

4-069-0296A



**Permit
with conditions
1728**



Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director

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MAY 10, 1994

ESTATE OF HERBERT MAYER/CROSS-TIE RANCH L.P.
518 PLEASANT STREET
NORTHAMPTON, MA 01060

SUBJECT: MANAGEMENT AND STORAGE OF SURFACE WATERS
INDIVIDUAL PERMIT NUMBER 4-069-0296

DEAR SIR:

ENCLOSED IS YOUR PERMIT AS AUTHORIZED BY THE GOVERNING BOARD OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ON MAY 10, 1994.
THIS PERMIT WILL EXPIRE ON MAY 10, 1999.

THIS PERMIT IS A LEGAL DOCUMENT AND SHOULD BE KEPT WITH YOUR OTHER IMPORTANT DOCUMENTS. THE ATTACHED COMPLETION REPORT SHOULD BE FILLED IN AND RETURNED TO THE PALATKA OFFICE WITHIN THIRTY DAYS AFTER THE WORK IS COMPLETED. BY SO DOING, YOU WILL ENABLE US TO SCHEDULE A PROMPT INSPECTION OF THE PERMITTED ACTIVITY.

IN ADDITION TO THE COMPLETION REPORT, YOUR PERMIT ALSO CONTAINS CONDITIONS WHICH REQUIRE SUBMITTAL OF ADDITIONAL INFORMATION. ALL INFORMATION SUBMITTED AS COMPLIANCE TO PERMIT CONDITIONS MUST BE SUBMITTED TO THE PALATKA OFFICE ADDRESS.

PERMIT ISSUANCE DOES NOT RELIEVE YOU FROM THE RESPONSIBILITY OF OBTAINING PERMITS FROM ANY FEDERAL, STATE AND/OR LOCAL AGENCIES ASSERTING CONCURRENT JURISDICTION FOR THIS WORK.

IN THE EVENT YOU SELL YOUR PROPERTY, THE PERMIT WILL BE TRANSFERRED TO THE NEW OWNER, IF WE ARE NOTIFIED BY YOU WITHIN THIRTY DAYS OF THE SALE. PLEASE ASSIST US IN THIS MATTER SO AS TO MAINTAIN A VALID PERMIT FOR THE NEW PROPERTY OWNER.

THANK YOU FOR YOUR COOPERATION AND IF THIS OFFICE CAN BE OF ANY FURTHER ASSISTANCE TO YOU, PLEASE DO NOT HESITATE TO CONTACT US.

SINCERELY,

QUEN JOHNSON, DATA CONTROL TECHNICIAN
PERMIT DATA SERVICES DIVISION

ENCLOSURES: PERMIT WITH COMPLETION REPORT

CC: DISTRICT PERMIT FILE
LORI DOWDY
FARNER, BARLEY & ASSOCIATES, INC.
N/A

Joe E. Hill, CHAIRMAN
LEESBURG

Patricia T. Harden, VICE CHAIRMAN
SANFORD

Jesse J. Parrish, III, TREASURER
TITUSVILLE

Lenore N. McCullagh, SECRETARY
ORANGE PARK

Reid Hughes
DAYTONA BEACH

Dan Roach
FERNANDINA BEACH

William Segal
MAITLAND

Denise M. Prescod
JACKSONVILLE

James H. Williams
OCALA

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
POST OFFICE BOX 1429
PALATKA, FLORIDA 32178-1429

PERMIT NO. 4-069-0296

DATE ISSUED MAY 10, 1994

A PERMIT AUTHORIZING:

CONSTRUCTION OF A SURFACE WATER MANAGEMENT SYSTEM FOR CROSS-TIE RANCH PHASE II. THE SURFACE WATER MANAGEMENT SYSTEM INCLUDES 39 SINGLE FAMILY RESIDENTIAL LOTS (1 ACRE MINIMUM IN SIZE), ASSOCIATED ROADS WITH ROADSIDE SWALES, A COMMONAREA WITH STABLE PARKING, AND REAR YARD SWALES.

LOCATION:

SECTION 05 & 08, TOWNSHIP 19 SOUTH, RANGE 28 EAST
LAKE COUNTY

ISSUED TO:
(OWNER)

CROSS-TIE RANCH L.P.
518 PLEASANT STREET
NORTHAMPTON, MA 01060

PERMITTEE AGREES TO HOLD AND SAVE THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND ITS SUCCESSORS HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE FROM PERMIT ISSUANCE. SAID APPLICATION, INCLUDING ALL PLANS AND SPECIFICATIONS ATTACHED THERETO, IS BY REFERENCE MADE A PART HEREOF.

THIS PERMIT DOES NOT CONVEY TO PERMITTEE ANY PROPERTY RIGHTS NOR ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED HEREIN, NOR RELIEVE THE PERMITTEE FROM COMPLYING WITH ANY LAW, REGULATION OR REQUIREMENT AFFECTING THE RIGHTS OF OTHER BODIES OR AGENCIES. ALL STRUCTURES AND WORKS INSTALLED BY PERMITTEE HEREUNDER SHALL REMAIN THE PROPERTY OF THE PERMITTEE.

THIS PERMIT MAY BE REVOKED, MODIFIED OR TRANSFERRED AT ANY TIME PURSUANT TO THE APPROPRIATE PROVISIONS OF CHAPTER 373, FLORIDA STATUTES:

PERMIT IS CONDITIONED UPON:

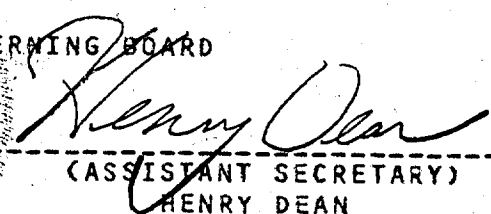
SEE CONDITIONS ON ATTACHED "EXHIBIT A", DATED MAY 10, 1994

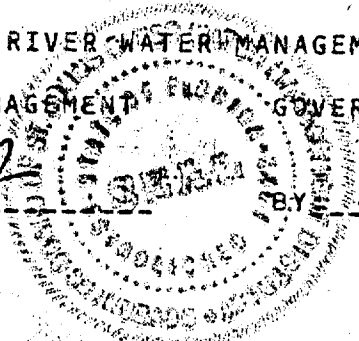
AUTHORIZED BY: ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

DEPARTMENT OF RESOURCE MANAGEMENT GOVERNING BOARD

BY: _____


(DIRECTOR)
JEFF ELLEDGE


(ASSISTANT SECRETARY)
HENRY DEAN



"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-069-0296

ESTATE OF HERBERT MAYER/CROSS-TIE RANCH L.P.

DATED MAY 10, 1994

1. PRIOR TO LOT OR UNIT SALES, OR UPON COMPLETION OF CONSTRUCTION OF THE SYSTEM, WHICHEVER OCCURS FIRST, THE DISTRICT MUST RECEIVE THE FINAL OPERATION AND MAINTENANCE DOCUMENT(S) APPROVED BY THE DISTRICT AND RECORDED, IF THE LATTER IS APPROPRIATE. FOR THOSE SYSTEMS WHICH ARE PROPOSED TO BE MAINTAINED BY COUNTY OR MUNICIPAL ENTITIES, FINAL OPERATION AND MAINTENANCE DOCUMENTS MUST BE RECEIVED BY THE DISTRICT WHEN MAINTENANCE AND OPERATION OF THE SYSTEM IS ACCEPTED BY THE LOCAL GOVERNMENT ENTITY. FAILURE TO SUBMIT THE APPROPRIATE FINAL DOCUMENT WILL RESULT IN THE PERMITTEE REMAINING PERSONALLY LIABLE FOR CARRYING OUT MAINTENANCE AND OPERATION OF THE PERMITTED SYSTEM.
2. ALL CONSTRUCTION, OPERATION AND MAINTENANCE SHALL BE AS SET FORTH IN THE PLANS, SPECIFICATIONS AND PERFORMANCE CRITERIA AS APPROVED BY THIS PERMIT.
3. DISTRICT AUTHORIZED STAFF, UPON PROPER IDENTIFICATION, WILL HAVE PERMISSION TO ENTER, INSPECT AND OBSERVE THE SYSTEM TO INSURE CONFORMITY WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE PERMIT.
4. THE PERMITTEE MUST IMPLEMENT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES (BEST MANAGEMENT PRACTICES) REQUIRED TO RETAIN SEDIMENT ON-SITE AND TO PREVENT VIOLATIONS OF THE WATER QUALITY CRITERIA AND STANDARDS IN CHAPTERS 17-4, 17-302, F.A.C. ALL PRACTICES MUST BE IN ACCORDANCE WITH THE GUIDELINES AND SPECIFICATIONS IN SECTION 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL: A GUIDE TO SOUND LAND AND WATER MANAGEMENT (FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION 1988) UNLESS A PROJECT-SPECIFIC EROSION AND SEDIMENT CONTROL PLAN IS APPROVED AS PART OF THE PERMIT IN WHICH CASE THE PRACTICES MUST BE IN ACCORDANCE WITH THE PLAN. IF SITE SPECIFIC CONDITIONS REQUIRE ADDITIONAL MEASURES DURING ANY PHASE OF CONSTRUCTION OR OPERATION TO PREVENT EROSION OR CONTROL SEDIMENT, BEYOND THOSE SPECIFIED IN THE EROSION AND SEDIMENT CONTROL PLAN, THE PERMITTEE MUST IMPLEMENT ADDITIONAL BEST MANAGEMENT PRACTICES AS NECESSARY, IN ACCORDANCE WITH THE SPECIFICATIONS IN SECTION 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL: A GUIDE TO SOUND LAND AND WATER MANAGEMENT (FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION, 1988).

5. STABILIZATION MEASURES SHALL BE INITIATED FOR EROSION AND SEDIMENT CONTROL ON DISTURBED AREAS AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, BUT IN NO CASE MORE THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
6. THE OPERATION PHASE OF THE PERMIT SHALL NOT BECOME EFFECTIVE UNTIL A FLORIDA REGISTERED PROFESSIONAL ENGINEER CERTIFIES THAT THE SYSTEM, OR INDEPENDENT PORTION OF A SYSTEM, HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE PERMIT ISSUED BY THE DISTRICT, AND THE PERMITTEE RECEIVES WRITTEN NOTIFICATION BY DISTRICT STAFF THAT THE CONSTRUCTION, ALTERATION, OR MAINTENANCE HAS BEEN COMPLETED ACCORDING TO THE PERMIT. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, OR INDEPENDENT PORTION OF THE SYSTEM, THE PERMITTEE SHALL SUBMIT THE CERTIFICATION OR ONE SET OF PLANS WHICH REFLECT THE SURFACE WATER MANAGEMENT SYSTEM AS ACTUALLY CONSTRUCTED. THIS SUBMITTAL SHALL SERVE TO NOTIFY THE DISTRICT THAT THE SYSTEM IS READY FOR INSPECTION. THE PERMIT MAY NOT BE TRANSFERRED TO AN OPERATION AND MAINTENANCE ENTITY APPROVED BY THE DISTRICT UNTIL THE OPERATION PHASE OF THE PERMIT BECOMES EFFECTIVE.
7. IF ANY OTHER REGULATORY AGENCY SHOULD REQUIRE REVISIONS OR MODIFICATION TO THE PERMITTED PROJECT, THE DISTRICT IS TO BE NOTIFIED OF THE REVISIONS SO THAT A DETERMINATION CAN BE MADE WHETHER A PERMIT MODIFICATION IS REQUIRED.
8. THE DISTRICT MUST BE NOTIFIED, IN WRITING, WITHIN 30 DAYS OF ANY SALE, CONVEYANCE, OR OTHER TRANSFER OF A PERMITTED SYSTEM OR FACILITY OR WITHIN 30 DAYS OF ANY TRANSFER OF OWNERSHIP OR CONTROL OF THE REAL PROPERTY AT WHICH THE PERMITTED SYSTEM OR FACILITY IS LOCATED. ALL TRANSFERS OF A PERMIT ARE SUBJECT TO THE REQUIREMENTS OF SECTION 40C-1.612, F.A.C.
9. THE PERMITTEE MUST REQUIRE THE CONTRACTOR TO REVIEW AND MAINTAIN A COPY OF THIS PERMIT, COMPLETE WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND MODIFICATIONS IN GOOD CONDITION AT THE CONSTRUCTION SITE. THE COMPLETE PERMIT SHALL BE AVAILABLE FOR REVIEW UPON REQUEST BY DISTRICT REPRESENTATIVES.

10. CONSTRUCTION OR ALTERATION OF EACH PHASE OR INDEPENDENT PORTION OF THE PERMITTED SURFACE WATER MANAGEMENT SYSTEM (SYSTEM) MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO THE INITIATION OF THE PERMITTED USE OF SITE INFRASTRUCTURE LOCATED WITHIN THE AREA SERVED BY THAT PORTION OR PHASE OF THE SYSTEM. EACH PHASE OR INDEPENDENT PORTION OF THE SYSTEM MUST BE COMPLETE IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THAT PHASE OR PORTION OF THE SYSTEM TO LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.
11. TO THE EXTENT PERMITTED BY FLORIDA LAW, THE PERMITTEE MUST HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL LIABILITY ARISING FROM PROPERTY DAMAGE OR PERSONAL INJURY AS A RESULT OF THE PERMITTED ACTIVITIES.
12. NOTHING CONTAINED HEREIN RELIEVES THE PERMITTEE FROM TIMELY COMPLYING WITH APPLICABLE LAWS OR OTHER FEDERAL, STATE, OR LOCAL GOVERNMENTS.
13. IF AN ENTITY OTHER THAN THE PERMITTEE HAS BEEN APPROVED AS THE OPERATION AND MAINTENANCE ENTITY, THE PERMITTEE MAY REQUEST TRANSFER OF THE PERMIT FOR A COMPLETED SYSTEM OR INDEPENDENT PORTION OF A SYSTEM TO THE DISTRICT APPROVED OPERATION AND MAINTENANCE ENTITY AT THE TIME OF SUBMITTAL OF THE AS-BUILTS OR PROFESSIONAL ENGINEER CERTIFICATION FOR CONSTRUCTION OF THE PERMITTED SURFACE WATER MANAGEMENT SYSTEM.
14. THIS PERMIT FOR CONSTRUCTION WILL EXPIRE FIVE YEARS FROM THE DATE OF ISSUANCE.
15. CONSTRUCTION OR ALTERATION OF THE SURFACE WATER MANAGEMENT SYSTEM MUST BE COMPLETED AND ALL DISTURBED AREAS MUST BE STABILIZED IN ACCORDANCE WITH PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO ANY OF THE FOLLOWING EVENTS (WHICHEVER OCCURS FIRST): ISSUANCE OF A CERTIFICATE OF OCCUPANCY; USE OF THE INFRA-STRUCTURE FOR ITS INTENDED USE; OR TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE TO A LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.
16. AT A MINIMUM, ALL RETENTION AND DETENTION STORAGE AREAS MUST BE EXCAVATED TO ROUGH GRADE PRIOR TO BUILDING CONSTRUCTION OR PLACEMENT OF IMPERVIOUS SURFACE WITHIN THE AREA TO BE SERVED BY THOSE FACILITIES. TO PREVENT REDUCTION IN STORAGE VOLUME AND PERCOLATION RATES, ALL ACCUMULATED SEDIMENT MUST BE REMOVED FROM THE STORAGE AREA PRIOR TO FINAL GRADING AND STABILIZATION.

17. ALL WETLAND AREAS OR WATER BODIES THAT ARE OUTSIDE OF THE SPECIFIC LIMITS OF CONSTRUCTION AUTHORIZED BY THIS PERMIT MUST BE PROTECTED FROM EROSION, SILTATION, SCOURING OR EXCESS TURBIDITY, AND DEWATERING.
18. PRIOR TO CONSTRUCTION, THE PERMITTEE MUST CLEARLY DESIGNATE THE LIMITS OF CONSTRUCTION ON-SITE. THE PERMITTEE MUST ADVISE THE CONTRACTOR THAT ANY WORK OUTSIDE THE LIMITS OF CONSTRUCTION, INCLUDING CLEARING, IS A VIOLATION OF THIS PERMIT.
19. PERMITTEE MUST SELECT, IMPLEMENT, AND OPERATE ALL EROSION AND SEDIMENT CONTROL MEASURES REQUIRED TO RETAIN SEDIMENT ON-SITE AND TO PREVENT VIOLATIONS OF WATER QUALITY STANDARDS AS SPECIFIED IN CHAPTERS 17-301, 17-302, AND 17-4, F.A.C. THE PERMITTEE IS ENCOURAGED TO USE APPROPRIATE BEST MANAGEMENT PRACTICES FOR EROSION AND SEDIMENT CONTROL AS DESCRIBED IN THE FLORIDA LAND DEVELOPMENT MANUAL: A GUIDE TO SOUND LAND AND WATER MANAGEMENT (DER, 1988).
20. THE PERMITTEE MUST CONSTRUCT AND MAINTAIN A PERMANENT PROTECTIVE VEGETATIVE AND/OR ARTIFICIAL COVER FOR EROSION AND SEDIMENT CONTROL ON ALL LAND SURFACES EXPOSED OR DISTURBED BY CONSTRUCTION OR ALTERATION OF THE PERMITTED PROJECT. UNLESS MODIFIED BY ANOTHER CONDITION OF THIS PERMIT OR SPECIFIED OTHERWISE ON A DISTRICT-APPROVED EROSION AND SEDIMENT CONTROL PLAN, THIS PROTECTIVE COVER MUST BE INSTALLED WITHIN FOURTEEN (14) DAYS AFTER FINAL GRADING OF THE AFFECTED LAND SURFACES. A PERMANENT VEGETATIVE COVER MUST BE ESTABLISHED WITHIN 60 DAYS AFTER PLANTING OR INSTALLATION. THE PERMITTEE MUST MAINTAIN COVER ON ADJACENT GROUND SURFACES WHICH MAY BE IMPACTED BY CONSTRUCTION ACTIVITIES UNTIL THE DISTRICT RECEIVES THE P.E. CERTIFICATION THAT THE PROJECT IS CONSTRUCTED ACCORDING TO THE PERMITTED PLANS.
21. THE OPERATION AND MAINTENANCE ENTITY SHALL SUBMIT INSPECTION REPORTS TO THE DISTRICT TWO YEARS AFTER THE OPERATION PHASE PERMIT BECOMES EFFECTIVE AND EVERY TWO YEARS THEREAFTER ON DISTRICT FORM EN-46. THE INSPECTION FORM MUST BE SIGNED AND SEALED BY AN APPROPRIATE REGISTERED PROFESSIONAL.
22. THE PROPOSED SURFACE WATER MANAGEMENT SYSTEM MUST BE CONSTRUCTED AS PER PLANS RECEIVED BY THE DISTRICT ON JANUARY 24, 1994, AND AS AMENDED BY SHEETS 2 AND 10, RECEIVED BY THE DISTRICT ON MARCH 3, 1994.
23. WITHIN 30 DAYS OF PERMIT ISSUANCE, THE PERMITTEE MUST SUBMIT A DETAILED EROSION AND SEDIMENT CONTROL PLAN PURSUANT TO CHAPTER 40C-41.063(3)(C), F.A.C. THE PLAN MUST BE IN CONFORMANCE WITH THE EROSION AND SEDIMENT CONTROL PRINCIPLES SET FORTH IN SECTION 18.2 AND CONTAIN THE INFORMATION SET FORTH IN SECTION 18.3, APPLICANT'S HANDBOOK: MANAGEMENT AND STORAGE OF SURFACE WATERS.

24. WITHIN 30 DAYS OF PERMIT ISSUANCE, THE PERMITTEE MUST SUBMIT
THREE COPIES OF THE DRAFT ARTICLES OF INCORPORATION AND
DECLARATION OF COVENANTS AND RESTRICTIONS. TO SATISFY THIS
CONDITION, THE DRAFT DOCUMENTS SUBMITTED WITH PERMIT 40-069-0119
MAY BE REVISED TO INCLUDE PHASE II IN THE PROPERTY DESCRIPTION.