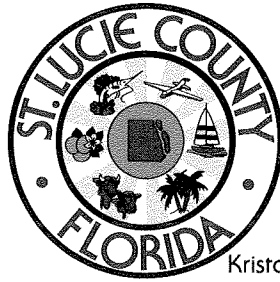


BOARD OF COUNTY
COMMISSIONERS



COUNTY
ATTORNEY

Daniel S. McInryre

September 12, 1989

Krista A. Storey

ASSISTANT COUNTY ATTORNEY

Heather Young

ASSISTANT COUNTY ATTORNEY

Doris G. Ferguson

ASSISTANT COUNTY ATTORNEY

Mr. Donald G. J. Padgett
Staff Hydrogeologist
Hydrogeology Division
Resource Planning Department
South Florida Water Management District
Post Office Box 24680
West Palm Beach, Florida 33416-4689

Re: Right of Entry Agreement - Well Construction
Intersection of Walton Road and Lennard Road

Dear Mr. Padgett:

Enclosed please find the above referenced Agreement which has been executed by the Chairman of the Board of County Commissioners as owner of the property. Please obtain the necessary signatures for the South Florida Water Management District and return a fully executed original to this office for recording. After recordation, I will return a copy for your files.

Thank you for your assistance in this matter.

Sincerely,

Doris G. Ferguson
Assistant County Attorney

DGF/mp
Attachment

Copies to: Assistant County Administrator - Operations
Assistant County Administrator - Budget
Public Works Director
County Engineer
Chief Right of Way Agent
Road and Bridge Director
Finance Director

RIGHT OF ENTRY AGREEMENT/WELL CONSTRUCTION

The SOUTH FLORIDA WATER MANAGEMENT DISTRICT and/or the United States Geological Survey (USGS) and the agents, employees or assigns of each, (Permittees) are hereby granted the right to enter upon property owned by St. Lucie County Board of County Commissioners (owner), and described herein, for the following purposes:

1. To construct water well(s) for the purpose of gathering lithologic data.
2. To conduct aquifer performance and step drawdown test(s) to determine water availability.
3. To collect geophysical logs on selected well(s). (SEE ATTACHMENT "A")
4. To periodically be allowed access to the well(s) for the purpose of monitoring water levels and/or water quality sampling.

Such equipment as may be needed to accomplish the above purposes may be brought upon, over and across the property, which is described as follows:

Township 36S
Range 40E
Section 36
Intersection of Walton Road and Lennard Road

The permittees, and each of them, warrant to the undersigned that upon completion of the above purposes, the property will be left in, or restored to, the same condition as it was when the permittees or their contractor(s) first entered upon the land to begin their work. Further, permittees agree to ~~relocate~~ abandon well within thirty (30) days at no expense to the owner if the owner decides, in its sole discretion, that the site is needed for County purposes. The permittees, and each of them, separately and severally, to the extent permitted by law, shall save and hold harmless the undersigned owner from claims for damages or injury caused by the permittees, their agents, servants, employees, or contractors, during the time this permit for access and use is in effect.

The permittees agree that the County shall have the right to approve the exact location of the well.

St. Lucie County
Board of County Commissioners

Date: 8-22-89

[Signature]
OWNER
Executed by owner in presence of:

ATTEST:

APPROVED AS TO FORM
AND CORRECTNESS:

Mary C Paulus
Charlene A. Furtado

[Signature]
DEPUTY CLERK

[Signature]
Asst. COUNTY ATTORNEY

COUNTERSIGNED BY PERMITTEE(S)

[Signature]
for SFWMD

Date: 9-18-89

_____ for

Date: _____

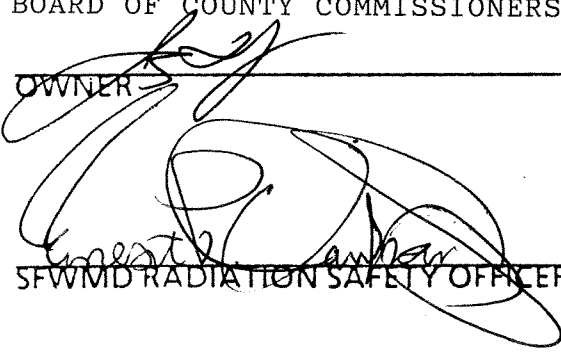
**ATTACHMENT A
USE OF RADIOACTIVE MATERIALS IN TEST WELL**

1. Property owner authorizes use of sealed nuclear source for geophysical logging purposes in test well construction.
2. In the event the sealed source is lodged downhole, every effort at recovery of said source will be utilized.
3. If a decision is made to abandon the sealed source downhole, it will be done so in compliance with Florida Administrative Code Section 10D-91.1200, Control of Radiation Hazard Regulations.
4. In the event the said source is lost downhole, South Florida Water Management District will be responsible for the protection from any contamination of the well and surrounding formation water from said source.
5. The Radiation Safety Officer of this agency is responsible for compliance with the above-mentioned Department of Health and Rehabilitative Services regulations.

ST. LUCIE COUNTY
BOARD OF COUNTY COMMISSIONERS

OWNER _____

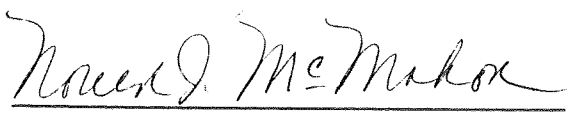
8-22-89
DATE _____

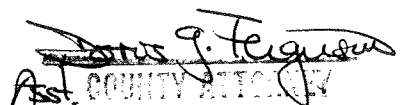

SFWMD RADIATION SAFETY OFFICER

9/18/89
DATE _____

ATTEST:

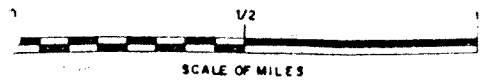
APPROVED AS TO FORM
AND CORRECTNESS:


DEPUTY CLERK


Asst. COUNTY ATTORNEY

TWP. 36S.-RNG. 40E.

SOUTHEAST QUARTER
ST. LUCIE CO., FLORIDA



NORTHEAST QUARTER SEE PAGE 41 OF TWP. 36S.-RNG. 40E.

TWP. 36S.-RNG. 40E.

OF

SEE PAGE 42

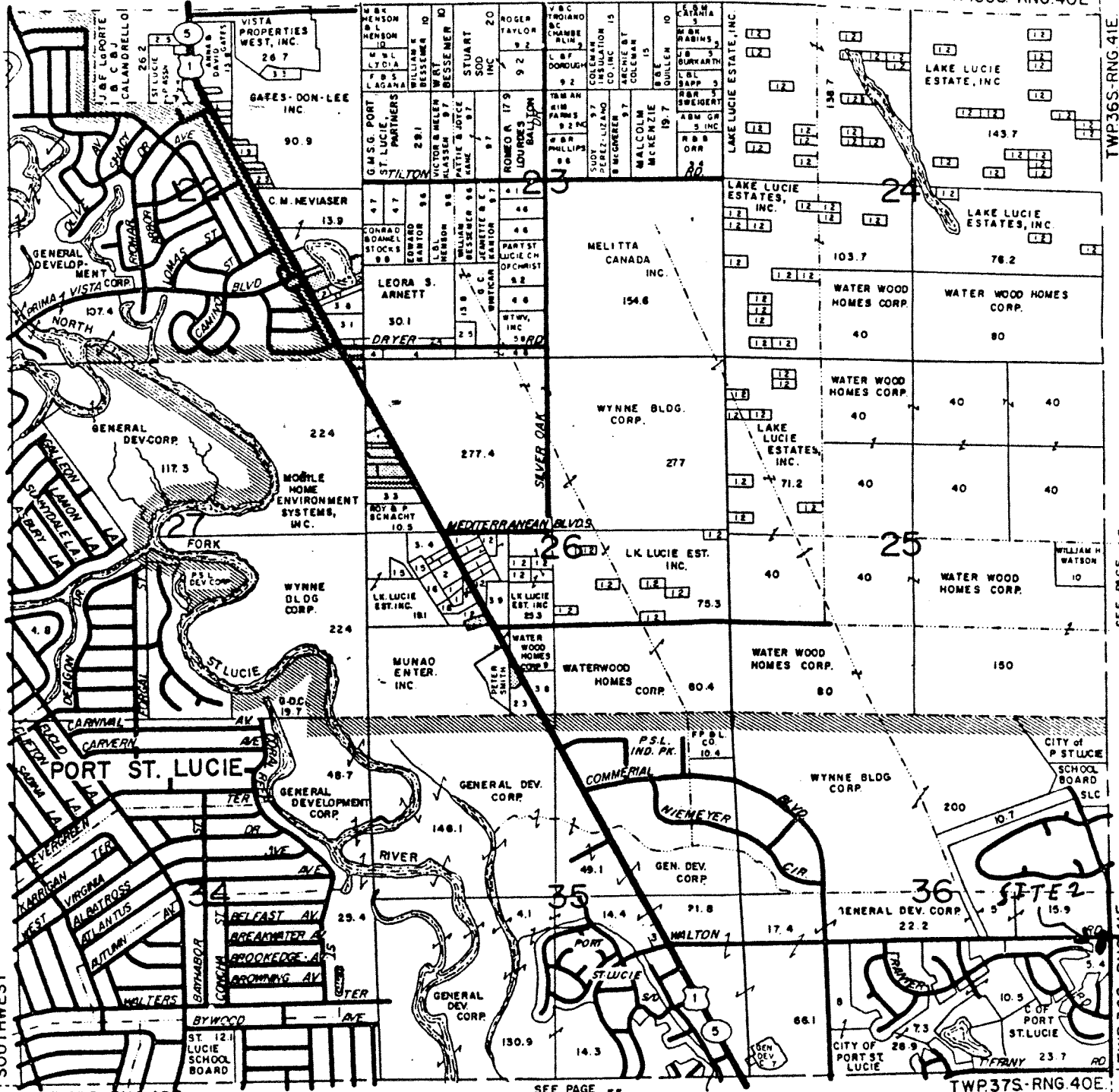
QUARTER

SOUTHWEST

TWP. 36S.-RNG. 41E.

SEE PAGE 45

TWP. 36S.-RNG. 41E.

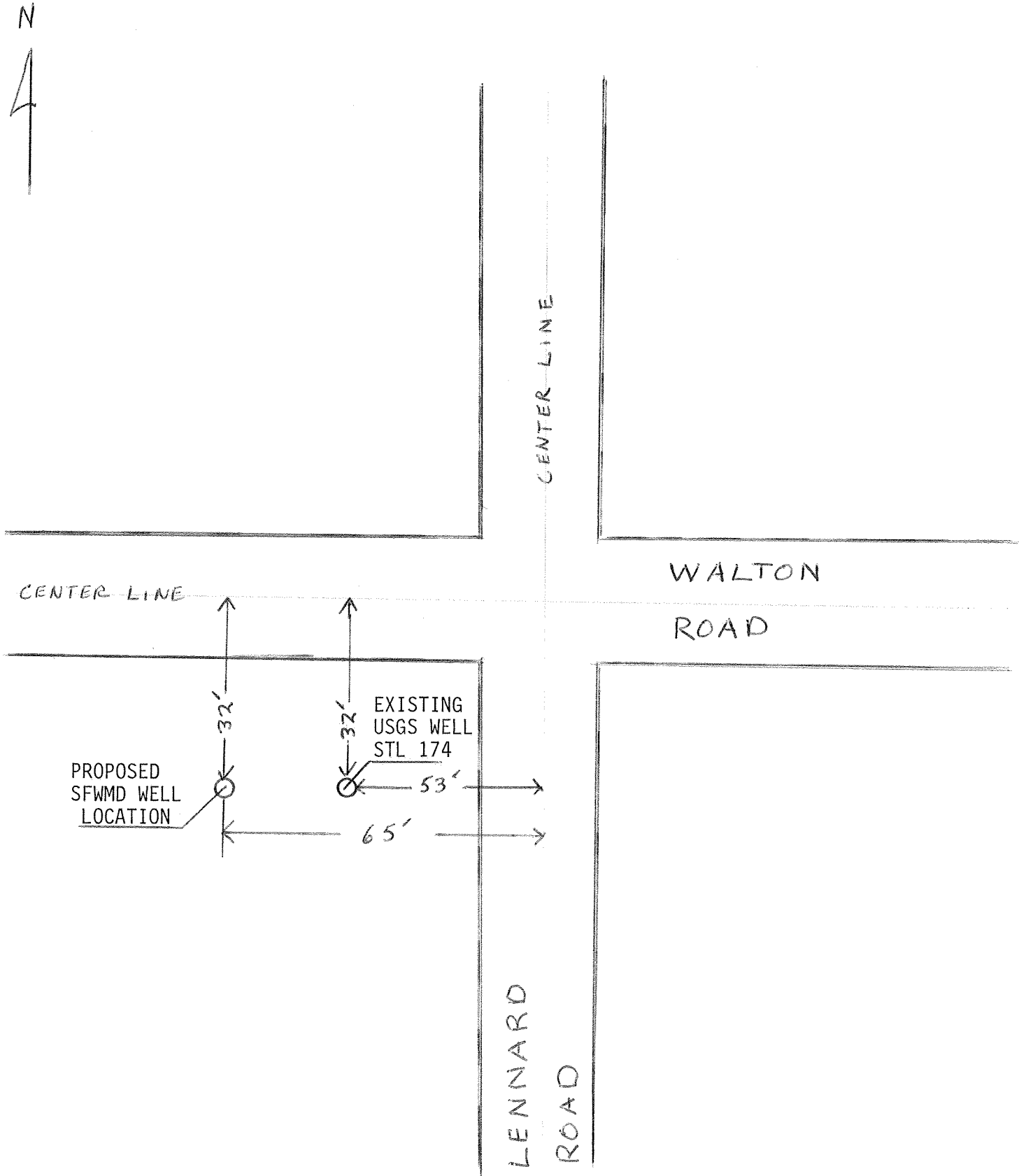


TWP. 37S.-RNG. 40E.
© 1983 FLORIDA PLATS, REV. 1988, 1989

SEE PAGE 55

TWP. 37S.-RNG. 40E.

DETAIL SITE MAP SHOWING PROPOSED LOCATION FOR SFWMD WELL AT THE INTERSECTION OF WALTON AND LENNARD ROAD, ST LUCIE COUNTY, FLORIDA.





City Clerk
City of Port St. Lucie

~~33492X~~ 121 SW Port St. Lucie Blvd.

City Hall Plaza

Port St. Lucie, FL ~~33492X~~ 34984

LETTER OF TRANSMITTAL

DATE	Dec. 27, 1989	JOB NO	
ATTENTION	Mr. David Butler, P.G.		
RE	Contract for: Monitor Wells		

TO South Florida Water Management District

P.O. Box 24680

3301 Gun Club Road

West Palm Beach, FL 33416-4680

GENTLEMEN:

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings
- Prints
- Plans
- Samples
- Specifications
- Copy of letter
- Change order
- Contracts to sign. (2)

COPIES	DATE	NO.	DESCRIPTION
			Please find enclosed 2 (two) contracts that need to be signed by you. After you have signed both contracts, both addendums, and Attachment A, please send all copies back to me.
			Mary J. Romonosky
			Deputy City Clerk

THESE ARE TRANSMITTED as checked below:

- For approval
- For your use
- As requested
- For review and comment
- FOR BIDS DUE _____ 19 _____
- Approved as submitted
- Approved as noted
- Returned for corrections
- _____
- Resubmit _____ copies for approval
- Submit _____ copies for distribution
- Return _____ corrected prints
- PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

Send to: City Hall of Port St. Lucie
 121 SW Port ST. Lucie Blvd.
 Port St. Lucie, FL 34984

ATTN: Mary J. Romonosky
 City Clerk's Office

COPY TO _____

SIGNED: _____

Mary J. Romonosky

Deputy City Clerk

NOTE OF ADDENDUM

The following note of addendum is to be included as part of the signature page between the City of Port St. Lucie and South Florida Water Management District.

The City has not examined title to the subject properties, and, by execution of this agreement, City has made no review of S.F.W.M.D.'s right of access to the affected properties and S.F.W.M.D. proceeds at its own risk.

S.F.W.M.D.

G. WAYNE ALLGIRE
CITY MANAGER

DATE

DATE

APPENDIX P-1
DRAINAGE AND UTILITY PERMIT FORM
REVISED STANDARD COUNTY SPECIFICATIONS

ST. LUCIE COUNTY ENGINEERING DEPARTMENT
2300 VIRGINIA AVE., 2nd FLOOR, FORT PIERCE, FL 34982 468-1707

THE FOLLOWING INFORMATION SHALL BE PROVIDED BY THE APPLICANT:

(Type or Print)
Name of Applicant _____ Phone No. _____

Mailing Address _____

As the Applicant, we request permission to construct, operate and maintain _____

_____ (drainage) (utility) installation(s) (hereinafter referred to as "Installation") on road, drainage, or combination drainage/utility, rights-of-way or easements deeded to or maintained by St. Lucie County, or dedicated to the public in the unincorporated area of St. Lucie County, (hereafter referred to as "County Rights-of-Way") known as _____

_____ The proposed installation is shown on the attached sketch(s) on 8½"x14" or smaller paper which reflects its location and character and details the aspects of same that will disturb County maintained improvements (hereafter referred to as "Improvements").

_____ We shall commence actual construction of the permitted installation within _____ days of permit issuance and complete same within _____ days thereof. Special conditions involved with this installation are as follows:

_____ Our Proceeding with installation of work covered by this permit indicates our agreement to comply with the "Conditions of Drainage and Utility Permit" and other provisions stipulated herein by the County.

Applicant _____

By _____ Date _____

Title _____

THE FOLLOWING TO BE FILLED IN BY THE COUNTY.

Improvements are planned or in process on aforesated Rights-of-Way () YES () NO
Proposed installation is in accordance with Revised Standard County Specifications.
() YES () NO

Reviewed by _____ Date _____
Director of Roads and Bridges

The aforesated installation construction is hereby permitted under the following provisions.

BOARD OF COUNTY COMMISSIONERS, ST. LUCIE COUNTY FLORIDA
BY COUNTY ENGINEER - ENFORCING OFFICIAL

BY _____ DATE _____

See reverse side for "Conditions of Drainage and Utility Permit"

Permit No. _____

APPENDIX P-1
CONDITIONS OF DRAINAGE AND UTILITY PERMIT

The Applicant declares that prior to filing this application, he has (1) ascertained the location of existing utilities that would be affected by the proposed installation, and (2) notified such affected utility owners in writing regarding same, and (3) correlated the proposed installation with owners of such utilities and determined that the proposed installation can be made without detriment to such existing utilities. If granted a permit for construction of proposed installation on County Rights-of-Way, the Applicant agrees to the following:

1. Safety - All construction work shall comply with the safety provisions of all Federal, State and local laws.
2. Traffic Control measures shall be provided during construction in accordance with the Florida D.O.T. Manual on Traffic Controls and Safe Practices. Traffic shall be maintained to the degree required by the County Engineer.
3. To Save Harmless the Board of County Commissioners and each and every member thereof from the payment of any compensation or damages resulting from the exercise of rights and privileges herein granted.
4. In the Event that Modification or Repair of the Improvements on aforesated County Rights-of-Way becomes necessary, to promptly move or remove the installation permitted herein, as requested by the Board of County Commissioners of St. Lucie County, Florida at no cost to said County.
5. Removal of Installation - In the case of noncompliance with the requirements stated herein, the installation permitted herein will be promptly brought into compliance or removed from County Rights-of-Way by Applicant at no cost to the County.
6. Repair of Improvements by Permittee - The Applicant agrees to promptly repair any damage or injury to improvements on County Rights-of-Way caused by reason of the exercise of rights and privileges herein granted, restoring same to a condition equal to that which existed immediately prior to the infliction of such damage or injury in a manner satisfactory to the County.
7. Permit Life - If this permit is granted, it shall be in perpetuity subject to termination by the County in the event that improvements on aforesated County Rights-of-Way are to be constructed, or reconstructed, or in the event that such rights-of-way shall be closed, abandoned, vacated or discontinued.
8. The Attached Sketch (s) covering details of the permitted installation shall be made a part of this permit.
9. Notification to County Engineer - The County Engineer's Office shall be notified twenty-four (24) hours in advance of starting work on aforesated County Rights-of-Way. New construction that is discovered to have begun without notification will be subject to being shut down until proper procedure has been verified.
10. Permit on Job Site - All projects requiring a County Utility/Drainage or Driveway Permit will be required to have a copy of the permit in their possession on the job site and be able to produce said copy when requested. Failure to do so will be considered as operating without a valid permit and operations shall cease and desist. As in the past, field work that is classified as maintenance will not be subject to the above. The exception on maintenance would be in the event excavation adjacent to a roadway is to be left open overnight. We would want notification for the purpose of inspecting for adequate barricades, lights, etc.
11. Rights of a Prior Permittee - The construction and maintenance of aforesated installation shall not interfere with the property and rights of a prior permittee.
12. Final Inspection: The County Engineer's Office shall be notified by the Applicant upon completion of the installation permitted herein, so that a final inspection may be made.
13. Ft. Pierce Farms Drainage District may have sufficient interest in the crossing of Canals 14, 15, 16 and 17 and a permit from them may be required. Applicant shall assume responsibility for the satisfactory operation of these canals to the extent that adjacent property owners do not suffer unusual hardship.
14. Other Entities - This permit in no way waives the authority and/or jurisdiction of any other governmental entity.