

APPENDIX D
REAL ESTATE

FINAL REPORT

OKALOOSA COUNTY, FLORIDA
COASTAL STORM RISK MANAGEMENT

Integrated Feasibility Study
With Environmental Assessment

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Section 1.0 Preamble

This Real Estate Plan (REP) identifies the preliminary and conceptual real estate requirements for the proposed construction of the various project components for a Federal shore protection project in Okaloosa County, Florida. These real estate requirements are based on a project need to reduce the damaging effects of hurricanes and severe storms to real property along the coast and stabilize or restore the shoreline by eliminating long-term erosion.

The REP is tentative in nature for planning purposes only and both the final real property acquisition lines and estimates of value are subject to change even after approval of this report. The REP is written to support the Okaloosa County Coastal Storm Risk Management Study and is written to the same level of detail as the Feasibility Report. The author of this report has inspected the project area. This REP was last updated on July 15, 2021.

1.1 Study Authorization:

The authority for conducting this study is contained in House Resolution 2758 adopted June 28, 2006 which reads as follows:

“Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, in accordance with Section 110 of the River and Harbors Act of 1962, the Secretary of the Army is requested to review the feasibility of providing shoreline erosion control, beach nourishment, storm damage reduction, environmental restoration and protection, and related improvements in Okaloosa County, Florida, taking into consideration the unique characteristics of the existing beach sand and the need to develop a comprehensive body of knowledge, information, and data on coastal area changes and processes as well as impacts from Federally constructed projects in the vicinity of Okaloosa County, Florida.”

The Bipartisan Budget Act of 2018 (Public Law 115-123), Division B, Subdivision 1, Title IV, appropriates funding for the study at full Federal expense. As identified under this “Supplemental Appropriation” bill, the study is subject to additional reporting requirements and are expected to be completed within three years and for \$3 million dollars.

1.2 Official Project Designation: Okaloosa Coastal Storm Risk Management Study

1.3 Study Area:

The study location is located in Okaloosa County, Florida along the coast of the Gulf of Mexico in the northwest Florida panhandle. Okaloosa County is situated approximately 40 miles east of Pensacola, Florida and 140 miles west of Tallahassee, Florida. Eglin Air Force Base is an extensive military reservation in Okaloosa and Walton Counties

that includes lands to the west of the project area, with an additional enclave, discussed within this report. Okaloosa County beaches extend from Eglin AFB lands, to the east of the project area and the eastern portion of Okaloosa Island, to the City of Destin, Florida in Okaloosa County, to the west. A vicinity map of Okaloosa County, Florida project limits is shown below as Figure 1-2.

1.4 Reach Delineation:

Quadrilaterals with a seaward boundary that is parallel with the shoreline that contain the Lots and Damage Elements, and that are used to incorporate coastal morphology changes for transfer to the lot level. In this study, the model reaches use Florida Department of Environmental Protection (FDEP) range monuments. Each model reach is approximately 1,000 feet long.

All the reaches were divided into sub-reaches of about 1,000 feet based on the FDEP monuments. The Okaloosa Island Reach consisted of FDEP monuments R01 through R15. The West Destin Reach consisted of FDEP monuments R18 through R32 and the East Destin Reach consisted of FDEP monuments R33 through R50.

Figure 1-2 shows an aerial view of the Beach-fx model reaches.

1.5 Non-Federal Sponsor: The Non-Federal Sponsor for this Study is Okaloosa County, Florida, acting by and through its Tourism Development Council.

Section 2.0 Statement of Purpose

The purpose of this REP is to present the overall plan describing the minimum real estate requirements for the construction, operation, maintenance, repair and rehabilitation herein referred to as the Recommended Plan.

Figure 1-1: Identification of Study Area

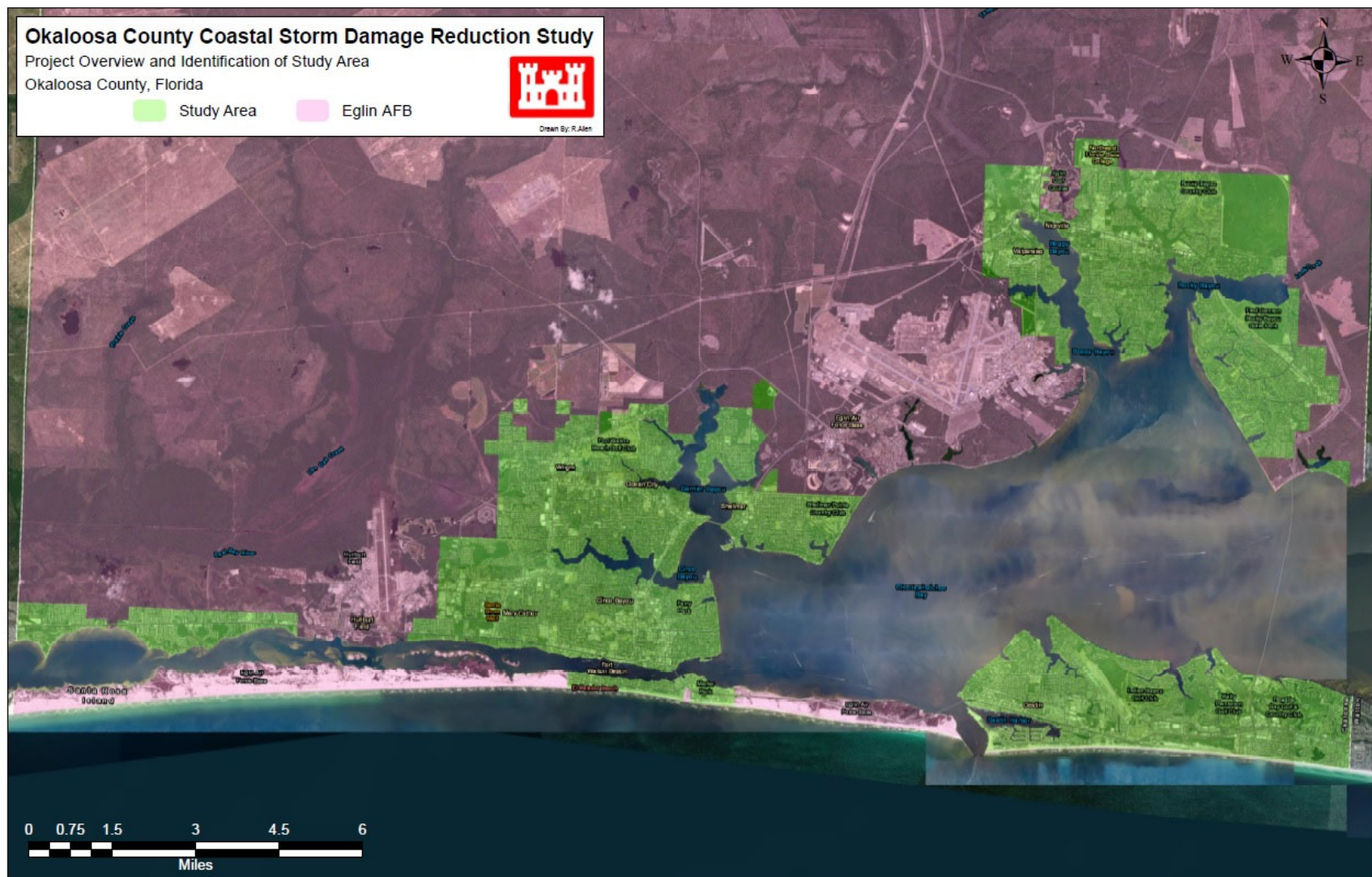
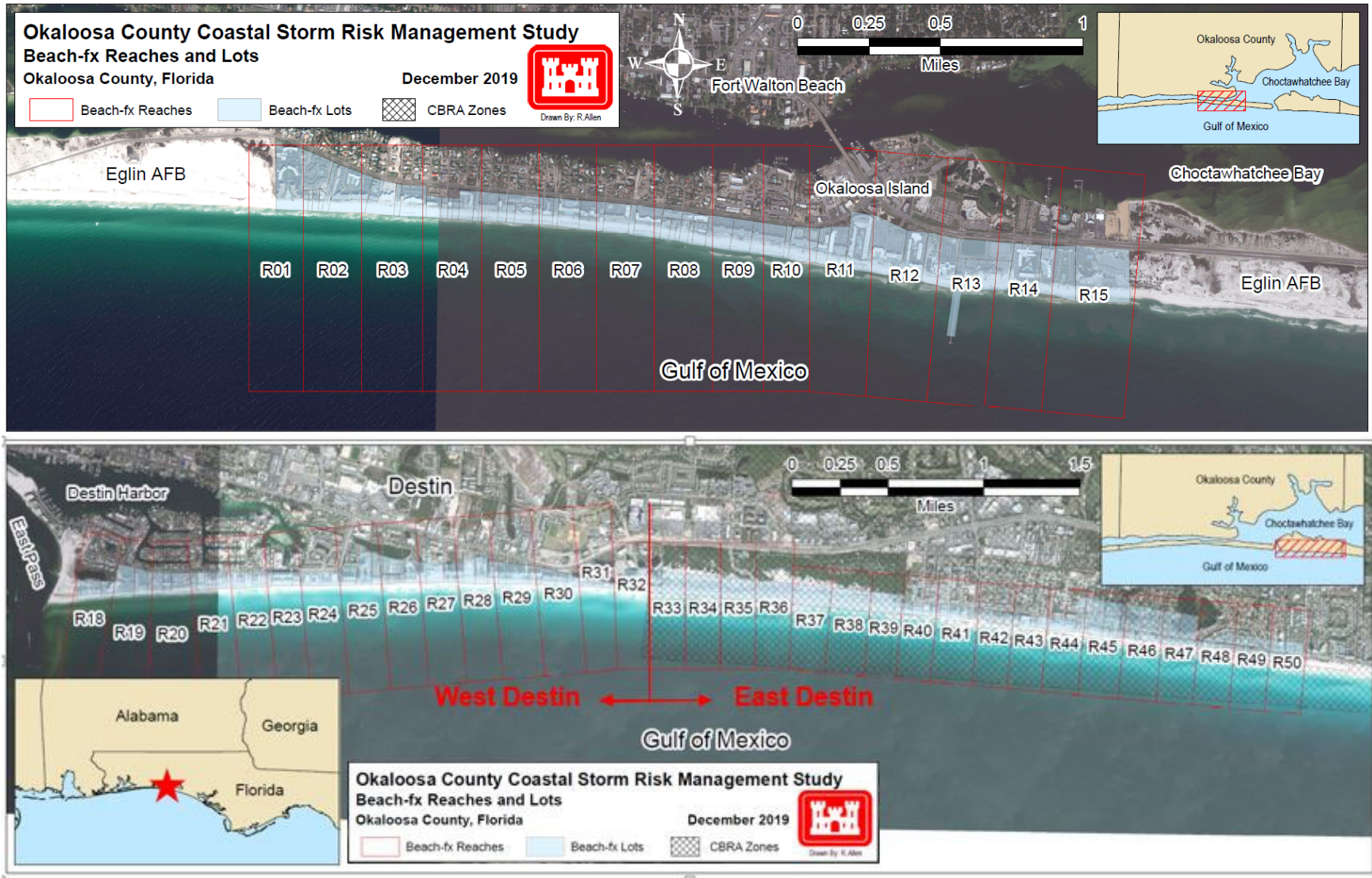


Figure 1-2: Delineation of Reaches



Section 3.0 Project Description

The Recommended Plan for the Okaloosa County CSRM Feasibility Study consists of berm and dune nourishment in the Okaloosa Island and West Destin reaches of the study area shown in Figures 1-1 and 1-2. In the Okaloosa Island reach, the plan consists of providing a dune with a crest design elevation of 14 feet NAVD88 and a crest width of 10 feet with seaward and landward slope of 1V:5H; and a berm having a design crest width of 10 feet at a crest elevation of 5.5 feet NAVD88 then sloping seaward at 1V:15H. The Okaloosa Island reach extends approximately 16,500 feet from FDEP monument R1 to R15 with transitions of 450 feet at each terminus. In West Destin, the plan consists of providing a dune with a design crest elevation of 14 feet NAVD88 and a crest width of 10 feet with seaward and landward slope of 1V:5H, and a berm having a design crest width of 30 feet at a crest elevation of 5.5 feet NAVD88 then sloping seaward at 1V:15H. The West Destin reach extends approximately 16,000 feet from FDEP monument R18 to R32 with transitions of 450 feet at each terminus. Reference Appendix A for the design profile for Okaloosa Island and West Destin.

The only improvements noted in the proposed easement area are access structures, such as walkways and dune crossovers. Damage to any existing structures is not compensable as this would be covered under the easement estate that is acquired by the Sponsor. Furthermore, this damage is not creditable unless an approved appraisal shows compensation due because of the structure damage. It should be noted that the Perpetual Beach Storm Damage Reduction Easement provided herein allows for landowners to “construct dune over walk structures in accordance with any applicable Federal, State or local laws or regulations, provided that such structures shall not violate the integrity of the dune in shape, dimension or function, and that prior approval of the plans and specifications for such structures is obtained from the Okaloosa County Tourist Development Council acting by and through the Okaloosa County Board of Commissioners and provided further that such structures are subordinate to the construction, operation, maintenance, repair, rehabilitation and replacement of the project.”

The MHWL is used for estimate purposes for this project since an ECL has not been identified and recorded for the entire Okaloosa County coastline; however, recordation of the ECL will be required prior to construction. Existing ECL is attached hereto as **Exhibit B** and shall be reviewed, updated, and recorded pursuant to the Florida Department of Environmental Protection (FDEP) permitting process and during the Pre-construction, Engineering, and Design (PED) phase of the project.

Section 4.0 Required Lands, Easements, Rights-of-Way, Relocations and Disposal Areas (LERRD):

4.1 Main Construction Area: Refer to Appendix A for the design profile for Okaloosa Island and West Destin. There are 124 parcels anticipated to be impacted in the main construction area, with a preliminary estimate of 110.27 acres, more or less, required in Perpetual Storm Damage Reduction Easements for the National Economic Development (NED) plan from reaches R01 to R15 and R18 to R32. Reference **Exhibit A** to this appendix for a description of the required parcels.

The proposed perpetual beach storm damage reduction easements will be located landward of the Mean High Water Line (MHWL) or the Erosion Control Line (ECL) once the ECL is surveyed and recorded. The ECL is expected to be set by FDEP during the PED phase of the project.

Material placed upon public lands seaward of the MHWL or proposed ECL will require a Consent of Use from the State of Florida. The Consent of Use grants the rights to place material on state-owned submerged lands in accordance with the beach nourishment plans submitted with the application for an ECL.

All acreage estimations are based on the average distance from the conceptual landward toe of the proposed dune to the MHWL. The MHWL normally corresponds with the ECL and is an estimate of where the ECL will be set. For planning purposes, an easement width extending from the maximum landward baseline to the MHWL is contemplated based on typical cross sections. In addition, at this stage, the conceptual nature of project design in the design template does not provide enough detail to accurately assess the acreage requirements.

4.1.1 Okaloosa Island Segment: In the Okaloosa Island reach, the plan consists of providing a dune with a crest elevation of 14 feet, NAVD88, with a crest width of 10 feet with a side-slope of 5 horizontal (H) on 1 vertical (V), and a berm with a crest elevation of 5.5 feet, NAVD88, with a berm crest width of 10 feet with a foreslope of 15 H on 1 V.

4.1.2 West Destin Segment: In West Destin, the plan consists of providing a dune with a crest elevation of 14 feet, NAVD88, with a crest width of 10 feet with a side-slope of 5 H on 1 V, and a berm with a crest elevation of 5.5 feet, NAVD88, with a berm crest width of 30 feet with a foreslope of 15 H on 1 V.

Henderson Beach State Park is owned by the State of Florida and is adjacent to the terminus of reach R32. State-owned lands are governed by the Florida Board of Trustees of the Internal Improvement Trust Fund (TIITF). For those areas where the project construction limits transition onto State-owned lands, a Consent of Use or Temporary Work Area Easement will be required from the appropriate State agency.

The LERRD requirements described in this report are conceptual maximum-extent comparisons intended to capture a range of potential scenarios and are not reflective of a detailed site-specific design drawing. Further refinement and surveys would be needed at a later date in the Pre-Construction Engineering Design (PED) phase.

4.2 Construction Access: The proposed construction access will be provided via public rights-of-way and from offshore barges.

4.3 Borrow Areas: Two offshore borrow areas are detailed in Appendix A to support implementation of the Recommended Plan, requiring a total of approximately 1,700 acres, more or less. Either a standard Borrow Area Easement or Permit/Consent agreement for sand removal from the proposed borrow areas will be required.

One primary offshore borrow area has been identified as a source of sand for this project. If required for future renourishment cycles, a secondary site has been identified to accommodate this need. A more detailed discussion on the borrow area is found in the Geotechnical Analysis and in the Sand Compatibility Analysis.

Figure 4-3 represents the location of the primary site (OK-A) and the alternate site (OK-B), which would be subject to all FDEP permitting requirements for use of sovereign submerged state lands, although it is currently anticipated that the primary site will be sufficient for initial renourishment.

FDEP permitting requirements are outlined in Form 62-330.060(1) - Joint Application for Individual and Conceptual Environmental Resource Permit/ Authorization to Use State-Owned Submerged Lands/ Federal Dredge and Fill Permit Incorporated by reference in subsection 62-330.060(1), F.A.C. (October 1, 2013).

The Submerged Lands Act (SLA) of 1953, 43 U.S.C. § 1301 et seq is a U.S. federal law that recognized the title of the states to submerged navigable lands within their boundaries at the time they entered the Union. It is generally assumed that this is 3 miles, but there is an exception for state lands in the Gulf of Mexico. According to an Attorney General's opinion issued in 1995, Opinion AGO 95-51, "Florida waters' are those waters in the Atlantic Ocean out to three (3) geographic miles from the coastline and in the Gulf of Mexico out to three (3) marine leagues, or 9 geographic miles, or approximately 10.376 statute miles, from the coastline." It is recommended that confirmation of the above-referenced requirements occur in the PED phase.



Figure 4-3: Okaloosa County Offshore Borrow Areas

4.4 Temporary Work Areas: In the event the Sponsor encounters difficulties with construction access and staging, it is recommended that the Sponsor acquire a temporary work area easement. Said temporary easement term should be required for 24 – 36 months in order to provide enough time for the project to be fully constructed unless it is determined later that the easement term can be minimized to reflect construction phases.

Section 5.0 Sponsor Owned Lands

Eleven parcels have been identified within the project area owned by the Sponsor in Fee Simple and are described in **Exhibit A**. Okaloosa County owns numerous regional beach areas, street ends which will be used for access, and parking areas that could be used for staging areas during construction.

Section 6.0 Standard Estates

The recommended estates for the Recommended Plan are listed below. It is duly noted that State of FL Consent of Use for uplands and Sovereign Submerged Lands Authorization/Consolidated Joint Coastal Permit for lands seaward of the ECL is pending HQ approval for continued use in lieu of a standard real estate interest.

Perpetual Beach Storm Damage Reduction Easement

A perpetual and assignable easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts No. ____), for use by the Project Sponsor, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach, a dune system, and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms and dunes; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Okaloosa County Coastal Storm Risk Management Project, together with the right of public use and access; to plant vegetation on said dunes and berms; to erect, maintain and remove silt screens and snow fences; to facilitate preservation of dunes and vegetation through the limitation of access to dune areas; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement (except _____); (reserving, however, to the grantor(s), (his) (her) (its) (their) (heirs), successors and assigns, the right to construct dune over walk structures in accordance with any applicable Federal, State or local laws or regulations, provided that such structures shall not violate the integrity of the dune in shape, dimension or function, and that prior approval of the plans and specifications for such structures is obtained from the Florida Department of Environmental Protection (FDEP) and provided further that such structures are subordinate to the construction, operation, maintenance, repair, rehabilitation and replacement of the project; and further reserving

to the grantor(s), (his) (her) (its) (their) (heirs), successors and assigns all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

Standard Borrow Area Easement

A perpetual and assignable right and easement to clear, borrow, excavate and remove soil, dirt, and other materials from (the land described in Schedule A) (Tracts Nos. _____, _____ and _____); subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges in said land as may be used without interfering with or abridging the rights and easement hereby acquired.

Temporary Work Area Easement

In the event that the Sponsor encounters difficulties with construction access and staging, it is recommended that the Sponsor acquire a temporary work area easement. Said temporary easement term should be required for 24 – 36 months in order to provide enough time for the project to be fully constructed unless it is determined later that the easement term can be minimized to reflect construction phases.

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____), for a period not to exceed _____, beginning with date possession of the land is granted to the Project Sponsor, for use by the Project Sponsor, its representatives, agents, and contractors as a work area, including the right to deposit backfill, move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Okaloosa County Coastal Storm Risk Management Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Section 7.0 Existing Federal Projects

No known Federal beach renourishment projects have been identified in the project area. It is duly noted that the East Pass and Gulf Intercoastal Waterway Navigation

projects are included within the study area, but no impact to the existing Federal projects is currently anticipated.

Section 8.0 Federally-Owned Lands

Parcels 00-2S-24-0000-0001-0000 and 00-2S-24-2185-0010-0030 were identified as within the custody and accountability of the United States Air Force, Eglin Air Force Base, Site 3 A5 which lies south of the U.S. 98 Fort Walton Beach bridge. This property is currently outleased as a beachfront hotel, and project improvements would be required on the portion of said lands lying along the beach front. The other parcel entails a potential taper point of undeveloped military lands for construction of the proposed dune and berm system, within the R01 area.

A discussion was held with the Eglin Real Property Office in Spring 2021 regarding the process required for USAF permitting of work on Federal property. Generally, such processes are governed by AFI 32-9003 and will require pre-approval by the Installation Development Committee (IDC) and other appropriate committees which meet quarterly. Expenses will be required for a survey, legal processes, appraisal, and other administrative fees. Outgrants executed at the Air Force level typically require a minimum of 12-24 months and vary based on complexity.

Section 9.0 Navigational Servitude

The federal navigational servitude is an aspect of the sovereignty of the United States, grounded in the Federal Government to regulate commerce under Article I, § 8, United States Constitution, entitling the government to exert a dominant servitude in all lands below the ordinary high water mark of navigable waters. Navigational servitude relieves the Federal Government of the obligation to pay compensation for acts interfering with the ownership of riparian, littoral, or submerged lands. Federal authority that relies on the navigational servitude is limited to activities related to maintaining and improving navigation. The Federal Government's ability to exercise navigational servitude is not available for this project as the determination has been made that no nexus exists between the proposed project and commercial navigation.

Under Florida law, the boundary between private riparian or littoral property and the State's sovereign land is the Ordinary High Water Mark (also known as the Mean High Water Line which represents the intersection of the land with the water surface at the elevation of mean high water), which migrates over time as sand is added or removed by natural forces.

The State of Florida claims all submerged lands that lie seaward of the Erosion Control Line (ECL) if an ECL has been established. Florida generally defines submerged lands along the Coast as publicly owned lands below the mean high-water line of salt waters extending seaward to the outer jurisdiction of the state. Florida law also requires that an ECL be fixed before a restoration project can proceed.

Section 10.0 Maps

Due to the conceptual nature of the design, detailed acquisition maps are not currently available. However, previous ECL maps in the study area provided by Okaloosa County are attached hereto as **Exhibit B**.

Section 11.0 Induced Flooding

No induced flooding is expected as a result of the proposed storm damage reduction and beach erosion control project.

Section 12.0 Baseline Cost Estimate for Real Estate (BCERE)

The proposed coastal storm risk management project has been thoroughly reviewed by Savannah District appraiser with additional review by Jacksonville District and South Atlantic Division review appraiser. The appraiser has determined a preliminary planning level estimation, included in the Baseline Cost Estimate for Real Estate (BCERE) given the preliminary nature of engineering design and limited understanding of contributing factors to cost.

In regards to crediting the Non-Federal Sponsor for lands, easements, rights-of-way, relocations, and disposal/borrow areas (LERRDs), Chapter 12, ER 405-1-12, para. 12-37.c.(2) states the following:

“For Shore Protection Projects, lands subject to shore erosion that are required for project purposes and that must be provided by the non-Federal sponsor must be appraised for crediting purposes considering special benefits in accordance with relevant Federal statutes and Department of Justice regulations. For private land holdings, the non-Federal sponsor must receive credit for the LER value, if any, that results from application of this special benefits analysis. For public land holdings, any credit amount proposed must first be approved by HQUSACE through a request forwarded, through Division, to HQUSACE (ATTN: CERE). For additional discussion, see Memorandum from the Director of Civil Works, Revision to Policy Guidance Letter No. 11, Credit for Lands, Easements, and Rights-of-Way (LER) at Shore Protection Projects, dated 21 April 1989.”

In gross appraisal report dated August 1, 2020, it was stated that "It is the professional opinion of the undersigned that there are no Special Benefits in the case of the subject properties based on the project as described at this time." Crediting for land acquisition subject to review based on appraisal, actual costs and RE review of the Sponsor's credit package.

The administrative costs include project real estate planning, mapping, oversight, crediting review, certification of lands required for project purposes, real estate analysis or other requirements that may be necessary during the PED phase. The Sponsor will receive credit towards its share of creditable real estate administrative project cost

incurred for certification which will be based upon documentation furnished by the Sponsor.

For this particular project, the Sponsor administrative costs are those costs incurred for verifying ownership of lands, certification of those lands required for project purposes, legal opinions, title insurance, appraisals, condemnations, property analysis and/or other requirements to secure the land interests that will be necessary during the Preconstruction, Engineering and Design (PED) Phase. Table 12-1 is an itemized breakdown of the estimated real estate costs as of December 2020.

ER 1105-2-100 specifies requirements for Federal participation in Shore Protection projects. Reference the main report for further information regarding access and parking requirements for Federal participation.

Table 12-1. Baseline Cost Estimate for Real Estate



Chart of Accounts				
01A	PROJECT PLANNING	FEDERAL	NON-FEDERAL	TOTALS
	Other	\$62,000	\$ -	\$62,000
	Project Partnership Agreement (OC)	\$ -	\$ -	\$ -
01AX	Contingencies	\$ -	\$ -	\$ -
	<u>Subtotal</u>	\$62,000	\$ -	\$62,000
01R	LANDS AND DAMAGES			
01R1A	By Government	\$ -	\$ -	\$ -
01R1B	LERRD Payments by NFS	\$ -	\$14,449,389	\$14,449,389
01R1E	LERRD Admin by NFS	\$ -	\$1,240,000	\$1,240,000
01R2B	PL 91-646 Relocation Payments by NFS	\$ -	\$ -	\$ -
01R2E	PL 91-646 Admin by NFS	\$ -	\$ -	\$ -
01RX	Contingency – Less LERRD Payment	\$ -	\$310,000	\$310,000
	<u>Subtotal</u>	\$ -	\$15,999,389	\$15,999,389
02	RELOCATIONS			
02100	Relocation Roads/Bridges	\$ -	\$ -	\$ -
02200	Relocation RR/Bridges	\$ -	\$ -	\$ -
02300	Relocation Cemetery/Utility/Structure	\$ -	\$ -	\$ -
	<u>Subtotal</u>	\$ -	\$ -	\$ -
	TOTALS	\$62,000.00	\$15,999,389	\$16,061,389
	ROUNDED TOTAL			\$16,100,000

Note: Contingency removed from LERRD Payment because contingencies had already been factored in within the gross appraisal report.

Section 13.0 Compliance with Public Law 91-646

Relocations under the Uniform Act are not anticipated to be necessary for the Recommended Plan; nevertheless, the Sponsor will be responsible for complying with provisions of the Uniform Relocations Assistance and Real Property Acquisition Policies Act (P.L. 91-646), as amended, and the uniform regulations contained in 49 Code of Federal Regulations, Part 24.

Section 14.0 Minerals and Timber Activity

Mineral and timber activities have not been identified at the project's beachfront locations, and are not anticipated to impact the real estate requirements for the Recommended Plan.

Section 15.0 Land Acquisition Experience and Capability of the Sponsor

An assessment of the Sponsor's professional and legal capability to provide the requisite LERRD requirements for construction, operation, and maintenance of the project is attached hereto as **Exhibit C**.

The Sponsor has been notified of the risks involved upon acquiring lands required for the project prior to execution of the PPA. Should the Sponsor proceed with acquisition of lands prior to execution of the PPA, it is at the risk of not receiving credit or reimbursement for any costs incurred in the connection with the acquisition process should the PPA not be signed. There is also risk in acquiring lands either not needed for the project or not acquired in compliance with requirements for crediting purposes in accordance with ER 405-1-12.

Section 16.0 Zoning

Application or enactment of zoning ordinances is not anticipated for this beachfront renourishment project.

Section 17.0 Acquisition Schedule

Given the nature of this project, completion of the real estate phase hinges on completion of several overall project milestones. Specifically, the projected fiscal budget appropriations, anticipated approval of the Chief's Report and ultimately the finalization of a Project Partnership Agreement (PPA). In the PED phase, a detailed Engineering design will allow the development of the Sponsor's Notice to Proceed with Real Estate Land Acquisition per ER 405-1-12.

The Sponsor has been notified of the risks involved as provided for in **Exhibit D – Formal Risk Notification Letter**. However, the real estate schedule ultimately centers on

the placement and recordation of an updated ECL which is anticipated for the vast majority of the project coastline. Due to the large number of impacted lands, a minimum of 24 to 36 months for the acquisition process is estimated for this project, but the schedule could be protracted by certain issues (for example, FDEP permitting requirements). It is recommended that the project be constructed in phases to mirror the acquisition timeline. The Sponsor, USACE Project Manager, and Real Estate Technical Manager will further formulate the milestone schedule upon project approval to allow adequate time to complete real estate acquisition phase in order to meet the advertisement for construction date(s).

It is critical to note some issues that have an impact on acquisition schedules are landowner attitudes, funding concerns, manpower resources, and title defects. Depending on the nature of some title defects, significant time and efforts should be expected to impact acquisition milestones. In some cases, curative efforts may require condemnation to identify and provide legal notice to all affected landowners. Where negotiations fail and condemnation is required, the Sponsor should use their quick-take authority in order to expedite the condemnation process and allow for possession of the property for project purposes. The Sponsor has documented in **Exhibit C** attached hereto that quick-take authority is available for this project.

Section 18.0 Facility and/or Utility Relocations

There are no known facilities or utility relocations within the scope of the proposed project.

Section 19.0 Hazardous, Toxic, and Radioactive Waste (HTRW)

There is no known or suspected presence of Hazardous, Toxic, and Radiological Waste (HTRW) located in, on, under, or adjacent to the LERRDs required for the construction or operation and maintenance of the proposed project.

Section 20.0 Anticipated Landowner Support or Opposition to the Project

Based on past meetings with the Non-Federal Sponsor, it appears the majority of landowners within the project area are receptive to the proposed coastal storm risk management project since this project will provide much needed protection to upland structures and real property, with some limited potential opposition noted.

For historical reference, in 2004, a small group of landowners challenged the establishment of an Erosion Control Line in Florida (applied under the Beach and Shore Preservation Act) claiming that this acquisition affected an unconstitutional taking of their property without just compensation. The importance of citing this case is to point

out the possible procedural effects on real estate acquisition for this proposed project.

After the Florida Supreme Court decision was issued on 29 September 2008 with an Opinion holding that the Beach and Shore Preservation Act achieves a reasonable balance between public and private interests, this case was further elevated to the Supreme Court of the United States (No. 08-1151), argued December 2, 2009 and decided June 17, 2010. The Supreme Court affirmed the lower court's decision.

Another separate case, focused on enforcement of trespass laws was reviewed in the United States Court of Appeals for the Eleventh Circuit, D.C. Docket No. 3:10-cv-00157-MCR-EMT, between the Crystal Dunes Owner Association Inc, et al versus the City of Destin Florida, Okaloosa County Sheriff's Office, et al.. Pursuant to City policy, the Sheriff's Office would not enforce trespass laws within twenty feet of the wet sand's edge. The court affirmed the District Court's dismissal of the Owners' claims due to failure to establish an equal protection clause violation, and further citing that the manner in which the City and Sheriff's Office choose to enforce Fla. Stat. Ann. § 810.09(2)(b) remains subject to their discretion."

Section 21.0 Notifications to the Sponsor

The Sponsor has been notified via email and supplied with a formal notification of the risks involved in acquiring land for the proposed prior to the execution of the PPA and the Government's formal notice to proceed with acquisition. The Sponsor's acknowledgment of these risks is attached hereto as **Exhibit D**.

Section 22.0 Other Issues

Pursuant to Resolution No. 17-123 of the Okaloosa County Board of County Commissioners, a procedure was set up for conversion of those demonstrating to possess 100 percent leasehold interests pursuant to the original 99-year lease established by the Okaloosa Island Authority, in order to obtain a Quitclaim Deed from the County, notwithstanding certain stipulations set forth in the Resolution. An analysis of these leasehold interests may be required in conjunction with the Sponsor's title evidence review in order to ensure that perpetual beach storm damage reduction easement interests, acquired from public and private entities, are not abrogated.

Section 23.0 Report Recommendation

This report has been prepared in accordance with Chapter 12, ER 405-1-12 (Real Estate Planning for Civil Works Projects). It is recommended that this report be approved.

KAREN M. KENNEDY
District Chief of Real Estate
U.S. Army Engineer District, Mobile

Prepared by:

John J. Tetreau
Realty Specialist
USACE-SAM-RE-A

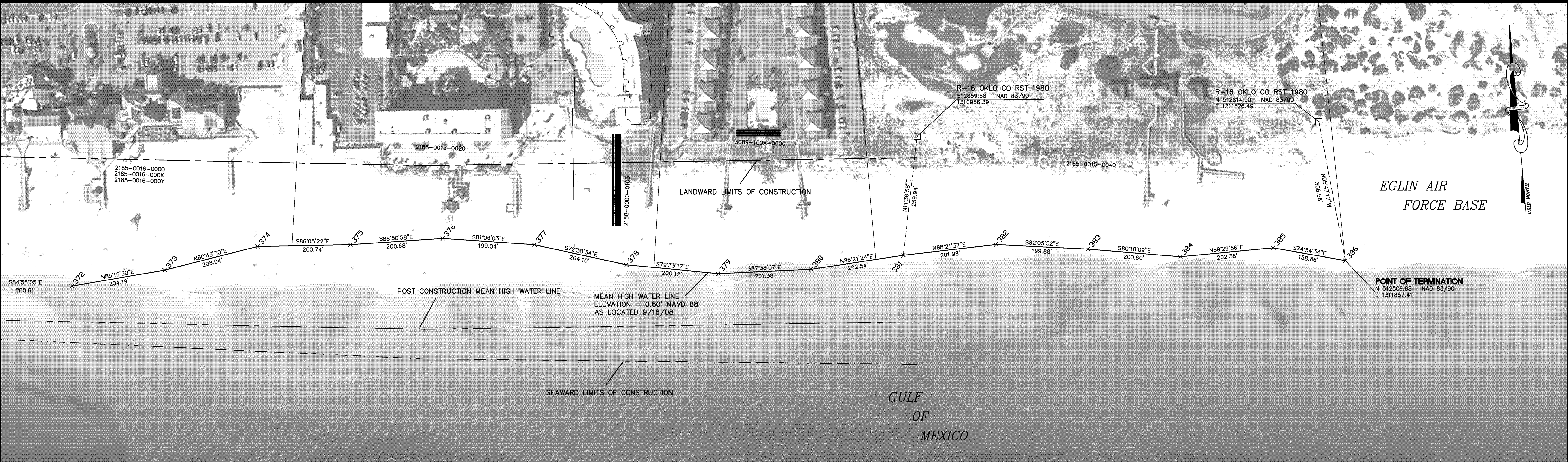
Exhibits

- A – Conceptual Real Estate Parcel List
- B – Okaloosa County Erosion Control Line Data
- C – Sponsor Real Estate Acquisition Capability Assessment
- D – Real Estate Risk Notification Letter

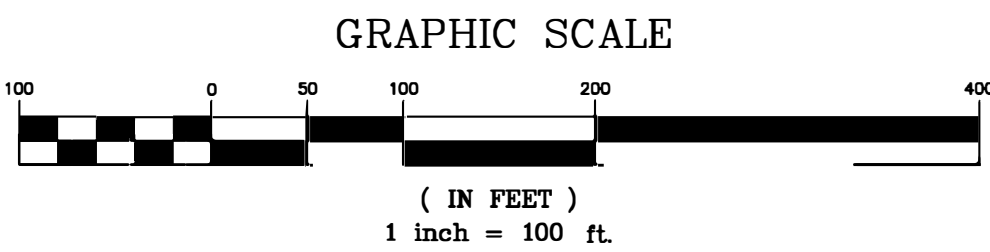
EXHIBIT A - PARCEL LIST

Okaloosa Island - Fort Walton Beach						
Block	Parcel	Street Address	Building Improvement	Zoning	Size (Ac)	Preliminary Estimated Acq. Area (SF)
-	00-25-24-2185-0000-OCA0	-	Beachfront	-	66.64	2,902,838.4
09	00-25-24-0800-0000-0000	909 Santa Rosa Blvd	Condominium Units	B-2	10.98	352.4
09	00-25-24-2185-0009-BCC0	Santa Rosa Blvd	10' wide access	B-2	0.03	62.1
09	00-25-24-2185-0009-0547	940 Santa Rosa Blvd	Apartment Units	B-2	5.20	610.3
09	00-25-24-3095-0000-0000	925 Whelk Court	Condominium Units	B-2	0.27	660.1
09	00-25-24-0222-0000-0010	926-A Whelk Court	SF Townhouse	B-2	0.11	283.9
09	00-25-24-0222-0000-0020	926-B Whelk Court	SF Townhouse	B-2	0.07	156.9
09	00-25-24-0222-0000-0030	926-C Whelk Court	SF Townhouse	B-2	0.07	158.6
09	00-25-24-0222-0000-0040	926-D Whelk Court	SF Townhouse	B-2	0.15	698.8
09	00-25-24-126M-0000-0000	927 Whelk Court	Condominium Units	B-2	0.46	675.7
00-25-24-2185-07TH-ROAD County Land - 7th Beach Parking					2.43	0.0
08	00-25-24-2215-0000-0000	874 Venus Court	Condominium Units	B-2	1.14	0.0
08	00-25-24-2185-0008-BCC1	Santa Rosa Blvd	10' wide access	B-2	0.03	0.0
08	00-25-24-2183-0000-0000	866 Santa Rosa Blvd	Condominium Units	B-2	2.10	0.0
08	00-25-24-2185-0008-BCC0	Santa Rosa Blvd	10' wide access	B-2	0.10	0.0
08	00-25-24-1279-0000-0000	826 Scallop Court	Condominium Units	B-2	0.90	0.0
08	00-25-24-5555-0000-0000	858 Scallop Court	Condominium Units	B-2	2.12	0.0
00-25-24-2185-06TH-ROAD County Land - 6th Beach Parking					2.47	0.0
07	00-25-24-1299-0000-0000	790 Santa Rosa Blvd	Condominium Units	B-2	1.13	0.0
07	00-25-24-1297-0000-0000	790 Santa Rosa Blvd	Condominium Units	B-2	1.98	0.0
07	00-25-24-1283-0000-0000	760 Sundial Court	Condominium Units	B-2	1.19	0.0
07	00-25-24-2185-0007-428E	777 Sundial Court #1	SF Townhouse	B-2	0.15	0.0
07	00-25-24-2185-0007-428D	777 Sundial Court #2	SF Townhouse	B-2	0.06	0.0
07	00-25-24-2185-0007-428C	777 Sundial Court #3	SF Townhouse	B-2	0.06	0.0
07	00-25-24-2185-0007-428B	777 Sundial Court #4	SF Townhouse	B-2	0.05	0.0
07	00-25-24-2185-0007-428A	777 Sundial Court #5	SF Townhouse	B-2	0.12	0.0
07	00-25-24-2195-0000-0000	776 Sundial Court	Condominium Units	B-2	0.34	0.0
07	00-25-24-2722-0000-0000	774 Sundial Court	Condominium Units	B-2	0.77	817.5
07	00-25-24-2185-0007-0424	772 Sundial Court	Vacant Lot	B-2	0.29	754.4
07	00-25-24-1280-0000-0000	770 Sundial Court	Condominium Units	B-2	1.90	1,121.7
00-25-24-2185-05TH-ROAD County Land - 5th Beach Parking					2.30	0.0
06	00-25-24-127A-0000-0000	Santa Rosa Blvd	Condominium Units	B-2	1.87	3,650.2
06	00-25-24-1708-0000-0000	670 Santa Rosa Blvd	Condominium Units	B-2	0.68	267.2
06	00-25-24-2074-0000-0000	671 Nautilus Court	Condominium Units	B-2	0.25	65.9
06	00-25-24-4993-0000-0000	670 Nautilus Court	Condominium Units	B-2	0.45	0.0
06	00-25-24-2185-0006-0347	668 Nautilus Court	MF Duplex	B-2	0.21	0.0
06	00-25-24-0065-0000-0000	667 Nautilus Court	Condominium Units	B-2	0.72	0.0
06	00-25-24-2201-0000-0000	663 Nautilus Court	Condominium Units	B-2	0.60	0.0
06	00-25-24-173A-0000-0000	660 Nautilus Court	Condominium Units	B-2	1.49	3,874.0
00-25-24-2185-04TH-ROAD County Land - 4th Beach Parking					2.07	0.0
05	00-25-24-2180-0000-0000	590 Santa Rosa Blvd	Condominium Units	B-2	2.63	0.0
05	00-25-24-2185-0005-0263	573 Santa Rosa Blvd	Hotel	B-2	2.72	149.4
05	00-25-24-2650-0000-0000	556 Coral Court	Condominium Units	B-2	0.27	0.0
05	00-25-24-3099-0000-0000	554 Coral Court	Condominium Units	B-2	2.30	47.7
05	00-25-24-2185-0005-0282	540 Santa Rosa Blvd	Hotel	B-2	0.99	0.0
00-25-24-2185-03RD-ROAD County Land - 3rd Beach Parking					2.27	0.0
04	00-25-24-4193-0000-0000	520 Santa Rosa Blvd	Condominium Units	B-2	3.41	8.5
04	00-25-24-5023-0000-0000	468 Abalone Court	MF Small Condo	B-2	0.25	0.0
04	00-25-24-5110-0000-0000	467 Abalone Court	MF Small Condo	B-2	0.26	0.0
04	00-25-24-2184-0000-0000	466 Abalone Court	Condominium Units	B-2	0.30	27.5
04	00-25-24-2185-0004-0189	465 Abalone Court	MF Small Condo	B-2	0.28	307.9
04	00-25-24-2185-0004-0188	464 Abalone Court	MF Small Condo	B-2	0.31	682.7
04	00-25-24-2185-0004-0187	463 Abalone Court	SF Residence	B-2	0.33	1,213.1
04	00-25-24-5660-0000-0000	462 Abalone Court	Condominium Units	B-2	0.30	1,527.4
04	00-25-24-2185-0004-0209	461 Abalone Court	Condominium Units	B-2	1.18	0.0
04	00-25-24-5995-0000-0000	460 Abalone Court	Condominium Units	B-2	0.70	5,738.1
00-25-24-2185-02ND-ROAD County Land - 2nd Beach Parking					2.06	0.0
03	00-25-24-0059-0000-0000	381 Santa Rosa Blvd	Condominium Units	B-2	2.89	9,090.2
03	00-25-24-0062-0000-0000	Santa Rosa Blvd	Condominium Units	B-2	2.80	7,260.7
03	00-25-24-2185-0003-123A	380 Santa Rosa Blvd	Hotel	B-2	1.41	2,383.1
03	00-25-24-1057-0000-0000	376 Santa Rosa Blvd	Condominium Units	B-2	1.41	1,042.9
03	00-25-24-1055-0000-0000	376 Santa Rosa Blvd	Condominium Units	B-2	1.84	25.8
00-25-24-2185-01ST-ROAD County Land - 1st Beach Parking					2.72	0.0
11	00-25-24-1100-0000-0000	Santa Rosa Blvd	Condominium Units	B-3	4.26	0.0
11	00-25-24-2209-0000-0000	Santa Rosa Blvd	Condominium Units	B-3	2.08	0.0
11	00-25-24-2185-0011-0010	1112 Santa Rosa Blvd	Hotel	B-3	2.51	0.0
11	00-25-24-2182-0000-0000	1111 Santa Rosa Blvd	Condominium Units	B-3	2.04	0.0
11	00-25-24-2400-0000-0000	1110 Santa Rosa Blvd	Condominium Units	B-3	9.40	27.3
RADAR	00-25-24-2185-0010-0030	1299 Miracle Pkwy	Gov't Land - Hotel	USG	17.06	122,038.8
		1297 Miracle Pkwy	Gov't Land - Hotel	USG		
10	00-25-24-2185-0010-0010	1325 Miracle Pkwy	Hotel	B-3	9.12	63,942.1
10	00-25-24-2185-0010-0020	1010 Miracle Pkwy	Recreation & Tourism	B-3	11.92	122,999.2
00-25-24-2185-0016-0010 Pier Road					3.77	36,322.5
NBW Park	00-25-24-2185-0016-0000	1450 Miracle Pkwy	County Land - Rec&Tour	Park	17.61	190,210.2
15	00-25-24-2185-0015-0020	1500 Miracle Pkwy	Hotel	B-3	11.52	97,308.4
15	00-25-24-2188-0000-0000	1515 Miracle Pkwy	Condominium Units	B-3	3.29	38,127.2
15	00-25-24-3089-0000-0000	1452 Miracle Pkwy	Condominium Units	B-3	9.02	109,200.3
15	00-25-24-2185-0015-0040	1540 Miracle Pkwy	Public Parking	B-3	21.29	212,923.5


West Destin - Holiday Isle // Gulf Resort							
Block	Parcel	Street Address	Building Improvement	Zoning	Size (Ac)		Preliminary Estimated Acq. Area (SF)
HI	00-25-24-0000-0024-0000	Destin West End	Gulf front	CON	20.35	N/A	29,711
HI	00-25-24-0110-0000-1490	51 Lands End Drive	SF Residence	HDR	0.11	85	0
HI	00-25-24-0110-0000-1500	53 Lands End Drive	SF Residence	HDR	0.14	70	0
HI	00-25-24-0110-0000-1510	55 Lands End Drive	SF Residence	HDR	0.21	70	905
HI	00-25-24-0110-0000-1520	57 Lands End Drive	Vacant Lot	HDR	0.26	63	2,257
HI	00-25-24-0110-0000-1530	59 Lands End Drive	SF Residence	HDR	0.25	61	1,656
HI	00-25-24-0110-0000-1540	61 Lands End Drive	SF Residence	HDR	0.19	51	910
HI	00-25-24-0110-0000-1550	63 Lands End Drive	Vacant Lot	HDR	0.18	51	654
HI	00-25-24-0110-0000-1560	65 Lands End Drive	SF Residence	HDR	0.17	51	400
HI	00-25-24-0110-0000-1570	67 Lands End Drive	SF Residence	HDR	0.11	35	129
HI	00-25-24-0110-0000-1580	69 Lands End Drive	SF Residence	HDR	0.10	35	18
HI	00-25-24-0110-0000-1590	71 Lands End Drive	SF Residence	HDR	0.10	35	0
HI	00-25-24-0110-0000-0000	74 Lands End Drive	SF Development HOA	HDR	10.72	134	0
HI	00-25-24-1295-0000-0000	500 Gulf Shore Drive	Condominium Units	HDR	6.16	728	39,305
HI	00-25-24-1300-0000-0000	502 Gulf Shore Drive	Condominium Units	HDR	3.55	115	9,710
HI	00-25-24-4575-0000-0000	506 Gulf Shore Drive	Condominium Units	HDR	4.88	357	30,664
HI	00-25-24-1285-000A-0002	510 Gulf Shore Drive	Condominium Units	HDR	5.25	423	41,591
HI	00-25-24-1093-0000-0000	514 Gulf Shore Drive	Condominium Units	HDR	2.92	240	23,877
HI	00-25-24-0063-0000-0000	520 Gulf Shore Drive	Condominium Units	HDR	6.03	500	62,998
HI	00-25-24-0620-0000-0000	600 Gulf Shore Drive	Condominium Units	HDR	2.16	195	29,206
HI	00-25-24-0000-0019-0000	Gulf Shore Drive	Res Common Area	LDR-HI	0.21	20	2,758
HI	00-25-24-2186-000B-0130	602 Gulf Shore Drive	Vacant Lot	LDR-HI	1.07	100	14,812
HI	00-25-24-2186-000B-0120	604 Gulf Shore Drive	Vacant Lot	LDR-HI	1.04	100	14,927
HI	00-25-24-2186-000B-0110	606 Gulf Shore Drive	SF Residence	LDR-HI	1.03	100	15,719
HI	00-25-24-2186-000B-0100	608 Gulf Shore Drive	SF Residence	LDR-HI	1.02	100	16,443
HI	00-25-24-2186-000B-0090	610 Gulf Shore Drive	SF Residence	LDR-HI	1.00	100	16,628
HI	00-25-24-2186-000B-0080	612 Gulf Shore Drive	SF Residence	LDR-HI	1.01	100	17,379
HI	00-25-24-2186-000B-0070	614 Gulf Shore Drive	SF Residence	LDR-HI	1.01	100	17,772
HI	00-25-24-2186-000B-0060	616 Gulf Shore Drive	SF Residence	LDR-HI	1.01	100	18,296
HI	00-25-24-2186-000B-0050	618 Gulf Shore Drive	SF Residence	LDR-HI	1.02	100	18,627
HI	00-25-24-2186-000B-0040	620 Gulf Shore Drive	SF Residence	LDR-HI	1.02	100	18,893
HI	00-25-24-2186-000B-0030	622 Gulf Shore Drive	Vacant Lot	LDR-HI	1.02	100	19,159
HI	00-25-24-2186-000B-0020	624 Gulf Shore Drive	SF Residence	LDR-HI	1.01	100	19,304
HI	00-25-24-2186-000B-0010	626 Gulf Shore Drive	SF Residence	LDR-HI	0.99	100	18,795
HI	00-25-24-0000-0018-0000	628 Gulf Shore Drive	Beach Access	LDR-HI	1.01	100	19,128
HI	00-25-24-2186-000A-0050	630 Gulf Shore Drive	Vacant Lot	LDR-HI	1.21	128	22,498
HI	00-25-24-2186-000A-0040	632 Gulf Shore Drive	SF Residence	LDR-HI	1.01	110	18,010
HI	00-25-24-2186-000A-0030	634 Gulf Shore Drive	SF Residence	LDR-HI	1.00	110	17,804
HI	00-25-24-2186-000A-0020	636 Gulf Shore Drive	SF Residence	LDR-HI	1.01	110	18,176
HI	00-25-24-2186-000A-0010	638 Gulf Shore Drive	SF Residence	LDR-HI	0.86	74	13,577
HI	00-25-22-1555-0000-0000	700 Gulf Shore Drive	Condominium Units	HIMU	0.91	102	16,195
HI	00-25-22-1888-0000-0000	720 Gulf Shore Drive	Condominium Units	HIMU	5.05	583	84,204
HI	00-25-22-1139-0000-0000	770 Gulf Shore Drive	Condominium Units	HIMU	2.20	251	33,635
HI	00-25-22-0701-0000-0000	Harbor Boulevard	Condominium Units	HIMU	38.44	1,092	13,978
GR	00-25-22-2170-0000-5042	830 Gulf Shore Drive	Condominium Units	GRMU	5.06	393	33,223
GR	00-25-22-217A-0000-0000	Gulf Shore Drive	Condominium Units	GRMU	3.57	441	38,953
GR	00-25-22-4200-0000-0000	Highway 98E	Condominium Units	GRMU	9.86	296	31,040



PARCEL ID						
2185-0016-0000						
2185-0016-000X						
2185-0016-000Y						
2185-0015-0020						
2188-0000-0103						
3089-100A-0000						
2185-0015-0040						



SEE SHEET 1 FOR NOTES



MEAN HIGH WATER LINE SURVEY
AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA

DRAWN BY
CAG

CHECKED BY
JRM

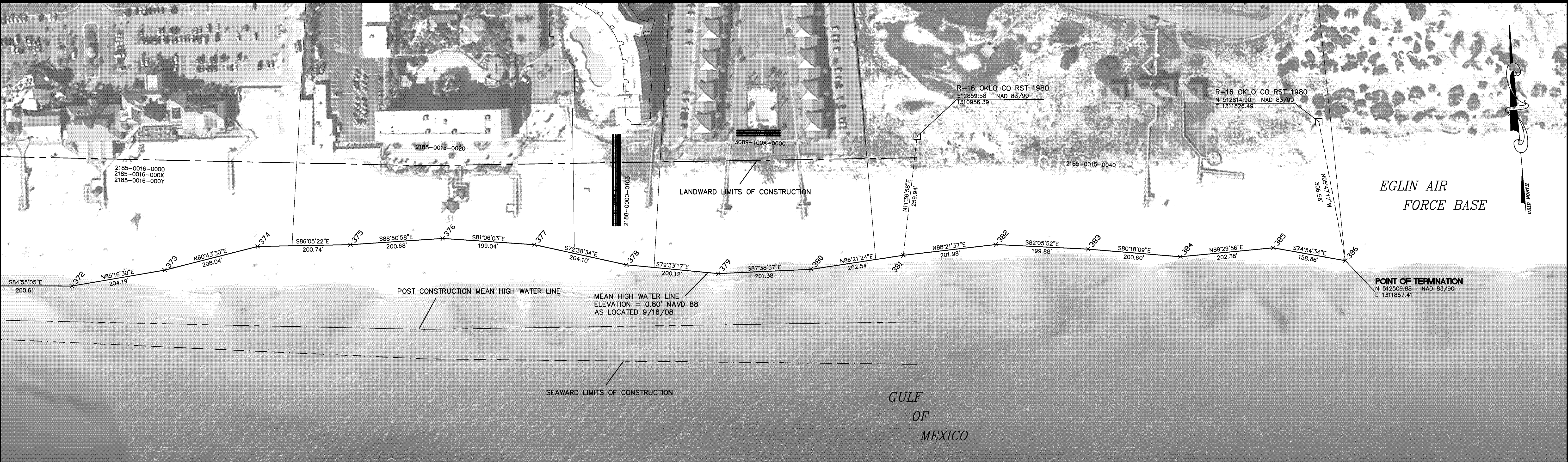
FIELD BOOK
PAGE NO. 1-2

OKA 28

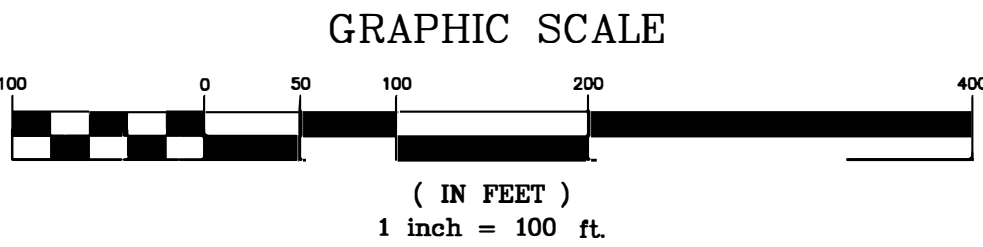
COMMISSION NO.
5374.16

SCALE
1" = 100'


SHEET 7 OF 7



PARCEL ID						
2185-0016-0000						
2185-0016-000X						
2185-0016-000Y						
2185-0015-0020						
2188-0000-0103						
3089-100A-0000						
2185-0015-0040						



SEE SHEET 1 FOR NOTES



MEAN HIGH WATER LINE SURVEY
AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA

DRAWN BY
CAG

CHECKED BY
JRM

FIELD BOOK
PAGE NO. 1-2

OKA 28

COMMISSION NO.
5374.16

SCALE
1" = 100'

SHEET 7 OF 7

NOTES

1. BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM OF 1983, NGS ADJUSTMENT OF 1990 (NAD83/90), ARE IN US SURVEY FEET, AND ARE BASED ON MONUMENTATION AS SHOWN IN THE CONTROL TABLE.
2. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), ARE IN FEET, AND ARE BASED ON MONUMENTATION AS SHOWN IN THE CONTROL TABLE.
3. MEAN HIGH WATER ELEVATION OF 0.80 FEET NAVD 88 IS BASED ON POINT ID 100271 OBTAINED FROM THE LAND BOUNDARY INFORMATION SYSTEM INTERNET WEB SITE (WWW.LABINS.ORG), AS SHOWN ON THE FDEP MEAN HIGH WATER PROCEDURE APPROVAL FORM DATED SEPTEMBER 11, 2008.
4. THE INFORMATION PRESENTED ON THESE DRAWINGS REPRESENTS THE RESULTS OF A SURVEY PERFORMED BY MORGAN & EKLUND, INC. ON SEPTEMBER 17, 2008 AND CAN ONLY BE CONSIDERED AS REPRESENTING THE CONDITIONS AT THE TIME OF THE SURVEY.
5. THE MEAN HIGH WATER LINE AS DEPICTED HEREON SHALL ALSO BE KNOWN AS THE EROSION CONTROL LINE.
6. THE DATE OF AERIAL PHOTOGRAPHY OF OKALOOSA COUNTY IS 2007 AND WAS PROVIDED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.
7. THE LOCATION OF LOT LINES AND SECTION LINES IS APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OKALOOSA COUNTY GIS DEPARTMENT.
8. THE MEAN HIGH WATER SURVEY DEPICTED HEREON COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES AND IS RECORDED IN THE PUBLIC REPOSITORY OF THE FLORIDA D.E.P. BUREAU OF SURVEY AND MAPPING AS MEAN HIGH WATER FILE NO. XXXX
9. THE MEAN HIGH WATER LINE WAS LOCATED HORIZONTALLY AND VERTICALLY USING A TRIMBLE R-8 DUAL FREQUENCY REAL-TIME KINEMATIC GPS SYSTEM WITH A RESULTANT ACCURACY OF ± 0.16 FEET.

MEAN HIGH WATER LINE
COORDINATE & ELEVATION VALUES

NAD 83/90 SPCS 0903 US SURVEY FEET	POINT	NORTHING	EASTING	MHWL ELEV NAVD 88	NAD 83/90 SPCS 0903 US SURVEY FEET	POINT	NORTHING	EASTING	MHWL ELEV NAVD 88
301	514241.88	1296007.01	0.80	345	513421.34	1304645.62	0.80		
302	514233.06	1296195.65	0.80	346	513468.09	1304759.73	0.80		
303	514261.68	1296387.43	0.80	347	513446.36	1304958.75	0.80		
304	514203.66	1296590.22	0.80	348	513376.61	1305053.42	0.80		
305	514194.28	1296791.48	0.80	349	513392.23	1305154.82	0.80		
306	514197.72	1296985.87	0.80	350	513333.01	1305301.13	0.80		
307	514187.19	1297189.41	0.80	351	513341.80	1305351.35	0.80		
308	514174.46	1297392.20	0.80	352	513329.51	1305550.30	0.80		
309	514166.37	1297591.69	0.80	353	513277.71	1305745.74	0.80		
310	514166.36	1297793.09	0.80	354	513284.91	1305943.08	0.80		
311	514117.88	1298190.06	0.80	355	513190.26	1306139.62	0.80		
312	514131.86	1298389.81	0.80	356	513180.17	1306340.15	0.80		
313	514124.35	1298589.58	0.80	357	513120.65	1306534.48	0.80		
314	514107.14	1298789.25	0.80	358	513099.17	1306733.94	0.80		
315	514097.03	1298989.77	0.80	359	513046.94	1306928.02	0.80		
316	514089.79	1299190.90	0.80	360	513001.91	1307041.63	0.80		
317	514076.74	1299396.37	0.80	361	512980.63	1307123.06	0.80		
318	514062.07	1299588.98	0.80	362	513022.43	1307328.89	0.80		
319	514062.07	1299588.98	0.80	363	512960.13	1307501.40	0.80		
320	514043.04	1299786.90	0.80	364	512967.21	1307523.04	0.80		
321	514030.71	1299986.35	0.80	365	512985.25	1307726.49	0.80		
322	514012.96	1300186.34	0.80	366	512935.51	1307923.32	0.80		
323	513984.34	1300385.01	0.80	367	512905.01	1308119.74	0.80		
324	513968.14	1300584.50	0.80	368	512807.71	1308310.00	0.80		
325	513968.75	1300785.38	0.80	369	512823.25	1308513.07	0.80		
326	513958.00	1300983.84	0.80	370	512753.23	1308706.51	0.80		
327	513918.44	1301181.64	0.80	371	512713.45	1308902.91	0.80		
328	513916.85	1301383.24	0.80	372	512695.68	1309102.73	0.80		
329	513890.16	1301579.37	0.80	373	512712.50	1309306.23	0.80		
330	513883.05	1301779.88	0.80	374	512746.03	1309511.55	0.80		
331	513854.40	1301978.90	0.80	375	512732.34	1309711.82	0.80		
332	513799.77	1302173.36	0.80	376	512728.31	1309912.46	0.80		
333	513826.46	1302378.75	0.80	377	512697.32	1310109.10	0.80		
334	513800.46	1302577.05	0.80	378	512636.63	1310303.91	0.80		
335	513762.62	1302775.68	0.80	379	512600.35	1310500.71	0.80		
336	513703.74	1302970.20	0.80	380	512592.09	1310701.92	0.80		
337	513684.64	1303169.92	0.80	381	512504.96	1310904.05	0.80		
338	513693.53	1303371.00	0.80	382	512610.74	1311105.95	0.80		
339	513642.84	1303567.11	0.80	383	512583.26	1311303.93	0.80		
340	513625.21	1303763.82	0.80	384	512549.47	1311501.66	0.80		
341	513595.41	1303966.79	0.80	385	512551.84	1311704.03	0.80		
342	513547.31	1304164.06	0.80	386	512509.88	1311857.41	0.80		
343	513505.85	1304361.75	0.80						
344	513460.15	1304554.94	0.80						

LEGAL DESCRIPTION

COMMENCING AT THE DEPARTMENT OF NATURAL RESOURCES CONCRETE MONUMENT *R-1 OKLU 95*, HAVING COORDINATES OF NORTHING 514,515.67 FEET AND EASTING 1,296,013.08 FEET AS REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90), PROCEED ALONG A BEARING OF S 01°16'11" W, A DISTANCE OF 273.86 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO (ELEVATION 0.80 FEET NAVD 88), SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED MEAN HIGH WATER LINE, AND HAVING COORDINATES OF NORTHING 514,241.88 FEET AND EASTING 1,296,007.01 FEET NAD 83/90, THENCE S 87°19'23" E ALONG THE MEAN HIGH WATER LINE, A DISTANCE OF 188.94 FEET TO A POINT, THENCE S 86°36'15" E A DISTANCE OF 192.12 FEET TO A POINT, THENCE S 84°55'19" E A DISTANCE OF 203.59 FEET TO A POINT, THENCE S 87°19'54" E A DISTANCE OF 201.48 FEET TO A POINT, THENCE N 88°59'10" E A DISTANCE OF 194.42 FEET TO A POINT 178.91 FEET DISTANT FROM A FDEP CONCRETE MONUMENT STAMPED *R 2 OK M&E RESET* (HAVING COORDINATES OF NORTHING 514,373.05 FEET AND EASTING 1,297,021.46 FEET NAD 83/90) ALONG A BEARING OF N 11°28'28" E, A DISTANCE OF 203.81 FEET TO A POINT, THENCE S 86°24'29" E A DISTANCE OF 203.19 FEET TO A POINT, THENCE S 87°50'59" E A DISTANCE OF 199.63 FEET TO A POINT, THENCE S 85°00'10" E A DISTANCE OF 202.17 FEET TO A POINT, THENCE S 85°27'47" E A DISTANCE OF 398.22 FEET TO A POINT, THENCE N 85°59'48" E A DISTANCE OF 200.24 FEET TO A POINT, THENCE S 87°50'47" E A DISTANCE OF 199.85 FEET TO A POINT, THENCE S 85°04'31" E A DISTANCE OF 200.47 FEET TO A POINT, THENCE S 87°06'49" E A DISTANCE OF 200.77 FEET TO A POINT, THENCE S 87°39'14" E A DISTANCE OF 201.30 FEET TO A POINT 369.92 FEET DISTANT FROM A DNR BRASS DISK IN A CONCRETE CURB STAMPED *R-4 OKLU 95* (HAVING COORDINATES OF NORTHING 514,447.77 FEET AND EASTING 1,299,280.18 FEET NAD 83/90) ALONG A BEARING OF N 13°57'59" E, A DISTANCE OF 205.82 FEET TO A POINT, THENCE S 85°38'40" E A DISTANCE OF 193.17 FEET TO A POINT, THENCE S 86°30'28" E A DISTANCE OF 198.83 FEET TO A POINT, THENCE S 86°28'16" E A DISTANCE OF 199.83 FEET TO A POINT, THENCE S 84°55'10" E A DISTANCE OF 200.78 FEET TO A POINT, THENCE S 81°48'09" E A DISTANCE OF 200.72 FEET TO A POINT, THENCE S 89°22'05" E A DISTANCE OF 199.50 FEET TO A POINT, THENCE S 86°11'11" E A DISTANCE OF 201.33 FEET TO A POINT, THENCE S 85°10'32" E A DISTANCE OF 199.17 FEET TO A POINT, THENCE S 80°22'14" E A DISTANCE OF 200.63 FEET TO A POINT, THENCE S 89°32'52" E A DISTANCE OF 201.61 FEET TO A POINT, THENCE S 82°15'02" E A DISTANCE OF 197.94 FEET TO A POINT, THENCE S 87°58'05" E A DISTANCE OF 200.64 FEET TO A POINT, THENCE S 81°48'30" E A DISTANCE OF 201.07 FEET TO A POINT, THENCE S 74°18'30" E A DISTANCE OF 201.99 FEET TO A POINT, THENCE N 82°35'46" E A DISTANCE OF 207.12 FEET TO A POINT 586.26 FEET DISTANT FROM A FDEP BRASS DISK IN A CONCRETE SIDEWALK STAMPED *R 7 RESET M&E 1998* (HAVING COORDINATES OF NORTHING 514,401.33 FEET AND EASTING 1,302,493.75 FEET NAD 83/90) ALONG A BEARING OF N 11°18'45" E, A DISTANCE OF 202.26 FEET TO A POINT, THENCE S 79°07'50" E A DISTANCE OF 202.63 FEET TO A POINT, THENCE S 73°14'25" E A DISTANCE OF 203.15 FEET TO A POINT, THENCE S 84°32'14" E A DISTANCE OF 200.63 FEET TO A POINT, THENCE N 87°28'07" E A DISTANCE OF 201.28 FEET TO A POINT, THENCE S 75°30'02" E A DISTANCE OF 202.36 FEET TO A POINT, THENCE S 84°52'43" E A DISTANCE OF 197.50 FEET TO A POINT, THENCE S 79°59'28" E A DISTANCE OF 205.38 FEET TO A POINT, THENCE S 77°57'37" E A DISTANCE OF 201.83 FEET TO A POINT, THENCE S 78°09'20" E A DISTANCE OF 201.99 FEET TO A POINT, THENCE S 76°41'28" E A DISTANCE OF 198.52 FEET TO A POINT, THENCE S 66°49'47" E A DISTANCE OF 98.64 FEET TO A POINT, THENCE N 67°43'17" E A DISTANCE OF 123.32 FEET TO A POINT, THENCE S 82°38'00" E A DISTANCE OF 200.68 FEET TO A POINT, THENCE S 55°13'10" E A DISTANCE OF 115.26 FEET TO A POINT, THENCE N 81°14'34" E A DISTANCE OF 102.60 FEET TO A POINT, THENCE S 67°57'46" E A DISTANCE OF 157.83 FEET TO A POINT, THENCE N 80°04'27" E A DISTANCE OF 50.99 FEET TO A POINT, THENCE S 86°27'57" E A DISTANCE OF 199.33 FEET TO A POINT, THENCE S 75°09'27" E A DISTANCE OF 202.19 FEET TO A POINT 224.66 FEET DISTANT FROM A DNR CONCRETE MONUMENT STAMPED *R-10 OK 95* (HAVING COORDINATES OF NORTHING 513,491.69 FEET AND EASTING 1,305,677.28 FEET NAD 83/90) ALONG A BEARING OF N 17°44'29" W, A DISTANCE OF 201.93 FEET TO A POINT, THENCE S 77°12'03" E A DISTANCE OF 201.55 FEET TO A POINT, THENCE S 87°07'10" E A DISTANCE OF 200.78 FEET TO A POINT, THENCE S 72°58'16" E A DISTANCE OF 203.24 FEET TO A POINT, THENCE S 83°51'12" E A DISTANCE OF 200.61 FEET TO A POINT, THENCE S 74°56'16" E A DISTANCE OF 200.99 FEET TO A POINT, THENCE S 62°32'40" E A DISTANCE OF 128.03 FEET TO A POINT, THENCE S 84°53'28" E A DISTANCE OF 81.75 FEET TO A POINT, THENCE N 78°31'14" E A DISTANCE OF 210.03 FEET TO A POINT, THENCE S 70°08'36" E A DISTANCE OF 183.41 FEET TO A POINT, THENCE N 71°53'00" E A DISTANCE OF 22.77 FEET TO A POINT, THENCE N 64°55'58" E A DISTANCE OF 204.25 FEET TO A POINT, THENCE S 75°49'05" E A DISTANCE OF 203.02 FEET TO A POINT, THENCE S 81°10'25" E A DISTANCE OF 198.77 FEET TO A POINT, THENCE S 62°54'52" E A DISTANCE OF 213.70 FEET TO A POINT, THENCE N 85°37'26" E A DISTANCE OF 203.66 FEET TO A POINT, THENCE S 70°06'04" E A DISTANCE OF 208.72 FEET TO A POINT, THENCE S 78°33'00" E A DISTANCE OF 202.39 FEET TO A POINT, THENCE S 72°58'16" E A DISTANCE OF 202.54 FEET TO A POINT 259.94 FEET DISTANT FROM A FDEP DISK IN CONCRETE STAMPED *R 13 M&E RESET* (HAVING COORDINATES OF NORTHING 513,044.20 FEET AND EASTING 1,308,835.39 FEET NAD 83/90) ALONG A BEARING OF N 13°02'33" W, A DISTANCE OF 200.61 FEET TO A POINT, THENCE N 85°16'30" E A DISTANCE OF 204.19 FEET TO A POINT, THENCE N 80°43'30" E A DISTANCE OF 208.04 FEET TO A POINT, THENCE S 86°05'22" E A DISTANCE OF 200.74 FEET TO A POINT, THENCE S 88°50'58" E A DISTANCE OF 200.68 FEET TO A POINT, THENCE S 81°06'03" E A DISTANCE OF 199.04 FEET TO A POINT, THENCE S 72°38'34" E A DISTANCE OF 204.10 FEET TO A POINT, THENCE S 79°33'17" E A DISTANCE OF 200.12 FEET TO A POINT, THENCE S 87°38'57" E A DISTANCE OF 201.38 FEET TO A POINT, THENCE S 86°21'24" E A DISTANCE OF 202.54 FEET TO A POINT 259.94 FEET DISTANT FROM A DNR CONCRETE MONUMENT STAMPED *R-15 OKLU 1973 RST 1980* (HAVING COORDINATES OF NORTHING 512,859.58 FEET AND EASTING 1,310,956.39 FEET NAD 83/90) ALONG A BEARING OF N 11°36'58" E, A DISTANCE OF 199.88 FEET TO A POINT, THENCE N 88°21'37" E A DISTANCE OF 201.98 FEET TO A POINT, THENCE N 82°05'52" E A DISTANCE OF 199.88 FEET TO A POINT, THENCE S 80°18'09" E A DISTANCE OF 200.60 FEET TO A POINT, THENCE N 89°29'56" E A DISTANCE OF 202.38 FEET TO A POINT, THENCE S 74°54'34" E A DISTANCE OF 158.86 FEET TO THE POINT OF TERMINATION HAVING COORDINATES OF NORTHING 512,509.88 FEET AND EASTING 1,311,857.41 FEET NAD 83/90, SAID POINT BEING 306.58 FEET DISTANT FROM A DNR CONCRETE MONUMENT STAMPED *R-16 OKLU CO RST 1980* (HAVING COORDINATES OF NORTHING 512,814.90 AND EASTING 1,311,826.49 FEET NAD 83/90) ALONG A BEARING OF N 05°47'17" W.

MEAN HIGH WATER LINE SURVEY
AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-1 TO R-16
OKALOOSA COUNTY, FLORIDA

LENGTH: 3.02 MILES ±

SECTION 19, TOWNSHIP 2 SOUTH, RANGE 23 WEST

SECTIONS 22, 23 & 24, TOWNSHIP 2 SOUTH, RANGE 24 WEST



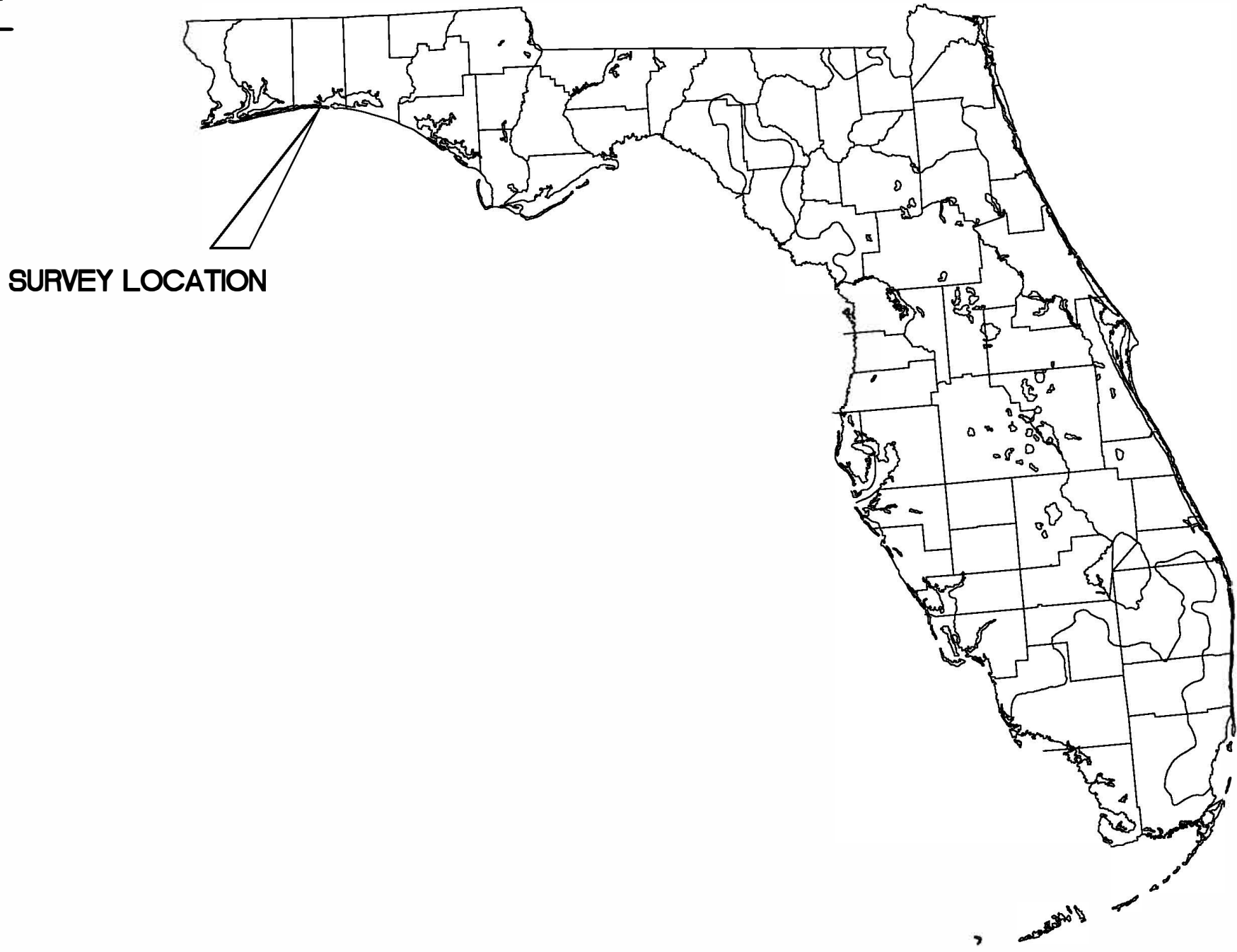
LOCATION MAP
1" = 5,000 FEET

CONTROL TABLE

NAD83/90	SPCS 903	US SURVEY FEET	NAVD 88	AGENCY	STAMPING
MONUMENT	NORTHING	EASTING	ELEVATION		
BG2087	513018.80	1316148.26	4.91	CSS	CONTRAVES ONE 1956
R-1	514515.67	1296013.08	13.30	DNR	R-1 OKLU 95
R-2	514373.05	1297021.46	11.75	DEP	R 2 OK M&E RESET
R-4	514447.77	1299280.18	7.60	DNR	R-4 OKLU 95
R-7	514401.33	1302493.75	6.47	FDEP	R 7 RESET M&E 1998
R-10	513491.69	1305677.28	14.60	DNR	R-10 OK 95
R-13	513044.20	1308835.39	12.05	FDEP	R 13 M&E RESET
R-15	512859.58	1310956.39	22.00	DNR	R-15 OKLU 1973 RST 1980
R-16	512814.90	1311826.49	19.40	DNR	R-16 OKLO CO RST 1980

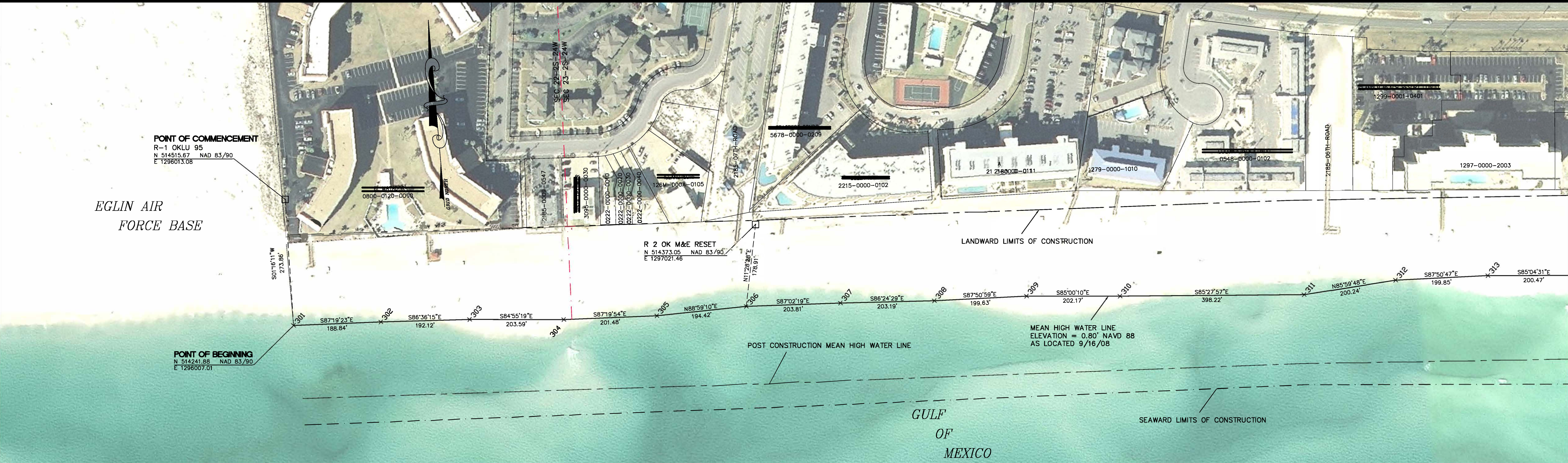
LEGEND

- FDEP FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
USACE U.S. ARMY CORPS OF ENGINEERS
DNR FLORIDA DEPARTMENT OF NATURAL RESOURCES
M&E MORGAN & EKLUND, INC.
301 MHW LOCATION POINT NUMBER
1234-5678-9ABC PARCEL NUMBER
□ CONTROL MONUMENT
X MHW P.I.
— — — — — PROPERTY BOUNDARY LINES
— — — — — SECTION LINE
— — — — — MEAN HIGH WATER LINE
— — — — — LANDWARD LIMITS OF FILL
— — — — — SEAWARD LIMITS OF FILL
— — — — — POST CONSTRUCTION MEAN HIGH WATER LINE

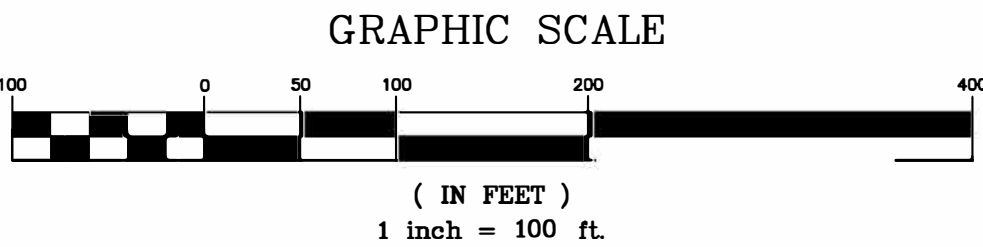


SURVEY LOCATION

DRAWN BY CAG	COMMISSION NO. 5374.16
CHECKED BY JRM	SCALE N/A
FIELD BOOK PAGE NO. 1-2	SHEET 1 OF 7

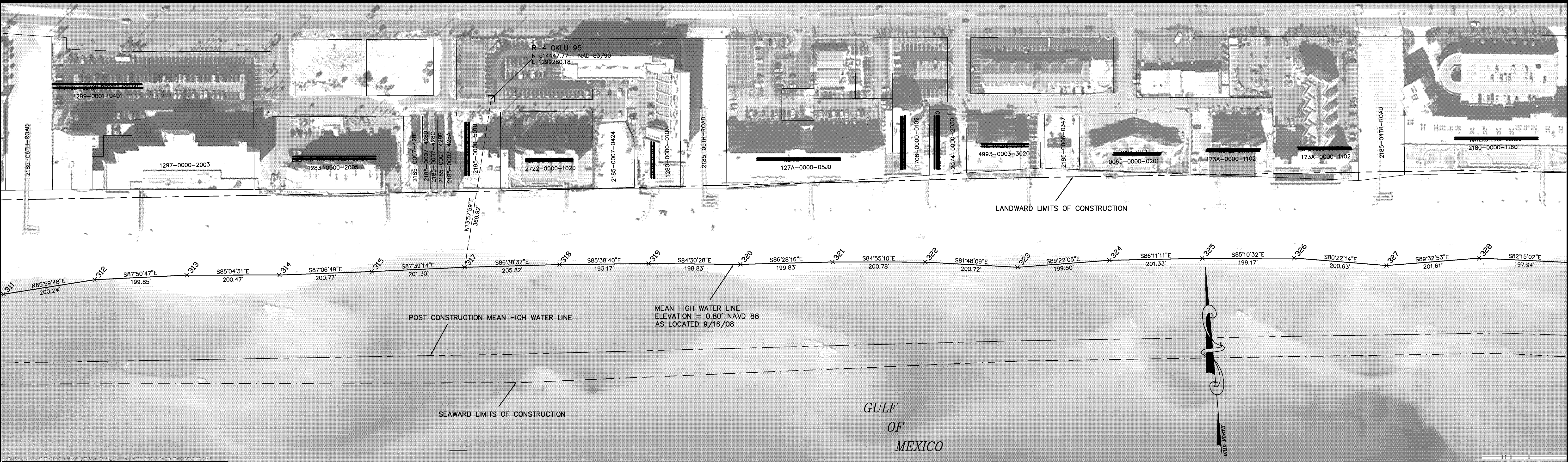


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0222-0000-0040					
126M-000A-0105					
2185-07TH-ROAD					
5678-0000-0209					
2215-0000-0102					
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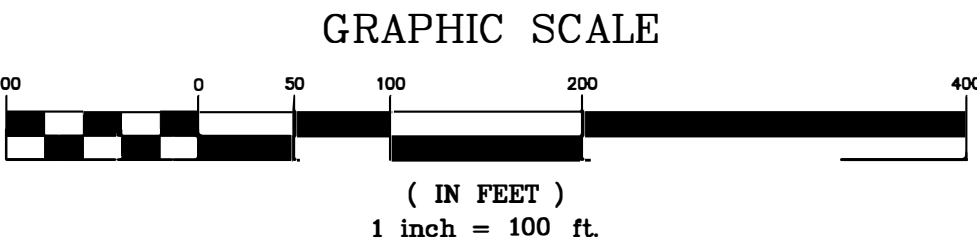


SEE SHEET 1 FOR NOTES

<div></div>		<div></div>		MEAN HIGH WATER LINE SURVEY AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE FOR FDEP RANGE MONUMENTS R-17 TO R-25.5 OKALOOSA COUNTY, FLORIDA		COMMISSION NO. 5374.16
						SCALE 1" = 100'
DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO.	DKA 28 1-2	SHEET 2 OF 7		



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2185-0007-428D						
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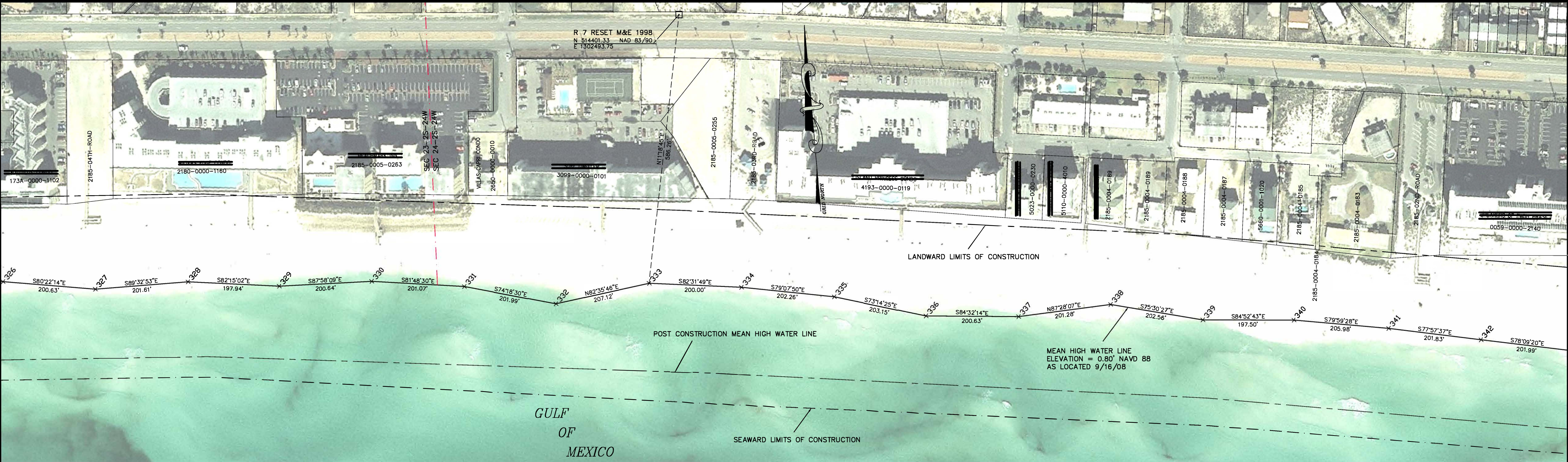


SEE SHEET 1 FOR NOTES

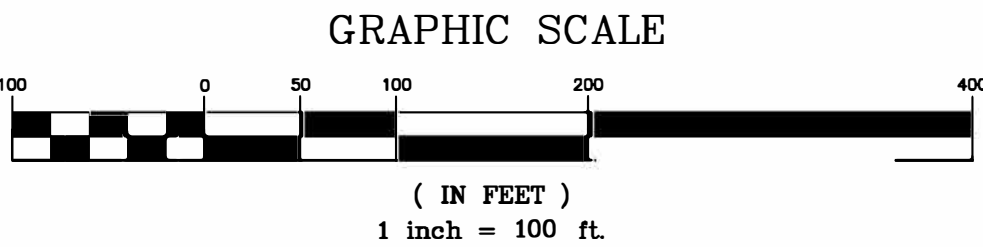
MEAN HIGH WATER LINE SURVEY
AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA

DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 1-2	OKA 28
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COMMISSION NO. 5374.16
SCALE 1" = 100'
SHEET 3 OF 7



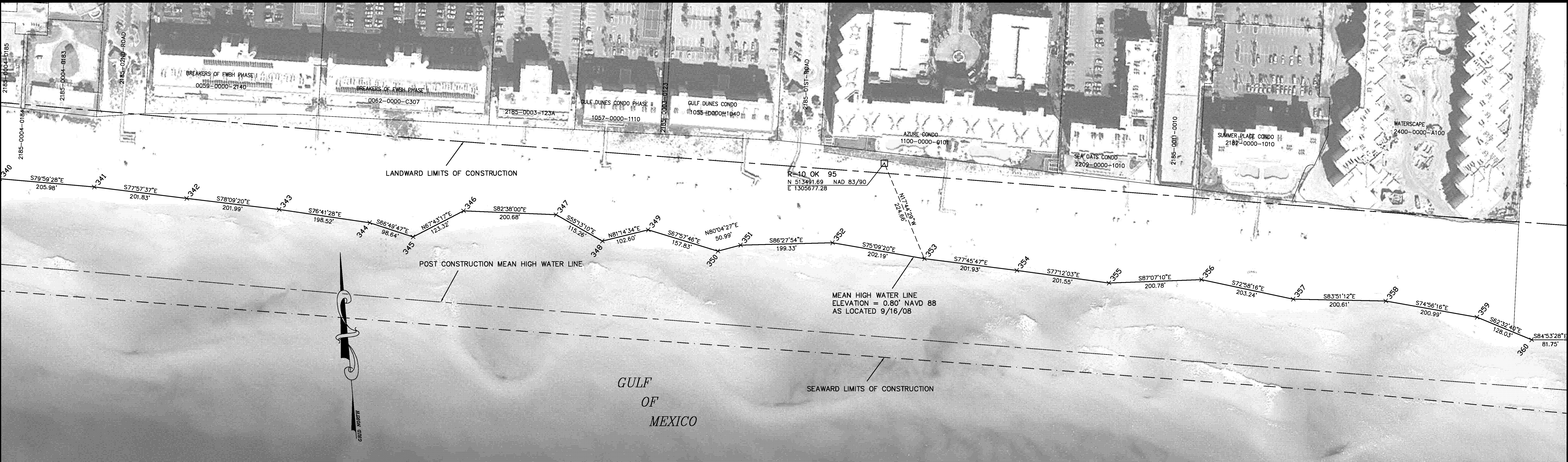
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4193-0000-0119					
5023-0000-0230					
5110-0000-4010					
2184-0000-3020					
2185-0004-0189					
2185-0004-0188					
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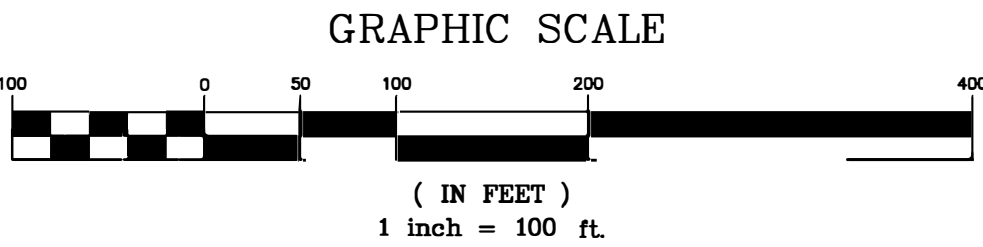
SEE SHEET 1 FOR NOTES

MEAN HIGH WATER LINE SURVEY
AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA


DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 1-2	OKA 28	COMMISSION NO. 5374.16
SHEET 4 OF 7				SCALE 1" = 100'



PARCEL ID						
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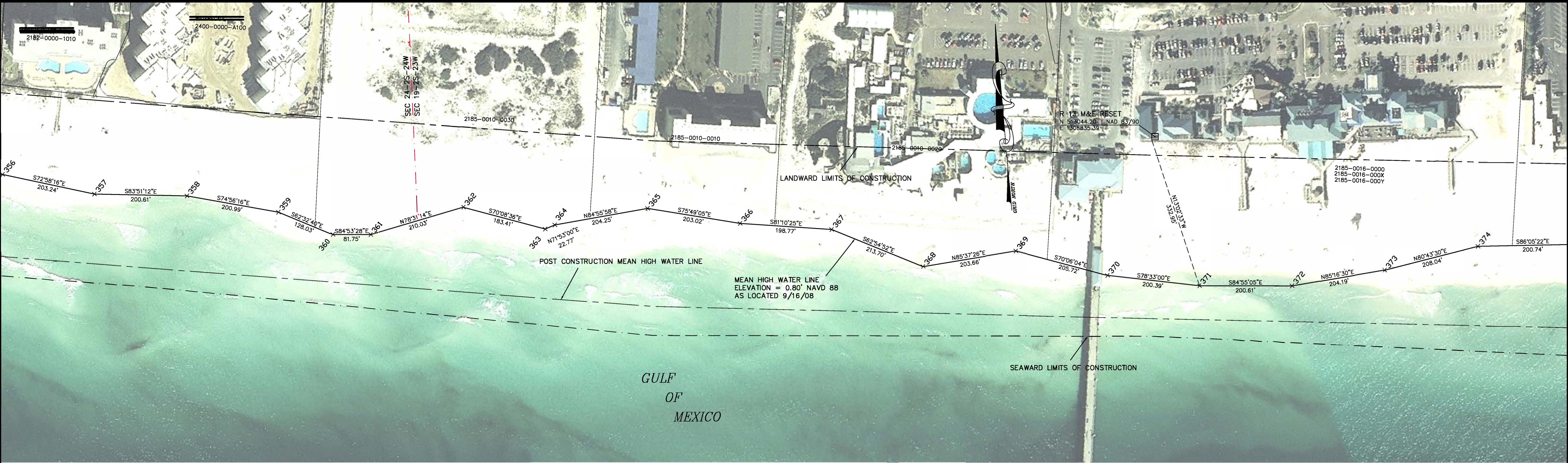
SEE SHEET 1 FOR NOTES



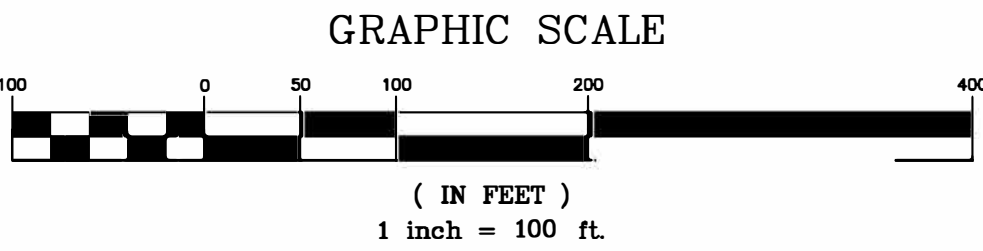
MEAN HIGH WATER LINE SURVEY
AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA

DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 1-2	OKA 28
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COMMISSION NO. 5374.16
SCALE 1" = 100'
SHEET 5 OF 7

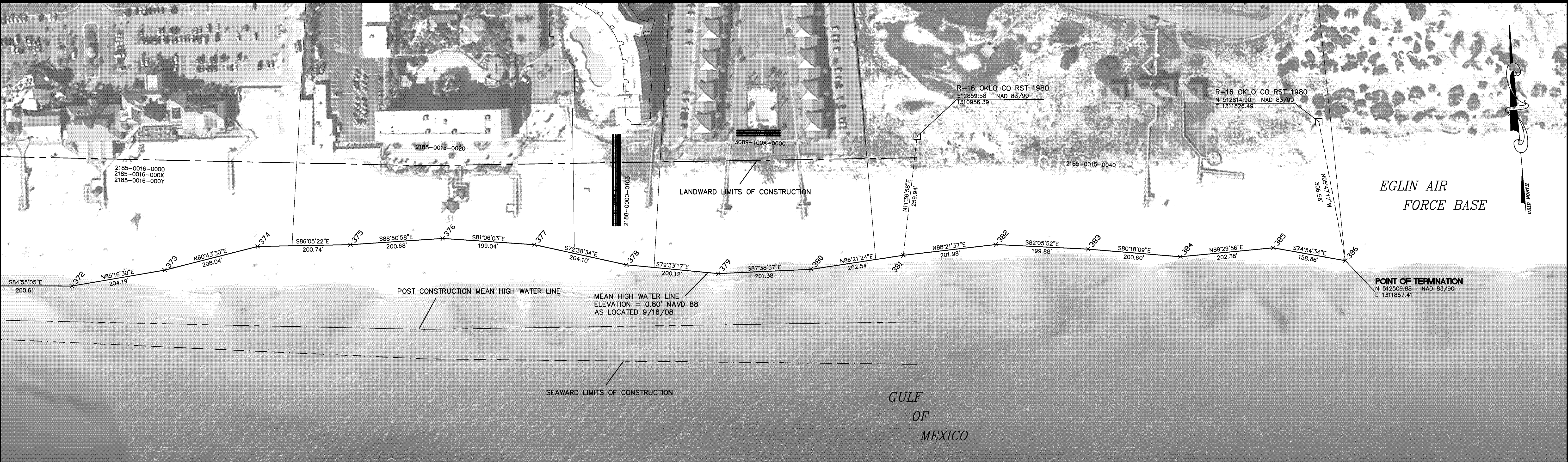


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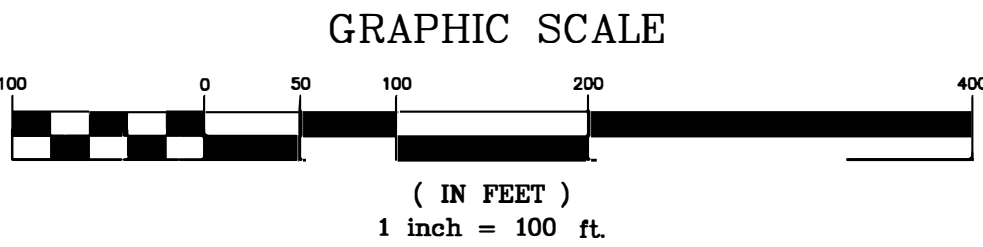


SEE SHEET 1 FOR NOTES


<div><div></div><div></div></div>		MEAN HIGH WATER LINE SURVEY AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE FOR FDEP RANGE MONUMENTS R-17 TO R-25.5 OKALOOSA COUNTY, FLORIDA			COMMISSION NO. 5374.16
					SCALE 1" = 100'
DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 1-2	DKA 28		SHEET 6 OF 7



PARCEL ID						
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2185-0015-0040						



SEE SHEET 1 FOR NOTES



MEAN HIGH WATER LINE SURVEY
AND PROPOSED OKALOOSA ISLAND EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA

DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 1-2	OKA 28
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COMMISSION NO. 5374.16
SCALE 1" = 100'
SHEET 7 OF 7

NOTES

1. BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM OF 1983, NGS ADJUSTMENT OF 1990 (NAD83/90), ARE IN US SURVEY FEET, AND ARE BASED ON MONUMENTATION AS SHOWN IN THE CONTROL TABLE.
2. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), ARE IN FEET, AND ARE BASED ON MONUMENTATION AS SHOWN IN THE CONTROL TABLE.
3. MEAN HIGH WATER ELEVATION OF 0.77 FEET NAVD88 IS BASED ON POINT ID 100279 OBTAINED FROM THE LAND BOUNDARY INFORMATION SYSTEM INTERNET WEB SITE (WWW.LABINS.ORG), AS SHOWN ON THE FDEP MEAN HIGH WATER PROCEDURE APPROVAL FORM DATED SEPTEMBER 11, 2008.
4. THE INFORMATION PRESENTED ON THESE DRAWINGS REPRESENTS THE RESULTS OF A SURVEY PERFORMED BY MORGAN & EKlund, INC. ON SEPTEMBER 17, 2008 AND CAN ONLY BE CONSIDERED AS REPRESENTING THE CONDITIONS AT THE TIME OF THE SURVEY.
5. THE MEAN HIGH WATER LINE AS DEPICTED HEREON SHALL ALSO BE KNOWN AS THE EROSION CONTROL LINE.
6. THE DATE OF AERIAL PHOTOGRAPHY OF OKALOOSA COUNTY IS 2007 AND WAS PROVIDED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.
7. THE LOCATION OF LOT LINES AND SECTION LINES IS APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OKALOOSA COUNTY GIS DEPARTMENT.
8. THE MEAN HIGH WATER SURVEY DEPICTED HEREON COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES AND IS RECORDED IN THE PUBLIC REPOSITORY OF THE FLORIDA D.E.P. BUREAU OF SURVEY AND MAPPING AS MEAN HIGH WATER FILE NO. XXXX
9. THE MEAN HIGH WATER LINE WAS LOCATED HORIZONTALLY AND VERTICALLY USING A TRIMBLE R-8 DUAL FREQUENCY REAL-TIME KINEMATIC GPS SYSTEM WITH A RESULTANT ACCURACY OF ± 0.16 FEET.

MEAN HIGH WATER LINE
COORDINATE & ELEVATION VALUES

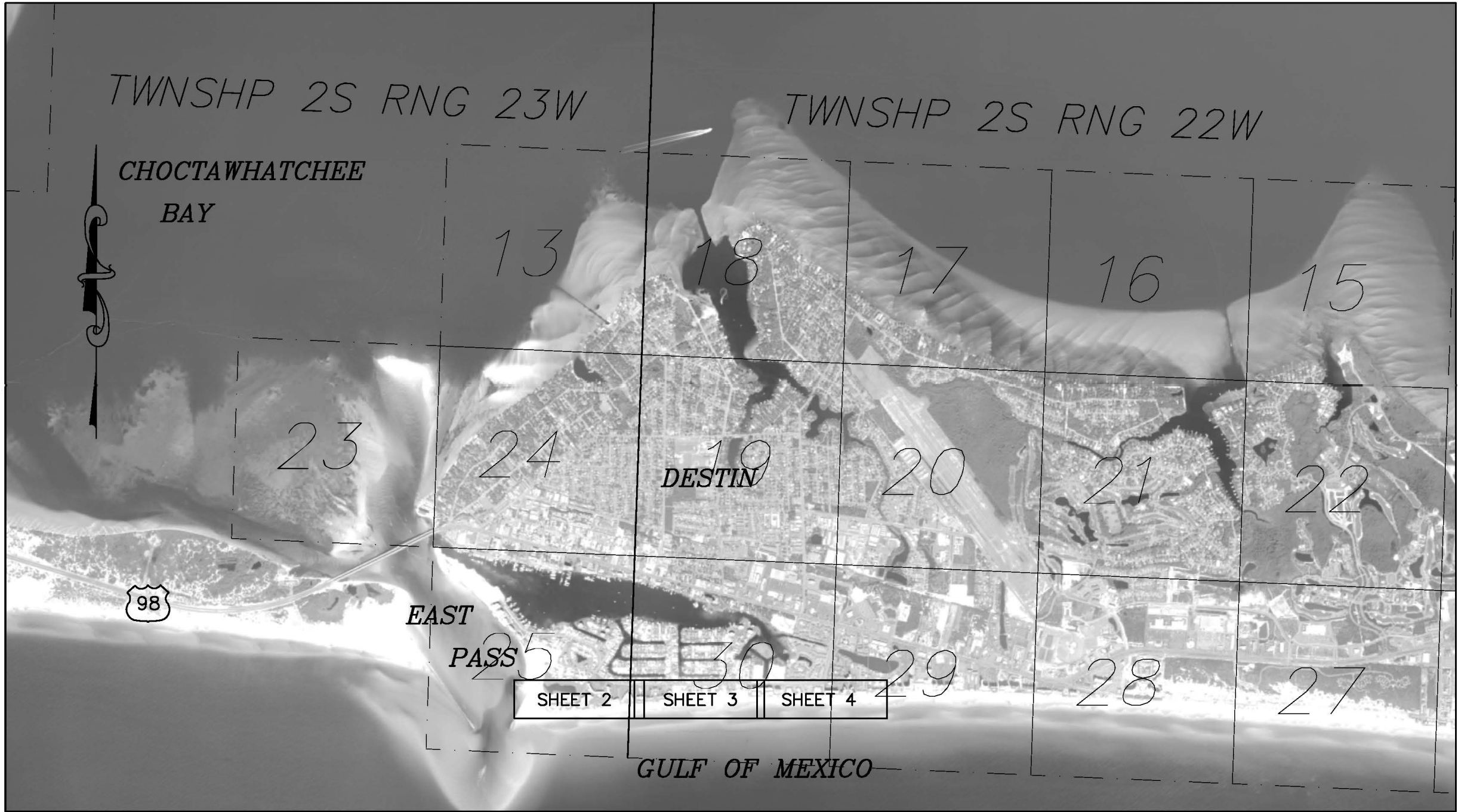
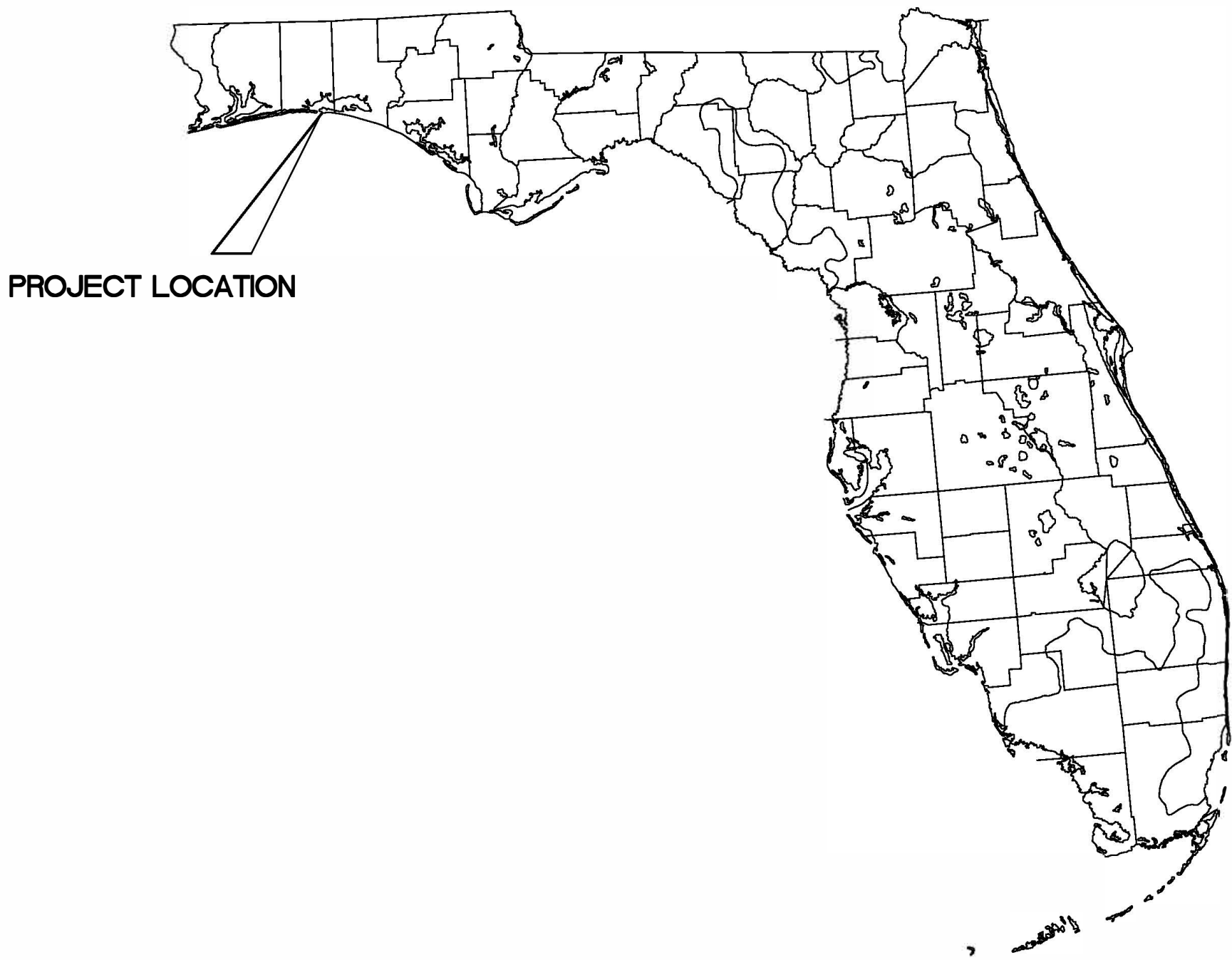
NAD 83/90 POINT	SPCS 0903 NORTHING	US SURVEY EASTING	FEET NAVD 88 MHWL ELEV
396	508220.45	1335694.84	0.77
397	508221.27	1335693.93	0.77
398	508242.54	1335892.65	0.77
399	508267.10	1336092.06	0.77
400	508243.95	1336168.22	0.77
401	508267.79	1336292.95	0.77
402	508277.09	1336492.25	0.77
403	508306.53	1336691.61	0.77
404	508338.42	1336889.20	0.77
405	508361.72	1337087.84	0.77
406	508365.20	1337287.81	0.77
407	508363.66	1337368.88	0.77
408	508397.66	1337442.06	0.77
409	508379.24	1337487.34	0.77
410	508380.23	1337688.13	0.77
411	508377.41	1337689.36	0.77
412	508384.15	1338089.68	0.77
413	508392.58	1338288.37	0.77
414	508398.75	1338489.32	0.77
415	508401.80	1338689.58	0.77
416	508411.99	1338889.64	0.77
417	508426.47	1339088.99	0.77
418	508436.10	1339288.20	0.77
419	508439.74	1339488.92	0.77
420	508444.97	1339688.56	0.77
421	508449.81	1339888.72	0.77
422	508451.97	1340088.77	0.77
423	508458.21	1340288.77	0.77
424	508472.63	1340487.77	0.77
425	508491.57	1340687.26	0.77
426	508502.28	1340887.86	0.77
427	508518.29	1341086.44	0.77
428	508522.99	1341286.43	0.77
429	508526.41	1341486.34	0.77
430	508534.88	1341686.26	0.77
431	508530.10	1341886.47	0.77
432	508535.64	1342087.56	0.77
433	508543.29	1342286.64	0.77
434	508571.96	1342485.38	0.77
435	508585.83	1342684.73	0.77
436	508570.41	1342884.99	0.77
437	508547.22	1343087.98	0.77
438	508550.09	1343287.08	0.77
439	508554.96	1343487.38	0.77
440	508561.28	1343687.00	0.77
441	508561.89	1343887.74	0.77
442	508573.50	1344087.06	0.77
443	508583.25	1344287.05	0.77
444	508594.24	1344486.94	0.77
445	508593.16	1344687.40	0.77
446	508595.78	1344893.08	0.77

MEAN HIGH WATER LINE SURVEY
AND PROPOSED WESTERN DESTIN EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA

LENGTH: 1.85 MILES ±

SECTIONS 29 & 30, TOWNSHIP 2 SOUTH, RANGE 22 WEST

SECTION 25, TOWNSHIP 2 SOUTH, RANGE 23 WEST



LOCATION MAP
1" = 3,000 FEET

LEGAL DESCRIPTION

COMMENCING AT THE US ARMY CORPS OF ENGINEERS DISK IN THE SOUTH SIDE OF THE US HIGHWAY 98 BRIDGE OVER EAST PASS "CENTER 1982", HAVING COORDINATES OF NORTHING 512,636.85 FEET AND EASTING 1,332,626.47 FEET AS REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90). PROCEED ALONG A BEARING OF S 43°46'14" E, A DISTANCE OF 5,190.85 FEET TO A FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR) CONCRETE MONUMENT "R-17 OK 95" HAVING COORDINATES OF NORTHING 508,888.46 FEET AND EASTING 1,336,217.36 FEET NAD 83/90; THENCE S 38°01'58" W A DISTANCE OF 848.09 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO (ELEVATION 0.77 FEET NAVD 88); SAID POINT BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED MEAN HIGH WATER LINE, AND HAVING COORDINATES OF NORTHING 508,220.45 FEET AND EASTING 1,335,694.84 FEET; THENCE N 89°40'34" E ALONG THE MEAN HIGH WATER LINE, A DISTANCE OF 145.09 FEET TO A POINT; THENCE N 68°12'56" E A DISTANCE OF 56.77 FEET TO A POINT; THENCE N 82°55'19" E A DISTANCE OF 200.94 FEET TO A POINT; THENCE S 73°05'33" E A DISTANCE OF 79.60 FEET TO A POINT; THENCE N 79°10'46" E A DISTANCE OF 126.99 FEET TO A POINT; THENCE N 87°19'42" E A DISTANCE OF 199.52 FEET TO A POINT; THENCE N 81°35'59" E A DISTANCE OF 201.52 FEET TO A POINT; THENCE N 80°49'55" E A DISTANCE OF 200.15 FEET TO A POINT; THENCE N 83°18'36" E A DISTANCE OF 200.00 FEET TO A POINT; THENCE N 89°00'11" E A DISTANCE OF 200.00 FEET TO A POINT; THENCE N 88°54'42" E A DISTANCE OF 81.08 FEET TO A POINT ON THE WEST FACE OF A SEAWALL; THENCE N 71°50'34" E A DISTANCE OF 77.02 FEET TO A POINT; THENCE S 79°27'57" E A DISTANCE OF 46.06 FEET TO A POINT; THENCE N 89°43'03" E A DISTANCE OF 200.79 FEET TO A POINT; THENCE S 85°11'48" E A DISTANCE OF 201.15 FEET TO A POINT; THENCE N 88°04'26" E A DISTANCE OF 200.53 FEET TO A POINT; THENCE N 87°34'14" E A DISTANCE OF 198.87 FEET TO A POINT; THENCE N 88°14'29" E A DISTANCE OF 201.04 FEET TO A POINT; THENCE N 89°07'39" E A DISTANCE OF 200.28 FEET TO A POINT; THENCE N 87°05'03" E A DISTANCE OF 200.32 FEET TO A POINT; THENCE N 85°50'14" E A DISTANCE OF 199.48 FEET TO A POINT; THENCE N 87°14'17" E A DISTANCE OF 199.84 FEET TO A POINT; THENCE N 88°57'48" E A DISTANCE OF 200.75 FEET TO A POINT; THENCE N 88°29'58" E A DISTANCE OF 199.71 FEET TO A POINT; THENCE N 88°36'53" E A DISTANCE OF 200.22 FEET TO A POINT; THENCE N 89°22'53" E A DISTANCE OF 200.06 FEET TO A POINT 327.90' FEET DISTANT FROM A DNR CONCRETE MONUMENT STAMPED "R-21 OKLU 1973" (HAVING COORDINATES OF NORTHING 508,776.75 FEET AND EASTING 1,340,133.89 FEET NAD 83/90) ALONG A BEARING OF N 07°54'33" E; THENCE N 88°12'47" E A DISTANCE OF 200.10 FEET TO A POINT; THENCE N 85°51'20" E A DISTANCE OF 199.52 FEET TO A POINT; THENCE N 84°34'35" E A DISTANCE OF 200.39 FEET TO A POINT; THENCE N 86°56'38" E A DISTANCE OF 200.89 FEET TO A POINT; THENCE N 85°23'26" E A DISTANCE OF 199.22 FEET TO A POINT; THENCE N 88°39'13" E A DISTANCE OF 200.05 FEET TO A POINT; THENCE N 89°01'15" E A DISTANCE OF 200.14 FEET TO A POINT; THENCE N 87°34'18" E A DISTANCE OF 199.90 FEET TO A POINT; THENCE S 88°37'56" E A DISTANCE OF 200.27 FEET TO A POINT; THENCE N 88°25'19" E A DISTANCE OF 201.17 FEET TO A POINT; THENCE N 87°47'58" E A DISTANCE OF 199.23 FEET TO A POINT; THENCE N 81°47'28" E A DISTANCE OF 200.80 FEET TO A POINT; THENCE N 86°18'01" E A DISTANCE OF 199.77 FEET TO A POINT; THENCE S 85°52'11" E A DISTANCE OF 200.48 FEET TO A POINT; THENCE S 83°29'32" E A DISTANCE OF 204.61 FEET TO A POINT; THENCE N 89°10'27" E A DISTANCE OF 199.12 FEET TO A POINT; THENCE N 88°36'26" E A DISTANCE OF 200.36 FEET TO A POINT; THENCE N 88°11'12" E A DISTANCE OF 199.72 FEET TO A POINT; THENCE N 89°49'33" E A DISTANCE OF 200.74 FEET TO A POINT; THENCE N 86°39'59" E A DISTANCE OF 199.66 FEET TO A POINT; THENCE N 87°12'22" E A DISTANCE OF 200.23 FEET TO A POINT; THENCE N 86°51'11" E A DISTANCE OF 200.19 FEET TO A POINT; THENCE S 89°41'29" E A DISTANCE OF 200.46 FEET TO A POINT; THENCE N 88°59'47" E A DISTANCE OF 149.70 FEET TO THE POINT OF TERMINATION HAVING COORDINATES OF NORTHING 508,595.78 FEET AND EASTING 1,344,837.08 FEET NAD 83/90; SAID POINT BEING 630.72 FEET DISTANT FROM A DNR CONCRETE MONUMENT STAMPED "R-26 OK 95" (HAVING COORDINATES OF NORTHING 509,018.35 AND EASTING 1,345,305.31 FEET NAD 83/90) ALONG A BEARING OF N 47°56'05" E.

CONTROL TABLE

MONUMENT	NAD 83/90 NORTHING	SPCS 0903 EASTING	NAVD 88 ELEVATION	US SURVEY FEET
R-17	508888.46	1332626.47	14.19	DNR R-17 OK 95
R-21	508776.75	1340133.89	9.39	DNR R-21 OKLU 1973
R-22	509024.78	1341163.62	6.49	DNR R-22 OK 95
R-26	509018.35	1345305.31	9.39	DNR R-26 OK 95

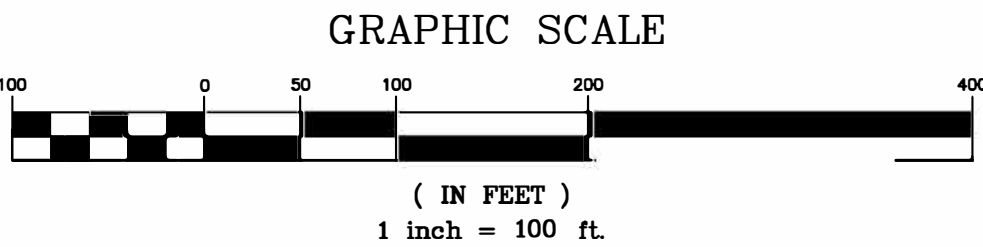
LEGEND

- FDEP FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
USACE U.S. ARMY CORPS OF ENGINEERS
DNR FLORIDA DEPARTMENT OF NATURAL RESOURCES
M&E MORGAN & EKlund, INC.
2000 MHWL LOCATION POINT NUMBER
1234-5678-9ABC PARCEL NUMBER
□ CONTROL MONUMENT
x MHWL P.I.
— — — — — PROPERTY BOUNDARY LINES
— — — — — SECTION LINE
— — — — — MEAN HIGH WATER LINE
— — — — — LANDWARD LIMITS OF CONSTRUCTION
— — — — — SEAWARD LIMITS OF CONSTRUCTION
— — — — — POST CONSTRUCTION MEAN HIGH WATER LINE

DRAWN BY CAG	COMMISSION NO. 5374.15		
		CHECKED BY JRM	SCALE N/A
		DATE OF SURVEY	
		FIELD BOOK PAGE NO. 3	OKA 28 SHEET 1 OF 4



PARCEL ID						
0000-0024-0000						
1295-0000-6220						
1300-0000-1040						
4575-0000-1050						
1285-0008-0108						
1093-0000-0501						



SEE SHEET 1 FOR NOTES

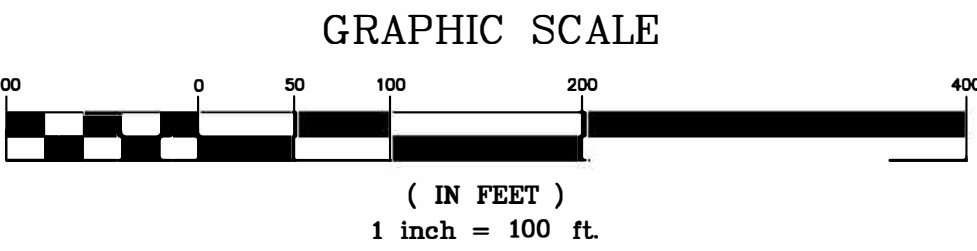
MEAN HIGH WATER LINE SURVEY
AND PROPOSED WESTERN DESTIN EROSION CONTROL LINE
FOR FDEP RANGE MONUMENTS R-17 TO R-25.5
OKALOOSA COUNTY, FLORIDA

DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 3	DKA 28
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COMMISSION NO. 5374.15
SCALE 1" = 100'
SHEET 2 OF 4

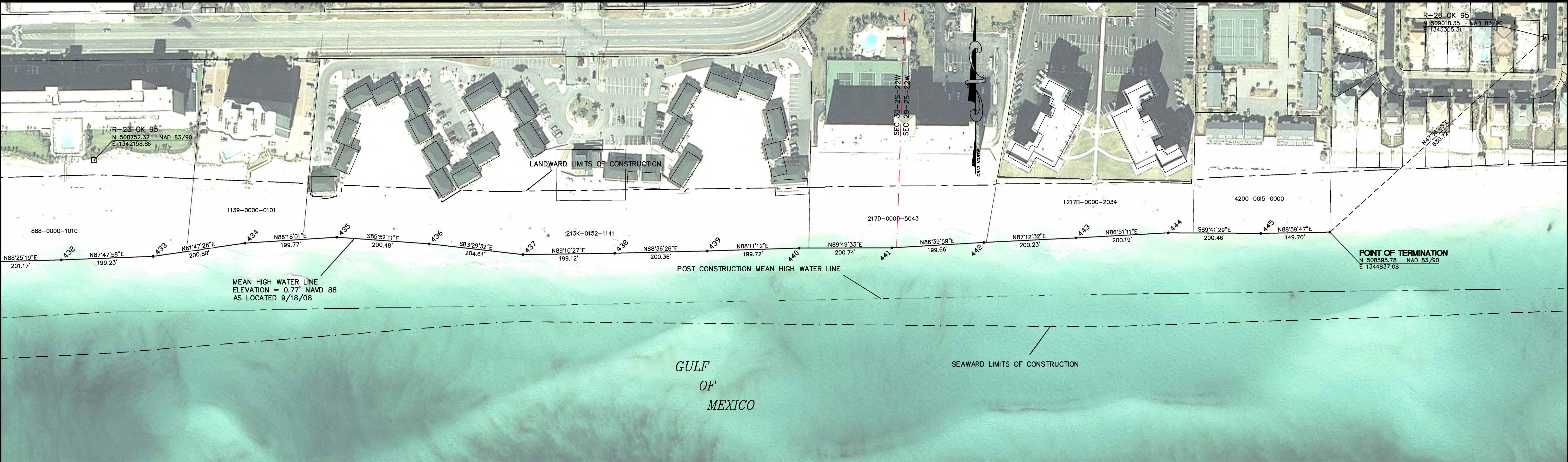


PARCEL ID					
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0063-0000-0114					
0620-0000-3030					
0000-0019-0000					
2186-000B-0130					
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2186-000B-0110					
2186-000B-0100					
2186-000B-0090					
2186-000B-0080					
2186-000B-0070					
2186-000B-0060					
2186-000B-0050					
2186-000B-0040					
2186-000B-0030					
2186-000B-0020					
2186-000B-0010					
0000-0018-0000					
2186-000A-0050					
2186-000A-0040					
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2186-000A-0020					
2186-000A-0010					
1555-0003-0SR3					
1888-0000-1010					

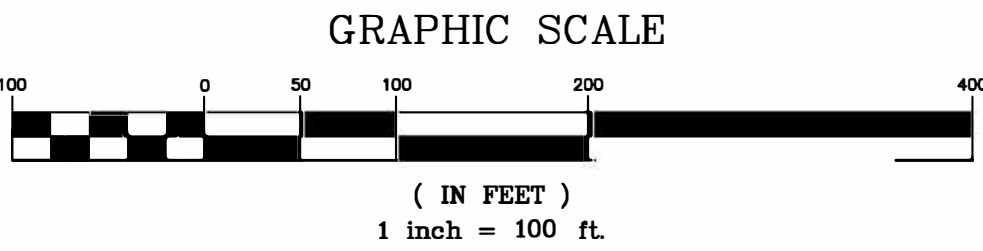


SEE SHEET 1 FOR NOTES

<div><div></div><div></div></div>		<div>MEAN HIGH WATER LINE SURVEY AND PROPOSED WESTERN DESTIN EROSION CONTROL LINE FOR FDEP RANGE MONUMENTS R-17 TO R-25.5 OKALOOSA COUNTY, FLORIDA</div>		COMMISSION NO. 5374.15
				SCALE 1" = 100'
DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 3	DKA 28	SHEET 3 OF 4



PARCEL ID						
1888-0000-1010						
1139-0000-0101						
213K-0152-1141						
217D-0000-5043						
217B-0000-2034						
4200-0015-0000						



SEE SHEET 1 FOR NOTES

<div></div> <div></div>		MEAN HIGH WATER LINE SURVEY AND PROPOSED WESTERN DESTIN EROSION CONTROL LINE FOR FDEP RANGE MONUMENTS R-17 TO R-25.5 OKALOOSA COUNTY, FLORIDA			COMMISSION NO. 5374.15
					SCALE 1" = 100'
DRAWN BY CAG	CHECKED BY JRM	FIELD BOOK PAGE NO. 3	DKA 28		SHEET 4 OF 4



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

EXHIBIT C
Risk Notification Letter

REPLY TO
ATTENTION OF:

CESAM-RE-A

6 June 2019

Okaloosa County
Tourist Development Council
ATTN: Mr. Greg Kisela
1540 Miracle Strip Parkway SE
Fort Walton Beach, Florida 32548

Subject: Okaloosa County Coastal Storm Risk Management Study, Okaloosa County, Florida
- Non-Federal Sponsor Risk Notification Letter

Dear Mr. Kisela,

The intent of this letter is to formally advise Okaloosa County, as Non-Federal Sponsor for the proposed project, of the risks associated with land acquisition prior to the execution of a Project Partnership Agreement (PPA) or prior to the Government's formal notice to proceed with acquisition. If a Non-Federal Sponsor deems it necessary to commence acquisition prior to an executed PPA for whatever reason, the Non-Federal Sponsor assumes full and sole responsibility for any and all costs, responsibility, or liability arising out of the acquisition effort.

Generally, these risks include, but may be not be limited to, the following:

- (1) Congress may not appropriate funds to construct the proposed project;
- (2) The proposed project may otherwise not be funded or approved for construction;
- (3) A PPA mutually agreeable to the non-Federal sponsor and the Government may not be executed and implemented;
- (4) The non-Federal sponsor may incur liability and expense by virtue of its ownership of contaminated lands, or interests therein, whether such liability should arise out of local, state, or Federal laws or regulations including liability arising out of CERCLA, as amended;
- (5) The non-Federal sponsor may acquire interests or estates that are later determined by the Government to be inappropriate, insufficient, or otherwise not required for the project;

(6) The non-Federal sponsor may initially acquire insufficient or excessive real property acreage which may result in additional negotiations and/or benefit payments under P.L. 91-646 as well as the payment of additional fair market value to affected landowners which could have been avoided by delaying acquisition until after PPA execution and the Government's notice to commence acquisition and performance of LERRD;

(7) The non-Federal sponsor may incur costs or expenses in connection with its decision to acquire or perform LERRD in advance of the executed PPA and the Government's notice to proceed which may not be creditable under the provisions of Public Law 99-662 or the PCA as referenced in *ER 405-1-12 (Change 31; 1 May 98) Section 12-31 Acquisition Prior to PCA Execution*.

Please acknowledge that the Non-Federal Sponsor for the proposed project accepts these terms and conditions.

For any questions, the point of contact is Mr. John J. Tetreau, USACE Mobile District, Real Estate Division at (251) 694-3682.

Accepted on behalf of the Non-Federal
Sponsor:

 (Signature)

Charles K. Windes, Jr., Chairman
_____(Title)

Prepared by:



Russell W. Blount III
Acting Chief
Technical Services Branch
Real Estate Division
Mobile District
U.S. Army Corps of Engineers



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

EXHIBIT D
NFS RE Acquisition
Capability Assessment

REPLY TO
ATTENTION OF:

USACE-SAM-RE-A

6 June 2019

**OKALOOSA COUNTY COASTAL STORM RISK MANAGEMENT STUDY
OKALOOSA COUNTY, FLORIDA**

OKALOOSA COUNTY, FLORIDA – NON FEDERAL SPONSOR

**ASSESSMENT OF NON-FEDERAL SPONSOR'S
REAL ESTATE ACQUISITION CAPABILITY**

1. LEGAL AUTHORITY:

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? Yes. Pursuant to section 125.355, Florida Statutes, Okaloosa County is authorized to acquire and hold title to real property.
- b. Does the sponsor have the power of eminent domain for this project? Yes. Pursuant to section 127.02, Florida Statutes, Okaloosa County may exercise its power of eminent domain.
- c. Does the sponsor have “quick-take” authority for this project? Yes. Pursuant to section 74.011, Florida Statutes, Okaloosa County is authorized to pursue a quick-take proceeding.
- d. Are any of the lands/interests in land required for the project located outside the sponsor’s political boundary? No
- e. Any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn?
 - i. Private Property: No

ii. State-Owned Property: Yes

**SUBJECT: ASSESSMENT OF NON-FEDERAL SPONSOR'S REAL ESTATE
ACQUISITION CAPABILITY**

2. HUMAN RESOURCE REQUIREMENTS:

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? Yes
- b. If the answer to 2(a) is "yes", has a reasonable plan been developed to provide such training? Not at this point but County staff has experience with acquiring right of way using eminent domain for road projects.
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? Yes
- d. Is the sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule? Yes
- e. Can the sponsor obtain contractor support, if required, in a timely fashion? Yes
- f. Will the sponsor likely request USACE assistance in acquiring real estate? (If "yes", provide description). No. The County may need USACE assistance in justifying the necessity of the taking of private property if this is required.

3. OTHER PROJECT VARIABLES:

- a. Will the sponsor's staff be located within reasonable proximity to the project site? Yes

**SUBJECT: ASSESSMENT OF NON-FEDERAL SPONSOR'S REAL ESTATE
ACQUISITION CAPABILITY**

- b. Has the sponsor approved the project/real estate schedule milestones *(answer is contingent upon whether the real estate milestones have been defined at this point in the project)?* To be determined based on anticipated approvals, project approval, appropriation. Not at this point.

4. OVERALL ASSESSMENT:

- a. Has the sponsor performed satisfactorily on other USACE projects (if applicable)? Yes
- b. With regard to this project, the sponsor is anticipated to be: Highly capable; Fully capable; Moderately capable; Marginally capable; Insufficiently capable. (If sponsor is believed to be insufficiently capable, please provide explanation). Fully capable

5. COORDINATION:

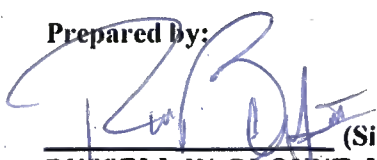
- a. Has this assessment been coordinated with the sponsor? Yes
- b. Does the sponsor concur with this assessment? Yes

Accepted by Non-Federal Sponsor:



Charles K. Windes, Jr.

Chairman (Title)

Prepared by:


(Signature)
RUSSELL W. BLOUNT, III
ACTING CHIEF
TECHNICAL SERVICES BRANCH
REAL ESTATE DIVISION
U.S. ARMY CORPS OF ENGINEERS
MOBILE DISTRICT

Reviewed and Approved by:


(Signature)
DERRICK D. MOTON
DEPUTY CHIEF
REAL ESTATE DIVISION
U.S. ARMY CORPS OF ENGINEERS
MOBILE DISTRICT