

Parker Kean
Cargill Fertilizer ✓
8813 Hwy 41 South
Riverview, FL 33569

This document prepared by
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RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
DEPUTY CLERK G Thompson

DECLARATION OF RESTRICTIONS - Stack Buffer Area

Cargill Fertilizer, Inc. ("Cargill"), a Delaware corporation and the owner of the land more particularly described in Schedule A and shown in Figure 1, annexed hereto and made a part hereof by reference (the "Property"), hereby imposes permanent restrictions on the uses permitted on the Property and declares that from and after the date of execution hereof, the Property shall be used only as an open space natural preservation area, consistent with the findings and conditions contained in the Development Order approved by Hillsborough County, Florida on June 13, 2000 (the "Development Order") and the conditions hereof. The Development Order and related environmental permits (the "Permits") were reviewed by Hillsborough County, a political subdivision of the State of Florida, the Environmental Protection Commission of Hillsborough County, Southwest Florida Water Management District, the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, Tampa Bay Regional Planning Council, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service (hereafter, the "Reviewing Agencies"), as a function of the ecosystem management / team permitting process authorized in sections 403.075 and 403.0752, Florida Statutes. The Development Order and the Permits authorize the expansion of the phosphogypsum storage system at the Cargill Riverview facilities (the "Expansion"). Various Net Ecosystem Benefit ("NEB") projects associated with the Expansion are incorporated in the Development Order and the Permits as conditions for development.

Cargill hereby agrees and declares that only the following uses shall be permitted upon the Property, in furtherance of the NEB's described above:

1. Protection, restoration or enhancement of visual buffering, and management to restore and maintain native habitat and wildlife values on the Property, as provided in the Development Order and the Permits, including but not limited to
 - Protection of all native trees within the buffer area,
 - Planting of additional native trees in areas of open land use,
 - Eradication and removal, to the extent practical and feasible, of exotic vegetation which has infested portions of the Property;
 - Such other activities deemed appropriate or necessary by the Reviewing Agencies; provided, however, that all

Reviewing Agencies shall be notified of such other activity at least 30 days prior to initiation, and the activity shall not proceed over the objection of any Reviewing Agency submitted in writing to the owner and the approving agency within 30 days of receipt of notice

2. Mitigation and remediation of impacts of uses of adjoining lands owned by Cargill
3. Access by duly authorized agents of the Reviewing Agencies, for the sole purpose of verifying that the Property is being used in a manner consistent with this Declaration of Restrictions; provided, however, such access shall be granted only after prior written notice to the owner of the Property, and only if the duly authorized agent or representative requesting access is also accompanied by an employee or representative of the owner of the Property. The owner of the Property agrees to make a representative available to accompany the designated agent. No such access shall be permitted that interferes unreasonably with authorized uses of adjacent properties

The covenants and restrictions contained in this Declaration of Restrictions shall be binding upon all successive owners of the Property and shall run with the title to the Property. Hillsborough County, a political subdivision of the State of Florida, The Environmental Protection Commission of Hillsborough County, the Florida Department of Environmental Protection and the Florida Department of Community Affairs shall have the authority to enforce the terms hereof and the sole remedy for enforcement of the terms hereof shall be injunctive relief to enjoin a use or uses of the Property prohibited by this Declaration of Restrictions.

In witness whereof, the foregoing Declaration of Restrictions has been executed this 18th day of December, 2001, by the duly authorized representative of Cargill Fertilizer, Inc., a Delaware corporation, as owner of the Property.

WITNESSES:

CARGILL FERTILIZER,
INC.Tonja HeltonBy: Gary N Davis

Title: Vice President

Name: Tonja Helton
(Print or Type)

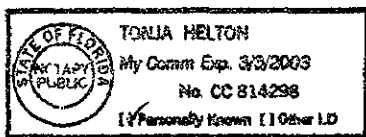
Parker W. Keen
Name: PARKER W. KEEN
(Print or Type)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 18
day of December, 2001 by Gary N. Davis, as Vice President of Cargill
Fertilizer, Inc, a Delaware corporation, on behalf of the corporation
Gary N. Davis is personally known to me or has produced his/her driver's
license no. _____
or _____ as identification.

Tonja Helton
(Signature)
Tonja Helton
(Printed Name)

(NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF
FLORIDA

8/3/2003
(Commission Expiration Date)
CC 814298
(Serial Number, If Any)

DESCRIPTION: CARGILL FERTILIZER, INC. - DECLARATION OF RESTRICTIONS

COMMENCE AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 30 SOUTH, RANGE 19 EAST, THENCE N 89°10'20" W, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 813.41 FT. FOR A POINT OF BEGINNING; THENCE S 00°26'07" W, 1534.74 FT.; THENCE S 52°00'57" E, 663.15 FT.; THENCE S 06°11'47" W, 52.18 FT.; THENCE S 00°06'40" W, 664.31 FT.; THENCE N 89°21'35" W, 1292.01 FT.; THENCE S 00°10'46" W, 662.64 FT.; THENCE S 89°18'04" E, 665.93 FT.; THENCE S 00°11'40" W, 663.45 FT.; THENCE N 89°16'54" W, 665.75 FT.; THENCE S 00°10'38" W, A DISTANCE OF 1327.73 FT. TO THE INTERSECTION WITH THE SECTION SOUTH LINE OF SAID 11, SAID POINT LYING N 89°15'01" W, A DISTANCE OF 1331.23 FT. FROM THE SOUTHEAST CORNER OF SAID SECTION 11; THENCE N 76°56'51" W, 107.75 FT.; THENCE N 71°35'37" W, 85.46 FT.; THENCE S 86°51'55" W, 101.24 FT.; THENCE N 67°39'11" W, 31.05 FT.; THENCE N 23°45'20" E, 46.10 FT.; THENCE N 00°02'39" W, 2012.97 FT.; THENCE N 06°08'28" W, 161.52 FT.; THENCE N 00°04'21" W, 192.14 FT.; THENCE N 05°09'50" W, 221.12 FT.; THENCE N 17°04'51" W, 165.21 FT.; THENCE S 89°21'03" E, 661.82 FT.; THENCE N 02°22'35" W, 1,081.91 FT.; THENCE N 55°53'50" W, 500.35 FT.; THENCE N 90°00'00" W, 654.81 FT.; THENCE N 23°05'39" W, 900.34 FT.; THENCE N 78°57'34" W, 113.71 FT.; THENCE N 89°17'56" W, 545.29 FT.; THENCE S 87°55'06" W, 687.72 FT.; THENCE S 42°39'58" W, 1605.90 FT.; THENCE S 59°14'33" W, 253.09 FT.; THENCE N 00°16'59" E, 314.61 FT.; THENCE S 89°33'59" E, 218.69 FT.; THENCE N 39°57'44" E, 690.69 FT.; THENCE N 00°16'05" E, 753.45 FT.; THENCE N 88°20'19" E, A DISTANCE OF 660.42 FT. TO THE INTERSECTION WITH AFORESAID NORTH LINE OF SECTION 11, THENCE RUN THE FOLLOWING TWO COURSES ALONG SAID NORTH LINE: S 89°43'03" E, 1195.40 FT.; THENCE S 89°10'20" E, A DISTANCE OF 2113.34 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 11, TOWNSHIP 30 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA.

TOGETHER WITH:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 30 SOUTH, RANGE 19 EAST, SAME BEING THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 30 SOUTH, RANGE 19 EAST; THENCE N 89°15'01" W, ALONG THE SECTION LINE COMMON TO SAID SECTIONS 11 & 14, A DISTANCE OF 671.06 FT. FOR A POINT OF BEGINNING, THENCE S 00°10'47" W, 348.52 FT.; THENCE N 89°15'26" W, 30.00 FT.; THENCE S 00°10'46" W, 316.26 FT.; THENCE S 89°16'03" E, 60.00 FT.; THENCE S 00°10'48" W, 2068.67 FT.; THENCE S 86°54'43" E, 100.04 FT.; THENCE S 62°25'59" E, 81.52 FT.; THENCE S 35°05'00" E, 81.57 FT.; THENCE S 89°14'56" E, 98.74 FT.; THENCE S 00°13'46" W, 927.27 FT.; THENCE N 89°17'45" W, 343.75 FT.; THENCE S 00°12'23" W, 210.77 FT.; THENCE S 89°17'45" E, 623.66 FT.; THENCE S 00°13'46" W, 663.03 FT.; THENCE N 89°18'14" W, 148.35 FT.; THENCE S 00°13'26" W, 326.53 FT.; THENCE N 89°18'31" W, 1645.91 FT.; THENCE N 00°08'46" E, 356.66 FT.; THENCE N 89°18'16" W, 139.24 FT.; THENCE N 00°08'46" E, 633.33 FT.; THENCE N 89°17'45" W, 1252.20 FT.; THENCE S 00°08'20" W, 228.98 FT.; THENCE N 89°18'31" W, 222.50 FT.; THENCE N 00°08'19" E, 229.03 FT.; THENCE N 89°17'45" W, 536.23 FT.; THENCE S 00°07'01" E, 1287.22 FT.; THENCE N 89°18'30" W, 1020.02 FT.; THENCE N 22°09'48" W, A DISTANCE OF 822.74 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 14, SAME BEING THE EAST LINE OF SECTION 15, TOWNSHIP 30 SOUTH, RANGE 19 EAST, SAID POINT LYING N 00°02'53" W, A DISTANCE OF 787.16 FT. FROM THE SOUTHWEST CORNER OF SECTION 14 (SOUTHEAST CORNER OF SECTION 15); THENCE CONTINUE N 22°09'48" W, A DISTANCE OF 327.94 FT. TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41A, SAID POINT LYING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 42°54'11" W, A DISTANCE OF 162.00 FT.; THENCE RUN THE FOLLOWING COURSES ALONG SAID EASTERLY RIGHT-OF-WAY: RUN NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 52°57'56", A DISTANCE OF 149.76 FT. TO THE P.T. OF SAID CURVE; THENCE N 05°52'08" W, 95.11 FT.; THENCE S 84°07'52" W, 20.00 FT.; THENCE



CURVE, THENCE N 05°52'08" W, 95.11 FT.; THENCE S 84°07'52" W, 20.00 FT.; THENCE N 05°52'07" W, 129.43 FT.; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY RUN N 68°43'17" E, 170.39 FT.; THENCE N 82°28'00" E, 139.78 FT.; THENCE N 79°42'03" E, 265.38 FT.; THENCE S 75°48'44" E, 60.23 FT.; THENCE S 56°25'30" E, 97.61 FT.; THENCE S 73°56'57" E, 49.85 FT.; THENCE S 86°09'23" E, 137.74 FT.; THENCE N 67°41'50" E, 112.76 FT.; THENCE N 89°17'46" E, 50.38 FT.; THENCE S 80°49'10" E, 78.18 FT.; THENCE N 89°29'00" E, 75.80 FT.; THENCE N 86°16'21" E, 454.63 FT.; THENCE S 89°13'41" E, 258.28 FT.; THENCE S 83°43'18" E, 122.75 FT.; THENCE S 76°20'05" E, 108.28 FT.; THENCE S 68°27'58" E, 149.92 FT.; THENCE S 73°34'18" E, 129.16 FT.; THENCE S 80°46'11" E, 67.77 FT.; THENCE S 86°52'33" E, 162.95 FT.; THENCE N 89°08'11" E, 153.35 FT.; THENCE S 86°46'16" E, 138.06 FT.; THENCE S 79°13'45" E, 333.08 FT.; THENCE S 86°21'44" E, 333.72 FT.; THENCE N 89°40'35" E, 193.58 FT.; THENCE N 86°10'25" E, 197.33 FT.; THENCE S 83°16'23" E, 59.36 FT.; THENCE S 87°23'10" E, 64.57 FT.; THENCE S 51°34'31" E, 81.41 FT.; THENCE S 37°41'49" E, 75.46 FT.; THENCE S 25°29'44" E, 63.41 FT.; THENCE S 14°18'27" E, 69.90 FT.; THENCE S 71°19'43" E, 57.01 FT.; THENCE N 03°41'31" W, 89.80 FT.; THENCE N 09°57'16" W, 502.67 FT.; THENCE N 48°50'30" E, 77.45 FT.; THENCE N 54°30'04" E, 98.05 FT.; THENCE N 34°19'24" E, 106.72 FT.; THENCE N 10°32'05" E, 130.04 FT.; THENCE N 07°33'39" W, 193.94 FT.; THENCE N 01°42'59" E, 156.86 FT.; THENCE N 11°35'29" E, 328.29 FT.; THENCE N 11°44'46" E, 238.92 FT.; THENCE N 02°14'46" E, 84.59 FT.; THENCE N 10°10'17" W, 123.98 FT.; THENCE N 17°26'54" W, 253.96 FT.; THENCE N 13°31'09" W, 118.49 FT.; THENCE N 02°13'31" E, 131.01 FT.; THENCE N 17°47'23" E, 122.46 FT.; THENCE N 23°26'24" E, 224.04 FT.; THENCE N 08°42'41" E, 145.61 FT.; THENCE N 03°18'51" W, 146.31 FT.; THENCE N 14°18'15" W, 163.73 FT.; THENCE N 20°49'44" W, 373.75 FT.; THENCE N 00°50'35" E, 101.54 FT.; THENCE N 07°47'03" W, 131.99 FT.; THENCE N 30°50'26" W, 133.61 FT.; THENCE N 46°28'21" W, 140.96 FT.; THENCE N 23°29'27" W, A DISTANCE OF 158.65 FT. TO THE INTERSECTION WITH THE SECTION LINE COMMON TO AFORESAID SECTIONS 11 & 14, THENCE S 89°15'01" E, ALONG SAID COMMON SECTION LINE, A DISTANCE OF 660.17 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 14 & 15, TOWNSHIP 30 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA.

TOGETHER WITH

COMMENCE AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 30 SOUTH, RANGE 19 EAST; THENCE N 89°30'30" W, ALONG THE NORTH LINE OF SAID SECTION 15, A DISTANCE OF 1753.88 FT. TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41A FOR A POINT OF BEGINNING, SAID POINT LYING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 77°56'29" E, A DISTANCE OF 958.12 FT.; THENCE RUN THE FOLLOWING COURSES ALONG SAID WESTERLY RIGHT-OF-WAY: RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°08'00", A DISTANCE OF 253.06 FT. TO THE P.T. OF SAID CURVE; THENCE S 27°11'30" E, 217.50 FT.; THENCE, LEAVING SAID WESTERLY RIGHT-OF-WAY, RUN S 29°14'38" W, A DISTANCE OF 111.32 FT.; THENCE S 27°12'30" E, 2676.42 FT.; THENCE S 16°38'01" E, 184.09 FT.; THENCE S 05°41'19" E, 754.51 FT.; THENCE S 28°14'55" E, 24.43 FT.; THENCE S 72°30'09" E, 29.98 FT.; THENCE N 84°01'05" E, A DISTANCE OF 48.38 FT. TO THE INTERSECTION WITH AFORESAID WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41A; THENCE RUN THE FOLLOWING COURSES ALONG SAID WESTERLY RIGHT-OF-WAY: S 05°52'07" E, 141.35 FT.; THENCE S 84°07'53" W, 10.00 FT.; THENCE S 05°52'07" E, A DISTANCE OF 95.11 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 62.00 FT.; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°59'30", A DISTANCE OF 6.48 FT. TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF THE C.S.X RAILROAD, THENCE N 22°09'48" W, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 4432.19 FT. TO THE INTERSECTION WITH AFORESAID NORTH LINE OF SECTION 15; THENCE S 89°30'30" E, ALONG SAID NORTH LINE, A DISTANCE OF 88.33 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 15, TOWNSHIP 30 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA.



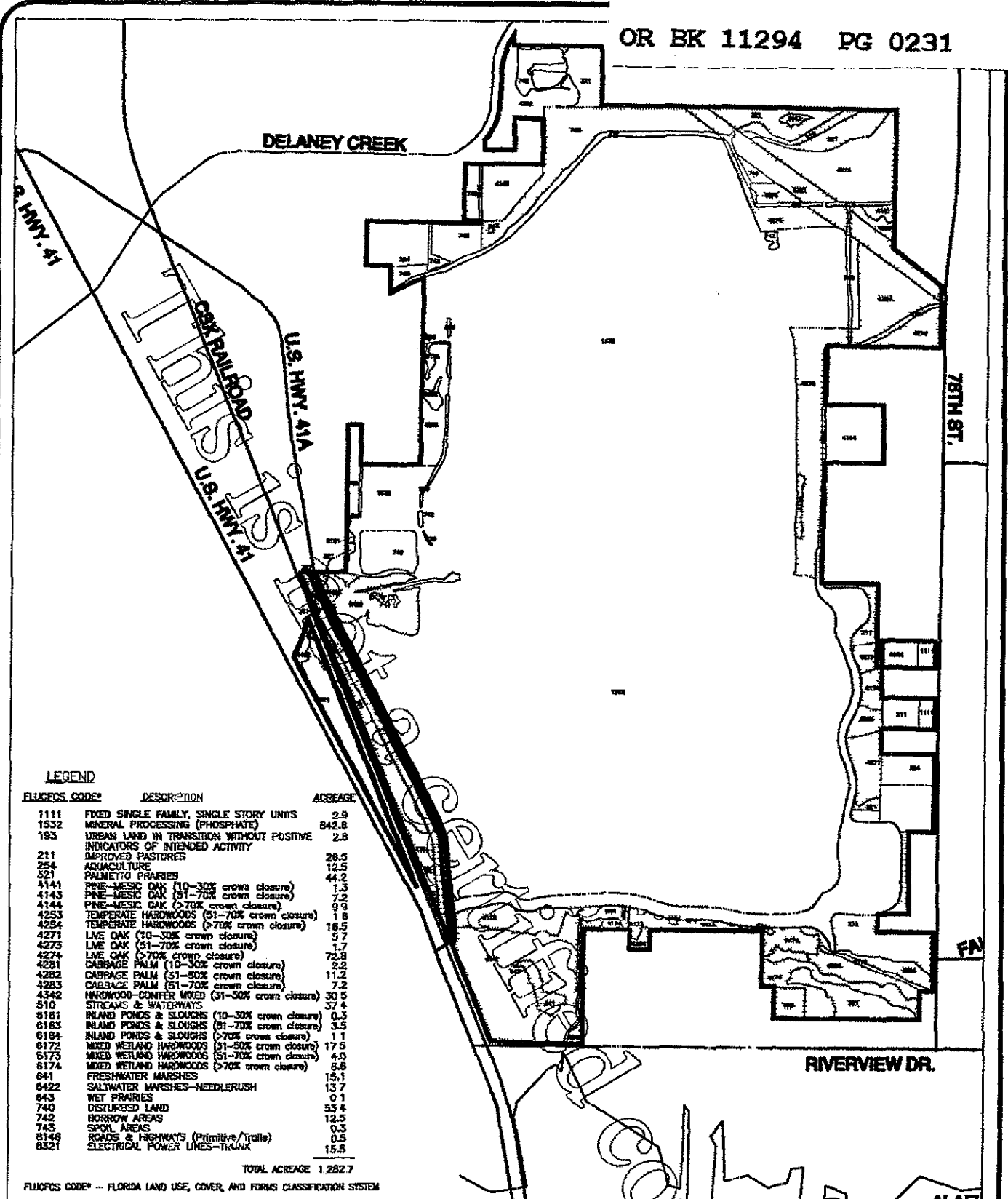
TOGETHER WITH

COMMENCE AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 30 SOUTH, RANGE 19 EAST, SAME BEING THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 30 SOUTH, RANGE 19 EAST; THENCE N 89°30'30" W, ALONG THE SECTION LINE COMMON TO SAID SECTIONS 10 & 15, A DISTANCE OF 565.23 FT FOR A POINT OF BEGINNING, THENCE S 00°00'00" W, 100.61 FT.; THENCE N 78°24'09" E, 223.18 FT.; THENCE S 79°51'15" E, 95.51 FT.; THENCE N 50°59'18" E, 133.64 FT.; THENCE S 69°59'51" E, 77.46 FT.; THENCE S 00°12'13" W, 54.40 FT.; THENCE S 70°11'12" W, 84.57 FT.; THENCE S 87°36'04" W, 99.77 FT.; THENCE N 80°23'25" W, 93.21 FT.; THENCE S 78°46'49" W, 216.43 FT.; THENCE S 75°59'38" W, 253.97 FT.; THENCE S 52°26'28" W, 9.05 FT.; THENCE S 10°19'49" E, 6.17 FT.; THENCE S 69°48'22" E, 11.18 FT.; THENCE N 85°07'26" E, 26.05 FT.; THENCE N 65°33'32" E, 40.03 FT.; THENCE S 89°20'30" E, 93.88 FT.; THENCE N 67°08'36" E, 61.12 FT.; THENCE N 84°16'43" E, 38.85 FT.; THENCE S 82°53'48" E, 18.36 FT.; THENCE S 38°07'42" E, 25.95 FT.; THENCE S 16°03'29" W, 37.90 FT.; THENCE S 27°45'46" W, 23.70 FT.; THENCE S 01°11'40" W, 52.31 FT.; THENCE S 07°00'29" E, 113.40 FT.; THENCE S 01°18'29" E, 195.80 FT.; THENCE S 14°46'46" W, 82.17 FT.; THENCE S 56°34'04" W, 35.06 FT.; THENCE S 79°12'33" W, 23.61 FT.; THENCE N 74°49'48" W, 145.33 FT.; THENCE N 09°24'28" W, 109.73 FT.; THENCE N 65°55'23" W, 78.39 FT.; THENCE N 83°40'49" W, 40.00 FT.; THENCE S 85°02'58" W, 44.89 FT.; THENCE N 72°53'00" W, 108.63 FT.; THENCE N 88°19'47" W, 13.36 FT.; THENCE N 06°07'27" E, 123.91 FT.; THENCE N 80°33'40" W, 6.72 FT.; THENCE S 18°13'56" W, 49.38 FT.; THENCE S 76°45'17" W, 38.57 FT.; THENCE S 67°44'52" W, 106.43 FT.; THENCE S 69°17'12" W, 70.25 FT.; THENCE S 87°51'54" W, 44.76 FT.; THENCE N 65°44'52" W, 49.67 FT.; THENCE N 32°58'00" W, 78.37 FT.; THENCE N 19°38'55" W, 118.38 FT.; THENCE N 62°23'20" W, 13.09 FT.; THENCE S 82°57'56" W, A DISTANCE OF 23.32 FT. TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 41A, THENCE RUN THE FOLLOWING COURSES ALONG SAID EASTERLY RIGHT-OF-WAY N 27°11'30" W, A DISTANCE OF 173.07 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 888.12 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°07'33", A DISTANCE OF 218.96 FT. TO THE INTERSECTION WITH THE SECTION LINE COMMON TO AFORESAID SECTIONS 10 & 15, THENCE S 89°30'30" E, ALONG SAID COMMON SECTION LINE, A DISTANCE OF 1116.80 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 10 & 15, TOWNSHIP 30 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA.

ALL OF THE ABOVE CONTAINING 294.73 ACRES MORE OR LESS



LOMBARDO, SKIPPER & FOLEY, INC.
Consulting Engineers, Surveyors & Planners



STACK BUFFER DOR AREA

Figure 1



STACK BUFFER
DOR AREA
RIVERVIEW PROPERTY

CARGILL FERTILIZER, INC.
TAMPA, FLORIDA

Vannoy Hargens Brundage, Inc.
Environmental Services Division

3818 U.S. 19 NORTH
POST OFFICE BOX 35
PALMETTO, FLORIDA