

SUBJECT: Wiggins Road - Charlie Taylor West, LLC - Release of Letter of Credit for Land Excavation

DEPARTMENT: Development Review Division of Development Services

DEPARTMENT SECTION: Natural Resources Review

BOARD DATE:

CONTACT: Carrie Moore

RECOMMENDATION:

Release the reclamation letter of credit for land excavation operating permit 20-03-LE.

BACKGROUND:

Applicant Pete Sudler was approved on 10/05/2020 for a SU-20-0607. Charlie Taylor West, LLC, a company affiliated with Sudler Family Partnership L.P., was issued a land excavation operating permit 20-03-LE on 02/14/2022, for a duration of two (2) years and a maximum excavation volume of 285,000 cubic yards. The applicant provided a letter of credit in amount of \$30,065.20 with the expiration date of 03/15/2025.

The total volume excavated under SU-20-0607 was 146,191 cubic yards. On 8/8/2023, the final site inspection found the site was reclaimed consistent with the approved reclamation plans.

It is requested that the reclamation letter of credit is released to Sudler Family Partnership L.P.



Hillsborough
County Florida

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110
(813) 272-5600

**BOARD OF COUNTY
COMMISSIONERS**

Harry Cohen
Ken Hagan
Pat Kemp

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COUNTY ATTORNEY

Christine M. Beck

COUNTY INTERNAL AUDITOR

Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Date: September 16, 2022

To: Midge Dixon, BOCC Records

From: Lori Moreda, Engineering Associate, Land Excavation, DSD

Re: Operating permit and Legal Documents for Land Excavation 20-03-LE
Wiggins Rd/Charlie Taylor Rd/ Charlie Taylor West SU-20-0607

The following documents have been reviewed and approved by the County Attorney's Office, and are ready to be recorded:

1. Copy of the Operating Permit 20-03-LE
2. Irrevocable Letter of Credit No. OD22002927
3. Standby Letter of Credit no. OD22002927
4. Legal Description
5. Nematode Affidavit
6. License to Reclaim
7. Affidavit to Complete Reclamation – Corporate

Please retain with H.C. BOCC Records until such time they are approved for release or redemption.

813-274-6737

LMM



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Gregory S. Horwedel

Land Excavating Operating Permit 20-03-LE

SU-20-0607

Applicant: Charlie Taylor West, LLC
245 Green Village Rd Chatham, NJ 07928

Owner: Charlie Taylor West, LLC
245 Green Village Rd Chatham, NJ 07928

Folio: 90428.0000

Physical Location: 425 N. Wiggins Road Plant City, FL

Operating Permit Issuance Date: 2/14/22

Financial Security Instrument (LOC) Expiry Date: 3/15/25

Operating Permit Expiration Date: 2/14/24

HCFLGOV.NET

STANDARD CONDITIONS of OPERATING PERMIT

Permittee shall conduct all excavation and reclamation to be compliant with the approved site plans dated electronically 2-08-2022; as well as any other applicable Federal, State and local regulations not specifically mentioned herein. *LDC 8.01.02.B* Failure to comply with any condition of this operating permit 20-03-LE and SU-20-0607 may result in a temporary "stop work order" until the situation is resolved as determined by County staff. Permittee shall comply with all provisions of the Land Excavation Regulations as stated in Chapter 8 of the Land Development Code.

https://library.municode.com/fl/hillsborough_county/codes/land_development_code?nodeId=ARTVIII
O PST PT8.01.00LAEX

1. **LETTER OF CREDIT** is accepted as the financial security instrument in the amount of \$30,065.20 with an expiration date of 3/15/25 The financial security instrument shall extend a minimum of one (1) calendar year and one (1) month beyond the operating permit's expiration date. *LDC 8.01.03.E.2 & DRPM 4.1.10.D.1*
 - a. Staff will record and store this Letter of Credit with the Hillsborough County Clerk of the Circuit Court until such time it is released.
 - b. Permittee must request in writing the release of this financial security instrument after reclamation is complete.
 - c. A lapse in this instrument will result in permit revocation.
2. **GENERAL:** Any and all conditions stipulated and approved under SU 20-0607.
 - a. Duration of the excavation is not to exceed two (2) years from the operating permit date of issuance;
 - b. Excavation is not to exceed a depth as shown on approved plans;
 - c. The TOTAL excavated volume shall not to exceed 285,000 cubic yards of material-
3. **TRAFFIC SIGNAGE (private property):** Permittee shall install and maintain all required signage at their permitted ingress/egress point of their location and in the right-of-way:
 - a. Stop sign(s) according to approved plans (private property).
 - b. Trucks entering highway signage (in ROW).
4. **PERMIT POSTING:** Copies of the current operating permit shall be maintained and accessible to the general public, near the entrance gate, and stored in a weather-proof document box. *LDC 8.01.03.C.3*
5. **FENCING:** Entire site shall be fenced. SU-20-0607:
 - a. When no excavation related activities are occurring, the gates at the entrance shall be locked.
6. **DAYS/HOURS OF OPERATION:** 7:00 a.m. until 4:00 p.m. and shall be restricted to Monday through Friday with no operations on Saturday and Sunday or any County recognized holidays. Per SU SU-20-0607:
 - a. Land Excavation related activities as described as follows but are not limited to the following are **PROHIBITED** before, during, or after permitted days/hours of operations (above):
 - i. Excavation
 - ii. Reclamation
 - iii. Equipment Maintenance (or idling).
 - iv. Loading

- v. Hauling
- vi. Grading
- vii. Maintenance of Soil Tracking Device(s)
- viii. Jake / Engine Braking
- ix. Horn blowing
- x. Idling
- xi. Queuing, parking or staging of trucks and/or equipment by the permittee or its contractors or customers along the ROW on N. Wiggins Road.

7. **GENERAL PROHIBITIONS:** Disposal or storage of any type of material other than excavated materials associated with the land excavation permitted for this site at any time including the following:

- i. Hazardous substances of any type;
- ii. Vegetative materials (organic);
 - 1. Trees, brush, plants, wood
 - a. Any other discarded materials;
 - 1. Metal
 - 2. Construction Debris
 - 3. Plastics
 - 4. Animal Waste

8. **FUGITIVE DUST, SMOKE, NOISE & ROADWAY MAINTENANCE:** The land excavation operation shall be operated so that fugitive dust, mud, sand, rock, shell, dirt, and noise are minimized.

- a. Trucks must have tail gates latched and loads covered with a tarp before leaving the site.
- b. Land excavation operations shall not create a sound level which exceeds the limits established by the Environmental Protection Commission of Hillsborough County. *LDC 8.01.05.C* <https://www.epchc.org/divisions/air/noise-program>
- c. To control fugitive dust, frequent watering and/or sweeping of the internal haul road is mandatory. County roads must be swept and remain clear of debris, sand, mud, etc. *LDC 8.01.05.G.1*
 - i. Borrow pit staff shall keep North Wiggins Road clean and free of mud, clay, rock, shell, sand, and/or dirt at all time.
 - 1. This shall include frequent sweeping of North Wiggins Road.
 - i. The sweeping shall include frequent shoulder grading and/or cleaning to prevent berm creation that could cause water to pond on the roadway creating the decline of North Wiggins Road.
- d. Open burning associated with land excavation must be processed in accordance with the Rules of the Environmental Protection Commission of Hillsborough County Chapter 1-4 <https://www.epchc.org/divisions/air/open-burning>
- e. Dust and Smoke: The land excavation shall be operated in such a manner that fugitive dust is minimized. To minimize dust and to prevent the deposit of land excavation material on paved roads, trucks shall be covered with their tailgates securely latched. Dirt road segments of the designated haul route may require regular watering to minimize dust generated by hauling activities. <https://www.epchc.org/divisions/air>

- f. Provide the County staff annually (January 1st of each calendar year) with current PCI (pavement condition inspection) report of the public roadway specified in the section labeled **PARAMETERS OF RESPONSIBILITY "ii"** below.
 - i. Overall PCI rating, As of January 10, 2022 for Segment ID: 58031 with a segment PCI of 37;
 - 1. When the PCI falls ten (10) points below the previous year's rating, all land excavation and hauling shall cease, and the road shall be repaired and restored to its previous PCI rating.

- g. **REPORT ROADWAY DAMAGE(S) and/or ROADWAY & RIGHT-OF-WAY FAILURES** to the Development Services Division, Natural Resources, Land Excavation staff at 813-627-1300 immediately upon discovery. Any roadway failures, damages, etc., within the specified section labeled **PARAMETERS OF RESPONSIBILITY "ii"** below shall be reported immediately Natural Resources Land Excavation staff at the following email address:
Naturalresources@hillsboroughcounty.org

- i. Immediate action (within 24-hours) is required, by a private contractor, to repair/replace/restore the failed or damaged portion of the public roadway that was caused by any function or operation associated with this site.
- ii. **PARAMETERS OF RESPONSIBILITY:** permittee is responsible for maintaining, cleaning, clearing, and repairing 4200 linear feet of N. Wiggins Road.
- iii. The above required work shall be permitted and performed in accordance with current Hillsborough County roadway regulations and standards and shall be subject to inspection by County staff.
- i. Any damage and/or failure to any turn radii, edge of pavement, shoulder of roadway and entrance as a result of the above land excavation activities shall be repaired and re-sodded immediately. This shall include up to full lane milling and re-paving as the per distance requirements established in the H.C. Utility Accommodation and Right-of-way Use procedures manual. SU-20-0607

- 1. ALL repairs due to failures of N. Wiggins Road and its associated appurtenances (under-drain(s), roadway, roadbed, turn radii, edge of pavement shoulder and/or right-of-way) shall be completed within a 24-hour period of the discovered damage. SU-20-0607

9. **EXCAVATION / DEPTH OF EXCAVATION / ENVIRONMENTAL TESTING:**

- a. EXCAVATION shall not exceed the depth(s) shown on the approved site plans and in a cell-by-cell or phased plan with no clearing across the entire site at one time.
 - i. No excavating of the confining clay layer. *LDC 8.01.05.B.*
- b. If the County has reason to suspect the excavation or any of its associated activities are negatively impacting groundwater or surface waters, or is causing flooding to occur, excavation shall cease immediately. Followed by required environmental testing requested by the County.
 - i. The permittee shall be responsible for bearing all costs associated with performing and reporting any County those required environmental tests.

- c. When excavation activities cease for a period of 90 calendar days, reclamation of the area shall begin immediately and continue until excavation resumes or reclamation is complete.
 - i. Site perimeter slopes shall be at a ratio of 4:1 from the top of bank to six (6) feet below the estimated natural water level, then continue at a ratio of 2:1 (slope) to the bottom of the excavation.
 - 1. Side slopes shall not be over-cut/excavated and backfilled.
 - 2. The depth of the excavation shall not exceed the depth shown on the approved site plan.
10. **STAKING OF AREA FOR EXCAVATION:** Prior to excavation, the perimeter of the land excavation project shall be adequately staked to delineate the excavation. These stakes shall be maintained throughout the duration of excavation and reclamation.
- a. In the event limestone is encountered, all land excavation activities shall cease until the H.C. DSD staff and the H.C. Environmental Protection Commission (EPC) staff have been notified. DSD staff shall determine proper capping of the limestone.
11. **EROSION & DISCHARGE OF TURBID WATERS & WETLANDS:** All efforts must be undertaken to prevent any erosion or turbid water from being discharged offsite into wetlands and/or waters of the County. Turbid discharges that exceed 29 NTU's (Nephelometric Turbidity Units) above background levels are a violation pursuant to Chapter 1-5, the EPC Water Quality Rule. The erosion or discharge of sediments into wetlands is a violation of Chapter 1-11, the EPC Wetland Rule. Silt screens or other methods of erosion/turbidity control may be required. It is the responsibility of the owner/developer to insure the installation of adequate erosion control barriers prior to the commencement of any site work. These erosion control devices must be maintained in good condition throughout the construction process and until all loose soils have stabilized. It is strongly recommended that all erosion control devices be regularly inspected during construction and modified if conditions warrant.
- a. Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, Rules of the Commission, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and Chapter 1-11, Regulations of the EPC.
<https://www.epchc.org/divisions/wetlands>
 - b. Any discharge other than stormwater into the County's municipal stormwater system, or the waters of the United States that does not meet exemption standards of Sec. 6-1 of the HC Storm Water Quality Management Ordinance 94-15, is considered an illicit connection or discharge and is prohibited.
 - b. Notice of Intent (NOI) shall be submitted to the NPDES Stormwater Notices Center and copies must be provided to the Administrator (DSD) for recordkeeping. FDEP NPDES Notices Center 2600 Blair Stone Road Tallahassee FL 32399-2400
12. **HAUL ROUTE:** Trucks will exit the site 425 N. Wiggins Road and drive across both lanes of N. Wiggins Road in to the east side of 621 Charlie Taylor Road Plant City, FL.

- a. It shall be the responsibility of the Permittee to ensure compliance with the permitted haul route. Non-compliance by truck traffic shall be subject to enforcement actions and penalties set forth in *LDC 11.06.00* up to and including revocation of this operating permit.
- b. If requested by the County, the Permittee shall be responsible for securing the services of an off-duty Sheriff's Deputy, at the Permittee's expense, to patrol for compliance with County's Transportation Truck Route dated 1/20/05 and the State Florida's motor vehicle laws for trucks.

<https://www.hillsboroughcounty.org/library/hillsborough/media-center/documents/development-services/land-development/resource-maps/trans-truck-route.pdf>

13. **SITE SECURITY:** Site is limited to One (1) single access point (for ingress/egress):

The site shall be secured with a fence and locking gates to prevent unauthorized access to the excavation. All points of access shall be secured and locked when no excavation activity is occurring.

14. **SITE INSPECTION & QUARTERLY LAND EXCAVATION INSPECTION FEES:** The quarterly inspection fees shall be paid no later than 30-days after the end of each quarter. *R-19-079** Each quarter the permittee shall also submit to the Administrator a signed, dated, notarized document (that will be provided to the permit holder) indicating the number of cubic yards of materials excavated during that quarter then calculate the fee owed by multiplying the cubic yards by the figure of \$0.04 cents* per cubic yard. This quarterly inspection fee shall continue until the land excavation ceases.

January, February March	DUE: April 30
April, May, June	DUE: July 31
July, August, September	DUE: October 31
October, November, December	DUE: January 31

The Administrator shall have the right to inspect the lands affected by this division. Permitted land excavations shall be inspected to ensure compliance with this division and all conditions of the permit. Inspections shall be performed at least quarterly. Advance notice of inspections shall not be required, however, upon arrival the inspector shall attempt to contact operating personnel. *LDC 8.01.03.H*

15. **EPC Wetlands review requires the following:**

- a. No adverse impacts to the adjacent wetlands.
- b. Copies of all environmental monitoring reports are to be sent to EPC Wetlands including piezometer data for water level monitoring.

COMPLETION OF EXCAVATION PROJECT

The accepted reclamation instrument (the letter of credit) in the amount of \$30,065.20 shall be considered for release by the Board of County Commissioners when the DSD has determined the reclamation plan has been satisfactorily completed.

DSD staff will conduct a field verification that the site reclamation is consistent with the approved reclamation plans dated electronically 2-08-2022.

A topographical survey is required at completion of excavation project with volume calculations.

Any and all applicable excavation inspect fees shall be reconciled based on the topographical survey volume calculations as compared to fees paid over the lifetime of the project for SU-20-0607
At the completion of the project, and before the release of the financial security bond, a post-construction inspection shall be conducted by appropriate Public Works staff of the roadway to determine what, if any repairs are to be made the haul route.

ALL LAND EXCAVATION ACTIVITIES AND OPERATING PERMIT INQUIRIES SHOULD BE DIRECTED TO:

Lori Moreda, Engineering Associate

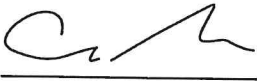
Natural Resources Department

Development Services Division

813-274-6737 (office)

813-944-7741 (mobile)

813-272-5149 (fax)



Carrie Moore, Natural Resources Manager

Natural Resources Department

Development Services Division

2/14/2022

Date



Original

Date: February 11, 2022

Hillsborough County
A Political subdivision of the State of Florida
Attn: Hillsborough County BOCC
601 E. Kennedy Blvd.
Tampa, FL 33602

Re: Our Irrevocable Letter of Credit No. OD22002927
Beneficiary: Hillsborough County
Letter of Credit Amount: US\$30,065.20
Applicant: Sudler Family Partnership, L.P.

Please be advised that Valley National Bank's Irrevocable Letter of Credit Number OD22002927 issued in your favor at the request of Sudler Family Partnership, L.P. (Applicant) is amended as follows:

1. Under Item 1, Land Excavation Operating Permit Number 29-03LE is hereby deleted and replaced with "Land Excavation Operating Permit Number 20-03LE".
2. Expiration Date of Letter of Credit reading: "February 15, 2024" is hereby deleted and replaced with "March 15, 2025".

All other terms and conditions remain unchanged.

Very truly yours,

Name: Ronald Bargiel
Title: First Vice President

APPROVED BY THE COUNTY ATTORNEY

BY
Approved As To Form And Legal
Sufficiency.

International Department
Standby Letter of Credit Section
P: 212-253-4901 • 212-253-5065
F: 212-254-0573 • 212-254-0715
924 Broadway, 4th Floor
New York, NY 10010



Original

February 8, 2022

**VALLEY NATIONAL BANK IRREVOCABLE
STANDBY LETTER OF CREDIT NUMBER: OD22002927**

To: Beneficiary

Name: Hillsborough County, a political subdivision
of the State of Florida
Attn: Hillsborough County BOCC
Address: 601 E. Kennedy Blvd.
Tampa, FL 33602

Applicant

Name: Sudler Family Partnership, L.P.
Address: c/o Sudler Management
245 Green Village Road
Chatham, NJ 07928

Amount: U.S. \$30,065.20 (United States Dollars Thirty Thousand Sixty Five and 20/100)

Expiration Date: February 15, 2024 at our counters at 924 Broadway, 4th Floor, New York, NY 10010

We hereby establish our irrevocable, standby letter of credit in your favor which is available with us at our office indicated herein by sight payment. It is available against presentation of beneficiary's draft(s) drawn on us at sight, accompanied by the following documents:

1. A written statement purportedly signed by an authorized representative of Hillsborough County Development Services Department marked "Original", reading: "The undersigned, an authorized representative of Hillsborough County Development Services Department, hereby certifies that the amount of the present drawing under Irrevocable Standby Letter of Credit No. OD22002927, issued by Valley National Bank represents the amount due and payable by Sudler Family Partnership, L.P. to Hillsborough County as Charlie Taylor West, LLC failed to complete reclamation pursuant to the Hillsborough County Land Development Code, Land Excavation Regulations, and Land Excavation Operating Permit Number 29-03LE and SU Permit Number SU-20-0607."
2. This original of this letter of credit including any and all original amendments thereto.

Partial and multiple drawings are permitted.

It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for an additional period of one (1) year from the present or any future expiration date unless at least ninety (90) days prior to any such date we send notice in writing by certified mail or overnight courier service to you at the addresses set forth herein that we elect not to extend the expiration date of this letter of credit for any such additional period. This Letter of Credit must at all times have an expiration date that is at a minimum one (1) year and one (1) day in the future. Upon such notice, drawing(s) here under may be made by means of draft(s) drawn on us at sight as required above for up to the balance then available under this letter of credit within the then applicable expiry date without the written statements referred to above.

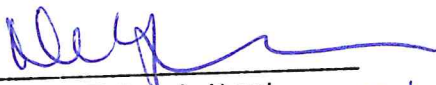
All drafts must be marked as "Drawn under Valley National Bank Irrevocable Standby Letter of Credit No. OD22002927 dated February 8, 2022.

This letter of credit sets forth in full our undertaking, and such undertaking shall not in any way be modified, amended, amplified or limited by reference to any document, instrument or agreement referred to herein and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement, except as set forth herein.

We hereby agree with the drawers, endorsers, and bona fide holder of draft(s) drawn under and negotiated in compliance with the terms of this letter of credit shall be duly honored upon due presentation to us.

This letter of credit is subject to Uniform Customs and Practice for Documentary Credits (2007 Revision) International Chamber of Commerce Publication No. 600, and any subsequent revisions thereof approved by a congress of the International Chamber of Commerce and adhered to by us, and shall be governed by the laws of the State of Florida.

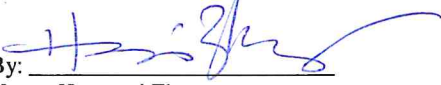
APPROVED BY THE COUNTY ATTORNEY

BY 
Approved As To Form And Legal

Signature

Very truly yours,

VALLEY NATIONAL BANK

By: 
Name: Hongmei Zhang
Title: Assistant Vice President

International
Standby Letter of Credit Section
P: 212-253-4901 • 212-253-5065
F: 212-254-0573 • 212-254-0715
924 Broadway, 4th Floor
New York, NY 10010

EXHIBIT "A"

The Northeast 1/4 of the Southwest 1/4 of Section 24, Township 28 South, Range 22 East, lying and being in Hillsborough County, Florida.



Hillsborough County Florida

Nematode Affidavit

Land Excavation Operating Permit # 20-03LE

I, Peter Sudler the duly authorized representative of Charlie Taylor West, LLC [business name or n/a for individual owner], and being first duly sworn, certify that the removed soils will not be used within one hundred (100) feet of a commercial citrus grove, citrus nursery, or any nursery site approved for producing burrowing nematode certified stock without the prior approval of the Division of Plant Industry or certification that the soils are free of burrowing nematode. I acknowledge that this is required by Chapter 5B-62,021, Florida Administrative Code.

Signed this 18th day of November, 2021

Signature of Owner/Signature of Applicant

Peter Sudler

Printed Name of Signer

Manager

Title of Signer

Charlie Taylor West, LLC

Name of Permit Holder [entity name where applicable]

ACKNOWLEDGMENT

STATE OF New Jersey

COUNTY OF Morris

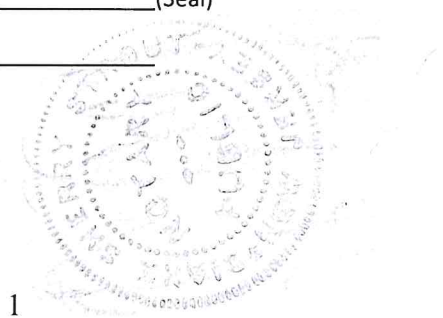
The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 18th day of November, 2021, by Peter D Sudler [name] Manager [title] of Charlie Taylor West, LLC [name of entity], on behalf of the LLC (type of business entity). He and/or she is personally known to me or has produced _____ (type of identification) as identification and did (did not) take an oath.

NOTARY PUBLIC:

Sign: Diane Sherry Strout (Seal)

Print: _____

DIANE SHERRY STROUT
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 6/17/2026



APPROVED BY THE COUNTY ATTORNEY

BY [Signature]
Approved As To Form And Legal Sufficiency.



Hillsborough
County Florida

License to Reclaim

Land Excavation Permit No. 20-03 LE

This AGREEMENT made and entered into this 18th day of November, 2021 by and between Charlie Taylor West, LLC hereinafter referred to as "Licensor" and the BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "Licensee".

WHEREAS, Licensor has applied for a land excavation permit, pursuant to the Hillsborough County Land Development Code, Ordinance 92-5, as amended (hereinafter the "Code"), for the purpose of excavating and hauling soil or other from property owned by the Licensor in Hillsborough County; and

WHEREAS, the Code requires Licensor to complete the reclamation plan for the land excavation pursuant to the terms of the Code and the land excavation permit for the protection of the public health, safety, and welfare; and

WHEREAS, Licensor has indicated its willingness to permit the Licensee to enter upon the land excavation site to complete the necessary reclamation in the event Licensor fails to do so.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES CONTAINED HEREIN AND OTHER VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, THE PARTIES AGREE AS FOLLOWS:

Section 1: The Recitals above are true, correct, and are incorporated herein by this reference.

Section 2: Licensor hereby grants to Licensee its agents and employees, the right to enter on the property described in section 3 below, for the purpose of completing the reclamation work required by the Code and land excavation permit # 20-03 LE when such entry is deemed to be necessary by the Licensee due to the failure of the Licensor to perform the necessary reclamation.

Section 3: The land affected by the License is owned by Licensor and is located in Hillsborough County, Florida, as more specifically described as follows:

Folio # 090428.0000

Legal Description: SEE ATTACHED

Section 4: This License is irrevocable by the Licensor and shall be terminated only upon Certification by the Licensee that the reclamation work required by the Code and land excavation permit # 20-03 LE, has been satisfactorily completed.

Section 5: Any additions or supplements to this License shall be in writing and executed the parties.

Section 6: Each party represents to the other that the party has the authority under all applicable law to enter into an agreement containing such covenants and provisions as are contained in this Agreement, that all of the procedural requirements imposed by law upon each part for the approval and authorization of the Agreement have been properly completed, and that the persons who have entered this Agreement on behalf of each party are the authorized officers of the party, empowered to execute said Agreement.

Section 7: Nothing in this Agreement shall be deemed to be a waiver of the Licensee's sovereign immunity or the limitations of liability or recovery contained in Section 768.28, Florida Statutes or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the doctrine of sovereign immunity or operation of law.



Hillsborough County Florida

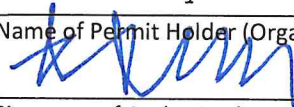
Affidavit to Complete Reclamation - Corporate

(for multiple owners, each owner must complete a separate affidavit)

I, Peter Sudler ("Authorized Representative"), being first duly sworn, state and affirm:

1. I affirm that I am the Manager [title] and the duly authorized representative of Charlie Taylor West, LLC [business name] (the "Permit Holder"), and that I possess the legal authority to make this Affidavit on behalf of myself and the Permit Holder.
2. The Permit Holder is the owner of the property located at 425 N. Wiggins Road, Folio 090428.0000 [address and folio] (the "Property").
3. The Property is subject to the conditions of the Land Excavation Operating Permit # 20-03 (the "Permit").
4. I further acknowledge and affirm that the Permit Holder will complete the reclamation of the Property within the time frame and in the manner required by the Hillsborough County-approved reclamation plans for the Property, by the Permit, and by Hillsborough County Land Development Code, Ord. 92-05, as amended.

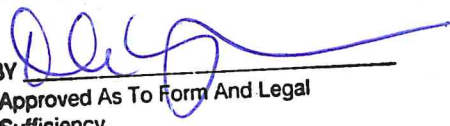
Signed this 18th day of November, 2021.

Charlie Taylor West, LLC
 Name of Permit Holder (Organization Name)

 Signature of Authorized Representative
Peter Sudler
 Printed name of Authorized Representative

ACKNOWLEDGMENT (CORPORATE)

STATE OF New Jersey
 COUNTY OF Morris

APPROVED BY THE COUNTY ATTORNEY

BY 
 Approved As To Form And Legal Sufficiency.

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 18th day of November, 2021, by Peter D Sudler [name] Manager [title] of Charlie Taylor West, LLC [name of entity], on behalf of the LLC (type of business entity). He and/or she is personally known to me or has produced _____ (type of identification) as identification and did (did not) take an oath.

NOTARY PUBLIC:

Sign: Diane Sherry Strout (Seal)
 Print: _____



IN WITNESS THEREOF, the parties, by and through their respective duly authorized representatives, have executed this License on the day, month, and year first above written.

[Signature]

[Signature]

Witness
LARRY SCHIFFMAN

Owner/Licensor
Peter Sudler

Printed Name of Witness
Allen Cohen

Printed Name of Owner/Licensor
Manager

Witness
Allen Cohen

Title
Charlie Taylor West, LLC

Printed Name of Witness

Printed Name of Corporation, Partnership or Trust
P.O. Box 39, Chatham, NJ 07928

Address of Owner/Licensor

ACKNOWLEDGMENT

STATE OF New Jersey

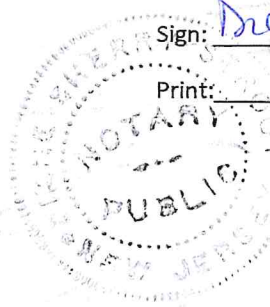
COUNTY OF Morris

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NOTARY PUBLIC:

Sign: Diane Sherry Strout (Seal)

Print: _____



DIANE SHERRY STROUT
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 8/17/2026

Hillsborough County Board of County Commissioners

Chair

Attest: Cindy Stuart, Clerk of the Circuit Court

By: _____

Deputy Clerk

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY

BY: [Signature] Assistant County Attorney

Final Site Inspection for Compliance with Operating permit 20-03-LE

Physical Address: 425 N. Wiggins Rd Land Excavation

SU20-0607

Date of Inspection: August 8, 2023

Inspection conducted by: Lori Moreda, Engineering Associate

Narrative: Site was approved to remove 285,000 cubic yards for a development project directly across N. Wiggins Road. Duration was for two (2) years. Project has concluded.



Site was inspected against approved reclamation plan and was found to be in compliance. All required plantings above the bank and in the required littoral shelf are compliant.

Topographical survey reflects the permit (code) required banks and slopes were/are finished compliant with the permit/code. The required littoral shelf was created and planted per plan.



Crossing Wiggins Rd to

Construction Project

Wiggins Rd North bound

Wiggins Road South bound

Recommendation: Release of Letter or Irrevocable Credit: OD22002927 from Valley to SUDLER FAMILY PARTNERSHIP L.P.