exchange the lands herein mentioned, being more fully described and by this reference incorporated therein.

IN WITNESS WHEREOF, the parties have caused these presents to be executed on the date first above written.

Apalachee Bay Volunteer Fire & Rescue
Department, Inc.

Jan H. Colvin
Witness Signature

By: *Alyn Price*

Jan H. Colvin
Witness Printed Name

It's *Designated Board Member*

Nancy C Buchanan
Witness Signature

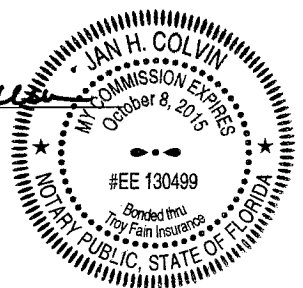
Nancy C Buchanan
Witness Printed Name


ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF WAKULLA)

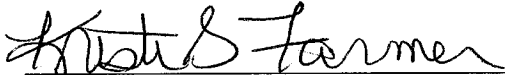
On this *29* day of *April*, 2015, before me personally appeared *Byron L. Price*, who is the *Board Member* of Apalachee Bay Volunteer Fire & Rescue Department, Inc. a Florida not for profit corporation, known to me to be the person who is described in and who executed the within instrument on behalf of Apalachee Bay Volunteer Fire & Rescue Department, Inc., and acknowledge to me that he executed the same.

Jan H. Colvin
Notary Public





Witness Signature

Laura N. Maloof
Witness Printed Name


Witness Signature

Kristi S. Farmer
Witness Printed Name

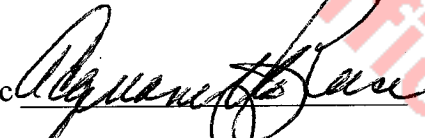
THE UNITED STATES OF AMERICA

BY: 
Cynthia K. Dohner, Regional Director
U. S. Fish and Wildlife Service
Southeast Region

ACKNOWLEDGEMENT

STATE OF GEORGIA)
COUNTY OF Clayton)

The Secretary of the Interior, acting by and through her authorized representative, has executed this agreement on behalf of the United States of America on this 20 day of May, 2015.

Notary Public 
My Commission Expires on January 17, 2016

Official Copy

Exhibit "A"

All that certain tract or parcel of land lying and situate in Township 3 South - Range 2 East - Section 28 - Tallahassee Meridian, Wakulla County, Florida, bounded on the north by US Highway 98 and lands of the State of Florida – Department of Transportation described in O.R. Book 682 Page 369, Wakulla County, Florida, on the west by lands of the United States of America (commonly known as St. Marks National Wildlife Refuge – Tract 160b), on the south and east by remaining lands of the grantor, and being more particularly described as follows:

Commencing at a terracotta monument marking the southwest corner of Section 7, Township 4 South, Range 3 East, Jefferson County, Florida, also being the southeast corner of Section 12, Township 4 South, Range 2 East, Wakulla County, Florida;
 thence North 00 degrees 02 minutes 44 seconds East, a distance of 13904.20 feet to a rod and cap lying on the southerly boundary line of property described in O.R. Book 4 Page 173 and O.R. Book 6 page 529, Wakulla County, Florida;
 thence leaving said southerly boundary line run North 00 degrees 02 minutes 44 seconds East 175.86 feet to a rod and cap lying on the northerly boundary line of property described in O.R. Book 4 Page 173 and O.R. Book 6 page 529, Wakulla County, Florida;
 thence run along said northerly boundary line as follows:
 North 84 degrees 16 minutes 40 seconds West, a distance of 8087.97 feet to a rod and cap,
 North 84 degrees 16 minutes 40 seconds West, a distance of 12604.95 feet to the southeast corner of lands of the United States of America (St. Marks NWR– Tract 160b);
 thence with the east line of said Tract 160b, North 00 degrees 00 minutes 00 seconds East, a distance of 2930.85 to the northeast corner of Tract 160b and the southerly boundary of lands of the State of Florida – Department of Transportation described in O.R. Book 682 Page 369, Wakulla County, Florida, and the **Point of Beginning**;

Thence with said southerly boundary South 83 degrees 19 minutes 28 seconds East, a distance of 288.50 feet;
 thence leaving said southerly boundary of the State of Florida – Department of Transportation and on a new line, South 00 degrees 00 minutes 00 seconds East a distance of 270.55 feet;
 thence on another new line, South 90 degrees 00 minutes 00 seconds West a distance of 286.54 feet to the east line of lands of the United States of America (St. Marks NWR– Tract 160b);
 thence with the said east boundary of Tract 160b, North 00 degrees 00 minutes 00 seconds East , a distance of 304.09 feet to the point of beginning.

Containing 1.890 acres more or less and being a portion of the lands described in that certain Special Warranty Deed recorded in O.R. Book 740 Page 401, Wakulla County, Florida.

Exhibit "B"

ALL that tract or parcel of land situate in Lots 48 and 97 of the Hartsfield Survey (H.S.), Wakulla County, Florida, being a portion of lands of the United States of America designated as St. Marks National Wildlife Refuge – Tract 29h as shown on that certain plat entitled "Boundary Survey-Tract 29hXL-1_St.Marks NWR-Wakulla Co., FL" by Pickett & Assoc. Inc., John M. Clyatt FL PSM #4092, dated July 8, 2014, and being more particularly bounded and described as follows.

Bearings cited herein are referenced to the Florida State Plane Coordinate System (North Zone #0903) NAD83. Deeds cited herein are recorded with the Clerk of the Circuit Court, Wakulla County, Florida in Official Record Book (ORB), or other, as noted.

BEGINNING at a found aluminum disk marked "U.S. Dept. Of Agriculture-Biological Survey-1940" in a concrete post at the common corner of H.S. Lots 48, 65, 96, and 97, having Florida State Plane (North Zone #0903) NAD83, CORS96, Epoch 2002.00 coordinates N:406592.42 E:2027252.95;

thence with the common line between H.S. Lots 48 and 65 and the lands now or formerly Promise Land Ministries (ORB 849 Page 809), Gray (ORB 681 Page 271), and Stephenson (ORB 721 Page 295), North $17^{\circ}52'16''$ West a distance of 479.88 feet to a found $\frac{5}{8}$ -inch steel rod with cap marked "PRM 4261" at the southwest corner of lands now or formerly Yvonne Council (ORB 283 Page 688);

thence with the south boundary of lands now or formerly Council, North $71^{\circ}18'12''$ East a distance of 95.42 feet to a found $\frac{5}{8}$ -inch steel rod with cap (illegibly marked) at the intersection with the west right of way line of State Road 367 (66-foot right-of-way) as shown on State Road Department Right of Way Map Section (5907-101) 5955-101, being a point on a non-tangent curve concave to the northeast;

thence, with said westerly right of way of State Route 367, along a curve to the left having a radius of 5762.65 feet through a central angle of $1^{\circ}59'57''$ for an arc distance of 201.08 feet (chord bears South $27^{\circ}03'21''$ East a distance of 201.07 feet) to a set $\frac{5}{8}$ -inch steel rod with cap marked "Corner LB 364" at the point of tangency;

thence, continuing with said westerly right of way of State Route 367, South $28^{\circ}11'04''$ East a distance of 503.56 feet to a set $\frac{3}{4}$ -inch steel rod with $2\frac{1}{2}$ -inch aluminum cap marked "U.S. Dept. of Interior, Fish & Wildlife Service, LB364,600,2014" on the tangent;

thence, on a new line through lands of the United States of America designated as St. Marks National Wildlife Refuge – Tract 29h (Foreign Judgment Book 2 Page 231), South $72^{\circ}42'24''$ West a distance of 213.72 feet to a found concrete monument marked "SJPC" on the common line between H.S. Lots 97 and 96 and at the southeast corner of lands now or formerly Promise Land Ministries (ORB 410 Page 213);

thence, with said common line of H.S. Lots 97 and 96 and lands now or formerly Promise Land Ministries, North $18^{\circ}57'01''$ West a distance of 210.53 feet to the Point of Beginning.

CONTAINING 2.45 acres more or less.

Being a portion of lands conveyed to the United States of America in that certain Declaration of Taking designated Civil Action #41–U.S. District Court for the Northern District of Florida dated Dec. 27, 1939 as recorded with the Clerk of the Circuit Court, Wakulla County, Florida in Foreign Judgment Book 2 Page 231.

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