From: McBride, Ashanti
To: Ron Beladi; Dilmore, Cory; Kromhout, Elizabeth; Eldredge, Susan F.
Cc: Leonard Marion; Junos Reed (JReed@volusia.org); Regina Montgomery; Jamie Seaman
Subject: RE: Declaration of Restrictive Covenant
Date: Monday, July 10, 2017 2:44:21 PM

Good Afternoon,

Please accept my apologies for the delayed response as I was out of the office due to a family emergency. I have completed my review of the Declaration of Restrictive Covenant Package for Volusia County. I have the following comments.

1. Please attach to Exhibit B a survey of the property as follows below. The survey should be of the entire Property described in Exhibit A and show and label the restricted portion as described in Exhibit B.
    - **Survey.** A Specific Purpose Survey, Boundary Survey or Sketch and Description as defined under Chapter 5J-17, F.A.C., and prepared using the minimum technical standards (MTS) as defined therein (collectively referred to as a "Survey") should be attached to the RC as Exhibit B. In addition, the Survey should include four corners of the designated restricted area labeled with the state plane coordinates (SPC) system or geographical coordinates. We need a survey of the area to be held for cover fill, specifically. A more general legal description will suffice for the closure and access purposes. The Survey should be a clearly labeled attachment to the RC and the area to be restricted should also be clearly labeled with a label that corresponds to the terminology used to describe it in the text of the document.
1. The Ownership and Encumbrance Report indicates that there are two encumbrances on the property. An undivided ½ interest in all oil, gas, and minerals as reserved in the Trustees' Deed recorded May 28, 1951, as well as a ½ royalty interest reserved in a Mineral Quit Claim Deed recorded September 12, 1984. The copies of the Trustees' Deed and Mineral Quit Claim Deed included in the DRC package are illegible. Please provide legible copies of the documents. Additionally, please provide an analysis of whether or not the holder(s) of these interests (Norpak Corporation) is entitled to notice of the Declaration of Restrictive Covenant or whether it is appropriate to seek subordination or joinder and consent from the encumbrance holder.

Please let me know if you have any additional questions for me. Please do not hesitate to contact me if I may further assist.

Thank you,
Ashanti I. McBride
Assistant General Counsel
Programs: Solid Waste, Hazardous Waste, and Waste Reduction
Office of the General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Boulevard | Tallahassee, FL, 32399-3000
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Ashanti.McBride@dep.state.fl.us

From: Ron Beladi [mailto:ron.beladi@neel-schaffer.com]
Sent: Thursday, July 6, 2017 2:26 PM
To: Dilmore, Cory <Cory.Dilmore@dep.state.fl.us>; Kromhout, Elizabeth <Elizabeth.Kromhout@dep.state.fl.us>; McBride, Ashanti <Ashanti.McBride@dep.state.fl.us>; Eldredge, Susan F. <Susan.F.Eldredge@dep.state.fl.us>
Cc: Leonard Marion <lmarion@volusia.org>; Junos Reed (JReed@volusia.org) <JReed@volusia.org>; Regina Montgomery <RMontgomery@volusia.org>; Jamie Seaman <JSeaman@volusia.org>
Subject: RE: Declaration of Restrictive Covenant

Cory:
It's been over 30-days since we submitted the package for declaration of restricted covenant for the Volusia County Solid Waste Division's Pioneer Trail Borrow Area project. Any progress toward approval? The County hopes to adjust this year's closure financial responsibility cost estimates based on FDEP approval of the closure cover fill from Pioneer Trail Borrow Area.

Please let us know at your convenience.

Regards

……

Ron S. Beladi
Vice-president
Sr. Engineer Manager

Neel-Schaffer, Inc.
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From: Ron Beladi
Sent: Sunday, June 04, 2017 12:35 PM
To: Cory D. Dilmore (cory.dilmore@dep.state.fl.us) <cory.dilmore@dep.state.fl.us>; El Kromhout (elizabeth.kromhout@dep.state.fl.us) <elizabeth.kromhout@dep.state.fl.us>; Ashanti I. McBride (Ashanti.McBride@dep.state.fl.us) <Ashanti.McBride@dep.state.fl.us>; Eldredge, Susan F. (Susan.F.Eldredge@dep.state.fl.us) <Susan.F.Eldredge@dep.state.fl.us>
Cc: Leonard Marion <lmarion@volusia.org>; Junos Reed (JReed@volusia.org) <JReed@volusia.org>; Regina Montgomery <RMontgomery@volusia.org>; Jamie Seaman <JSeaman@volusia.org>

Subject: Declaration of Restrictive Covenant

Mr. Dilmore:
Please see attached as we discussed. The paper copy with original signatures are transmitted to you and others by overnight mail. Please let us know if any questions or comments.

Regards

……

Ron S. Beladi
Vice-president
Sr. Engineer Manager

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