



# **Keene's Point Community Association: Correction of Previously Recorded Conservation Easement**

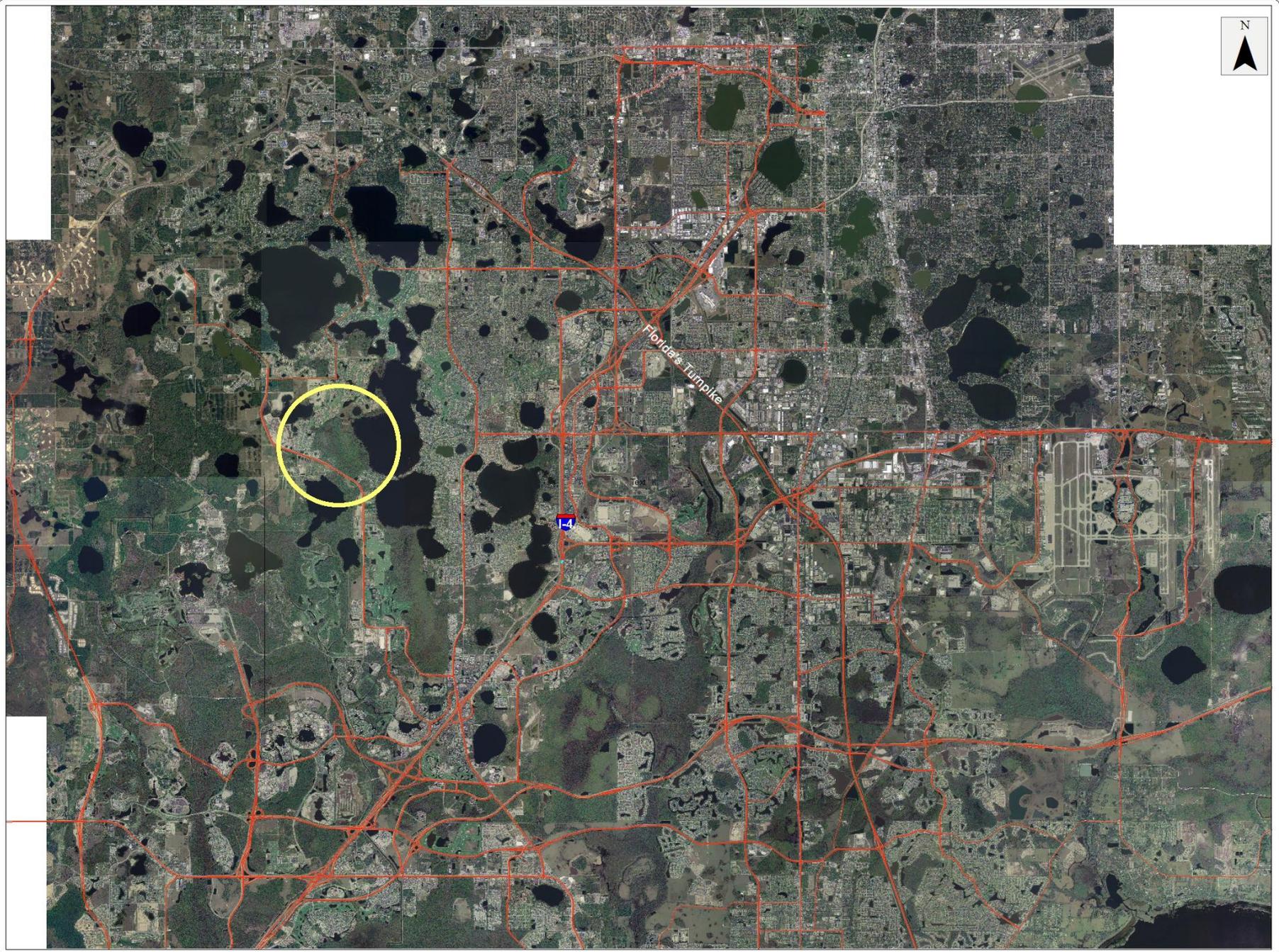
**Governing Board Meeting  
April 14, 2011**

**Robert M. Brown, Director  
Water Resource Regulation Department**



Florida's Turnpike

I-4





CHASE RD

WINTER GARDEN VINELAND RD

SR-535

SR-535

S POPOKA VINELAND RD

SAND LAKE RD W

S POPOKA VINELAND RD





# Keene's Point Chronology

- November 1997 – ERP permit issued; required placement of conservation easement over shoreline
- April 2006 – Permittee placed easement over 47.48 acres; included portions of Private Lake not required by permit
- March 2011 – Keene's Point requested correction of conservation easement to reflect original permit requirements

# Keene's Point Legal Considerations

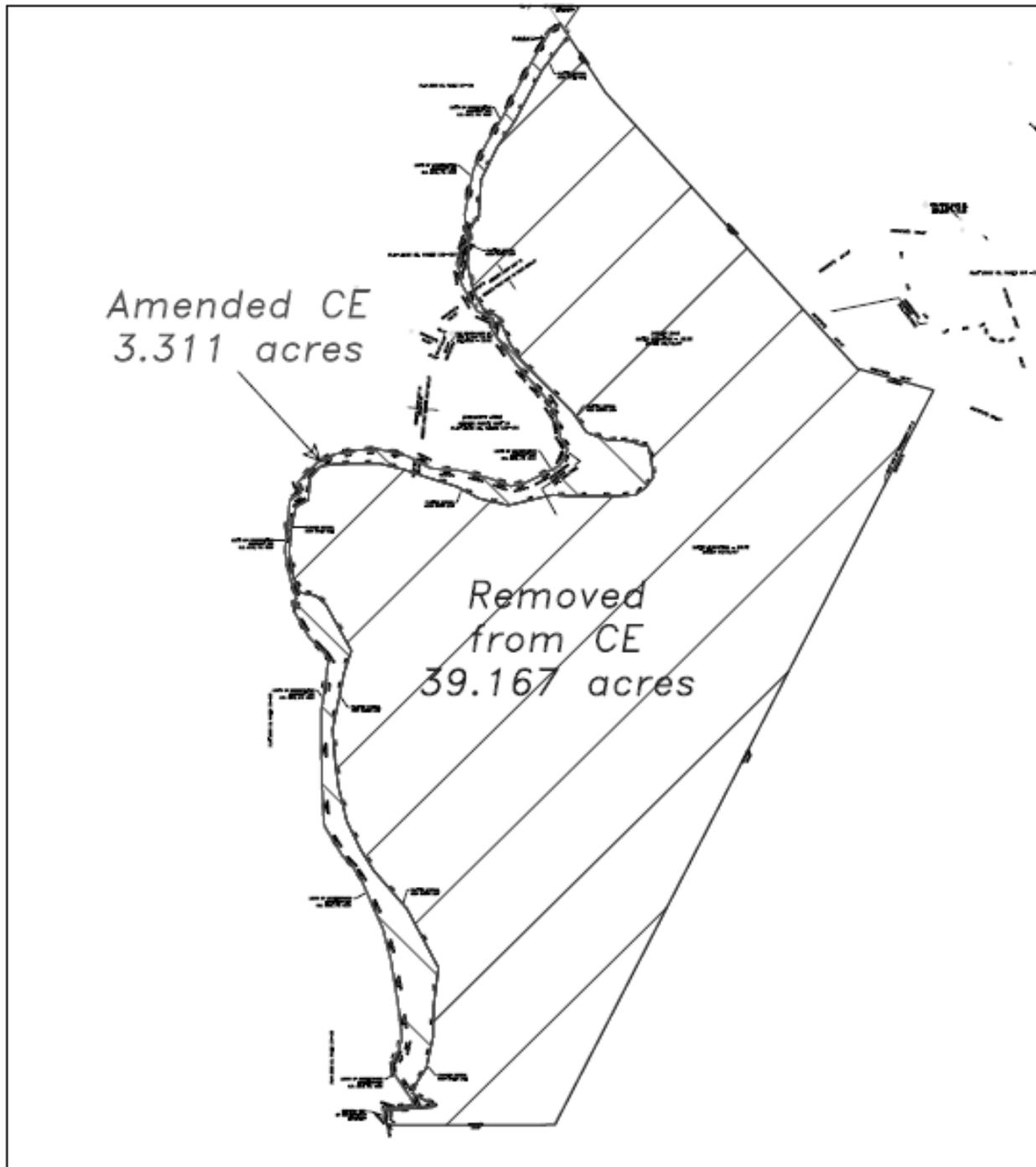
- Easement must have been accepted by the District (Ch. 373.139, F.S.)
- In this case, only property designated by red line was accepted
- Area proposed to be corrected by this action was not accepted
- Furthermore, property owner advised District that its predecessor in interest did not have legal right to grant an interest over additional land
- Therefore, this action is to correct easement to be consistent with that originally accepted by District





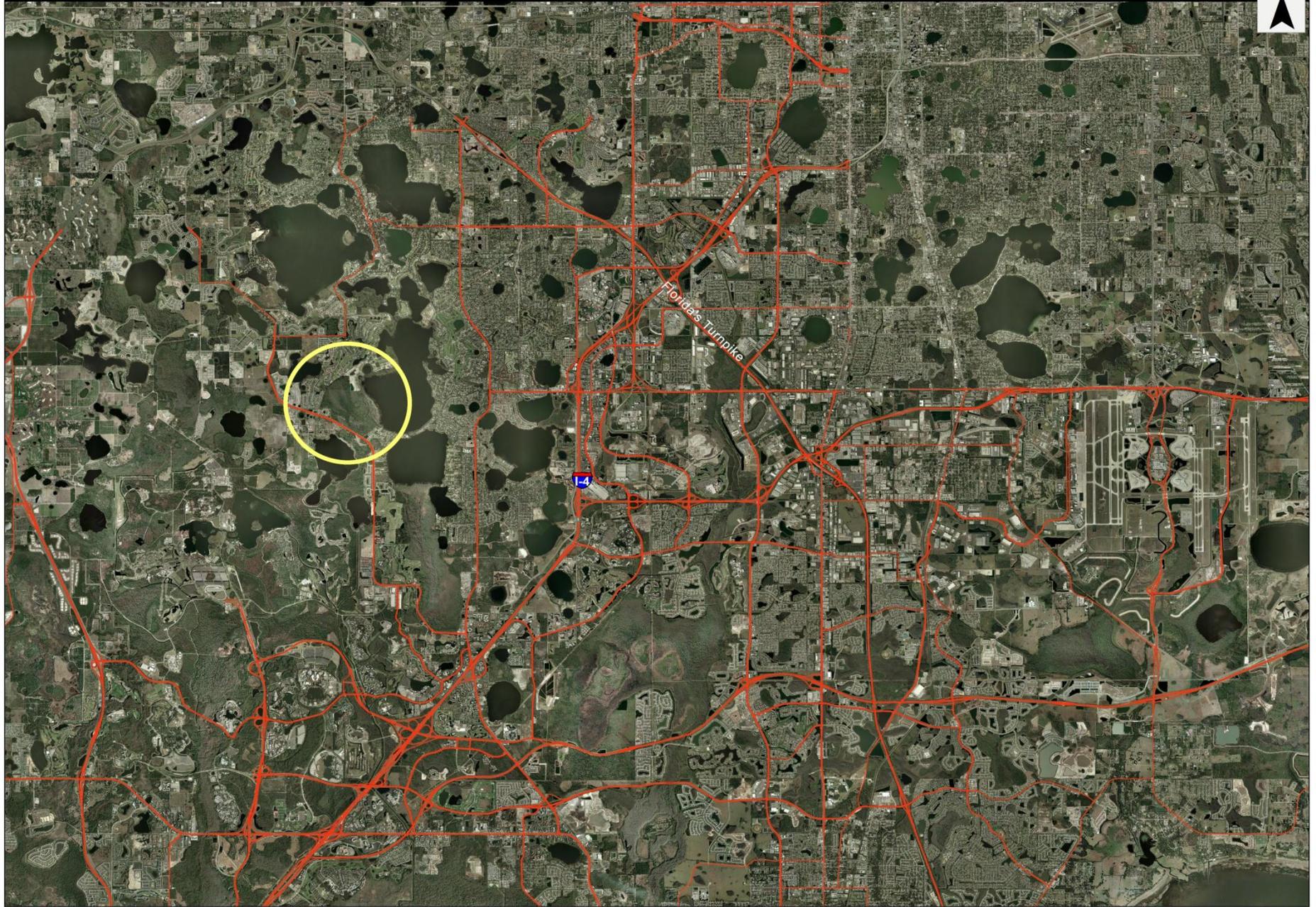
Amended CE  
3.311 acres

Removed  
from CE  
39.167 acres



## Recommendation

- Approve a correction of a previously recorded Conservation Easement for a project known as Keene's Pointe Community Association located in Orange County. The easement, as recorded, is inconsistent with the requirements in Permit No. 48-00950-P in that it includes Sovereign Submerged Lands as well as areas not designated to be Conservation Areas in the Permitted Mitigation Plan. The request is to release the areas incorrectly included in the recorded easement. No permit modification is associated with this action, since this is a correction of the easement to reflect the existing permit.





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SR 435

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01/19/2010



06/15/2010



01/05/2011