

This Instrument Prepared by: Title  
and Records Section Division of  
State Lands  
Department of Environmental Protection 3900  
Commonwealth Boulevard  
Tallahassee, Florida 32399

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**BOUNDARY LINE AGREEMENT**

THIS BOUNDARY LINE AGREEMENT ("Agreement") entered on the 10<sup>th</sup> day of May 2021, by and between the **Board of Trustees of the Internal Improvement Trust Fund of the State of Florida** ("Board") and the **Northwest Florida Water Management District** ("Upland Owner"), whose address is 81 Water Management Drive, Havana, Florida 32333.

WITNESSETH:

WHEREAS, the Board owns the sovereignty lands in Choctawhatchee Bay ("Board's Property"); and

WHEREAS, the Upland Owner owns those lands adjacent to and upland of Choctawhatchee Bay that are more particularly described in Official Records Book 2411, Page 812, Public Records of Walton County, Florida; and

WHEREAS, the common boundary line between the Board's Property and the property owned by the Upland Owner is the current mean high-water line of Choctawhatchee Bay; and

WHEREAS, the Upland Owner wishes to construct and maintain a shoreline stabilization project consisting of living shoreline saltmarsh vegetation plantings and low-profile oyster habitat breakwaters ("Project"); and

WHEREAS, the Board and the Upland Owner wish to establish a common boundary line between their properties prior to commencement of the Project.

NOW, THEREFORE, for and in consideration of the mutual benefits to be derived by each party from this Agreement and of the further agreements hereinafter contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The common boundary line between the Board's Property and the property owned by the Upland Owner shall be the mean high-water line that is more particularly depicted and described on that "Tidal Water Survey, modified on February dated 24, 2021 and prepared by Southeastern Surveying and Mapping Corporation" a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference ("Boundary Line").

2. The Boundary Line will not change as a result of any fill placed or accretion that occurs waterward of the Boundary Line subsequent to the date of this Agreement. The Boundary Line may change as a result of erosion subject to the provisions of Paragraph 3, below.

3. If after the execution of this Agreement, the Project is not maintained in a timely and reasonable manner and erosion occurs, the natural mean high-water line at the time of that determination shall become the new common boundary line between the Board's Property and the property owned by the Upland Owner. If erosion occurs landward of the Boundary Line, the Upland Owner shall have one year from the date of the erosion to perform any needed maintenance before the Boundary Line established in this Agreement would be subject to change. In no event will the new common boundary line be located waterward of the Boundary Line.

4. The common-law rights and riparian rights of the Upland Owner who ceases to be holder of title to the mean high water line shall be preserved and maintained as described in s. 161.201, Florida Statutes, upon the establishment of the Boundary Line or a new common boundary line pursuant to this Agreement.

5. This Agreement shall be binding upon, inure to the benefit of, and be enforceable against all parties hereto and their respective successors and assigns.

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WITNESSES:

[Signature]  
 Original Signature  
Scott Woolam  
 Print/Type Name  
[Signature]  
 Original Signature  
Kathy C Griffin  
 Print/Type Name

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

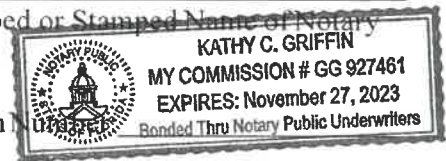
By: [Signature]  
 Callie DeHaven, Director, Division of State  
 Lands, State of Florida Department of  
 Environmental Protection, as agent for  
 and on behalf of the Board of Trustees of the  
 Internal Improvement Trust Fund of the State  
 of Florida

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing instrument was acknowledged before me by means of  physical presence or  
 \_\_\_ online notarization this 10<sup>th</sup> day of May, 2021, by Callie DeHaven, Director,  
 Division of State Lands, State of Florida Department of Environmental Protection for, as agent for and on  
 behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. She is  
 personally known to me.

[Signature]  
 Signature, Notary Public, State of Florida

Printed, Typed or Stamped Name of Notary  
Public



Commission Number

Commission Expires: \_\_\_\_\_

Approved as to form and legality:

[Signature]  
 DEP Attorney

WITNESSES:

NORTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

Carol L. Bert  
Original Signature

By: [Signature]  
Brett Cyphers, Executive Director

Carol L. Bert  
Print/Type Name

[Signature]  
Original Signature

Paul J. Thorpe  
Print/Type Name

STATE OF FLORIDA  
COUNTY OF GADSDEN

The foregoing instrument was acknowledged before me by means of X physical presence or    online notarization this 29<sup>th</sup> day of April, 2021, by Brett Cyphers, as Executive Director, for and on behalf of the Northwest Florida Water Management District. He is personally known to me.



[Signature]  
Signature, Notary Public, State of Florida

Toni Devenenzi  
Printed, Typed or Stamped Name of  
Notary Public

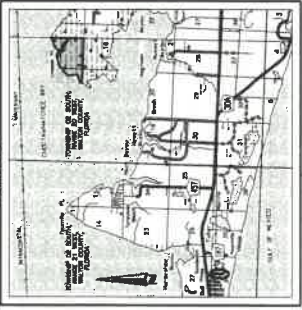
Commission Number:  
GG 365681

Commission Expires: Aug 14, 2023

## EXHIBIT A

SEE THE FOLLOWING SURVEY ENTITLED  
LIVE OAK POINT MEAN HIGH WATER LINE  
SANTA ROSA BEACH, FLORIDA

NEIGHBORHOOD MAP  
SHEET 1



LINE TABLE	LINE TABLE	LINE TABLE
Line 1	Line 1	Line 1
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Line 4	Line 4	Line 4
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Line 48	Line 48	Line 48
Line 49	Line 49	Line 49
Line 50	Line 50	Line 50

**REFERENCES:**  
PLAT 1 AND 2, SECTION 9, TOWNSHIP 2 SOUTH, RANGE 20 WEST, MAHON COUNTY, FLORIDA, LGS AND DEPT ANY SUBSEQUENT LANS.  
PLAT 1 AND 2, SECTION 9, TOWNSHIP 2 SOUTH, RANGE 20 WEST, MAHON COUNTY, FLORIDA, LGS AND DEPT ANY SUBSEQUENT LANS.  
PLAT 1 AND 2, SECTION 9, TOWNSHIP 2 SOUTH, RANGE 20 WEST, MAHON COUNTY, FLORIDA, LGS AND DEPT ANY SUBSEQUENT LANS.  
PLAT 1 AND 2, SECTION 9, TOWNSHIP 2 SOUTH, RANGE 20 WEST, MAHON COUNTY, FLORIDA, LGS AND DEPT ANY SUBSEQUENT LANS.

**APPROVED**  
By *[Signature]*, Attorney at Law, State of Florida

**APPROVED**  
By *[Signature]*, Surveyor General, State of Florida

**APPROVED**  
By *[Signature]*, Surveyor, State of Florida

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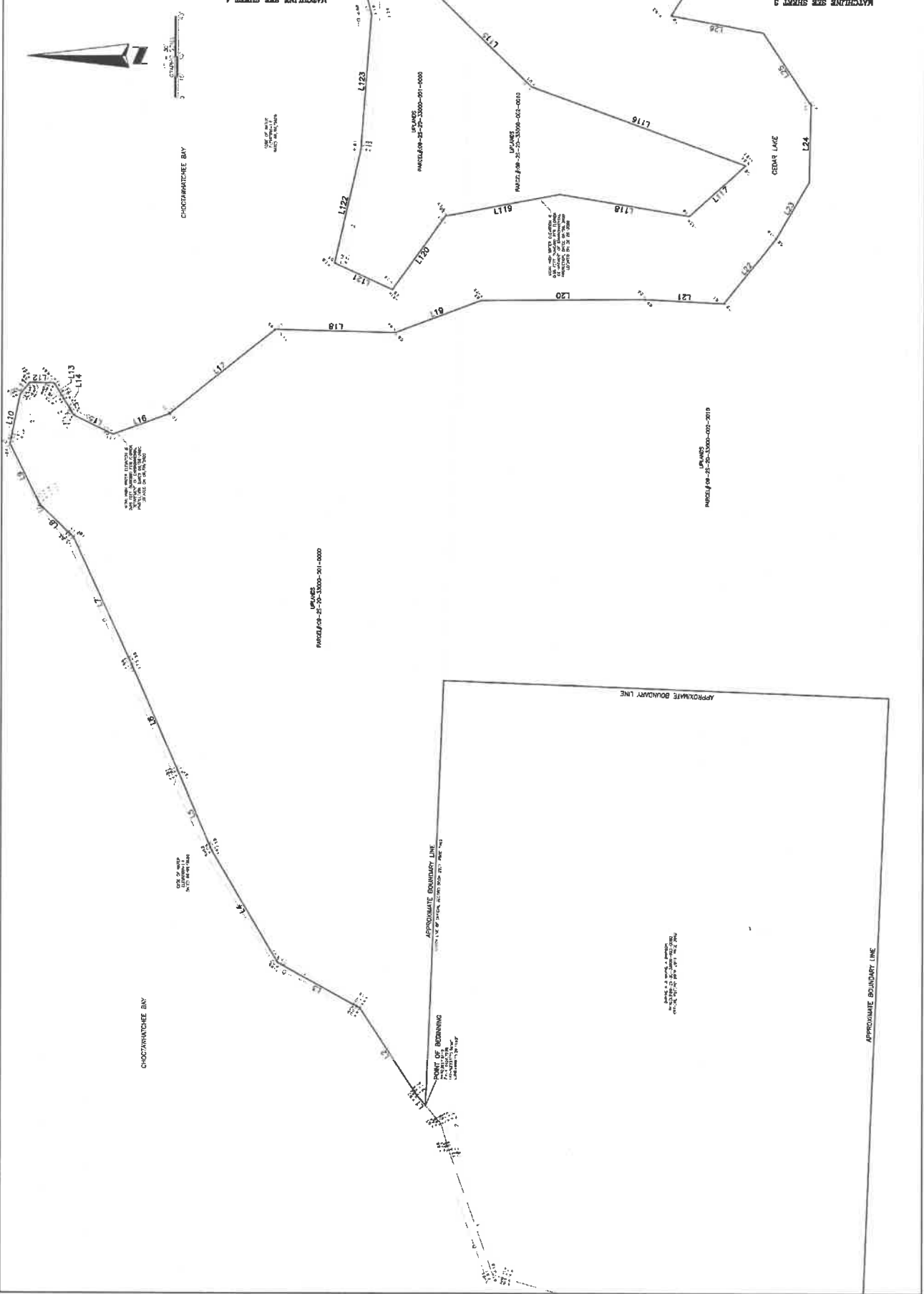
**DEPARTMENT OF REVENUE**  
TAX COLLECTOR  
STATE OF FLORIDA  
12/13/2020  
LIVE OAK POINT BEACH, FLORIDA  
SHEET NUMBER 1 OF 7  
NORTH WATER SURVEY

SEE SHEET 1 FOR NOTES  
 LEXAND AND DESCRIPTION  
 MATCHLINE SEE SHEET 3

TOTAL WATER SURVEY  
 LIVE OAK POINT BEACH HIGH WATER LINE  
 SANTA ROSA BEACH, FLORIDA

SOUTHEASTERN SURVEYING AND MAPPING CORPORATION  
 1000 W. UNIVERSITY BLVD.  
 SUITE 100  
 JACKSONVILLE, FLORIDA 32216  
 PHONE: 904.251.1111  
 FAX: 904.251.1112  
 WWW.SURVEYINGANDMAPPINGCORP.COM

THIS DRAWING IS THE PROPERTY OF SOUTHEASTERN SURVEYING AND MAPPING CORPORATION. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF SOUTHEASTERN SURVEYING AND MAPPING CORPORATION IS STRICTLY PROHIBITED.

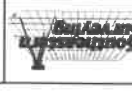


SEE SHEET 1 FOR NOTES.  
 LABELS AND DESCRIPTION

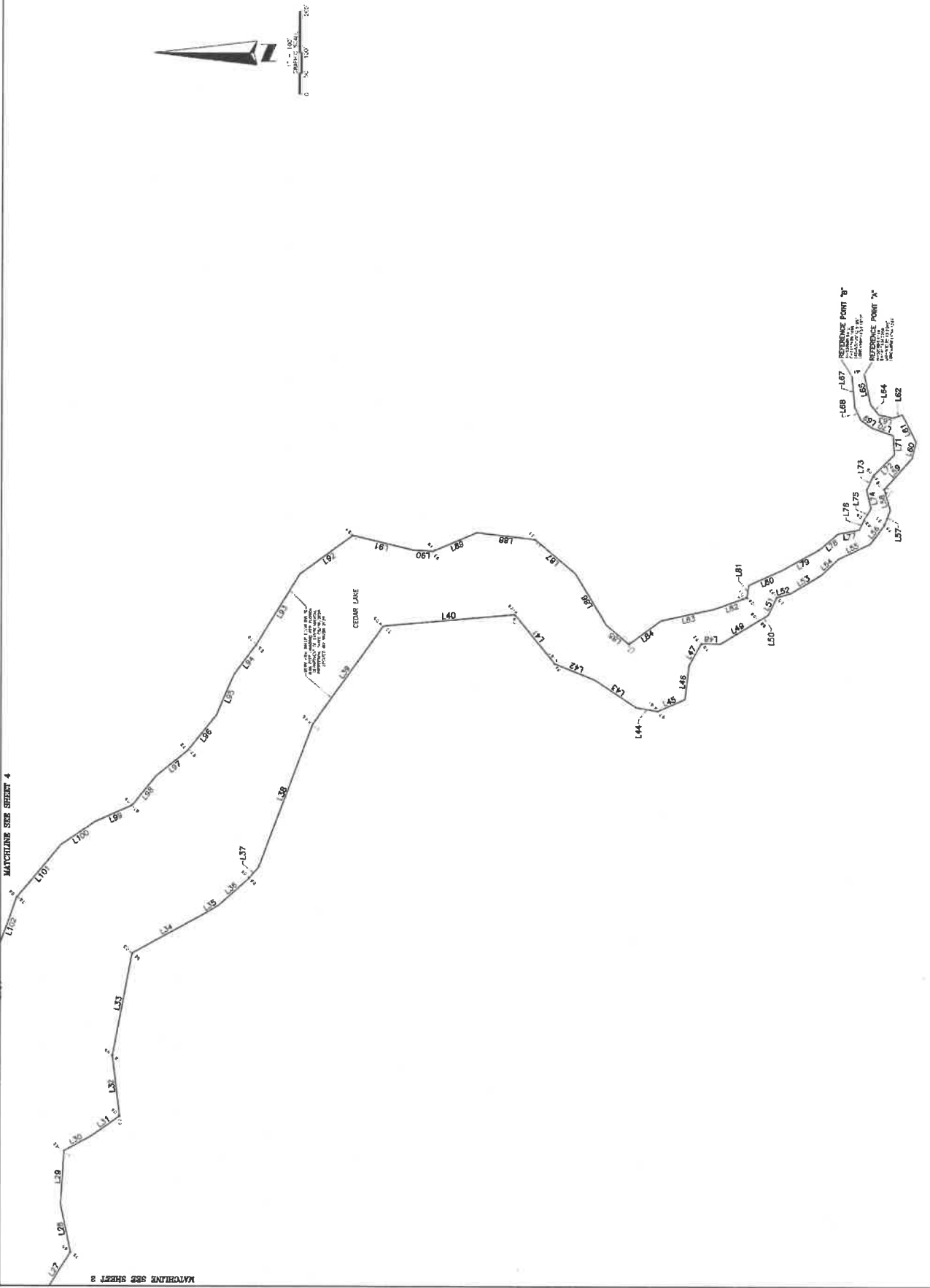
TIDAL WATER SURVEY  
 LIVE OAK POINT BEACH HIGH WATER LINE  
 SANTA ROSA BEACH, FLORIDA  
 12-21-2013

PROJECT NO.	100695829
DATE	12-21-2013
BY	[Name]
CHECKED BY	[Name]
APPROVED BY	[Name]
REVISION	

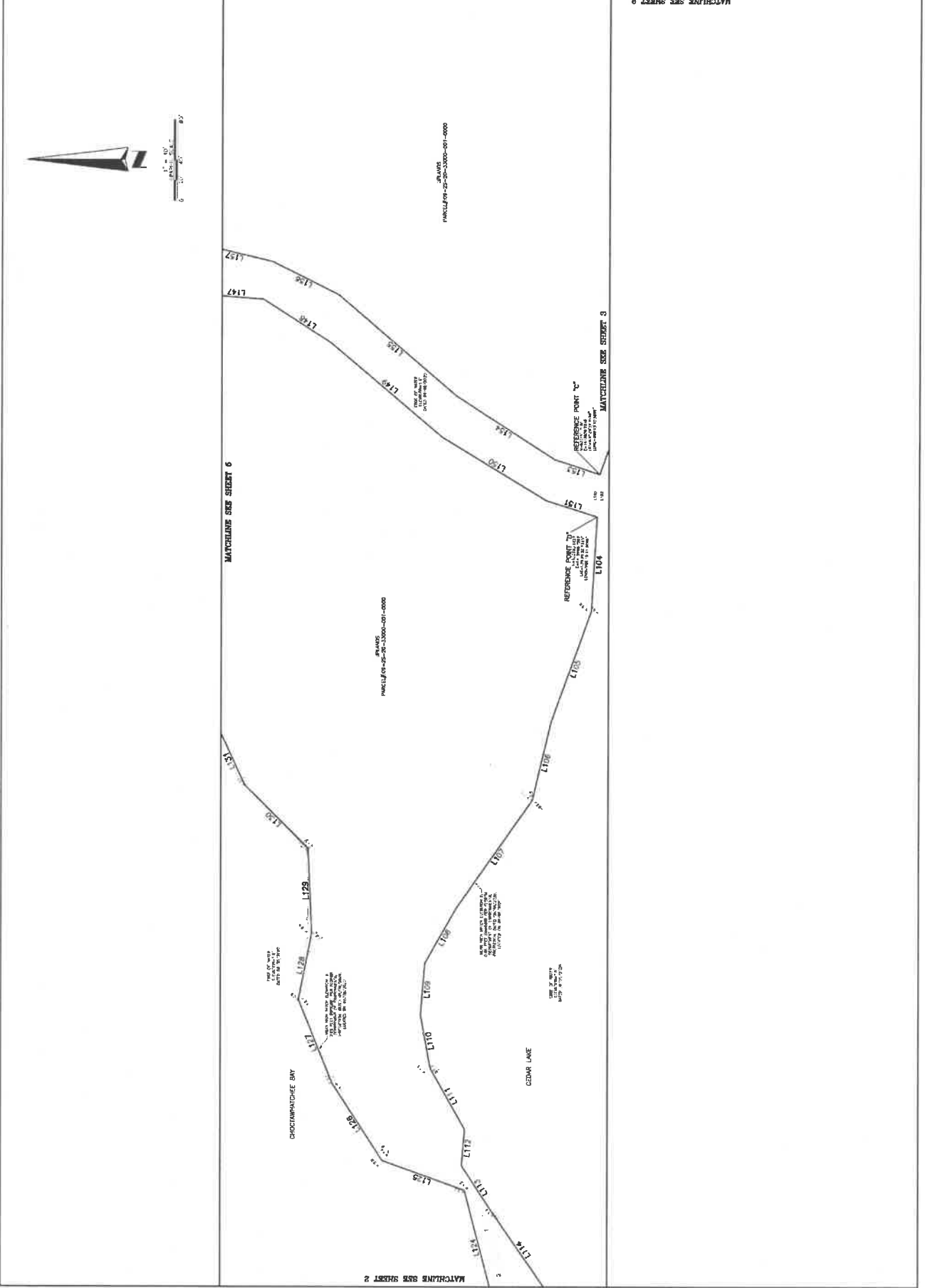
SOUTHEASTERN SURVEYING  
 AND MAPPING CORPORATION  
 1411 S. W. 10th Ave.  
 Ft. Lauderdale, FL 33304  
 PHONE: (954) 562-1100  
 FAX: (954) 562-1101  
 WWW: WWW.SEASURV.COM



LET. NUMBER 3 OF 7  
 DATE: 12-21-2013





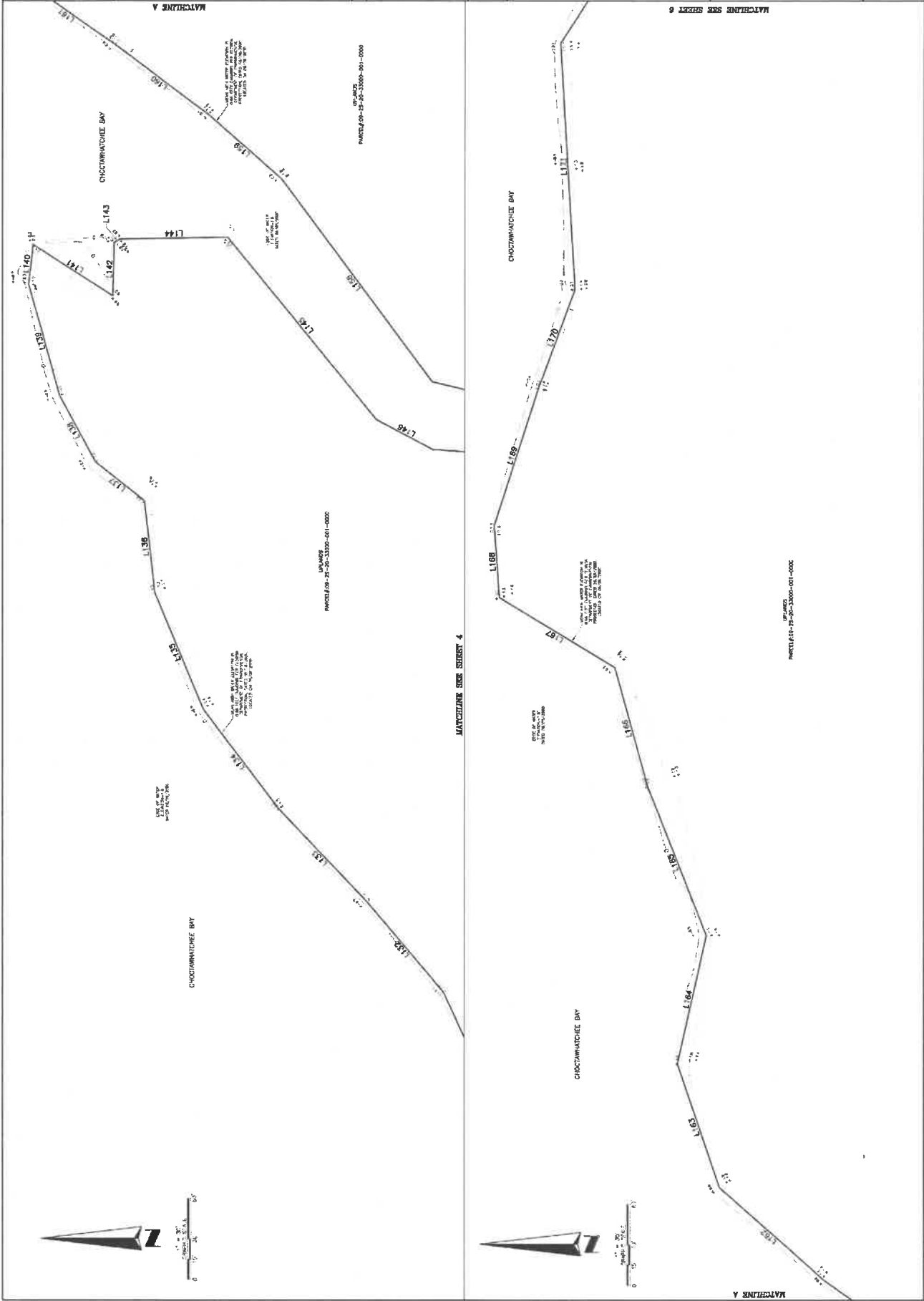


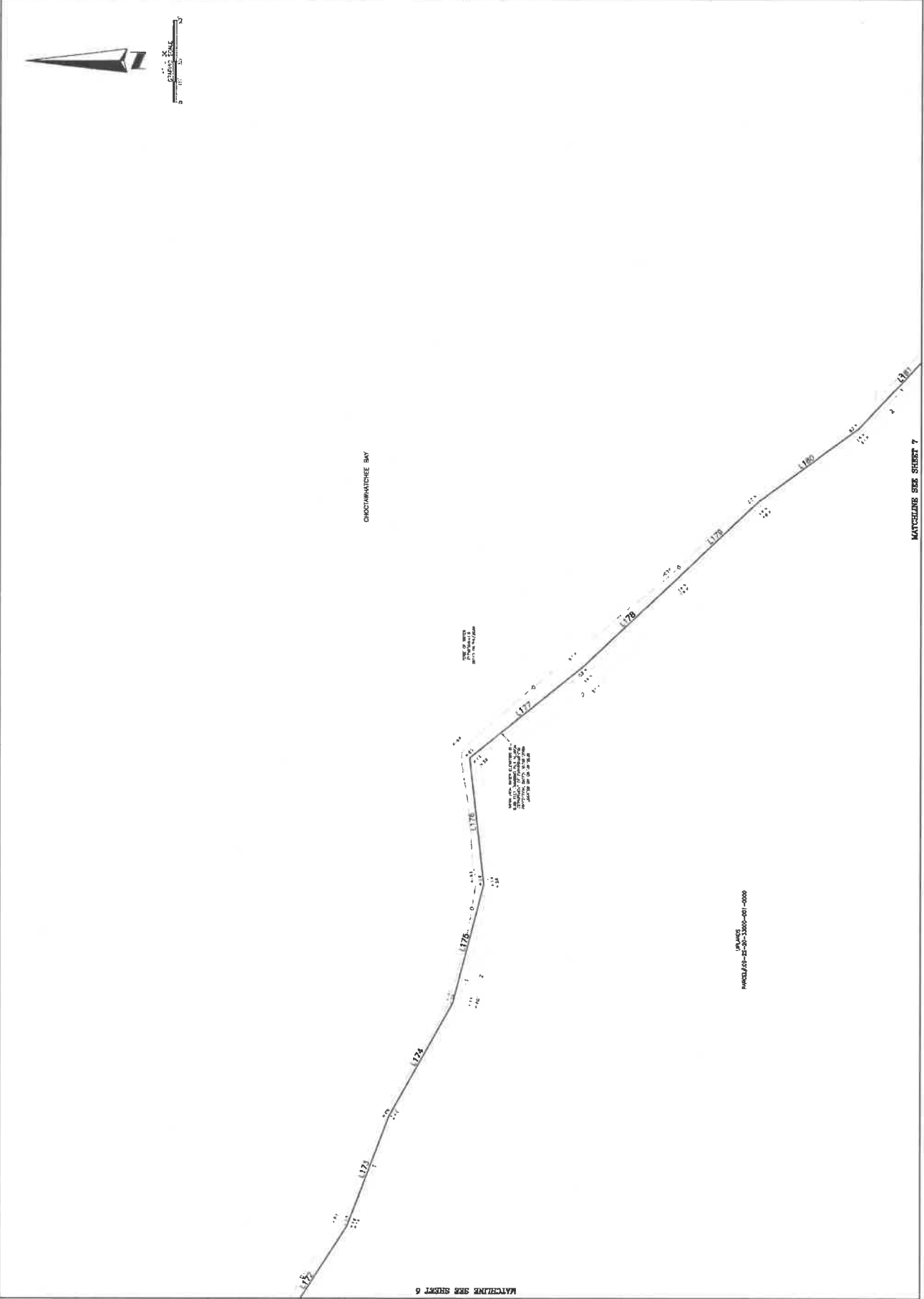
SEE SHEET 1 FOR NOTES, LEGEND AND DESCRIPTION.

Tidal Water Survey  
 Live Oak Point Mean High Water Line  
 Santa Rosa Beach, Florida  
 12-21-2011

SOUTH EASTERN SURVEYING AND MAPPING CORPORATION  
 1000 W. 10th Street, Suite 100  
 Panama City, Florida 32401  
 Phone: 904.763.1111  
 Fax: 904.763.1112  
 Email: info@seasurveying.com

1:500  
 1" = 500'  
 1/8" = 62.5'  
 1/16" = 31.25'  
 1/32" = 15.625'  
 1/64" = 7.8125'  
 1/128" = 3.90625'  
 1/256" = 1.953125'  
 1/512" = 0.9765625'  
 1/1024" = 0.48828125'  
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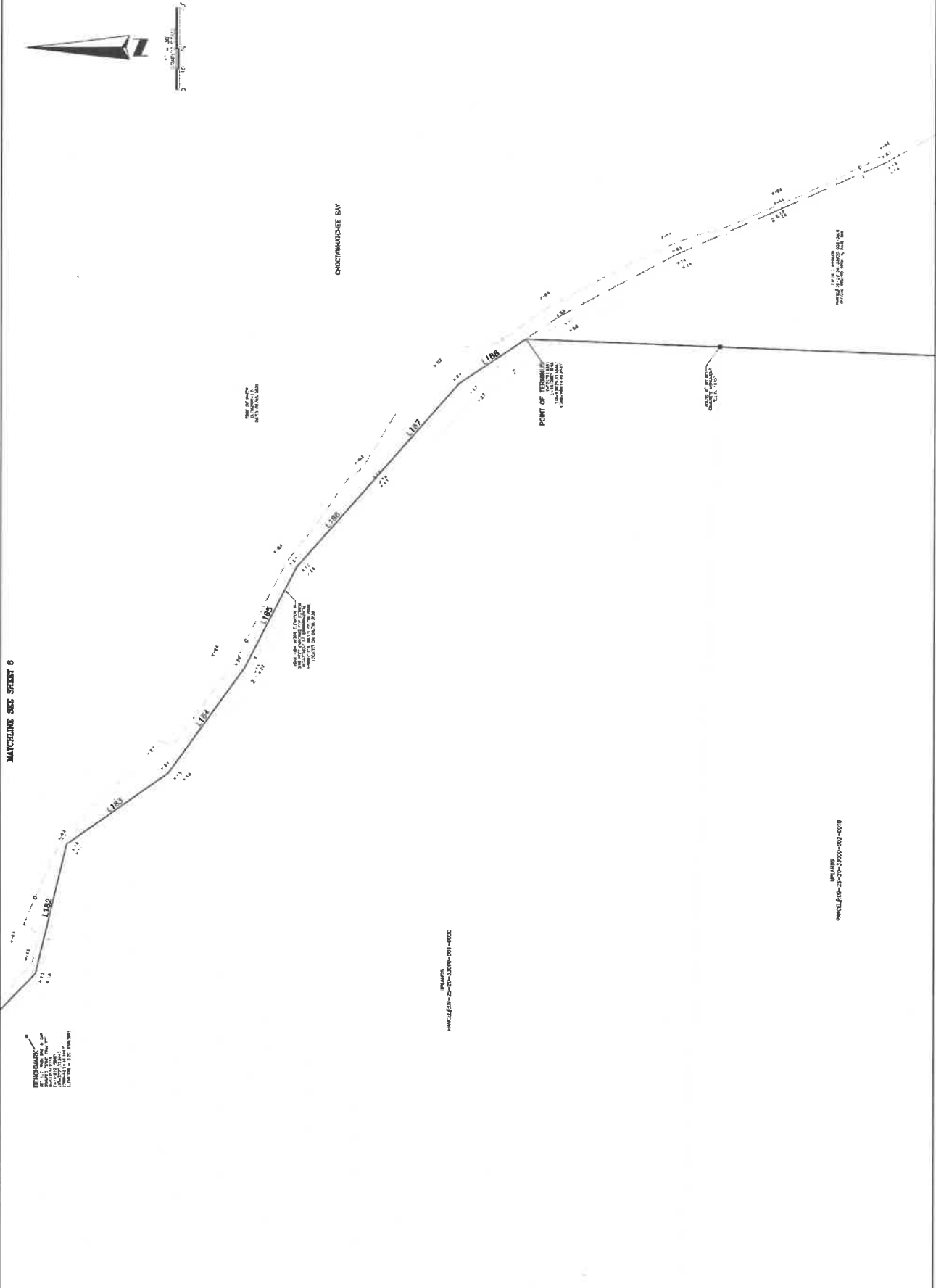
DATE: 12-21-2020  
 SHEET: 1 OF 2  
 PROJECT: TIDAL WATER SURVEY  
 CLIENT: SANTA ROSA BRANCH, FLORIDA  
 SURVEYOR: J. W. HARRIS

SEE SHEET 1 FOR NOTES  
 LEGEND AND DESCRIPTION

TIDAL WATER SURVEY  
 LINE OAK POINT BEACH HIGH WATER LINE  
 SANTA ROSA BRANCH, FLORIDA

SOUTHEASTERN SURVEYING  
 AND MAPPING CORPORATION  
 1015 S. W. 11th St.  
 Ft. Lauderdale, FL 33304  
 Phone: (954) 578-8800  
 Fax: (954) 578-8801  
 Email: info@semsurvey.com

SCALE: 1" = 20' (AS SHOWN)  
 DATE: 12-21-2020  
 SHEET: 1 OF 2



PARCELS 23-05-2000-03-010

UPWARDS SEE PARCELS 23-05-2000-03-010