



SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE PERMIT NO. 06-03253-P
DATE ISSUED: AUGUST 9, 2001

DF93-1134
DF 06-1090

PERMITTEE: SCI FUNERAL SERVICES OF FLORIDA INC
(MENORAH GARDENS)
754 US HIGHWAY,
NORTH PALM BEACH, FL 33408

PROJECT DESCRIPTION: AUTHORIZATION FOR THE CONCEPTUAL APPROVAL OF A MASTER SURFACE WATER MANAGEMENT SYSTEM TO SERVE FUTURE DEVELOPMENT WITHIN AN EXISTING 81.28 ACRE CEMETERY KNOWN AS MENORAH GARDENS. AUTHORIZATION FOR CONSTRUCTION AND OPERATION OF AN 8.41 ACRE WETLAND MITIGATION AREA.

PROJECT LOCATION: BROWARD COUNTY, SECTION 34 TWP 50S RGE 39E

PERMIT DURATION: Five years to complete construction of the surface water management system from the date issued. Conceptual Approval is valid for two years from the date issued. See attached Rule 40E-4.321, Florida Administrative Code.

This Permit is issued pursuant to Application No. 000524-9, dated May 18, 2000. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of activities authorized by this Permit. This Permit is issued under the provisions of Chapter 373, Part IV Florida Statutes (F.S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S., between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with state water quality standards where necessary pursuant to Section 401, Public Law 92-500, 33 USC Section 1341, unless this Permit is issued pursuant to the net improvement provisions of Subsections 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit may be transferred pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-1.6107(1) and (2), and 40E-4.351(1), (2), and (4), Florida Administrative Code (F.A.C.). This Permit may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.351(1), (2), and (4), F.A.C.

This Permit shall be subject to the General Conditions set forth in Rule 40E-4.361, F.A.C., unless waived or modified by the Governing Board. The Application, and the Environmental Resource Permit Staff Review Summary of the Application, including all conditions, and all plans and specifications incorporated by reference, are a part of this Permit. All activities authorized by this Permit shall be implemented as set forth in the plans, specifications, and performance criteria as set forth and incorporated in the Environmental Resource Permit Staff Review Summary. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.361 and 40E-4.361, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND GENERAL CONDITIONS ARE AS FOLLOWS:

SEE PAGES 2 - 5 CF 6 (21 SPECIAL CONDITIONS).
SEE PAGES 6 - 8 CF 8 (19 GENERAL CONDITIONS).

FILED WITH THE CLERK OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

ON ORIGINAL SIGNED BY:
JENNIFER KRUMLAUF
BY _____
DEPUTY CLERK

Original signed by
TONY BURNS
By _____
ASSISTANT SECRETARY

Post-It* Fax Note	7671	Date	8/10	# of pages	8/9
To	Stephanie	From	Dave		
Co./Dept		Cc	SFWMD		
Phone #		Phone #	561-6826941		
Fax #	954 776 1813	Fax #			

SPECIAL CONDITIONS

1. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.
2. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERIMETER OF THE PROTECTED WETLANDS AND BUFFER ZONES SHALL BE FENCED TO PREVENT ENCROACHMENT INTO THE WETLANDS. THE PERMITTEE SHALL NOTIFY THE SFWMD'S ENVIRONMENTAL COMPLIANCE STAFF IN WRITING UPON COMPLETION OF FENCING AND SCHEDULE AN INSPECTION OF THIS WORK. THE PERMITTEE SHALL MODIFY THE FENCING IF SFWMD STAFF DETERMINES IT IS INSUFFICIENT OR IS NOT IN CONFORMANCE WITH THE INTENT OF THIS PERMIT. FENCING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT CONSTRUCTION ACTIVITIES ARE COMPLETE.
3. THIS PERMIT DOES NOT CONVEY CONCEPTUAL APPROVAL OF THE FUTURE SBDD (SOUTH BROWARD DRAINAGE DISTRICT) CANAL SHOWN ON EXHIBIT NO. 2. ANY SUCH FACILITIES WILL REQUIRE SUBMITTAL OF A PERMIT APPLICATION FOR DISTRICT REVIEW AND APPROVAL THAT MEETS ALL APPLICABLE DISTRICT CRITERIA.
4. THE SFWMD RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY THE PERMITTEE IF WETLAND AND/OR UPLAND MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO PROTECTED, CONSERVED, INCORPORATED OR MITIGATED WETLANDS OR UPLANDS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.
5. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
6. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE SUCCESSFUL COMPLETION OF THE MITIGATION WORK, INCLUDING THE MONITORING AND MAINTENANCE OF THE MITIGATION AREAS FOR THE DURATION OF THE PLAN. THE MITIGATION AREA(S) SHALL NOT BE TURNED OVER TO THE OPERATION ENTITY UNTIL THE MITIGATION WORK IS ACCOMPLISHED AS PERMITTED AND SFWMD STAFF HAS CONCURRED.
7. EACH APPLICATION FOR CONSTRUCTION OF FUTURE PHASES OF THE PERMIT SHALL BE ACCOMPANIED BY AN UPDATED SUMMARY AND MAP WHICH SHOWS THE LOCATION AND ACREAGE OF THE WETLAND(S) IMPACTED TO DATE, AND THE EXISTING MITIGATION AREAS FOR THE ENTIRE PROJECT.
8. (1) A WETLAND MITIGATION PROGRAM FOR MENORAH GARDENS SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 4-8. THE PERMITTEE SHALL PRESERVE 22.11 ACRES OF HERBACEOUS/SHRUB WETLANDS AND ENHANCE 8.41 ACRES OF HERBACEOUS/SHRUB WETLANDS.

(2) A WETLAND MITIGATION PROGRAM FOR MENORAH GARDENS (PHASE 1 & FUTURE DEVELOPMENT) SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 4-8. THE PERMITTEE SHALL ENHANCE 30.52 ACRES OF HERBACEOUS/SHRUB WETLANDS.
9. THE WETLAND CONSERVATION AREAS AND UPLAND BUFFER ZONES AND/OR UPLAND PRESERVATION AREAS SHOWN ON EXHIBIT(S) 2, 7 AND 14 MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING, OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; AND

ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.

10. WETLAND PRESERVATION/MITIGATION AREAS, UPLAND BUFFER ZONES AND/OR UPLAND PRESERVATION AREAS SHALL BE DEDICATED AS CONSERVATION AND COMMON AREAS IN THE DEED RESTRICTIONS AND CONSERVATION EASEMENT AS WELL AS ON THE PLAT IF THE PROJECT WILL BE PLATTED. RESTRICTIONS FOR USE OF THE CONSERVATION/Common AREAS SHALL STIPULATE:

THE WETLAND PRESERVATION/MITIGATION AREAS, UPLAND BUFFER ZONES, AND/OR UPLAND PRESERVATION AREAS ARE HEREBY DEDICATED AS CONSERVATION AND COMMON AREAS. THE CONSERVATION/Common AREAS SHALL BE THE PERPETUAL RESPONSIBILITY OF SCI FUNERAL SERVICES OF FLORIDA, INC. AND MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE AS DOCUMENTED IN EXHIBIT NO. 13, WITH THE EXCEPTION OF PERMITTED RESTORATION ACTIVITIES. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING, OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; AND ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.

COPIES OF RECORDED DOCUMENTS SHALL BE SUBMITTED CONCURRENT WITH ENGINEERING CERTIFICATION OF CONSTRUCTION COMPLETION.

11. ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE WETLAND MITIGATION, MONITORING AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING WORK SCHEDULE. ANY DEVIATION FROM THESE TIME FRAMES SHALL REQUIRE FORMAL SFWMD APPROVAL. SUCH REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE MODIFICATION; (2) PROPOSED START/FINISH DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE EXISTING MITIGATION EFFORTS.

COMPLETION DATE	ACTIVITY
SEPTEMBER 15, 2001	SUBMIT DOCUMENTATION OF RECORDING OF CONSERVATION EASEMENT
SEPTEMBER 15, 2001	SUBMIT EXECUTED LETTER OF CREDIT
SEPTEMBER 30, 2001	EXCAVATION AND GRADING MITIGATION AREA
SEPTEMBER 30, 2001	PLANTING MITIGATION AREA
OCTOBER 30, 2001	TIME ZERO MONITORING REPORT
OCTOBER 30, 2001	BASELINE MONITORING REPORT
MARCH 15, 2002	SUBMIT CERTIFIED COPY OF RECORDED CONSERVATION EASEMENT
OCTOBER 30, 2002	FIRST MONITORING REPORT
OCTOBER 30, 2003	SECOND MONITORING REPORT
OCTOBER 30, 2004	THIRD MONITORING REPORT
OCTOBER 30, 2005	FOURTH MONITORING REPORT
NOVEMBER 15, 2005	SITE INSPECTION
OCTOBER 30, 2006	FIFTH MONITORING REPORT

12. PRIOR TO COMMENCEMENT OF CONSTRUCTION OF WETLAND MITIGATION, THE SFWMD SHALL BE NOTIFIED BY THE PERMITEE OR AUTHORIZED AGENT (VIA THE SUPPLIED MITIGATION COMMENCEMENT NOTICE) OF THE ACTUAL OR ANTICIPATED MITIGATION CONSTRUCTION START DATE AND THE EXPECTED COMPLETION DATE/DURATION.
13. IF THE PROJECT DESIGN IS CHANGED AS A RESULT OF OTHER AGENCY REQUIREMENTS, AN ENVIRONMENTAL RESOURCE PERMIT MODIFICATION MAY BE REQUIRED. THE PERMITEE SHALL NOTIFY SFWMD STAFF OF DESIGN CHANGES REQUIRED BY OTHER AGENCIES FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.

14. A MONITORING AND MAINTENANCE PROGRAM SHALL BE IMPLEMENTED FOR THE MITIGATION AREAS IN ACCORDANCE WITH EXHIBIT NOS. 4, 6, 7 AND 8 FOR A PERIOD OF FIVE (5) YEARS. MONITORING SHALL BE CONDUCTED ON A REGULAR BASIS TO MAINTAIN AT LEAST 80% SURVIVORSHIP OF ALL MITIGATION PLANTINGS (INCLUDING BUFFER PLANTINGS) AND TO ENSURE THAT THE APPROVED MITIGATION AREAS PROVIDE THEIR INTENDED FUNCTIONS. ANNUAL MONITORING REPORTS SHALL BE SUBMITTED TO THE SFWMD FOR REVIEW ACCORDING TO THE SCHEDULE LISTED IN SPECIAL CONDITION NO. X. MONITORING STATIONS SHALL INCLUDE, BUT MAY NOT BE LIMITED TO, THE VEGETATION TRANSECTS, PHOTO STATIONS AND STAFF GAUGES SHOWN ON EXHIBIT NO. 7.
15. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT NOS. 4, 6 AND 7 FOR THE MITIGATION AREAS ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THE MITIGATION AREAS AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE MITIGATION AREAS ARE FREE FROM INVASIVE EXOTIC VEGETATION (INCLUDING, BUT NOT LIMITED TO THOSE SPECIES DEFINED BY THE FLORIDA EXOTIC PEST PLANT COUNCIL AT THE TIME OF ISSUANCE OF THIS PERMIT) IMMEDIATELY FOLLOWING A MAINTENANCE ACTIVITY AND THAT EXOTIC AND OTHER NUISANCE PLANT SPECIES CONSTITUTE NO MORE THAN 5% OF TOTAL VEGETATIVE COVER BETWEEN MAINTENANCE ACTIVITIES.
16. NO LATER THAN SEPTEMBER 15, 2001, THE PERMITTEE SHALL VERIFY THAT THE CONSERVATION EASEMENT HAS BEEN RECORDED FOR THE REAL PROPERTY DESIGNATED AS MITIGATION ON THE ATTACHED EXHIBIT NO. 2. THE EASEMENT SHALL BE FREE OF ENCUMBRANCES OR INTERESTS IN THE EASEMENT WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT. IN THE EVENT IT IS LATER DETERMINED THAT THERE ARE ENCUMBRANCES OR INTERESTS IN THE EASEMENT WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT, THE PERMITTEE SHALL BE REQUIRED TO PROVIDE A RELEASE OR SUBORDINATION OF SUCH ENCUMBRANCES OR INTERESTS.

NO LATER THAN MARCH 15, 2002, THE PERMITTEE SHALL SUBMIT THE ORIGINAL RECORDED EASEMENT OR A CERTIFIED COPY OF THE RECORDED TO THE POST PERMIT COMPLIANCE STAFF IN THE DISTRICT'S ENVIRONMENTAL RESOURCE COMPLIANCE DEPARTMENT. THE RECORDED EASEMENT SHALL BE IN SUBSTANTIAL CONFORMANCE WITH EXHIBIT NO. 14. ANY PROPOSED MODIFICATIONS TO THE APPROVED FORM MUST RECEIVE PRIOR WRITTEN CONSENT FROM THE DISTRICT.
17. AS STATED IN EXHIBIT NO. 13, THE PERMITTEE (SCI FUNERAL SERVICES OF FLORIDA, INC.) SHALL BE THE ENTITY RESPONSIBLE FOR MITIGATION CONSTRUCTION, REQUIRED 5 YEAR MAINTENANCE AND MONITORING AND PERPETUAL MAINTENANCE OF THE WETLAND MITIGATION AREAS ADDRESSED BY THIS PERMIT.
18. AS EVIDENCE OF FINANCIAL RESPONSIBILITY TO COVER THE ESTIMATED COSTS OF THE ONSITE MITIGATION CONSTRUCTION AND 5-YEAR MAINTENANCE AND MONITORING PROGRAM, A DRAFT LETTER OF CREDIT PAYABLE JOINTLY TO THE DISTRICT AND BROWARD COUNTY HAS BEEN PROVIDED IN THE AMOUNT OF \$138,963.00 WHICH CONSTITUTES 110% OF THE ESTIMATED COSTS OF COMPLETING THE MITIGATION EFFORTS. NO LATER THAN SEPTEMBER 15, 2001, THE PERMITTEE SHALL SUBMIT TO THE DISTRICT'S POST PERMIT COMPLIANCE STAFF AN EXECUTED ORIGINAL JOINT LETTER OF CREDIT IN SUBSTANTIAL CONFORMANCE WITH EXHIBIT NO. 10.
19. NO LATER THAN NOVEMBER 30, 2001, WETLAND PRESERVE/CONSERVATION AREA SIGNS PLACED AT 100' INTERVALS AND 4' HIGH CHAIN LINK FENCING SHALL BE INSTALLED ALONG THE NORTH AND SOUTH SIDES OF THE EXISTING WETLAND AREAS AT THE SITE, AS WELL AS ALONG THE EASTERN PROPERTY LINE BETWEEN THE PROJECT SITE WETLANDS (INCLUDING THE PREVIOUSLY IMPACTED WETLANDS) AND ADJACENT PROPERTIES TO PREVENT FURTHER ENCROACHMENTS AND IMPACTS TO THE WETLAND AREAS. THE WETLAND PRESERVE/CONSERVATION AREA SIGNS AND FENCING SHALL BE MAINTAINED IN PERPETUITY BY THE PERMITTEE. ANY RELOCATION OF THE SIGNS AND/OR FENCING SHALL ONLY OCCUR UPON APPROVAL BY THE DISTRICT.
20. THE PERMITTEE AND IT'S DESIGNATED CONTRACTORS SHALL ADHERE TO ALL PROJECT AND MITIGATION CONSTRUCTION DETAILS AND METHODOLOGY INDICATED ON THE ENCLOSED PERMIT EXHIBITS AND DESCRIBED HEREIN. ANY DEVIATION FROM THE APPROVED PLANS AND CONDITIONS

OF THIS PERMIT WILL REQUIRE PRIOR AUTHORIZATION FROM THE DISTRICT. AN INSPECTION BY DISTRICT POST PERMIT COMPLIANCE STAFF SHALL BE REQUIRED FOLLOWING COMPLETION OF THE ONSITE MITIGATION AREA GRADING ACTIVITIES AND PRIOR TO COMMENCEMENT OF MITIGATION PLANTINGS TO ENSURE THAT APPROPRIATE ELEVATIONS AND SLOPES HAVE BEEN ACHIEVED.

21. PRIOR TO ANY DEVELOPMENT WITHIN THE "FUTURE CEMETERY DEVELOPMENT" AREA (SEE EXHIBIT 2). A PERMIT MODIFICATION WILL BE REQUIRED. PLANS AND CALCULATIONS SHALL BE SUBMITTED TO DEMONSTRATE THAT THE PROPOSED PROJECT MEETS THE LAND USE AND SITE GRADING ASSUMPTIONS MADE IN THIS APPLICATION AS WELL AS APPLICABLE WETLAND PROTECTION AND MITIGATION REQUIREMENTS. IN ADDITION, IF THE S-10 BASIN CONCEPTUAL FACILITIES (I.E. PUMP STATION AND CANAL SYSTEM) HAVE NOT BEEN CONSTRUCTED AT THE TIME THE APPLICATION FOR FUTURE DEVELOPMENT IS SUBMITTED, PLANS AND CALCULATION SHALL BE SUBMITTED TO DEMONSTRATE THAT THE PROPOSED PROJECT WILL MEET THE BASIN ALLOWABLE DISCHARGE RATE FOR PROJECTS LOCATED IN THE WESTERN C-11 BASIN.

GENERAL CONDITIONS

1. ALL ACTIVITIES AUTHORIZED BY THIS PERMIT SHALL BE IMPLEMENTED AS SET FORTH IN THE PLANS, SPECIFICATIONS AND PERFORMANCE CRITERIA AS APPROVED BY THIS PERMIT. ANY DEVIATION FROM THE PERMITTED ACTIVITY AND THE CONDITIONS FOR UNDERTAKING THAT ACTIVITY SHALL CONSTITUTE A VIOLATION OF THIS PERMIT AND PART IV, CHAPTER 373, F.S.
2. THIS PERMIT OR A COPY THEREOF, COMPLETE WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND MODIFICATIONS SHALL BE KEPT AT THE WORK SITE OF THE PERMITTED ACTIVITY. THE COMPLETE PERMIT SHALL BE AVAILABLE FOR REVIEW AT THE WORK SITE UPON REQUEST BY THE DISTRICT STAFF. THE PERMITTEE SHALL REQUIRE THE CONTRACTOR TO REVIEW THE COMPLETE PERMIT PRIOR TO COMMENCEMENT OF THE ACTIVITY AUTHORIZED BY THIS PERMIT.
3. ACTIVITIES APPROVED BY THIS PERMIT SHALL BE CONDUCTED IN A MANNER WHICH DOES NOT CAUSE VIOLATIONS OF STATE WATER QUALITY STANDARDS. THE PERMITTEE SHALL IMPLEMENT BEST MANAGEMENT PRACTICES FOR EROSION AND POLLUTION CONTROL TO PREVENT VIOLATION OF STATE WATER QUALITY STANDARDS. TEMPORARY EROSION CONTROL SHALL BE IMPLEMENTED PRIOR TO AND DURING CONSTRUCTION, AND PERMANENT CONTROL MEASURES SHALL BE COMPLETED WITHIN 7 DAYS OF ANY CONSTRUCTION ACTIVITY. TURBIDITY BARRIERS SHALL BE INSTALLED AND MAINTAINED AT ALL LOCATIONS WHERE THE POSSIBILITY OF TRANSFERRING SUSPENDED SOLIDS INTO THE RECEIVING WATERBODY EXISTS DUE TO THE PERMITTED WORK. TURBIDITY BARRIERS SHALL REMAIN IN PLACE AT ALL LOCATIONS UNTIL CONSTRUCTION IS COMPLETED AND SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED. ALL PRACTICES SHALL BE IN ACCORDANCE WITH THE GUIDELINES AND SPECIFICATIONS DESCRIBED IN CHAPTER 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL; A GUIDE TO SOUND LAND AND WATER MANAGEMENT (DEPARTMENT OF ENVIRONMENTAL REGULATION, 1988), INCORPORATED BY REFERENCE IN RULE 40E-4.091, F.A.C. UNLESS A PROJECT-SPECIFIC EROSION AND SEDIMENT CONTROL PLAN IS APPROVED AS PART OF THE PERMIT. THEREAFTER THE PERMITTEE SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE BARRIERS. THE PERMITTEE SHALL CORRECT ANY EROSION OR SHOALING THAT CAUSES ADVERSE IMPACTS TO THE WATER RESOURCES.
4. THE PERMITTEE SHALL NOTIFY THE DISTRICT OF THE ANTICIPATED CONSTRUCTION START DATE WITHIN 30 DAYS OF THE DATE THAT THIS PERMIT IS ISSUED. AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF ACTIVITY AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL SUBMIT TO THE DISTRICT AN ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMMENCEMENT NOTICE FORM NO. 0960 INDICATING THE ACTUAL START DATE AND THE EXPECTED COMPLETION DATE.
5. WHEN THE DURATION OF CONSTRUCTION WILL EXCEED ONE YEAR, THE PERMITTEE SHALL SUBMIT CONSTRUCTION STATUS REPORTS TO THE DISTRICT ON AN ANNUAL BASIS UTILIZING AN ANNUAL STATUS REPORT FORM. STATUS REPORT FORMS SHALL BE SUBMITTED THE FOLLOWING JUNE OF EACH YEAR.
6. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE PERMITTED ACTIVITY, THE PERMITTEE SHALL SUBMIT A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A REGISTERED PROFESSIONAL ENGINEER OR OTHER APPROPRIATE INDIVIDUAL AS AUTHORIZED BY LAW, UTILIZING THE SUPPLIED ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION FORM NO.0881. THE STATEMENT OF COMPLETION AND CERTIFICATION SHALL BE BASED ON ONSITE OBSERVATION OF CONSTRUCTION OR REVIEW OF ASBUILT DRAWINGS FOR THE PURPOSE OF DETERMINING IF THE WORK WAS COMPLETED IN COMPLIANCE WITH PERMITTED PLANS AND SPECIFICATIONS. THIS SUBMITTAL SHALL SERVE TO NOTIFY THE DISTRICT THAT THE SYSTEM IS READY FOR INSPECTION. ADDITIONALLY, IF DEVIATION FROM THE APPROVED DRAWINGS ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED. BOTH THE ORIGINAL AND REVISED SPECIFICATIONS MUST BE CLEARLY SHOWN. THE PLANS MUST BE CLEARLY LABELED AS "ASBUILT" OR "RECORD" DRAWING. ALL SURVEYED DIMENSIONS AND ELEVATIONS SHALL BE CERTIFIED BY A REGISTERED SURVEYOR.
7. THE OPERATION PHASE OF THIS PERMIT SHALL NOT BECOME EFFECTIVE: UNTIL THE PERMITTEE HAS COMPLIED WITH THE REQUIREMENTS OF CONDITION (6) ABOVE, HAS SUBMITTED A REQUEST

FOR CONVERSION OF ENVIRONMENTAL RESOURCE PERMIT FROM CONSTRUCTION PHASE TO OPERATION PHASE, FORM NO. 0920; THE DISTRICT DETERMINES THE SYSTEM TO BE IN COMPLIANCE WITH THE PERMITTED PLANS AND SPECIFICATIONS; AND THE ENTITY APPROVED BY THE DISTRICT IN ACCORDANCE WITH SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, ACCEPTS RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE SYSTEM. THE PERMIT SHALL NOT BE TRANSFERRED TO SUCH APPROVED OPERATION AND MAINTENANCE ENTITY UNTIL THE OPERATION PHASE OF THE PERMIT BECOMES EFFECTIVE. FOLLOWING INSPECTION AND APPROVAL OF THE PERMITTED SYSTEM BY THE DISTRICT, THE PERMITTEE SHALL INITIATE TRANSFER OF THE PERMIT TO THE APPROVED RESPONSIBLE OPERATING ENTITY IF DIFFERENT FROM THE PERMITTEE. UNTIL THE PERMIT IS TRANSFERRED PURSUANT TO SECTION 40E-1.6107, F.A.C., THE PERMITTEE SHALL BE LIABLE FOR COMPLIANCE WITH THE TERMS OF THE PERMIT.

8. EACH PHASE OR INDEPENDENT PORTION OF THE PERMITTED SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO THE INITIATION OF THE PERMITTED USE OF SITE INFRASTRUCTURE LOCATED WITHIN THE AREA SERVED BY THAT PORTION OR PHASE OF THE SYSTEM. EACH PHASE OR INDEPENDENT PORTION OF THE SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE PHASE OR PORTION OF THE SYSTEM TO A LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.
9. FOR THOSE SYSTEMS THAT WILL BE OPERATED OR MAINTAINED BY AN ENTITY THAT WILL REQUIRE AN EASEMENT OR DEED RESTRICTION IN ORDER TO ENABLE THAT ENTITY TO OPERATE OR MAINTAIN THE SYSTEM IN CONFORMANCE WITH THIS PERMIT, SUCH EASEMENT OR DEED RESTRICTION MUST BE RECORDED IN THE PUBLIC RECORDS AND SUBMITTED TO THE DISTRICT ALONG WITH ANY OTHER FINAL OPERATION AND MAINTENANCE DOCUMENTS REQUIRED BY SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, PRIOR TO LOT OR UNIT SALES OR PRIOR TO THE COMPLETION OF THE SYSTEM, WHICHEVER OCCURS FIRST. OTHER DOCUMENTS CONCERNING THE ESTABLISHMENT AND AUTHORITY OF THE OPERATING ENTITY MUST BE FILED WITH THE SECRETARY OF STATE WHERE APPROPRIATE. FOR THOSE SYSTEMS WHICH ARE PROPOSED TO BE MAINTAINED BY THE COUNTY OR MUNICIPAL ENTITIES, FINAL OPERATION AND MAINTENANCE DOCUMENTS MUST BE RECEIVED BY THE DISTRICT WHEN MAINTENANCE AND OPERATION OF THE SYSTEM IS ACCEPTED BY THE LOCAL GOVERNMENT ENTITY. FAILURE TO SUBMIT THE APPROPRIATE FINAL DOCUMENTS WILL RESULT IN THE PERMITTEE REMAINING LIABLE FOR CARRYING OUT MAINTENANCE AND OPERATION OF THE PERMITTED SYSTEM AND ANY OTHER PERMIT CONDITIONS.
10. SHOULD ANY OTHER REGULATORY AGENCY REQUIRE CHANGES TO THE PERMITTED SYSTEM, THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING OF THE CHANGES PRIOR TO IMPLEMENTATION SO THAT A DETERMINATION CAN BE MADE WHETHER A PERMIT MODIFICATION IS REQUIRED.
11. THIS PERMIT DOES NOT ELIMINATE THE NECESSITY TO OBTAIN ANY REQUIRED FEDERAL, STATE, LOCAL AND SPECIAL DISTRICT AUTHORIZATIONS PRIOR TO THE START OF ANY ACTIVITY APPROVED BY THIS PERMIT. THIS PERMIT DOES NOT CONVEY TO THE PERMITTEE OR CREATE IN THE PERMITTEE ANY PROPERTY RIGHT, OR ANY INTEREST IN REAL PROPERTY, NOR DOES IT AUTHORIZE ANY ENTRANCE UPON OR ACTIVITIES ON PROPERTY WHICH IS NOT OWNED OR CONTROLLED BY THE PERMITTEE, OR CONVEY ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4 OR CHAPTER 40E-40, F.A.C.
12. THE PERMITTEE IS HEREBY ADVISED THAT SECTION 253.77, F.S. STATES THAT A PERSON MAY NOT COMMENCE ANY EXCAVATION, CONSTRUCTION, OR OTHER ACTIVITY INVOLVING THE USE OF SOVEREIGN OR OTHER LANDS OF THE STATE, THE TITLE TO WHICH IS VESTED IN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND WITHOUT OBTAINING THE REQUIRED LEASE, LICENSE, EASEMENT, OR OTHER FORM OF CONSENT AUTHORIZING THE PROPOSED USE. THEREFORE, THE PERMITTEE IS RESPONSIBLE FOR OBTAINING ANY NECESSARY AUTHORIZATIONS FROM THE BOARD OF TRUSTEES PRIOR TO COMMENCING ACTIVITY ON SOVEREIGNTY LANDS OR OTHER STATE-OWNED LANDS.

13. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING. UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C., ALSO KNOWN AS THE "NO NOTICE" RULE.
14. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, ALTERATION, OPERATION, MAINTENANCE, REMOVAL, ABANDONMENT OR USE OF ANY SYSTEM AUTHORIZED BY THE PERMIT.
15. ANY DELINEATION OF THE EXTENT OF A WETLAND OR OTHER SURFACE WATER SUBMITTED AS PART OF THE PERMIT APPLICATION, INCLUDING PLANS OR OTHER SUPPORTING DOCUMENTATION, SHALL NOT BE CONSIDERED BINDING UNLESS A SPECIFIC CONDITION OF THIS PERMIT OR A FORMAL DETERMINATION UNDER SECTION 373.421(2), F.S., PROVIDES OTHERWISE.
16. THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING WITHIN 30 DAYS OF ANY SALE, CONVEYANCE, OR OTHER TRANSFER OF OWNERSHIP OR CONTROL OF A PERMITTED SYSTEM OR THE REAL PROPERTY ON WHICH THE PERMITTED SYSTEM IS LOCATED. ALL TRANSFERS OF OWNERSHIP OR TRANSFERS OF A PERMIT ARE SUBJECT TO THE REQUIREMENTS OF RULES 40E-1.6105 AND 40E-1.6107, F.A.C. THE PERMITTEE TRANSFERRING THE PERMIT SHALL REMAIN LIABLE FOR CORRECTIVE ACTIONS THAT MAY BE REQUIRED AS A RESULT OF ANY VIOLATIONS PRIOR TO THE SALE, CONVEYANCE OR OTHER TRANSFER OF THE SYSTEM.
17. UPON REASONABLE NOTICE TO THE PERMITTEE, DISTRICT AUTHORIZED STAFF WITH PROPER IDENTIFICATION SHALL HAVE PERMISSION TO ENTER, INSPECT, SAMPLE AND TEST THE SYSTEM TO INSURE CONFORMITY WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE PERMIT.
18. IF HISTORICAL OR ARCHAEOLOGICAL ARTIFACTS ARE DISCOVERED AT ANY TIME ON THE PROJECT SITE, THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE APPROPRIATE DISTRICT SERVICE CENTER.
19. THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE DISTRICT IN WRITING OF ANY PREVIOUSLY SUBMITTED INFORMATION THAT IS LATER DISCOVERED TO BE INACCURATE.

ENVIRONMENTAL RESOURCE PERMIT

CHAPTER 40E-4 (10/95)

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C. is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. the effective date of the local government's comprehensive plan amendment.
2. the effective date of the local government development order.
3. the date on which the District issues the conceptual approval, or
4. the latest date of the resolution of any Chapter 120.57, F.A.C., administrative proceeding

or other legal appeals.

(c) For an individual or standard general environmental resource permit, five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For a noticed general permit issued pursuant to chapter 40-E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2)(a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. the Governing Board takes action on an application for extension of an individual permit,

or

2. staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to result in substantially different water resource or environmental impacts which require a detailed review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416, 373.419, 373.428 F.S. History--New 9-3-81. Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94, Amended 7-1-86, 4/20/94, 10-3-95

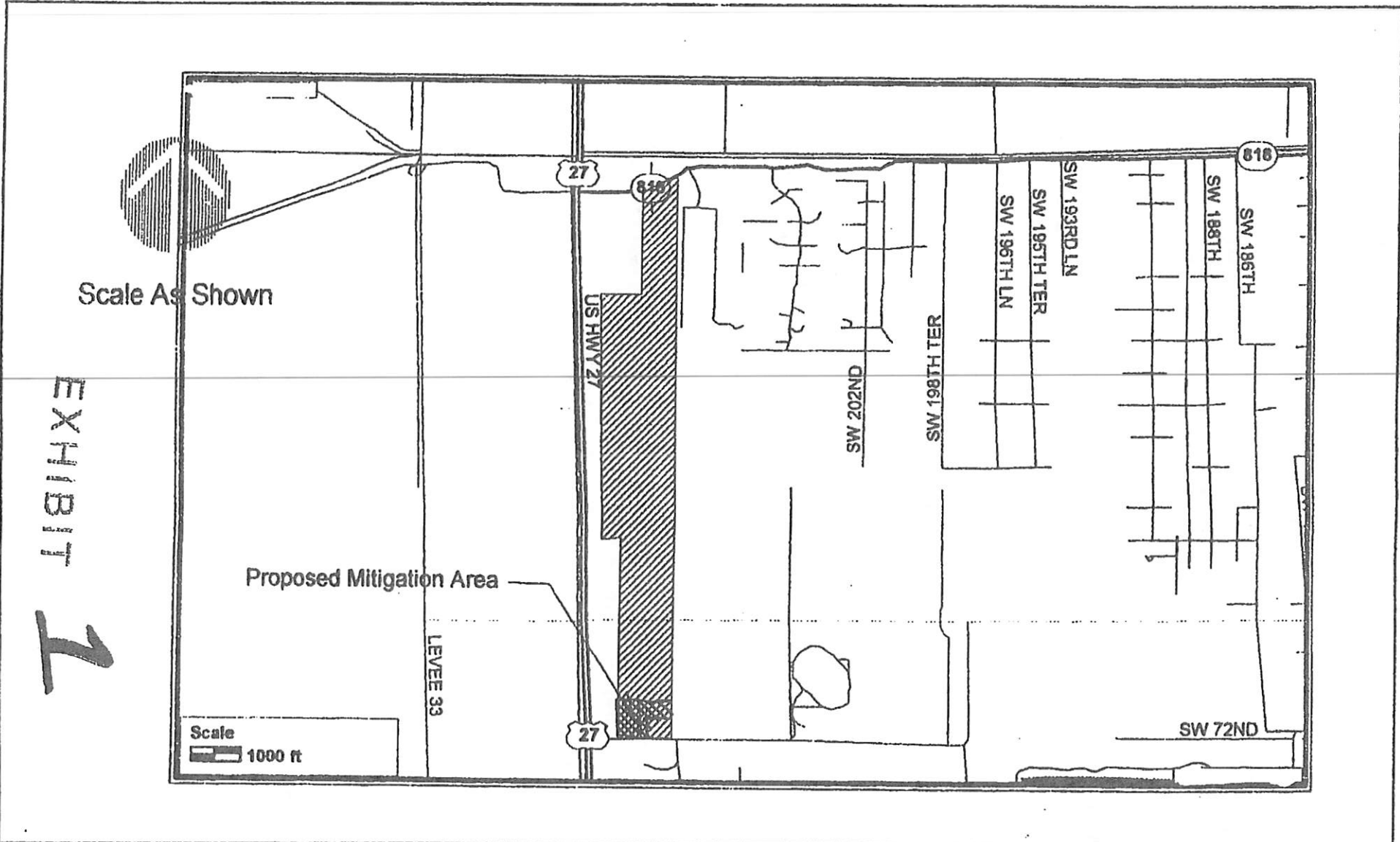
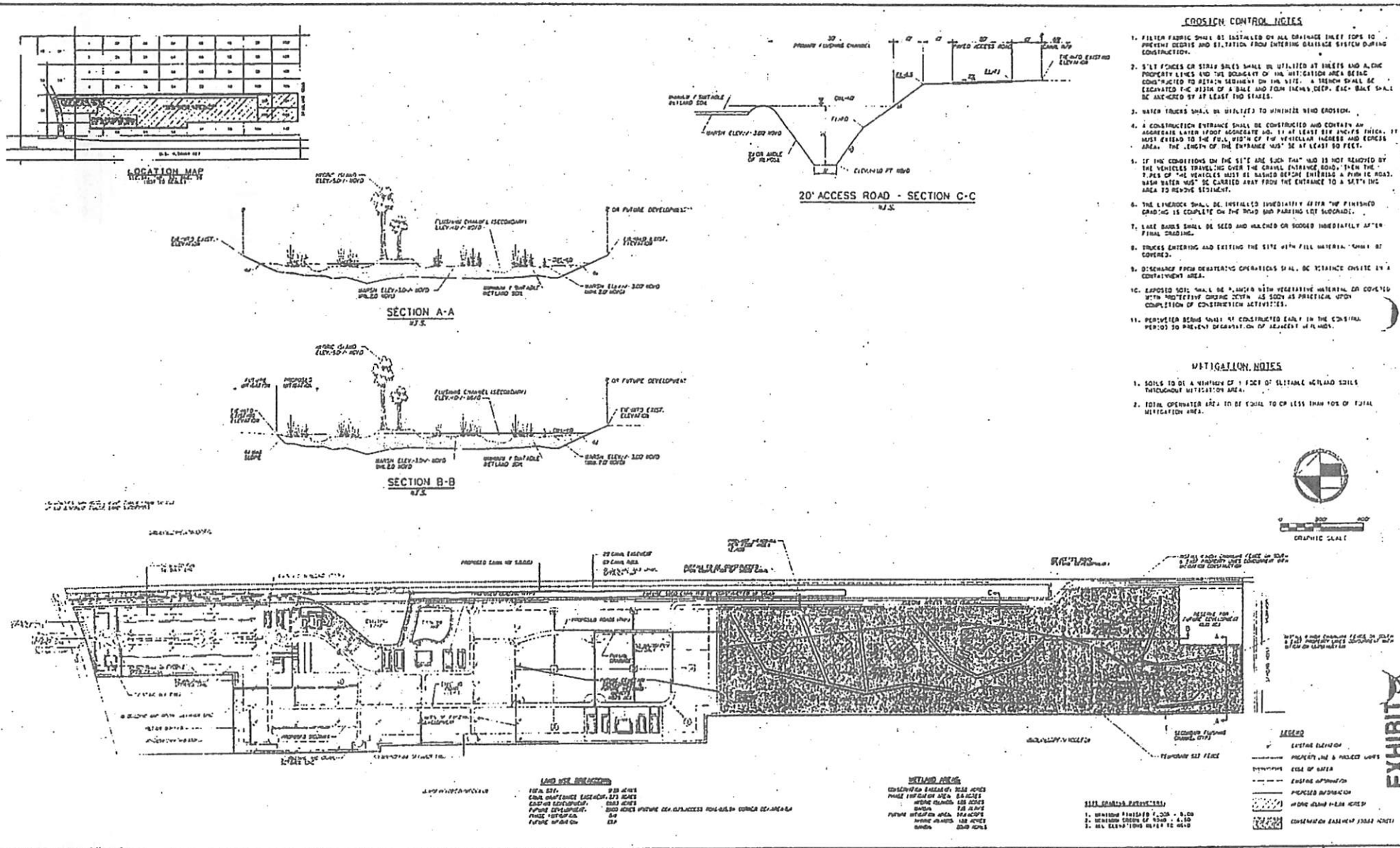


EXHIBIT 1

Professional Wetland Scientists
Environmental Consultation & Permitting

SCI Funeral Services of Fla., Inc.
Menorah Gardens
 Location Map
 Griffin Road & US 27
 Broward County, Florida

Date	Revision	Sheet
May 2000	1 of 4 Revise Mitigation Location	1 OF 4
<p>J. J. Goldasich & Associates, Incorporated (561) 883-9555 FAX (561) 883-0054</p>		



 161 Orlan Boulevard, Suite 101 Boca Raton, Florida 33487 Tel: (561) 211-4465 Fax: (561) 211-4462	OWNER	PROJECT	TASK	DATE	NO.	REVISED BY	DATE	NO.	REVISED BY	DATE
	SCI FUNERAL SERVICES OF FLORIDA, INC.	MENORAH GARDENS	MASTER SURFACE WATER MANAGEMENT AND WETLAND MITIGATION PLAN	December 2000	1					
	BROWARD COUNTY	FLORIDA			2					
					3					
					4					
					5					

EXHIBIT

Date: 12/1/00
 Title:

KR: J. O'SHAUGHNESSY
 C.J.I.
 C.E.S.
 C.H.S.
 C.C.
 1 of 1



Cemetery

Approx. Property Boundary



Existing Lake

Existing Lake

1993 Impact
Approx. 4.4 acres

1998 Impact
Approx. 1.25
acres

Future Cemetery
Development



Match Line

EXHIBIT 3

SHEET 1 OF 2



Environmental Consultation & Permitting
Professional Wetland Scientists

SCI Funeral Services of Fla., Inc.
Menorah Gardens

Unauthorized Impact Areas
Section 34, Township 50, Range 39
Broward County, Florida

Date **Revision** **1** of **2**

April 2001

J. J. Goldasich and Associates, Incorporated
(561) 883-9555 FAX (561) 883-0054



Scale: 1"=300'

Match Line

Approx. Property Boundary

Future Cemetery Development

0.89 AC

Future Mitigation Area

1.34 AC

1.75 AC

Proposed Mitigation Area

Future Development


 2000 Impacts
Approx. 3.96 acres

EXHIBIT 3
SHEET 2 OF 3



Environmental Consultation & Permitting
Professional Wetland Scientists

SCI Funeral Services of Fla., Inc.
Menorah Gardens

Unauthorized Impact Areas
Section 34, Township 50, Range 39
Broward County, Florida

Date **Revision** **2** of **2**

April 2001

J. J. Goldstich and Associates, Incorporated
(561) 883-9555 FAX (561) 883-0054

SCI Funeral Services of Fla., Inc. – Menorah Gardens Wetland Mitigation Plan

The 8.41 acre wetland mitigation plan for after-the-fact wetland impacts includes the restoration and creation of a total of 7.15 acres marsh/wet prairie and 1.26 acres of hydric islands. This includes lowering of the ground elevations by scraping the surface organic soils, removal of the underlying limestone and rock as necessary to attain a finished wetland marsh elevation of 3.0 NGVD at top of suitable wetland soils (minimum of 1 foot thick), removal of the melaleuca (*Melaleuca quinquenervia*) trees, roots and tree trunks and the replacement of suitable wetland soils at appropriate wetland elevations. This effort will include the removal of invasive exotic vegetation including Melaleuca and Brazilian pepper (*Schinus terebinthifolius*) from the scraped organic soils. The wetland mitigation areas will be constructed at elevations ranging from 1.0 feet NGVD at the secondary flushing channels to 5.0 feet NGVD at the hydric islands. These areas will provide valuable habitat diversity and wildlife nesting areas not otherwise available in the wetland mitigation area.

The wetland mitigation will be initiated within 90 days of issuance of all of the necessary permits and licenses and be complete by 8/31/01. The specific mitigation sequence will begin with the removal of the suitable soils and screening of the future wetland soil. All unsuitable debris and exotic vegetation will be removed and disposed of in an approved manner. The mitigation area subsurface soils will be lowered to suitable wetland elevations. The suitable wetland soils will then be replaced and graded to achieve a diverse habitat of flushing channels, hydric islands, buffers, and marsh community. Suitable wetland vegetation will be installed following permitting agency review of the graded wetland area.

The Baseline Mitigation Area Monitoring Report will be conducted following removal of the invasive exotic vegetation but before beginning mitigation area work and will be provided to the permitting agencies. Site visits will be initiated with permitting agency staff during the Baseline phase of the project so that the final design and wetland planting parameters may be discussed in the field.

It is anticipated that the wetland mitigation restoration, creation and enhancement efforts will begin during June 2001 with the removal of the invasive exotic vegetation debris and surface soils.

Wetland mitigation area earthwork will continue for approximately two (2) months wherein the ground elevations will be lowered as necessary to the proposed wetland mitigation elevations of 1.0 NGVD to 5.0 NGVD, not including the primary flushing channel that will be at elevation (-)1 foot NGVD.

Following completion of the wetland mitigation area earthwork and as-built survey of the area will be generated and reviewed for consistency with the mitigation plan by 9/30/01. Field evaluations will be requested from the permitting agency compliance staff. Following the field evaluations and confirmation that the wetland mitigation area is at projected elevations the mitigation area will be planted according to the Wetland Mitigation Area Planting Plan, see attached plan.

Maintenance and monitoring of the wetland mitigation area will begin at the Time Zero Mitigation Monitoring Report and continue for a period of five years. An 80% survival rate of planted species will be monitored and maintained throughout the 5-year monitoring period. Following the acceptance of the mitigation area and the Time Zero Monitoring Report, the five-year mitigation area maintenance and monitoring phase will begin. Monitoring reports will be submitted to Broward Co. DPEP on a quarterly basis and to the South Florida Water Management District annually.

000524-9

EXHIBIT 4



SCI Funeral Services of Fla., Inc. - Menorah Gardens WETLAND MITIGATION AREA PROPOSED PLANTING PLAN				
Common Name	Botanical Name	~ Spacing / Number of Plants	~ Elevation Range NGVD	Plant Type
HYDRIC ISLANDS				
cypress	<i>Taxodium spp.</i>	Clumps ~15 ft. On Center 240	4.0 - 5.0	3 - 7 gallon mix
dahoon holly	<i>Ilex cassine</i>	Clumps ~15ft. On Center 240	4.0 - 5.0	3 gallon
Red bay	<i>Persea palustris</i>	Clumps ~15ft. On Center 240	4.0-5.0	3 gallon
Fakahatchee grass	<i>Tripsacum dactyloides</i>	5 ft. On Center in Clumps 300	4.0 - 6.5	1 gallon
cocoplum	<i>Chrysobalanus icaco</i>	5 ft. On Center in Clumps 245	4.0 - 5.0	1 gallon
MARSH AREA				
beak rush	<i>Rhynchospora microcarpa</i>	3 ft. On Center 6,720	3.0 - 4.0	bare root
spike rush	<i>Eleocharis interstincta</i>	3 ft. On Center 5,950	2.5 - 3.0	bare root
duck potato	<i>Sagittaria lancifolia</i>	3 ft. On Center 6,720	2.5 - 3.0	bare root
pickerel weed	<i>Pontederia cordata</i>	3 ft. On Center 6,720	2.5 - 3.0	bare root
waterlily	<i>Nymphaea odorata</i>	3 ft. On Center In Primary Flushing Channel 870	3.0(-)1.0	bare root
fireflag	<i>Thalia geniculata</i>	3 ft. On Center 7,550	2.5-3.0	bare root
Total Trees and Shrubs 965		Total Herbaceous Plants 34,830		

EXHIBIT 5



**SCI Funeral Services of Fla. Inc. - Menorah Gardens
Wetland Mitigation Area Monitoring and Maintenance Plan**

The wetland mitigation area monitoring events will begin at the Time Zero event and continue for a period of five years. The wetland mitigation area will be monitored quarterly for planting success, amount of desirable wetland plant recruitment, wildlife utilization, exotic (as listed by the Exotic Pest Plant Council (EPPC)) and undesirable vegetation encroachment and physio-chemical conditions. In addition, the wetland mitigation area staff gauges will be read on bi-weekly basis.

The staff gauge will be installed according to the attached permit sketches but will generally be as follows: One gauge will be installed in the proposed mitigation area adjacent to the secondary flushing channel. The staff gauge will be monitored on a bi-weekly basis and the readings included in the quarterly monitoring reports.

Pedestrian transects will be conducted during all site evaluations. Each quarterly monitoring event will include photographic documentation of existing conditions in the wetland mitigation area. The field transects, staff gauges, wildlife utilization and photographic reference points will be monitored and maintained throughout the five-year monitoring and maintenance period.

The results of the quarterly field evaluations will assist in identifying the progressive condition of the mitigation area and the impact of the hydrologic improvements resulting from the project. All monitoring event data will be utilized by maintenance crews as necessary to provide the most effective treatment of undesirable vegetation should invasion occur. This will ensure that the undesirable vegetation will be controlled prior to establishment and seed set. Further, the results of the quarterly monitoring events and the resulting treatment procedures will be included in the mitigation area monitoring reports, which will be provided to the permitting agencies (quarterly reports to Broward Co. DPEP and annual reports to SFWMD).

All invasive exotic plants (as defined by EPPC) will be removed or killed (depending upon the most ecologically sensitive technique) in-place during the maintenance phase of the mitigation project. The elimination of the exotic vegetation will be coordinated with the permitting agency staff to provide the most appropriate control mechanism. All exotic and undesirable vegetation re-growth will be maintained at or below two percent (2%) coverage of the wetland mitigation area.

During the construction of the mitigation projected as part of the perpetual maintenance of the mitigation areas, every effort will be taken to attain zero percent coverage of exotic/nuisance plant species immediately following maintenance activities. Exotic plant species are those currently defined by the Florida EPPC. At no time shall the coverage of the undesirable plant species exceed two percent of the total vegetative coverage in the mitigation area. Plants will be removed or killed in-place, depending upon which technique will result in greater protection to the wetland and produce the most desirable system-wide wetland benefit.

Perpetual maintenance will be implemented as part of the long-term maintenance plan. The applicant and management company will conduct the maintenance and be responsible for all onsite wetland mitigation area maintenance efforts. This maintenance will help ensure that the conservation easement areas of the project will be maintained free from invasive exotic vegetation and nuisance plants according to the previously described criteria in perpetuity.

Future Cemetery Development
+/-15.75 ac.



1"=200'

Future Mitigation
Area +/-22.11 ac. total
To be built as
impacts occur.



S.B.D.D. Canal R.O.W.

Future Access Road
+/-2.15 ac.

Match Line



Environmental Consultation & Permitting
Professional Wetland Scientists

SCI Funeral Services of Fla., Inc.
Menorah Gardens

Property Plan View
Section 34; Township 50, Range 39
Broward County, Florida

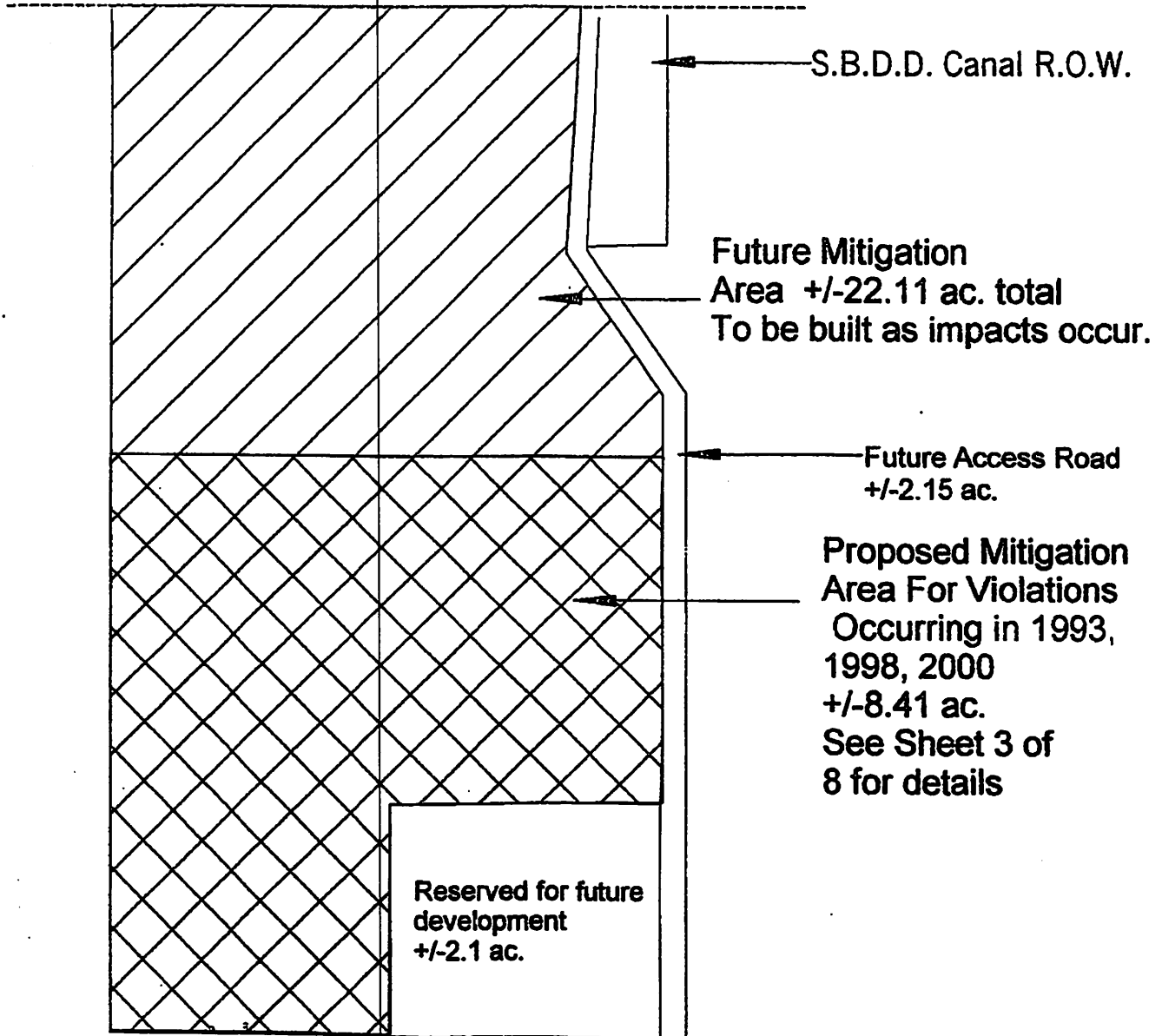
Date	Revision	1 of 8
June 2001		
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EXHIBIT 7 SHEET 1 OF 8



1"=200'

Match Line



Stirling Road 55' South



Environmental Consultation & Permitting
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SCI Funeral Services of Fla., Inc.

Menorah Gardens

Property Plan View
Section 34, Township 50, Range 39
Broward County, Florida

Date

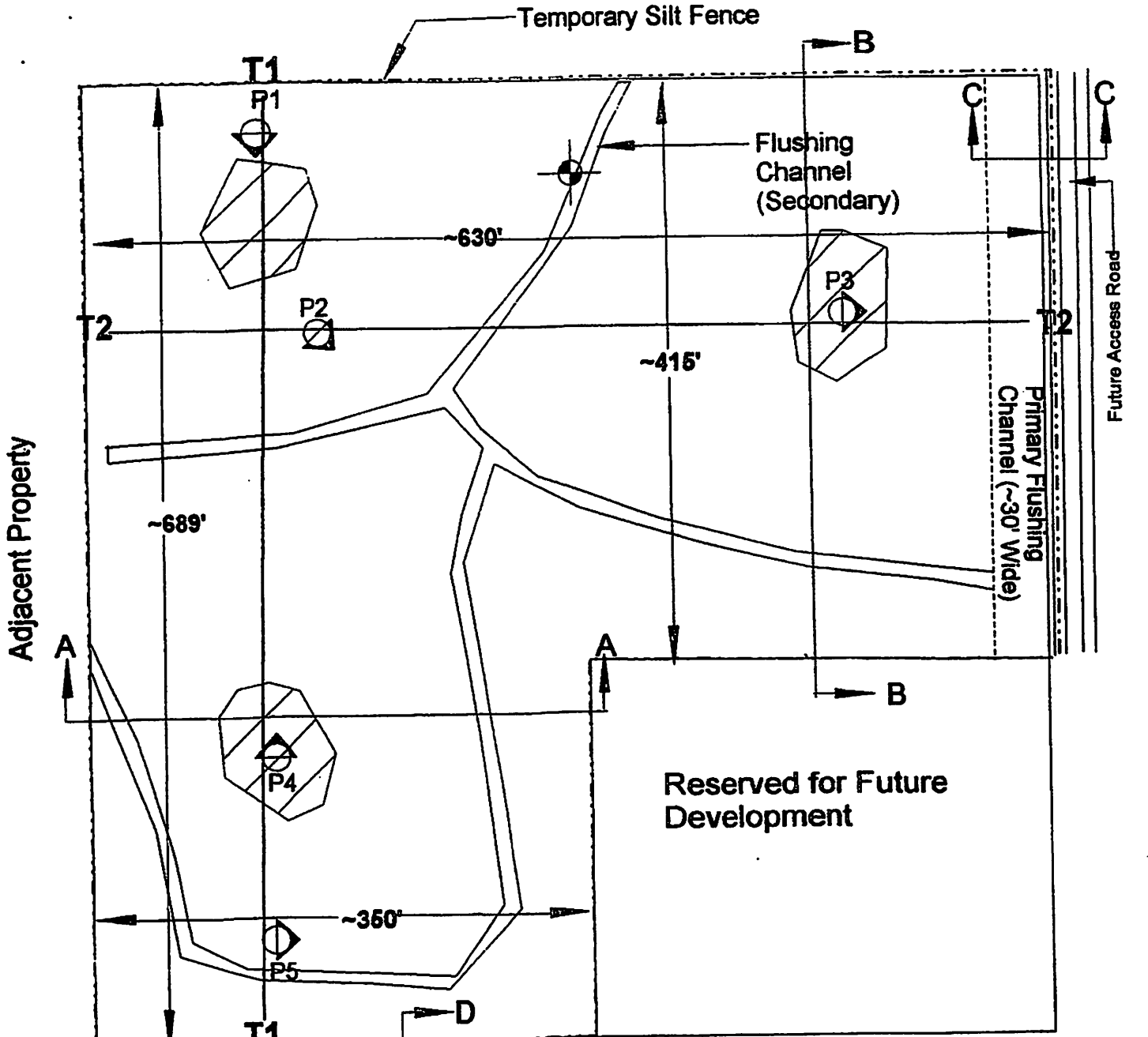
June 2001



Revision

2 of 8

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EXHIBIT 7 Sheet 2 of 8



-  Hydric Island, ~1.26ac.
-  Marsh, ~7.15ac.

Mitigation Acreages:
1993&1998 violations: 4.05 ac.
2000 violation: 4.36 ac.
TOTAL AREA: 8.41 ac.

T# = Monitoring Transect No.
P#  Photo Station No. & Direction of Photo
 Staff Gauge
- - - - - Location of silt fencing to be installed during construction



**Environmental Consultation & Permitting
Professional Wetland Scientists**

SCI Funeral Services of Fla., Inc.
Menorah Gardens
Mitigation Plan View
Section 34, Township 50, Range 39
Broward County, Florida

Date	Revision	3 of 8
December 2000	Feb. 2001 Removed Berms per SFWMD	
J. J. Goldasich and Associates, Incorporated (561) 883-9555 FAX (561) 883-0054		

EXHIBIT 7 SHEET 3 OF 7

Cross-Section A-A

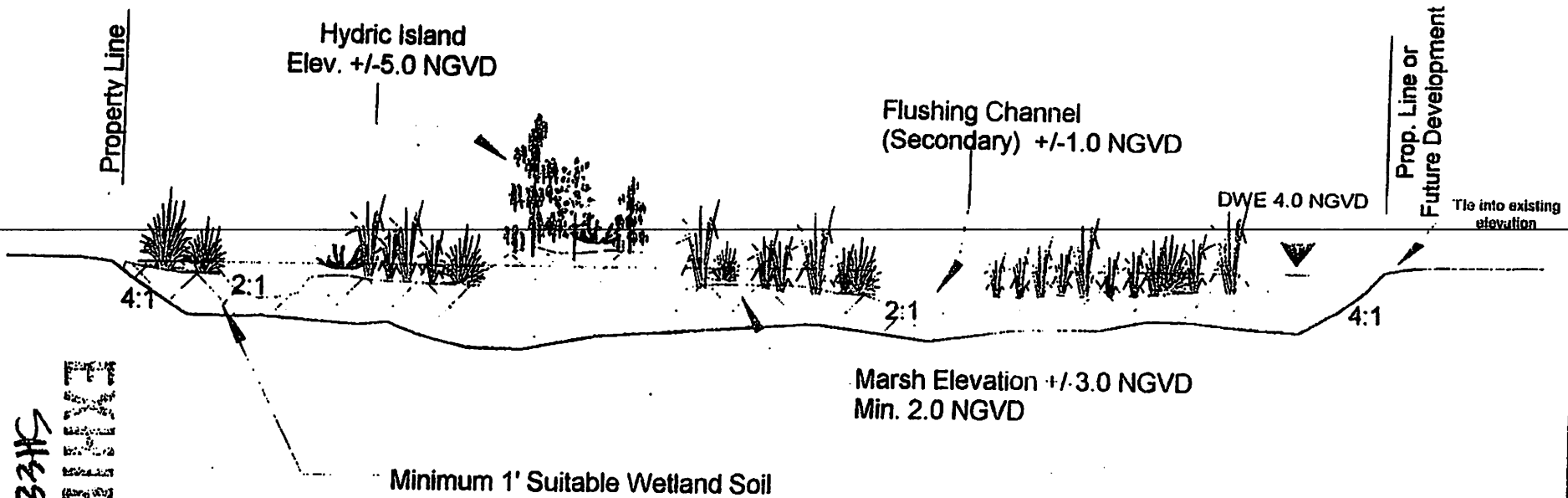


EXHIBIT 5
 SHEET 4 OF 7



Professional Wetland Scientists
Environmental Consultation & Permitting

SCI Funeral Services of Fla., Inc.
Menorah Gardens

Mitigation Cross-Section A-A
Section 34, Township 50, Range 39
Broward County, Florida

Date

December 2000

Revision

Feb. 2001 Removed berm per SPWMD

Sheet

4 OF 8

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Cross-Section B-B

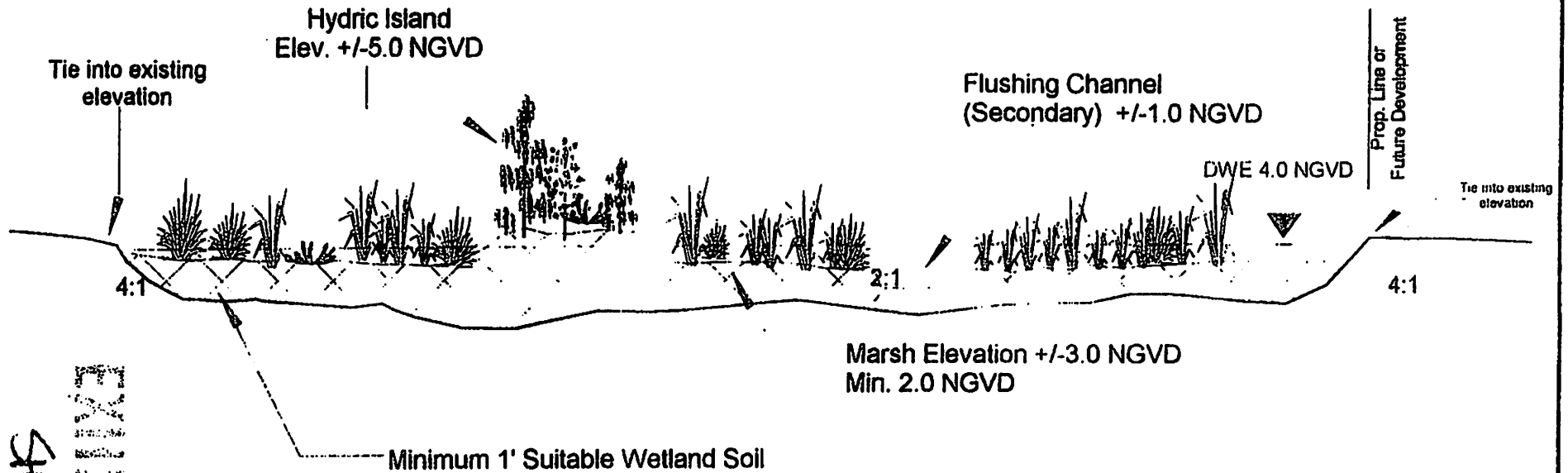


EXHIBIT 5
 SHEET 5 OF 7



Professional Wetland Scientists
Environmental Consultation & Permitting

SCI Funeral Services of Fla., Inc.
Menorah Gardens

Mitigation Cross-Section B-B
Section 34, Township 50, Range 39
Broward County, Florida

Date	Revision	Sheet
December 2000	Feb. 2001 Removed berm per SFWMD	5 OF 8

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Cross-Section C-C

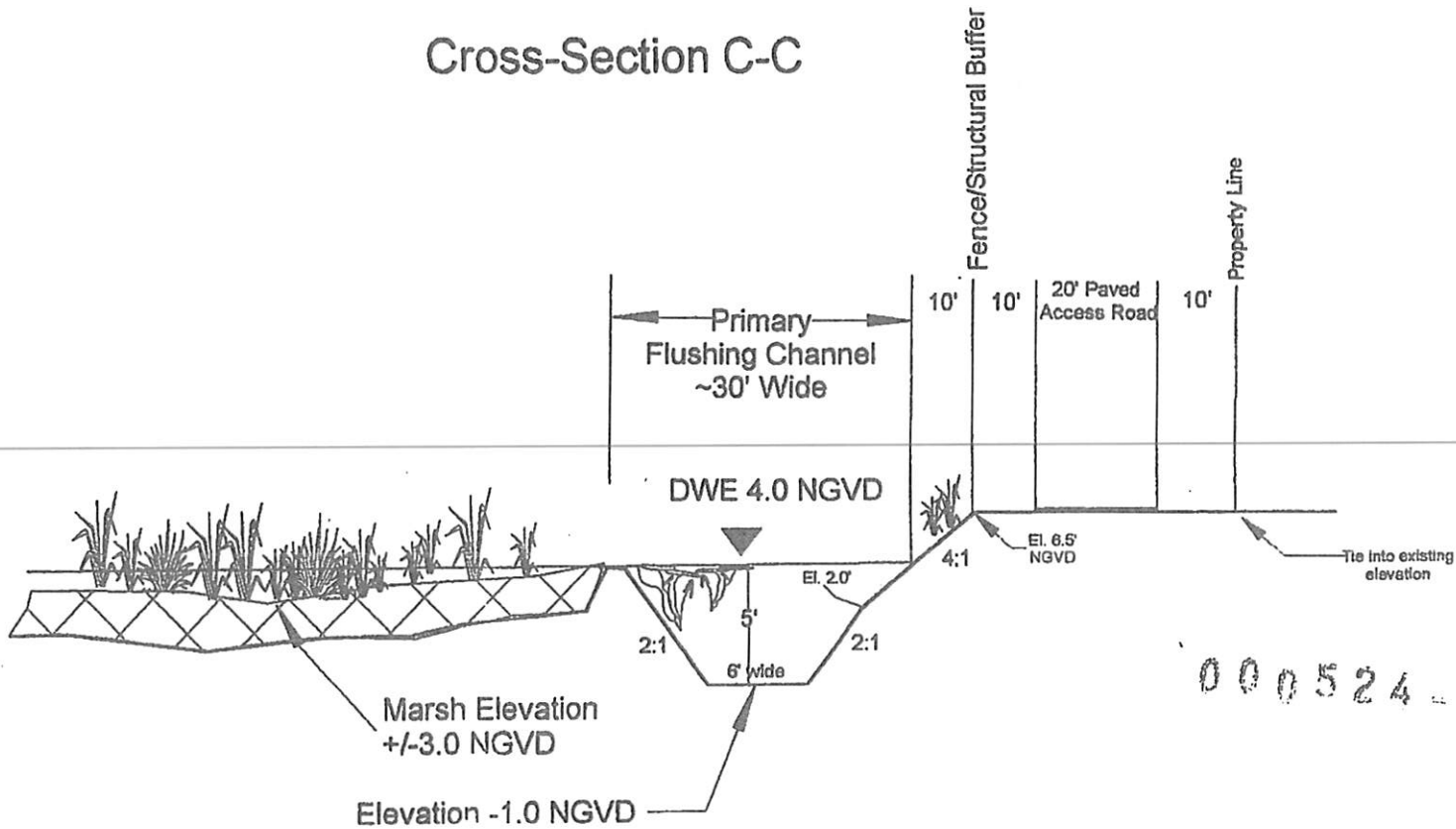


EXHIBIT 7
 SHEET 2 OF 7

000524-9



Professional Wetland Scientists
Environmental Consultation & Permitting

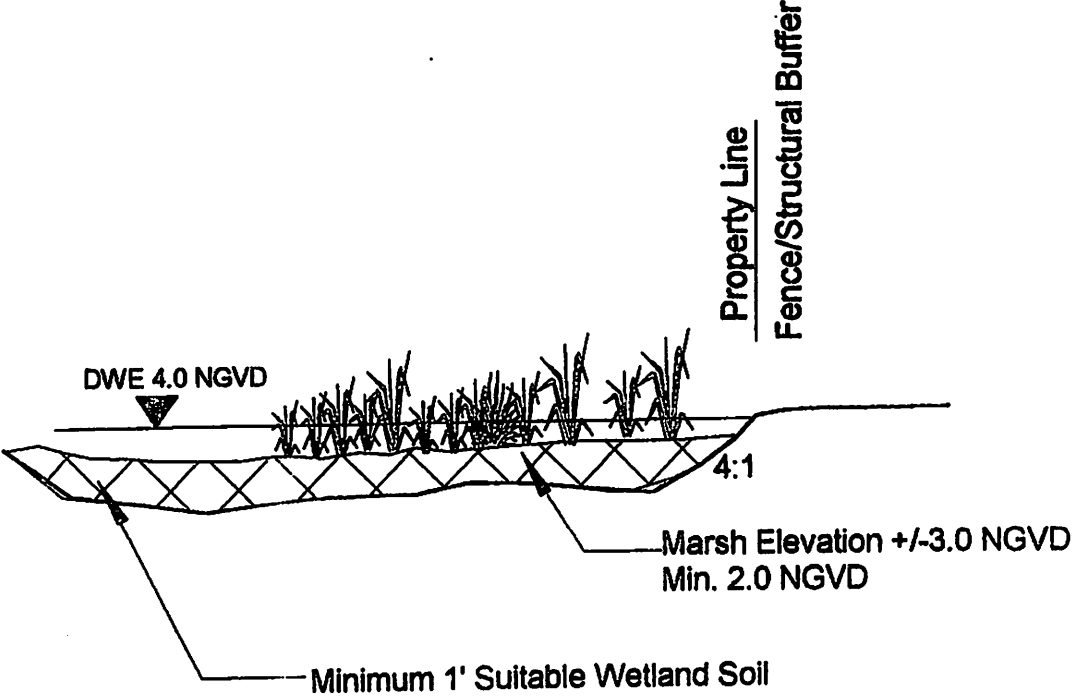
SCI Funeral Services of Fla., Inc.
Menorah Gardens

Cross Section C-C
Section 34, Township 50, Range 39
Broward County, Florida

Date	Revision	Sheet
December 2000	Feb. 2001 Removed berm per SFWMD	6 OF 8


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Cross-Section D-D



000524-9

EXHIBIT 5
 SHEET 7 OF 7

 Professional Wetland Scientists Environmental Consultation & Permitting	SCI Funeral Services of Fla., Inc. Menorah Gardens Mitigation Cross-Section D-D Section 34, Township 50, Range 39 Broward County, Florida	Date	Revision	Sheet
		February 2001		7 OF 8
		J. J. Goldasich & Associates, Incorporated (561) 883-9555 FAX (561) 883-0054		

MENORAH GARDENS

SFWMD Application No.: 000524-9

Wetland Mitigation Area Proposed Time Schedule

Expected Completion Date	Activity
July 15, 2001	Baseline Monitoring Report
September 15, 2001	Remove exotics from Phase I mitigation area
September 30, 2001	Grade mitigation area as per plans, install wetland vegetation
October 30, 2001	Preliminary As-Built Survey of mitigation area and Time Zero Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP
October 30, 2002	First Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
October 30, 2003	Second Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
October 30, 2004	Third Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
October 30, 2005	Fourth Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
November 15, 2005	Onsite meetings with Broward Co. DPEP, SFWMD, and ACOE.
October 30, 2006	Fifth Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.

EXHIBIT 8



000524-9

SCI Funeral Services of Fla., Inc. - Menorah Gardens
Wetland Mitigation Area Cost Estimate

Mitigation Element	Estimated Cost
Earthwork	\$25,230.00
Suitable Wetland Plant Purchase and Installation	\$49,600.00
Baseline, Time zero and five (5) year monitoring reports on a quarterly basis for DPEP	\$31,500.00
Five Year Maintenance (Conducted on a quarterly basis)	\$20,000.00
Total	\$126,330.00

EXHIBIT 9

A:\SCI Mitigation Cost Estimate2.doc



J.J. GOLDASICH AND ASSOCIATES, INC.



JOINT IRREVOCABLE LETTER OF CREDIT

Date of Issue _____

DRAFT

Issuing Bank's No. _____

Beneficiary:

Applicant: SCI Funeral Services of Fla., Inc.
(Developer)

County Administrator
Broward County Board of
County Commissioners
Governmental Center, Room 409
115 south Andrews Avenue
Fort Lauderdale, Florida 33301
and/or

Amount: \$138,963
(In United States Funds)

Deputy Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

Expiry: _____
(Date)

DF00-1090
(Broward Co. Department of Planning and Environmental
Protection's Environmental Resource License Number)

(South Florida Water Management District Environmental
Resource Permit Number)

We hereby authorize you to draw on _____
(Bank, Lessor name and

_____ by order of
(branch address)

SCI Funeral Services of Fla., Inc. and for the account of
(developer, applicant, customer)

SCI Funeral Services of Fla., Inc. up to an aggregate
(developer, applicant, customer)

amount, in United States funds, of one hundred thirty eight thousand, nine hundred sixty three dollars, available by your drafts at sight, accompanied by:

- (1) A signed statement from the County Administrator of Broward County, or an authorized representative, that the drawing is due to default in performance of certain obligations by SCI Funeral Services of Fla., Inc.
(developer, applicant, customer) required by Broward County Department of Planning and Environmental Protection's Environmental Resource License Number DF00-1090 issued by the Broward County Department of Planning and Environmental Protection on May 25, 2000 (date).

and/or

- (2) A signed statement from the Deputy Executive Director of

EXHIBIT 10
SHEET 1 OF 3

DRAFT

South Florida Water Management District, or an authorized Representative, that the drawing is due to default in Performance of certain obligations by SCI Funeral Services of Fla., Inc. required by (developer, applicant, customer) Environmental Resource Permit Number _____ Issued by the South Florida Water Management District on _____, 20____ (date).

Drafts must be drawn by either beneficiary and negotiated not later than _____, 20____ (expiration date).

Drafts must bear the clause: "Drawn under Letter of Credit Number _____ of _____, dated _____, 20____." (Bank Name)

This Letter of Credit shall be renewed for successive periods of one (1) year each unless we provide the Broward County Administrator, the Director of the Broward County Department of Planning and Environmental Protection, and the Deputy Executive Director of the South Florida Water Management District with written notice of our intent to terminate the credit herein extended, which notice must be provided at least thirty (30) days prior to the expiration date of the original term hereof or any renewed one (1) year term. Notice of Broward County and the South Florida Water Management District that this Letter of Credit will expire prior to performance of the DEVELOPER's obligations shall be deemed a default.

This Letter of Credit sets forth in full the terms of our undertaking, and such undertaking shall not in any way be modified, amended, or amplified by reference to any documents, instrument, or agreement referred to herein or in which this Letter of Credit is referred to or this Letter of Credit relates, and any such reference shall not be deemed to incorporate herein by reference any document, instrument, or agreement.

Drafts may be drawn by either beneficiary provided that the drawing is accompanied by:

A letter from the beneficiary that is not drawing, purportedly signed by an authorized individual stating that: "We are aware that _____ is drawing under said letter of credit (drawing beneficiary's name) with our agreement for the amount of (\$138,963) and we do not expect payment for this amount.

It is understood that any payments made hereunder to either beneficiary will automatically reduce the letter of credit and the issuing banks liability to the other beneficiary by that amount drawn thereunder. We hereby agree with the drawers, endorsers, and bona fide holders of all drafts drawn under and in compliance with the terms of this credit, that such drafts will be duly honored upon presentation to the drawee.

EXHIBIT 10

SHEET 2 OF 3

DRAFT

A written notice by either beneficiary verifying satisfaction of the obligations required by Broward County Department of Planning and Environmental Protection's Environmental Resource License Number DF00-1090 and South Florida Water Management District's Environmental Resource Permit Number _____ shall be required to release obligations under this Letter of Credit.

This Credit is subject to the "Uniform Customs and Practice for Documentary Credits," (revised January 1, 1994), International Chamber of Commerce Publication No. 500 and to the provisions of Florida law. If a conflict between the Uniform Customs and Practice for Documentary Credits and Florida law should arise, Florida law shall prevail. If a conflict between the law of another state or country and Florida law should arise, Florida law shall prevail.

Authorized Signature

EXHIBIT 10

SHEET 3 OF 3

**MENORAH GARDENS
DPEP LICENSE NO.: DF00-1090
SFWMD APPLICATION NO. 000524-9
PROJECTED BUILD-OUT OF CEMETERY PROPERTY**

Future Development = 20.00 acres (future cemetery and access road)
Phase I Mitigation (created in 2001) = 8.41 acres
Future Mitigation Area = 22.11 acres
Mitigation Ratio for Remainder of Impacts = 1.1:1

PHASED IMPACT ACREAGE ESTIMATE	BY END OF YEAR	MITIGATION ACREAGE
2	2003	2.2
2	2005	2.2
2	2007	2.2
2	2009	2.2
2	2011	2.2
2	2013	2.31
2	2015	2.2
2	2017	2.2
2	2019	2.2
2	2021	2.2
Total 20.00 acres		Total 22.11 acres

EXHIBIT 11





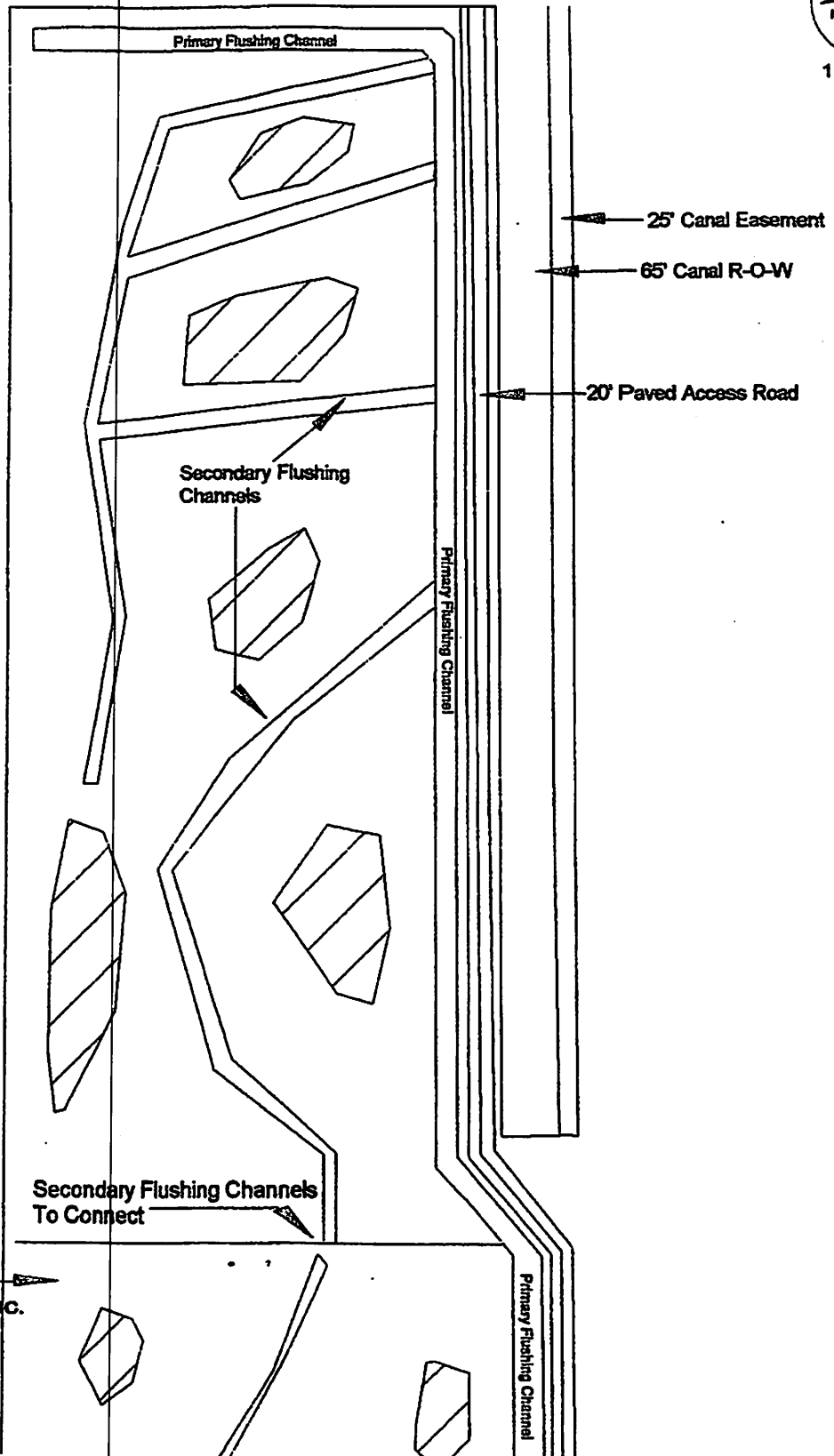


1"=200'

Conceptual Mitigation Area -
To be constructed as impacts occur in the future.
Total Area = 22.11 acres

Note:
All components of conceptual mitigation area to be constructed as per cross sections of initial (Phase I) mitigation area (unless otherwise revised at time of permit modification).

-  Marsh, ~20.49 ac.
-  Hydric Island, ~1.62 ac.



Proposed/Phase I Mitigation Area 8.41 ac.

Continues to South



Environmental Consultation & Permitting
Professional Wetland Scientists

SCI Funeral Services of Fla., Inc.
Menorah Gardens
Conceptual Mitigation Plan
Section 34, Township 50, Range 39
Broward County, Florida

Date	Revision	8 of 8
June 2001		
J. J. Goldsich and Associates, Incorporated (561) 883-9555 FAX (561) 883-0054		

PRINTED

00052-9

SCI FUNERAL SERVICES OF FLORIDA, INC.
1929 Allen Parkway
Houston, Texas 77019

MAR 02 2001

February 12, 2001

Ms. Anita Bain
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33416

**RE: Menorah Gardens
Application No.: 000524-9
Mitigation Commitment Letter**

Dear Ms. Bain:

This is to serve as written commitment that the wetland mitigation for the above referenced project will be constructed, monitored for 5 years, and maintained as required by permit, by permittee/owner or their successors and assigns. In the event of a sale of the property, the maintenance obligations will be assumed by the property purchaser. Construction will begin within 90 days of receiving all wetland permits and licenses. Subsequent to the 5 year monitoring period, terms and conditions of the conservation easement will be upheld by the cemetery property owners and perpetual maintenance of the mitigation area will be undertaken by the permittee/owner or their successors and assigns.

Very truly yours,

SCI FUNERAL SERVICES OF FLORIDA, INC.
d/b/a Menorah Gardens

By: *Curtis G. Briggs*
Curtis G. Briggs, Vice President

DG/Letters/01/0212Bain

EXHIBIT 13

000524-9

**JOINT FORM DEED OF CONSERVATION
EASEMENT AND AGREEMENT**

THIS DEED OF CONSERVATION EASEMENT ("Conservation Easement") is given this ____ day of _____, 2001, by SCI Funeral Services of Florida, Inc., DBA Menorah Gardens ("Grantor") whose address is 1929 Allen Parkway, Houston, Texas 77019, to the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, and to Broward County, a political subdivision of the State of Florida, its successors and assigns (collectively referred to as "Grantee"), whose post office is 115 South Andrews Avenue, Suite 423, Fort Lauderdale, Florida 33301.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Broward County, Florida, and more specifically described in Exhibit A, attached hereto and incorporated herein by reference and referred to herein as the Property; and

WHEREAS, the Grantor desires to construct (name of project) *Mitigation Area* ("Project") on the Property, which Project is subject to the regulatory jurisdiction of the South Florida Water Management District (District) and the Broward County Department of Planning and Environmental Protection ("DPEP"); and

WHEREAS, DPEP License No. 99-14563 ("DPEP License") and District-Permit No. _____ (District Permit) authorizes certain activities that may impact wetlands or may require the preservation of wetlands on the Project site; and

WHEREAS, the Grantor has developed and proposed as part of the license and permit conditions a conservation tract, and buffers, as described in Exhibit B attached hereto and incorporated by reference (Conservation Area), involving creation, restoration, enhancement and/or preservation of the wetland and/or upland systems on the Conservation Area; and

WHEREAS, the Grantor, in consideration of the consent granted by the DPEP License and District Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes (1999), as amended, over the Conservation Area.

NOW, THEREFORE, in consideration of the issuance of the DPEP License and District Permit, to construct and operate the permitted activity, Grantor hereby grants,

EXHIBIT 14 SHEET 1 OF 14

creates, and establishes a perpetual Conservation Easement for the Grantee upon the Conservation Area which shall run with the property as described in Exhibits A and B, and be binding upon the Grantor, its heirs, successors or assigns (hereinafter "Grantor"), and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. It is the purpose of the Conservation Easement to retain land and/or water of the Conservation Area in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. It is the purpose and intent of this Conservation Easement to assure that the Conservation Area (with the exception of included wetlands which are to be enhanced, restored, or created as specified in the aforementioned DPEP License and District Permit) will be retained and maintained forever predominantly in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement. The included wetlands which are to be enhanced, restored, or created shall be maintained forever by the Grantor, its heirs, successors, or assigns, in the enhanced, restored, or created conditions required by the DPEP License and District Permit. To carry out this purpose, the following rights are conveyed to Grantee by this easement:
 - (a) To enter upon the Conservation Area (Exhibit B) in a reasonable manner and at reasonable times with any necessary equipment or vehicles to ensure compliance and to enforce the rights herein granted, and to cross such portions of the Property (Exhibit A) as reasonably necessary to exercise such right.
 - (b) To enjoin any activity on or use of the Conservation Area that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Conservation Area that may be damaged by any inconsistent activity and/or use. Grantee shall be entitled to recover the cost of restoring the land to the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement or to the vegetative and hydrologic condition required by the aforementioned DPEP License and District Permit, whichever enhancement is the most environmentally desirable to Grantee. These remedies are in addition to any other remedy, fine or penalty which may be applicable under Chapter 27, Broward County Code of Ordinances, Rule 40E-4, F.A.C., Chapter 373, Florida Statutes, or otherwise which may be available by law.
2. Except for the restoration, creation, enhancement, maintenance, and monitoring activities and other activities and improvements related to the Conservation Area that are permitted or required by the DPEP License and the District Permit, the following activities are prohibited in or on the Conservation Area, to wit:
 - (a) Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

EXHIBIT 14 SHEET 3 OF 14

- (b) Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
 - (c) Removal or destruction of trees, shrubs, or other vegetation, except for the removal of nuisance and exotic vegetation as approved by DPEP and District;
 - (d) Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;
 - (e) Surface use except for purposes that permit the land or water area to remain in its natural condition;
 - (f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation; including but not limited to ditching, diking and fencing;
 - (g) Acts or uses detrimental to said aforementioned retention and maintenance of land or water areas; and
 - (h) Acts or uses detrimental to the preservation of any features or aspects of the Conservation Area having historical, archeological or cultural significance.
3. Grantor reserves all rights as owner of the Conservation Area, including the right to engage in uses of the Conservation Area that are not prohibited herein and which are not inconsistent with the intent and purpose of this Conservation Easement.
 4. No right of access by the general public to any portion of the Conservation Area is conveyed by this Conservation Easement.
 5. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep and maintenance of the Conservation Area and Grantor does hereby indemnify and hold harmless the Grantee from the same.
 6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Conservation Area.
 7. The terms and conditions of this Conservation Easement may be enforced by the Grantee by injunctive relief and other available remedies. Any costs, including but not limited to reasonable attorney's fees and administrative, trial and appellate court costs which are incurred in enforcing, judicially or otherwise, the terms and restrictions of this Conservation Easement, shall be borne by and recoverable against the non-prevailing party in such proceedings. In any action in which the Grantee prevails, the Grantee shall be entitled to recover the cost of restoring the Conservation Area to the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement or to the vegetative and hydrologic

EXHIBIT 14 SHEET 3 OF 14

condition required by the aforementioned DPEP License and District Permit. Venue for said actions shall be exclusively in the Seventeenth Judicial Circuit, in and for Broward County, Florida. These remedies are in addition to any other remedy, fine or penalty which may be applicable under Chapter 27 of the Broward County Code of Ordinances, Rule 40E-4, F.A.C., Chapter 373, Florida Statutes, or as otherwise provided by law.

8. Enforcement of the terms and provisions of the Conservation Easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder.
9. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization qualified to hold such interests under the applicable state laws.
10. Grantor's obligation to retain and maintain the Conservation Area forever predominantly in the vegetative and hydrologic condition as herein specified shall run with the property described in Exhibits A and B, and shall be binding upon the Grantor, its heirs, successors or assigns and shall inure to the benefit of the Grantee, and its successors and assigns as more particularly set forth herein. The intent of this Conservation Easement is that the responsibilities and liabilities associated with the Conservation Easement shall run with the property described in Exhibits A and B, and be binding upon the fee simple title holder of the property as required hereunder.
11. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.
12. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.
13. The terms, conditions, restrictions and purpose of this Conservation Easement shall be inserted by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the property described in Exhibit A or B. Any future holder of the Grantor's interest in the Property described in Exhibit A or B shall be notified in writing by Grantor of this Conservation Easement.

EXHIBIT 14 SHEET 4 OF 14

14. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns and successors-in-interest, which shall be filed in the Public Records of Broward County.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever. This Conservation Easement shall be recorded in the Public Records of Broward County and the covenants, terms, conditions, restrictions and purpose imposed with this Conservation Easement shall not only be binding upon Grantor, but also its agents, heirs, successors and assigns, and shall continue as a servitude running in perpetuity with the property described in Exhibits A and B.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Conservation Area in fee simple; that the Conservation Area is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement and all mortgages have been joined or subordinated; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and defends the title to this Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

(Intentionally left blank)

IN WITNESS WHEREOF,

has

EXHIBIT 14 SHEET 5 OF 14

hereunto set its authorized hand this _____ day of _____, _____.

Signed, sealed and delivered

in our presence as witnesses:

Grantor

By _____ By _____

Print Name _____ Print _____

Name

Title

By
Print Name

STATE OF FLORIDA

COUNTY OF

On this _____ day of _____, before me, the undersigned notary public, personally appeared _____, personally known to me or who has _____ produced as identification and is the person who subscribed to the foregoing instrument and who did/did not take an oath, as the (position) _____ of (corporation) _____, a Florida corporation, and acknowledged that he/she executed the same on behalf of said corporation and that he/she was duly authorized to do so.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

MY COMMISSION EXPIRES:

EXHIBIT 6 of 14

Print name:

My commission expires:

EXHIBIT 14
SHEET 8 OF 14

ACCEPTANCE BY BROWARD COUNTY

The Broward County Board of County Commissioners hereby accepts this Conservation Easement for DPEP License No. _____.

ATTEST:

County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of Broward County,
Florida

BROWARD COUNTY, through its
BOARD OF COUNTY
COMMISSIONERS

By _____

Name
____ day of _____, ____.

Approved as to form by
Office of County Attorney
Broward County, Florida
EDWARD A. DION, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____

As

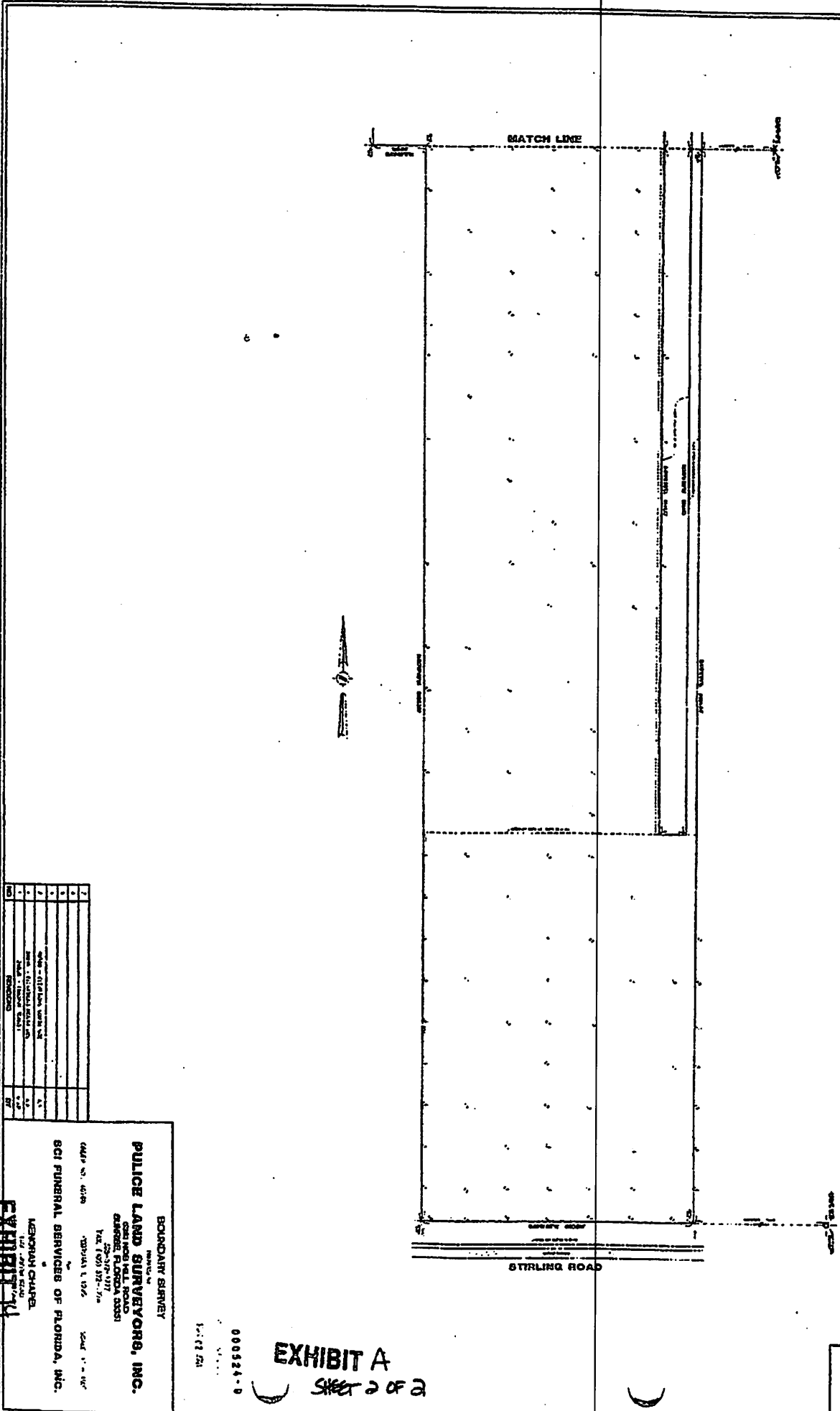
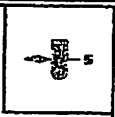
Name

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

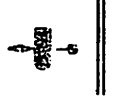
Legal Form approved

Print Name

Date



SHEET 2 OF 2 SHEETS



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BOUNDARY SURVEY
PULICE LAND SURVEYORS, INC.
 2000 W. HILL ROAD
 GAINESVILLE, FLORIDA 32601
 352-379-1177
 FAX (352) 379-1176
 1988
 000524-0
 10/12/2011

SCIENTIFIC SERVICES OF FLORIDA, INC.
 MEMORAN CHAPPEL

EXHIBIT A
 SHEET 2 OF 2

EXHIBIT A
 SHEET 11 OF 14



SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com

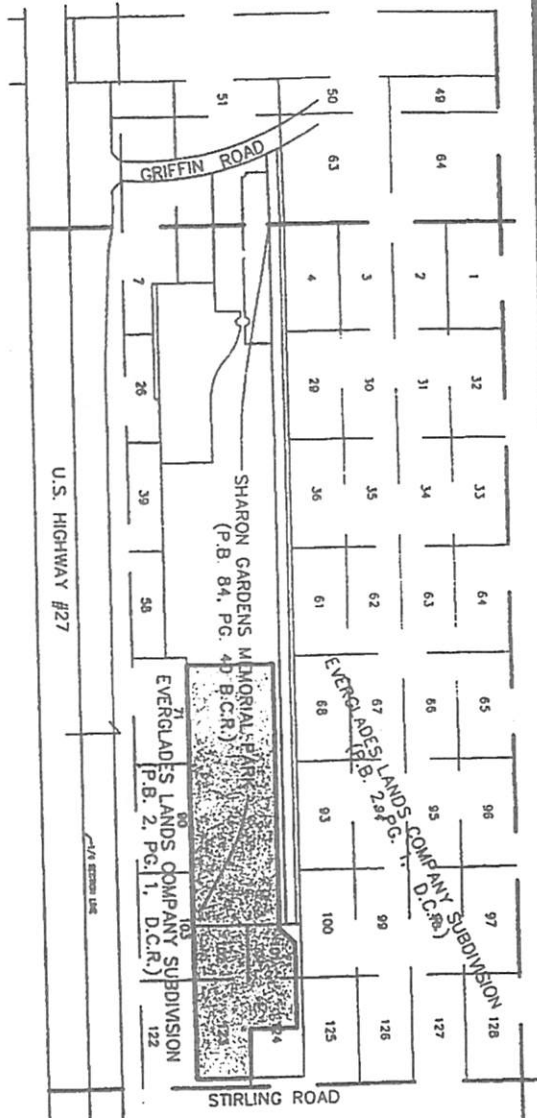


LEGAL DESCRIPTION: CONSERVATION EASEMENT

A PORTION OF "SHARON GARDENS MEMORIAL PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 84, PAGE 40, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA TOGETHER WITH PORTIONS OF TRACTS 101, 102, 123 AND 125, "EVERGLADES LAND COMPANY SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 34; THENCE NORTH 00°10'59" WEST ON THE WEST LINE OF THE EAST ONE-HALF (E ½) OF THE WEST ONE-HALF (W ½) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 34 FOR 55.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°10'59" WEST ON SAID WEST LINE FOR 2524.08 FEET; THENCE NORTH 89°59'23" EAST FOR 530.09 FEET; THENCE SOUTH 00°07'30" EAST FOR 1610.00 FEET; THENCE SOUTH 45°00'37" EAST FOR 133.61 FEET; THENCE SOUTH 00°00'37" EAST FOR 517.72 FEET; THENCE SOUTH 89°59'23" WEST FOR 284.87 FEET; THENCE SOUTH 00°10'26" EAST FOR 301.14 FEET TO THE INTERSECTION WITH A LINE LYING 55.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 34; THENCE SOUTH 89°51'56" WEST ON SAID PARALLEL LINE FOR 336.17 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN BROWARD COUNTY, FLORIDA AND CONTAINING 1,329,828 SQUARE FEET (30.5287 ACRES) MORE OR LESS.



LOCATION MAP
(NOT TO SCALE)

NOTES:

- 1.) THIS SITE LIES IN SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, BROWARD COUNTY, FLORIDA.
- 2.) BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34 BEING S89°51'56"W.
- 3.) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.

FILE: SCI FLORIDA REGION

SCALE: N/A

ORDER NO.: 41663

DATE: 4/17/01 REV. 7/10/01

CONSERVATION EASEMENT

MENORAH GARDENS, BROWARD COUNTY, FL

FOR: SCI FLORIDA REGION

EXHIBIT B
SHEET 1 OF 3

SHEET 1 OF 3

JENNIFER PULICE, PROFESSIONAL SURVEYOR AND MAPPER #2691
BETH ANN SHIELDS, PROFESSIONAL SURVEYOR AND MAPPER #6136
STATE OF FLORIDA

EXHIBIT 14
SHEET 12 OF 14



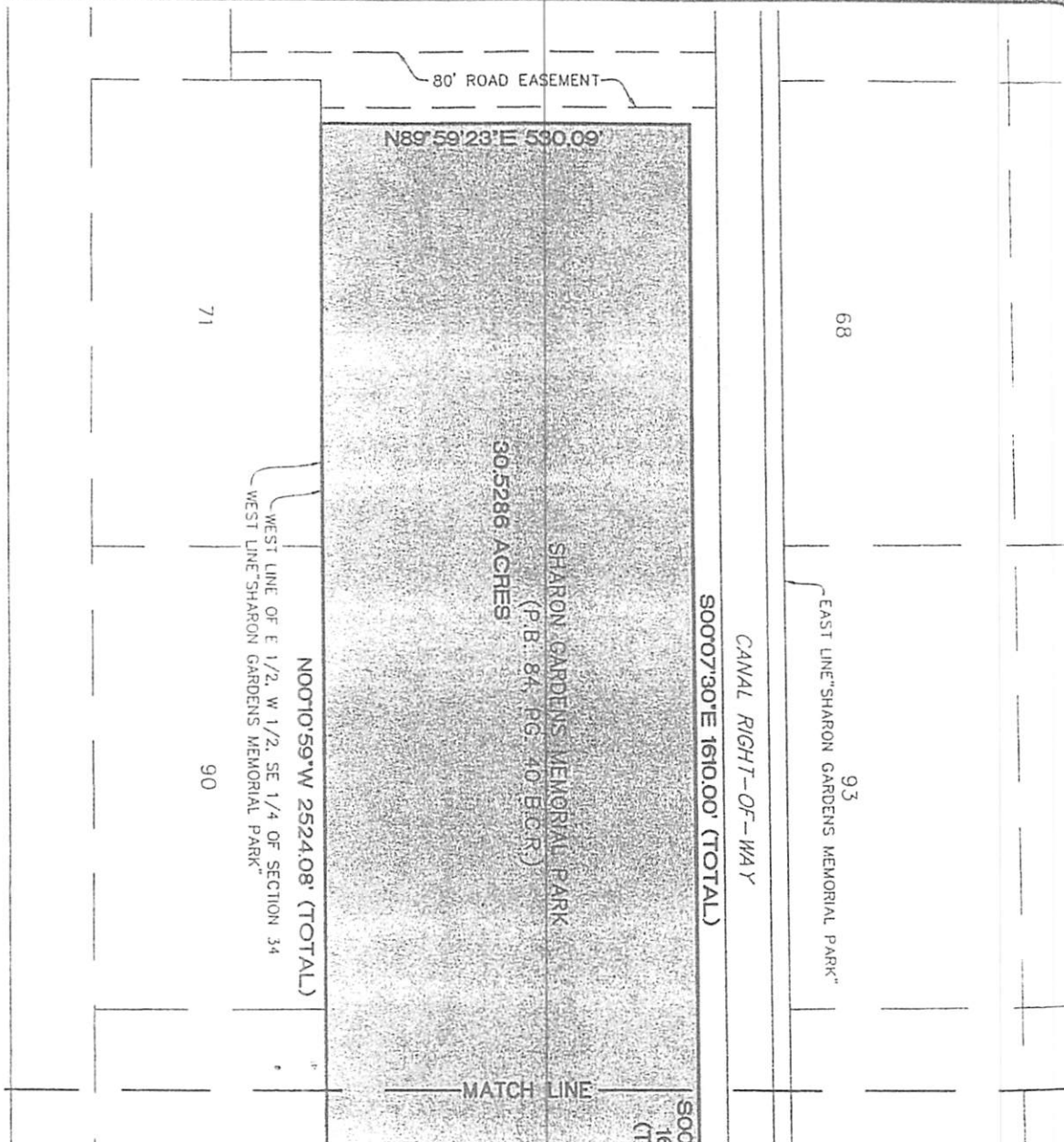
SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com



U.S. HIGHWAY #27



SEE SHEET 2 OF 3

FILE: SCI FLORIDA REGION
SCALE: 1"=250'
ORDER NO.: 41267
DATE: APRIL 17, 2001
CONSERVATION EASEMENT
MENORAH GARDENS, BROWARD COUNTY, FL
FOR: SCI FLORIDA REGION

EXHIBIT B
SHEET 3 OF 3

SHEET 3 OF 3

JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER #2691
BETH ANN SHIELDS, PROFESSIONAL SURVEYOR AND MAPPER #6136
STATE OF FLORIDA

STAFF REPORT DISTRIBUTION LIST

MENORAH GARDENS

APPLICATION NUMBER: 000524-9

PERMIT MODIFICATION NUMBER: 06-03253-P

INTERNAL DISTRIBUTION

Reviewer:

X Barbara Conmy

X Jose L. Marquez, E.I.

X Anita R. Bain

X Carlos A. DeRojas, P.E.

X L. Bos - 4230

X Broward Service Center - 1660

X J. Golden - REG

X R. Robbins - NRM

X A. Waterhouse - REG

X P. Bell - LEG

X ERC Engineering

X ERC Environmental

Enforcement

X Permit File

EXTERNAL DISTRIBUTION

X Owner:

SCI FUNERAL SERVICES OF FLORIDA INC

X Applicant:

REGIONAL CONSTRUCTION MGR/SCI FUNERAL
SVC OF FL

X Applicant's Agent

J J GOLDASICH & ASSOCIATES INC

X Applicant's Consultant

SCHNARS ENGINEERING CORPORATION

X Engineer, County of:

BROWARD

Engineer, City of:

X Local Drainage District:

SOUTH BROWARD DRAINAGE DIST.

COUNTY

X Broward

-BCDPEP

-Director, Water Mgmt Div

GOVERNING BOARD MEMBERS

Ms. Pamela Brooks-Thomas

Mr. Michael Collins

Mr. Hugh English

Mr. Gerardo B. Fernandez

Dr. Patrick J. Gleason

Mr. Nicolas Gutierrez

Mr. Lennart Lindahl

Mr. Harkley R. Thornton

Ms. Trudi K. Williams

DEPT. OF ENVIRONMENTAL PROTECTION

X West Palm Beach

BUILDING AND ZONING

OTHER

X Brice McCoy/USACOE-WPB

City of Sunrise

X FDEP

X Florida Audubon - Charles Lee

X Florida Fish & Wildlife Conservation Com

X Kathryn Cartier/Broward Co. DPEP

X Michael N. Vanatta

Old Plantation WCD

X Stephanie Voris/JJ Goldasich & Assoc.