

**EXHIBIT P  
TO SETTLEMENT AGREEMENT AND RELEASE**

THIS INSTRUMENT PREPARED BY:  
WATSON SEWELL, PL  
5410 E. Hwy. 30-A, Suite 201  
Seagrove Beach, FL 32459

**ACCESS AND USE EASEMENT**

**THIS GRANT OF EASEMENT** made on the 29<sup>th</sup> day of ~~April~~ <sup>September</sup>, 2021, by and between SHH Investments, LLC, a Florida limited liability company, as Successor Trustee under the Coastal Resources Land Trust No. 5 (as to "CR5 Property") and Beach Life Land Trust (as to "BL Property"), hereinafter collectively "Grantors" and the Current and Future Owners of the real property lots/parcels depicted on the map titled "Gulf Shore Manor," recorded in Deed Book 63 Page 603-603 and Plat Book 3 Page 28 of the Official Records of Walton County, Florida,<sup>1</sup> and Grantees' heirs, successors, assigns, guests and invitees, hereinafter collectively "Grantees".

(wherever used herein the term's "Grantors" and "Grantees" shall include singular and plural, heirs, and successors or assigns of individuals, and the successors or assignees of corporations, wherever the context so admits or requires.)

**RECITALS**

**WITNESSETH** that:

**WHEREAS**, Grantors are the owners of a certain parcels of land described below as **Exhibit "A"** (the "Access Easement"), located in Walton County, Florida; and

**WHEREAS**, Grantors are the owners of a certain parcels of land described below as **Exhibit "D"** (the "Use Easement"), located in Walton County, Florida; and

**WHEREAS**, Grantees are the owners of a certain parcels of land described below (the "Benefited Property"), located in Walton County, Florida and for whose benefit an Easement for ingress and egress to the beach and the Gulf of Mexico is being granted herein; and

**WHEREAS**, Grantees are each and every record title owner of the lots/parcels depicted on the map titled "Gulf Shore Manor," recorded in Deed Book 63 Page 603-606 and Plat Book 3 Page 28 of the Official Records of Walton County, Florida; and

**WHEREAS** Grantors desire to grant to the Grantees of the Benefited Property a nonexclusive pedestrian Easement for ingress and egress to the Gulf of Mexico and the Beach under the terms and conditions set forth herein; and

**WHEREAS** Grantors desire to grant to the Grantees of the Benefited Property a nonexclusive Use Easement for beach related activities, including but not limited to: sunbathing, bonfires, beach recreation, beach sports, chairs, umbrellas, coolers, rafts, floats, paddle boards, and kayaks under the terms and conditions set forth

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<sup>1</sup> The map titled "Gulf Shore Manor," recorded in the public records of Walton County, is not a duly recorded plat as required by the laws of the State of Florida and is referenced herein merely as a means to identify the real property benefitted by this easement.

herein; and

**NOW, THEREFORE**, Grantors, for and in consideration of the sum of \$10.00 and other valuable consideration, the receipt and adequacy of which are hereby acknowledged by Grantors, do hereby grant and convey to Grantees as follows:

1. Grantors do hereby grant, bargain, and convey to the Grantees, a nonexclusive, perpetual Ingress/Egress Access Easement for pedestrian use only, to the Gulf of Mexico, over, across and through the real property situated, lying and being in the County of Walton, State of Florida, and being more particularly described as follows:

**SEE ATTACHED EXHIBIT "A" (the "Access Easement")**

2. This Access Easement is granted for the purposes of ingress and egress to the Gulf of Mexico from Walton County Highway 30A, subject to compliance with applicable law, to the Benefited Property more particularly described as follows:

**the real property lots/parcels depicted on the map of Gulf Shore Manor recorded in Deed Book 63 Page 603-606 of the Official Records of Walton County, Florida (Exhibit "B") and recorded in Plat Book 3 Page 28 of the Official Records of Walton County, Florida (Exhibit "C") (the "Benefited Property").**

3. Grantors do hereby grant, bargain, and convey to the Grantees, a nonexclusive, perpetual Use Easement, for beach related activities on the real property situated, lying and being in the County of Walton, State of Florida, and being more particularly described as follows:

**SEE ATTACHED EXHIBIT "D" (the "Use Easement")**

4. This Use Easement is granted for the purposes of beach related activities including but are not limited to: sunbathing, bonfires, beach recreation, beach sports, chairs, umbrellas, coolers, paddle boards, and kayaks on the beach, subject to compliance with applicable law, to the Benefited Property.
5. The Easements are (i) appurtenant to and shall run with and benefit the Benefited Property, and (ii) appurtenant to and shall run with and burden the real property encumbered with the Easements, in each case whether or not the Easements are mentioned or referred to in any deed, mortgage or other instrument. Further, this Easement and the easements granted herein shall be binding and enforceable upon and against the parties hereto and their respective heirs, successors and assigns.
6. The Easements are granted with the express condition that Grantees hereby release and indemnify Grantors, Grantors' heirs, successors and assigns from any and all liability for damages or costs of any kind whatsoever related to the use of the Easements by Grantees.
7. Grantors shall have no responsibility for improving real property encumbered with the Easements, nor any other liability or responsibility to Grantees, Grantees' heirs, successors, assigns, guests, invitees and Future Owners of the "Benefited Property", or to those who may use the Easements, other than as specifically specified herein. However, the Grantors, Grantors' heirs, successors, or assigns, may conduct any activities allowed by law and construct improvements within the real property encumbered with the Easements and the Easements granted herein shall not act to limit said activities or improvements activities

by the Grantors, Grantors' heirs, successors, or assigns. Additionally, Grantors have the right to move the actual physical ingress and egress locations within the real property encumbered with the Easements.

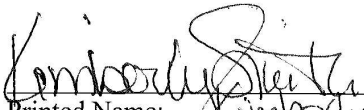
8. Grantees shall use the Easement Area in accordance with all applicable law and in a responsible and orderly manner so as not to create any excessive noise or disturbance of any type or waste of or damage to the real property encumbered with the Easements.
9. The Easements are private easements and there will not be an additional "setback" from the Easements. For clarification purposes, any improvements to the Grantor's property there shall not be a greater setback than the Coastal Protection Zone (CPZ) or standard setbacks from the Grantor's property line. The Grantor's setbacks shall be as if the Easement does not exist.
10. The Easements do not grant the Grantees the right to lease or license the real property encumbered with the Easements to third parties or to maintain or allow any commercial activities within the Easements. Any commercial use of the real property encumbered with the Easements by the Grantees is prohibited.
11. All rights, powers and privileges herein reserved and given to any party subject to or benefitting from the Easements shall inure to the benefit of and be held by the respective successors, heirs and assigns of such parties, and likewise, all liabilities and obligations imposed shall be binding upon the respective successors, heirs and assigns of such parties. Time is of the essence in this Easement. This Easement shall be construed and interpreted in accordance with the laws of the State of Florida. The provisions of this Easement are intended to be independent, and in the event any provisions hereof shall be declared by a court of competent jurisdiction to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the remainder of this Easement. The paragraph headings are inserted for convenience only and are in no way intended to describe, interpret, define or limit the scope or content of this Easement or any provisions hereof.

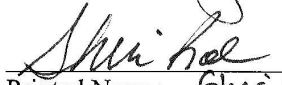
**[SIGNATURE PAGE FOLLOW]**

ACCESS AND USE EASEMENT  
SIGNATURE PAGE

IN WITNESS WHEREOF, Grantor has set their hand and seal the day and year first written above.

Witnesses:


  
Printed Name: Kimberly Smith

  
Printed Name: Sheri Roe

GRANTOR:

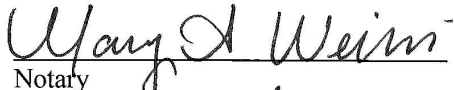
Coastal Resources Land Trust No. 5 dated June 25, 2018, a Florida land trust

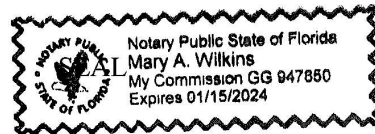
SHH Investments, LLC, a Florida limited liability company, Trustee

  
By Peter J. Howard, Manager

STATE OF FLORIDA  
COUNTY OF ~~WALTON~~ OKALOOSA

The foregoing instrument was acknowledged before me by means of (  ) physical presence or (  ) online notarization, this 24th day of ~~April~~ <sup>September</sup> 2021 by Peter J. Howard, Manager of SHH Investments, LLC, a Florida limited liability company, the Successor Trustee of the Coastal Resources Land Trust No. 5.

  
Notary  
Personally known ✓  
or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

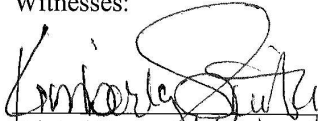





ACCESS AND USE EASEMENT  
SIGNATURE PAGE

IN WITNESS WHEREOF, Grantor has set their hand and seal the day and year first written above.

Witnesses:


  
Printed Name: Kimberly Smith

  
Printed Name: Sheri Roe

GRANTOR:


Beach Life Land Trust dated \_\_\_\_\_, 20\_\_\_\_, a  
Florida land trust

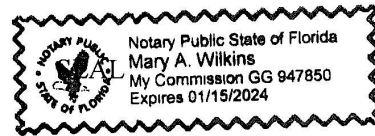
SHH Investments, LLC, a Florida limited  
liability company, Trustee

  
By Peter J. Howard, Manager

STATE OF FLORIDA  
COUNTY OF ~~WALTON~~  
OKALOOSA

The foregoing instrument was acknowledged before me by means of (  ) physical presence or (  ) online  
notarization, this 29<sup>th</sup> day of ~~April~~ September 2021 by Peter J. Howard, Manager of SHH Investments, LLC, a Florida  
limited liability company, the Successor Trustee of the Beach Life Land Trust.

  
Notary  
Personally known   
or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



Beach Life Land Trust

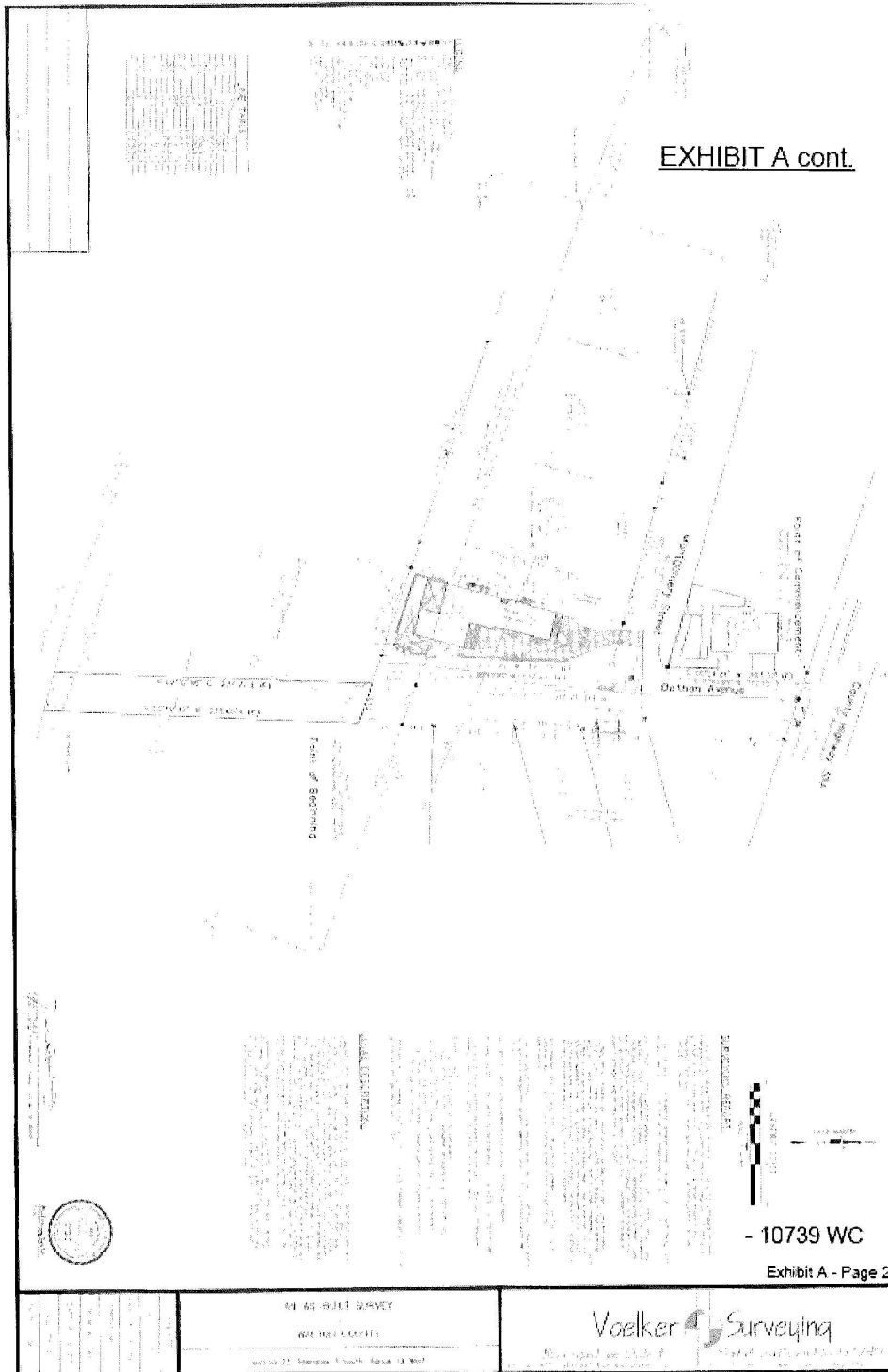
**EXHIBIT "A" (the "Access Easement")**

**LEGAL DESCRIPTION:**

COMMENCE AT A 1/2" CAPPED IRON ROD (LB 3724), SAID POINT BEING THE NORTHEAST CORNER OF LOT 1, BLOCK G, SEAHIGHLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 46, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF COUNTY HIGHWAY 30A; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 70°20'41" EAST, A DISTANCE OF 52.69 FEET TO A 4"x 4" CONCRETE MONUMENT (LB 3724); THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY, SOUTH 02°39'33" WEST, A DISTANCE OF 316.46 FEET TO A POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 02°39'33" WEST, A DISTANCE OF 235.65 FEET± TO A POINT SAID POINT BEING ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE MEANDER NORTHWESTERLY, A DISTANCE OF 29.72 FEET± TO A POINT; THENCE DEPARTING SAID MEAN HIGH WATER LINE, NORTH 02°32'46" EAST, A DISTANCE OF 237.77 FEET± TO A POINT; THENCE SOUTH 70°26'15" EAST, A DISTANCE OF 30.72 FEET TO THE POINT OF BEGINNING.

- 10739 WC

Exhibit A - Page 1



LEGAL DESCRIPTION:

COMMENCE AT A 4"X4" CONCRETE MONUMENT (4450), SAID POINT BEING THE NORTHEAST CORNER OF OCEANSIDE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 46, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA ALSO BEING THE INTERSECTION OF THE EAST BOUNDARY OF OCEANSIDE SUBDIVISION AND THE SOUTH RIGHT-A-WAY OF COUNTY HIGHWAY 30A, SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE ALONG SAID SOUTH RIGHT-OF-WAY SOUTH 71°01'57" EAST, A DISTANCE OF 62.51 FEET TO A POINT; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY SOUTH 02°41'55" WEST, A DISTANCE OF 551.28 FEET± TO A POINT, SAID POINT BEING ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE MEANDER NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 65.20 FEET± TO A POINT; THEN DEPARTING SAID MEAN HIGH WATER LINE, NORTH 02°43'17" EAST A DISTANCE OF 543.80 FEET± TO THE POINT OF BEGINNING.

- 14307 WC

Exhibit A - Page 3



LEGAL DESCRIPTION:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, BLOCK A, SEA WALK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 3 IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF COUNTY HIGHWAY 30A AND ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF COUNTY HIGHWAY 30A, SOUTH 71°10'24" EAST, A DISTANCE OF 63.66 FEET TO A POINT; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, SOUTH 02°46'50" WEST, A DISTANCE OF 25.41 FEET TO A POINT; THENCE 32.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, AND A DELTA ANGLE OF 06°07'00"; (CHORD BEARING - SOUTH 27°46'40" EAST, CHORD DISTANCE - 30.50 FEET), TO A POINT OF REVERSE CURVE; THENCE 88.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 115.00 FEET, DELTA ANGLE OF 43°57'43", (CHORD BEARING - SOUTH 36°21'19" EAST, CHORD DISTANCE - 86.09 FEET) TO A POINT; THENCE SOUTH 09°59'48" WEST, A DISTANCE OF 60.46 FEET TO A POINT; THENCE SOUTH 27°11'50" WEST, A DISTANCE OF 125.97 FEET TO A POINT; THENCE SOUTH 02°46'50" WEST, A DISTANCE OF 250.93 FEET± TO A POINT SAID POINT BEING ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE MEANDER NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 146.79 FEET±; THENCE DEPARTING SAID MEAN HIGH WATER LINE, NORTH 02°46'50" EAST, A DISTANCE OF 252.25 FEET± TO A POINT; THENCE NORTH 07°57'25" WEST, A DISTANCE OF 91.45 FEET TO A POINT; THENCE NORTH 49°22'58" WEST, A DISTANCE OF 17.00 FEET TO A POINT; THENCE 17.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, DELTA ANGLE 32°28'03", (CHORD BEARING - NORTH 28°26'46" EAST, CHORD DISTANCE OF 16.77 FEET), TO A POINT; THENCE 103.74 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS 115.00 FEET, DELTA ANGLE OF 51°41'05", (CHORD BEARING - NORTH 38°03'17" EAST, CHORD DISTANCE OF 100.26 FEET) TO A POINT; THENCE 32.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, DELTA ANGLE 06°07'00", (CHORD BEARING - NORTH 33°20'20" EAST, CHORD DISTANCE - 30.50 FEET) TO A POINT, THENCE NORTH 02°46'50" EAST, A DISTANCE OF 49.89 FEET TO THE POINT OF BEGINNING.

- 13617 WC

Exhibit A - Page 5



5' BEACH/GULF ACCESS:

COMMENCE AT A 1/2" CAPPED IRON ROD (LB 7584), SAID POINT BEING THE NORTHEAST CORNER OF LOT 2, SANCTUARY AT SEAGROVE, ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF EAST COUNTY HIGHWAY 30A AND ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 70°11'46" EAST, A DISTANCE OF 5.23 FEET TO A POINT; THENCE DEPARTING SAID RIGHT-OF-WAY, SOUTH 02°46'39" WEST, A DISTANCE OF 583.57 FEET± TO THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE MEANDER NORTHWESTERLY ALONG THE MEAN HIGH WATER LINE, A DISTANCE OF 5.10 FEET± TO A POINT; THENCE DEPARTING SAID MEAN HIGH WATER LINE AND ALONG THE EAST LINE OF SANCTUARY AT SEAGROVE, NORTH 02°46'39" EAST, A DISTANCE OF 584.10 FEET± TO THE POINT OF BEGINNING.



LEGAL DESCRIPTION—PROPOSED 5' ACCESS EASEMENT (AS SURVEYED)

COMMENCE AT A 4"x4" CONCRETE MARKER MARKING THE NORTHEAST CORNER OF JASMINE DUNE AS RECORDED IN PLAT BOOK 8, PAGE 34, WALTON COUNTY, FLORIDA AND ALSO BEING THE POINT OF BEGINNING.

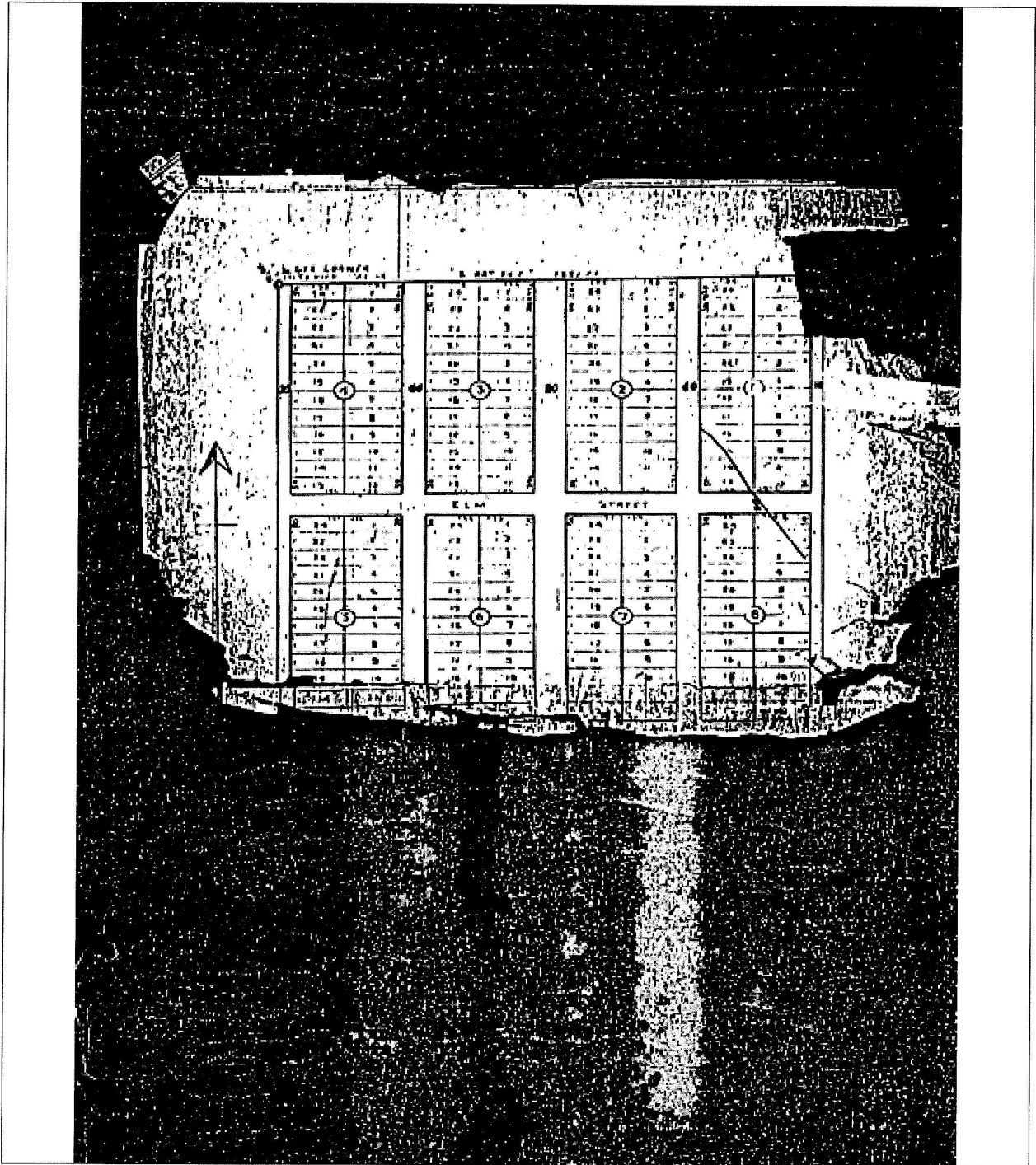
FROM SAID POINT OF BEGINNING; THENCE ALONG THE EAST LINE OF SAID SUBDIVISION S 02°50'23" W A DISTANCE OF 128.98 FEET TO A 1/2" REBAR; THENCE S 03°28'17" W A DISTANCE OF 17.03 FEET TO A 1/2" REBAR WITH CAP LB#8096; THENCE S 03°28'17" W A DISTANCE OF 25.10 FEET TO A 1/2" REBAR WITH CAP #3725; THENCE S 02°59'43" W A DISTANCE OF 122.78 FEET TO A 1/2" REBAR WITH CAP LB#8096; THENCE S 02°59'43" W A DISTANCE OF 222.38 FEET TO A POINT ON THE APPROXIMATE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE ALONG SAID MEAN HIGH WATER LINE S 71°08'39" E A DISTANCE OF 5.20 FEET TO A POINT; THENCE LEAVING SAID MEAN HIGH WATER LINE N 02°59'43" E A DISTANCE OF 223.80 FEET TO A POINT; THENCE N 02°59'43" E A DISTANCE OF 122.76 FEET TO A POINT; THENCE N 03°28'17" E A DISTANCE OF 25.08 FEET TO A POINT; THENCE N 03°28'14" E A DISTANCE OF 17.08 FEET TO A POINT; THENCE N 02°50'23" E A DISTANCE OF 127.47 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF E COUNTY HIGHWAY 30A (70' R/W); THENCE ALONG SAID RIGHT OF WAY N 70°24'36" W A DISTANCE OF 5.22 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 0.06 ACRES, MORE OR LESS.

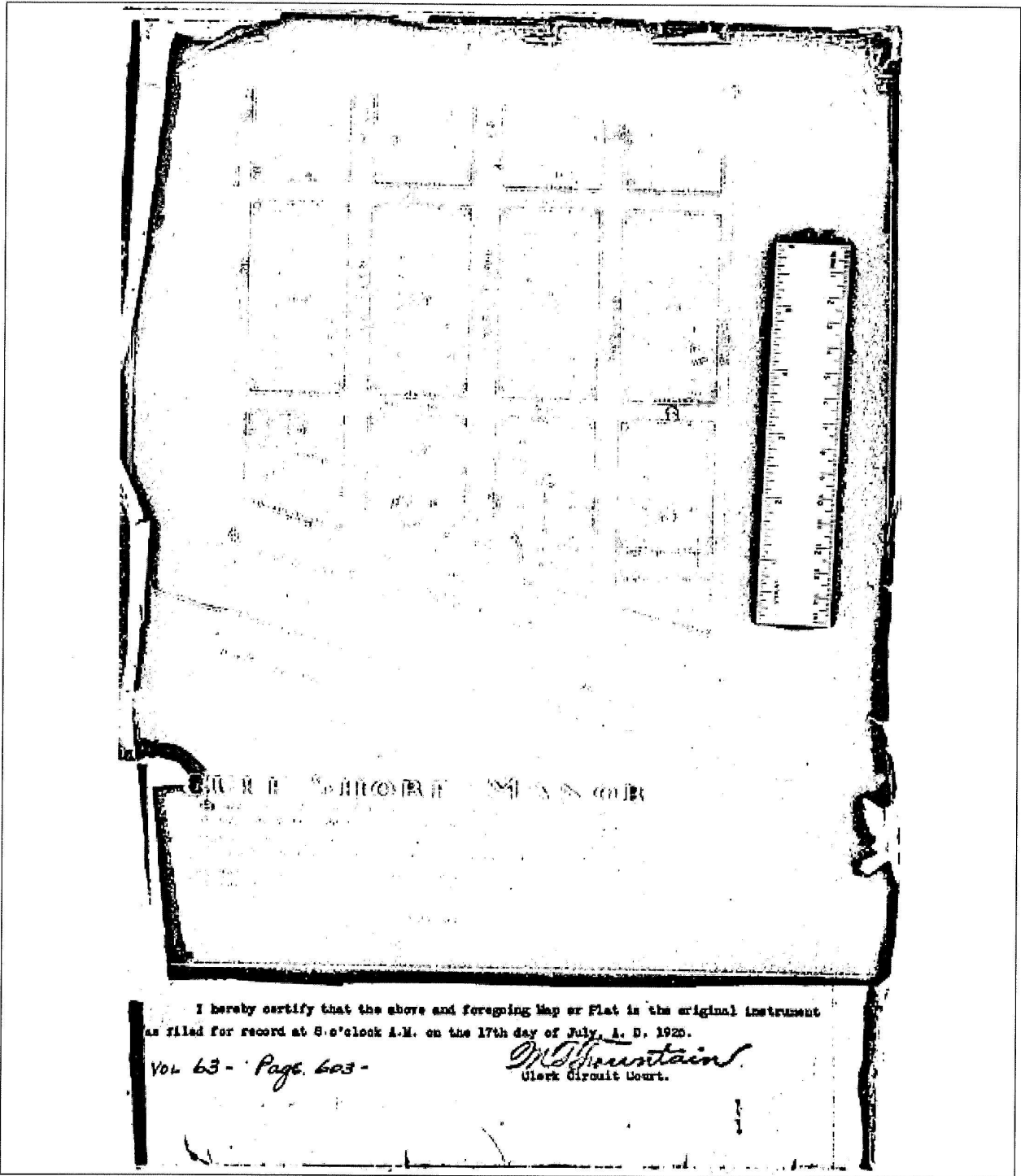
- 21-105 5' Access Easement Pelayo

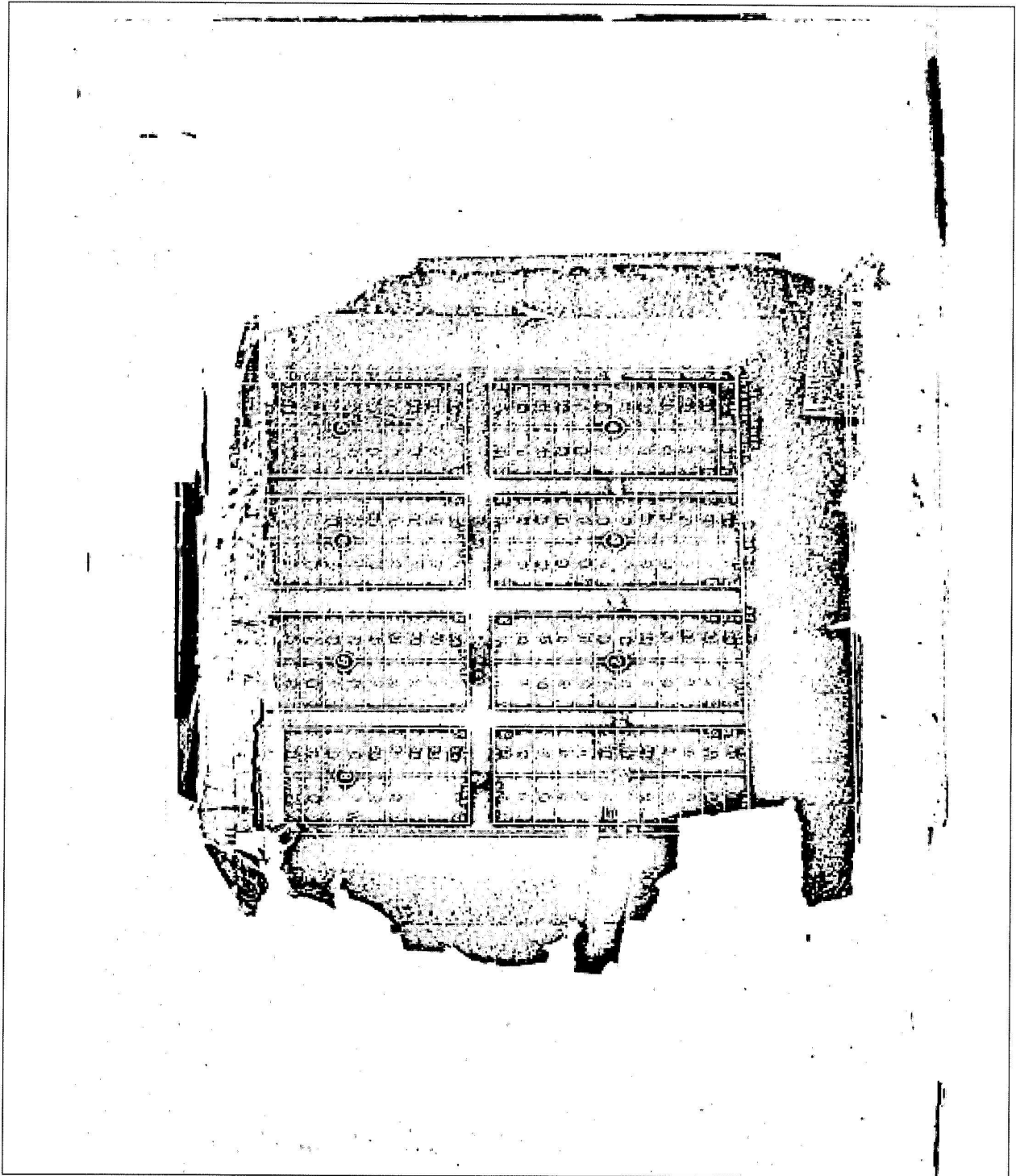
Exhibit A - Page 8



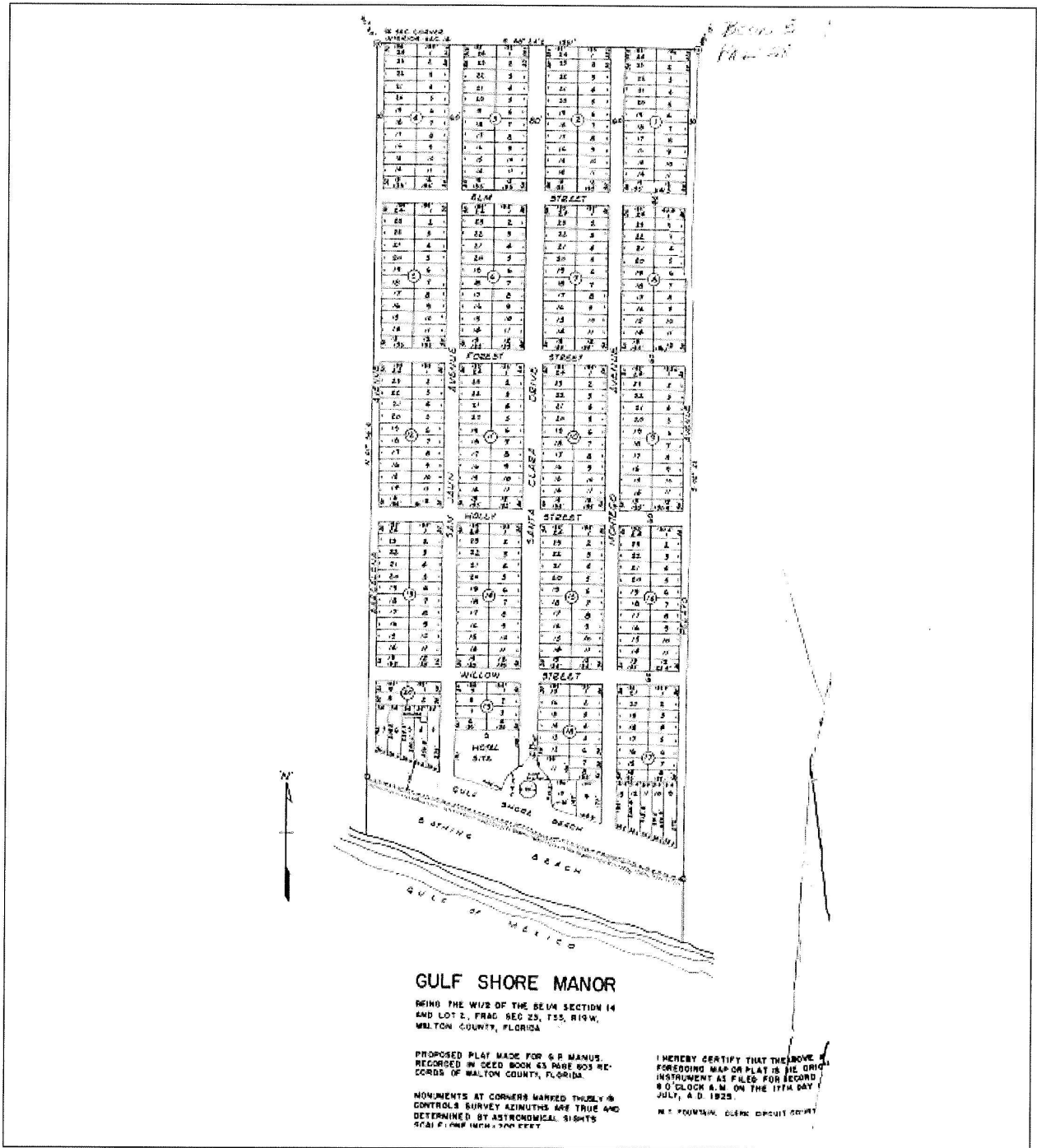








**Exhibit "C" - (the "Benefited Property")**



**EXHIBIT "D" (the "Use Easement")**

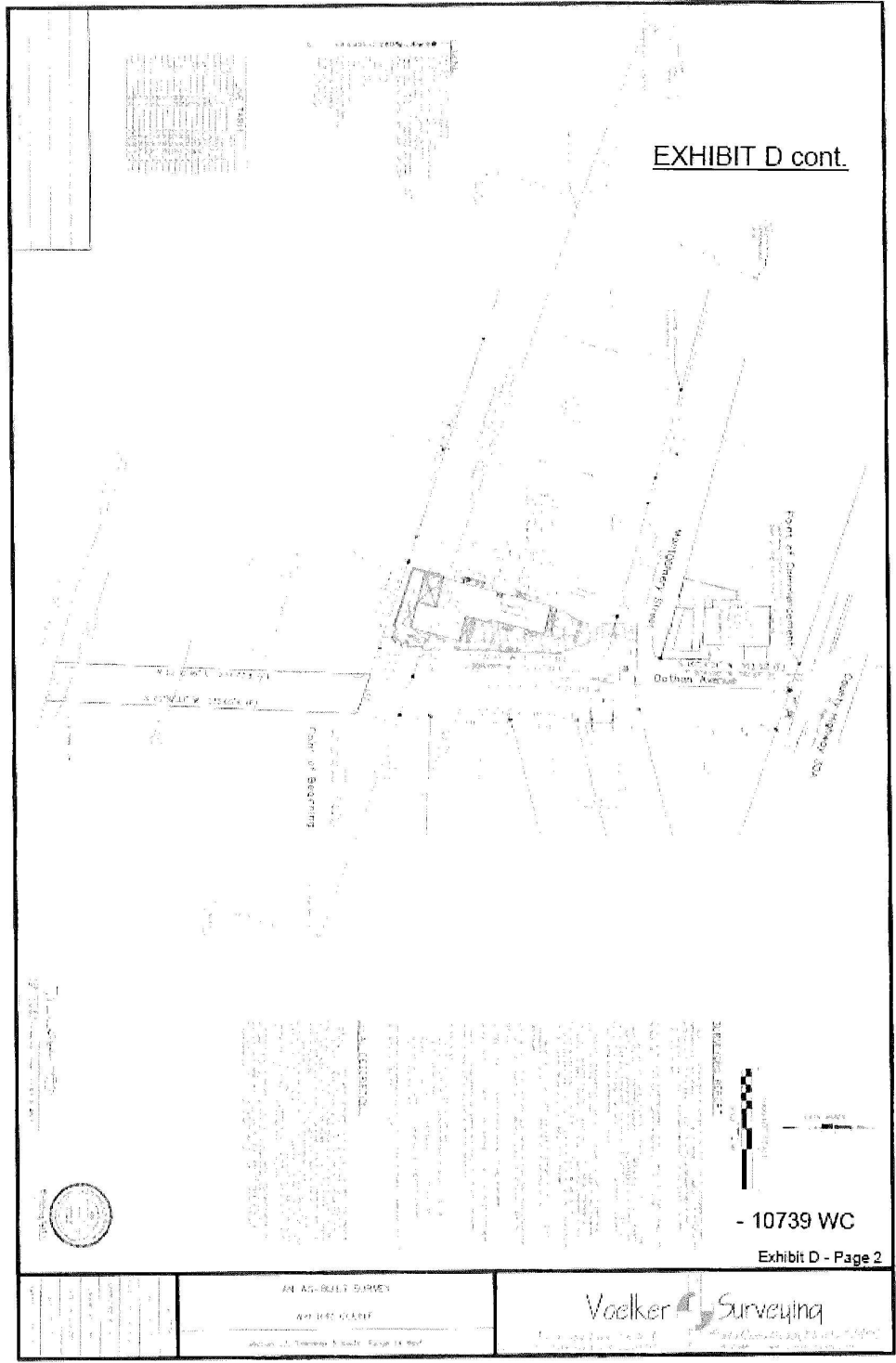
**LEGAL DESCRIPTION:**

COMMENCE AT A 1/2" CAPPED IRON ROD (LB 3724), SAID POINT BEING THE NORTHEAST CORNER OF LOT 1, BLOCK G, SEAHIGHLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 46, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF COUNTY HIGHWAY 30A; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 70°20'41" EAST, A DISTANCE OF 52.69 FEET TO A 4"x 4" CONCRETE MONUMENT (LB 3724); THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY, SOUTH 02°39'33" WEST, A DISTANCE OF 316.46 FEET TO A POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 02°39'33" WEST, A DISTANCE OF 235.65 FEET± TO A POINT SAID POINT BEING ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE MEANDER NORTHWESTERLY, A DISTANCE OF 29.72 FEET± TO A POINT; THENCE DEPARTING SAID MEAN HIGH WATER LINE, NORTH 02°32'46" EAST, A DISTANCE OF 237.77 FEET± TO A POINT; THENCE SOUTH 70°26'15" EAST, A DISTANCE OF 30.72 FEET TO THE POINT OF BEGINNING.

- 10739 WC

Exhibit D - Page 1



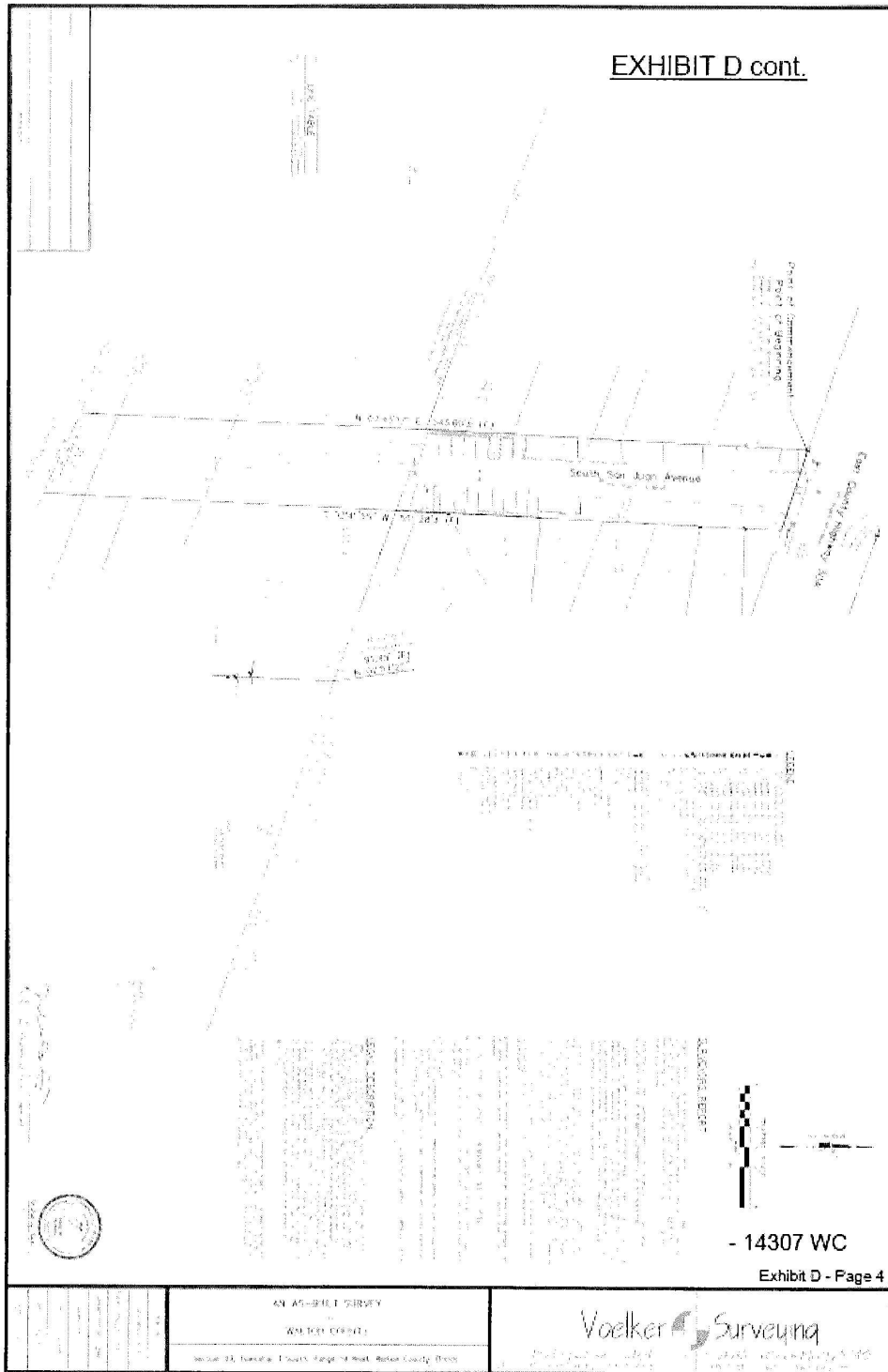


LEGAL DESCRIPTION:

COMMENCE AT A 4"X4" CONCRETE MONUMENT (4450), SAID POINT BEING THE NORTHEAST CORNER OF OCEANSIDE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 46, IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA ALSO BEING THE INTERSECTION OF THE EAST BOUNDARY OF OCEANSIDE SUBDIVISION AND THE SOUTH RIGHT-A-WAY OF COUNTY HIGHWAY 30A, SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE ALONG SAID SOUTH RIGHT-OF-WAY SOUTH 71°01'57" EAST, A DISTANCE OF 62.51 FEET TO A POINT; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY SOUTH 02°41'55" WEST, A DISTANCE OF 551.28 FEET± TO A POINT, SAID POINT BEING ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE MEANDER NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 65.20 FEET± TO A POINT; THEN DEPARTING SAID MEAN HIGH WATER LINE, NORTH 02°43'17" EAST A DISTANCE OF 543.80 FEET± TO THE POINT OF BEGINNING.

- 14307 WC

Exhibit D - Page 3



LEGAL DESCRIPTION:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, BLOCK A, SEA WALK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 3 IN THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF COUNTY HIGHWAY 30A AND ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF COUNTY HIGHWAY 30A, SOUTH 71°10'24" EAST, A DISTANCE OF 63.66 FEET TO A POINT; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, SOUTH 02°46'50" WEST, A DISTANCE OF 25.41 FEET TO A POINT; THENCE 32.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, AND A DELTA ANGLE OF 06°07'00", (CHORD BEARING - SOUTH 27°46'40" EAST, CHORD DISTANCE - 30.50 FEET), TO A POINT OF REVERSE CURVE; THENCE 88.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 115.00 FEET, DELTA ANGLE OF 43°57'43", (CHORD BEARING - SOUTH 36°21'19" EAST, CHORD DISTANCE - 86.09 FEET) TO A POINT; THENCE SOUTH 09°59'48" WEST, A DISTANCE OF 60.46 FEET TO A POINT; THENCE SOUTH 27°11'50" WEST, A DISTANCE OF 125.97 FEET TO A POINT; THENCE SOUTH 02°46'50" WEST, A DISTANCE OF 250.93 FEET± TO A POINT SAID POINT BEING ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE MEANDER NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 146.79 FEET±; THENCE DEPARTING SAID MEAN HIGH WATER LINE, NORTH 02°46'50" EAST, A DISTANCE OF 252.25 FEET± TO A POINT; THENCE NORTH 07°57'25" WEST, A DISTANCE OF 91.45 FEET TO A POINT; THENCE NORTH 49°22'58" WEST, A DISTANCE OF 17.00 FEET TO A POINT; THENCE 17.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, DELTA ANGLE 32°28'03", (CHORD BEARING - NORTH 28°26'46" EAST, CHORD DISTANCE OF 16.77 FEET), TO A POINT; THENCE 103.74 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS 115.00 FEET, DELTA ANGLE OF 51°41'05", (CHORD BEARING - NORTH 38°03'17" EAST, CHORD DISTANCE OF 100.26 FEET) TO A POINT; THENCE 32.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, DELTA ANGLE 06°07'00", (CHORD BEARING - NORTH 33°20'20" EAST, CHORD DISTANCE - 30.50 FEET) TO A POINT, THENCE NORTH 02°46'50" EAST, A DISTANCE OF 49.89 FEET TO THE POINT OF BEGINNING.

- 13617 WC

Exhibit D - Page 5

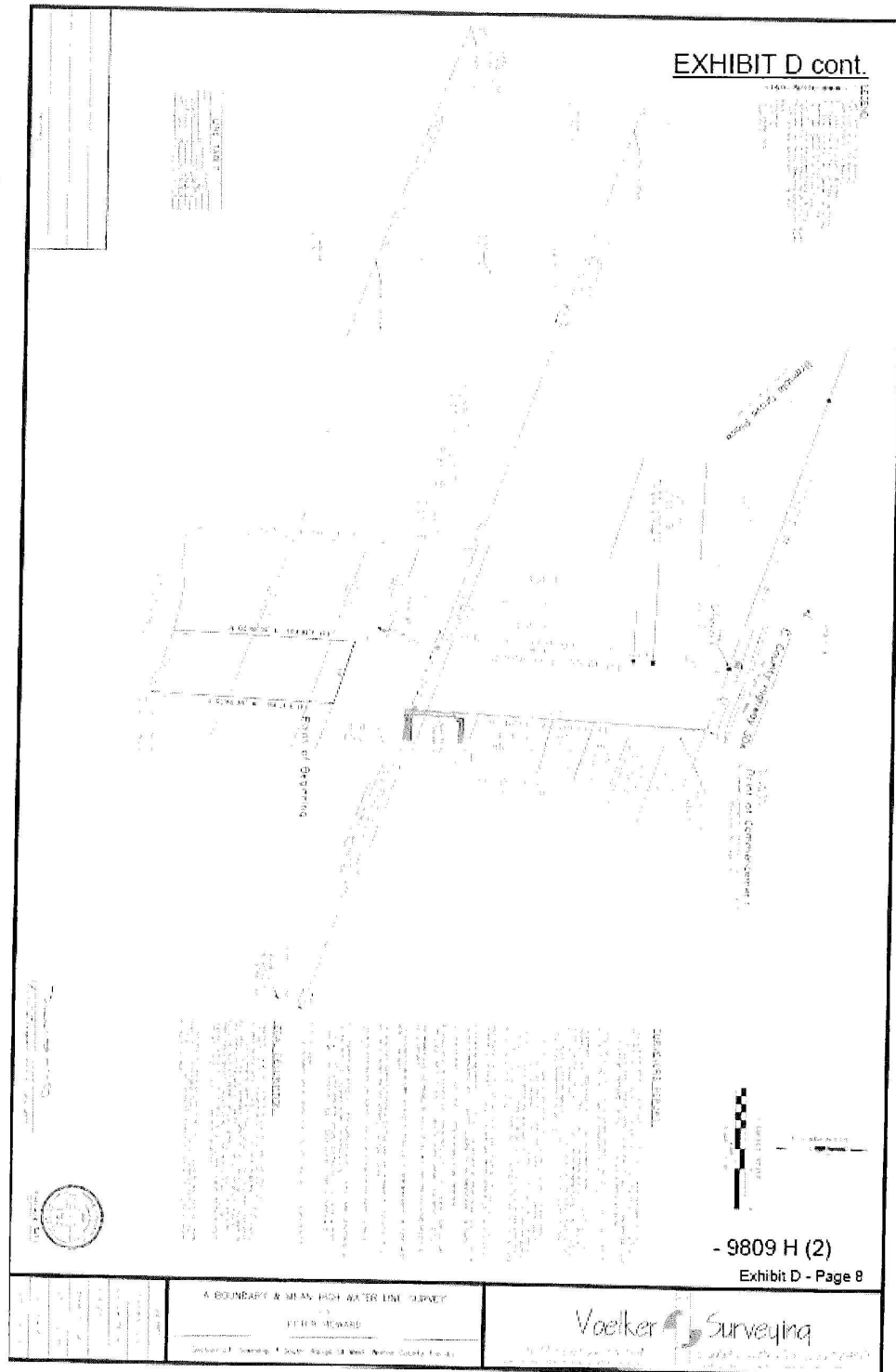


LEGAL DESCRIPTION:

COMMENCE AT A 4"x 4" CONCRETE MONUMENT (PLAIN), SAID POINT BEING THE NORTHWEST CORNER OF JASMINE DUNE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 24, PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; THENCE SOUTH 02°46'39" WEST, A DISTANCE OF 375.23 FEET TO A POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 02°46'39" WEST, A DISTANCE OF 184.21 FEET± TO THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE ALONG THE MEAN HIGH WATER LINE NORTHWESTERLY, A DISTANCE OF 63.67' ± TO A POINT; THENCE DEPARTING MEAN HIGH WATER LINE OF GULF OF MEXICO, NORTH 02°46'39" EAST, A DISTANCE OF 183.91 FEET± TO A POINT; THENCE SOUTH 70°32'32" EAST, A DISTANCE 63.58 FEET TO THE POINT OF BEGINNING.

- 9809 H (2)

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*LEGAL DESCRIPTION- PROPOSED BEACH USE EASEMENT (AS SURVEYED)*

*COMMENCE AT A 4"x4" CONCRETE MARKER MARKING THE NORTHEAST CORNER OF JASMINE DUNE AS RECORDED IN PLAT BOOK 8, PAGE 34, WALTON COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SUBDIVISION S 02°50'23" W A DISTANCE OF 128.98 FEET TO A 1/2" REBAR WITH CAP LB#8096; THENCE S 03°28'17" W A DISTANCE OF 17.03 FEET TO A 1/2"; THENCE S 03°28'17" W A DISTANCE OF 25.10 FEET TO A 1/2" REBAR WITH CAP #3725; THENCE S 02°59'43" W A DISTANCE OF 122.78 FEET TO A 1/2" REBAR WITH CAP LB#8096; THENCE S 02°59'43" W A DISTANCE OF 84.71 FEET TO A POINT AND ALSO BEING THE POINT OF BEGINNING.*

*FROM SAID POINT OF BEGINNING; THENCE S 02°59'43" W A DISTANCE OF 137.67 FEET TO A POINT ON THE APPROXIMATE MEAN HIGH WATER LINE; THENCE ALONG SAID APPROXIMATE MEAN HIGH WATER LINE S 71°08'39" E A DISTANCE OF 31.15 FEET TO A POINT; THENCE S 69°55'54" E A DISTANCE OF 48.77 FEET TO A POINT; THENCE LEAVING SAID APPROXIMATE MEAN HIGH WATER LINE N 01°44'43" E A DISTANCE OF 137.76 FEET TO A POINT; THENCE N 69°48'10" W A DISTANCE OF 77.02 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 0.24 ACRES, MORE OR LESS.*

- 21-105 Beach Easement Pelayo

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