

By Representative Wiles

1                                   A bill to be entitled  
2           An act relating to Flagler Estates Road and  
3           Water Control District, St. Johns and Flagler  
4           Counties, created under chapter 298, Florida  
5           Statutes; reenacting by codified charter all  
6           special acts for the district relating to the  
7           creation, organization, authority, landowners'  
8           meeting quorum, notification of landowners'  
9           meeting, and boundaries of the road and water  
10          control district; providing for the subsequent  
11          repeal of all individual special acts  
12          pertaining to the district including chapters  
13          81-481, 82-294, 83-509, 87-502, and 89-505,  
14          Laws of Florida, and in furtherance of the  
15          purposes and intent of chapter 298, Florida  
16          Statutes, to include substantive changes to  
17          clarify the powers and duties of the district  
18          by defining the road authority; authorizing the  
19          district to make its surplus real property  
20          available to the public for passive use;  
21          permitting the district to enter into lease or  
22          interlocal agreements with other governmental  
23          entities for the operation and/or maintenance  
24          of such passive use areas within the district  
25          boundaries; providing an effective date.

26  
27 Be It Enacted by the Legislature of the State of Florida:

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29           Section 1. This is the Codified Charter for Flagler  
30 Estates Road and Water Control District, that consolidates the  
31 Final Judgment Incorporating the district, and a subsequent

1 Circuit Court Order extending boundaries, with all special  
2 acts of the district, and further clarifies the powers and  
3 duties of the district.

4           Section 2. Flagler Estates Road and Water Control  
5 District originally was named "Sixteen Mile Creek Water  
6 Control District" when it was created as a public corporation  
7 by Final Judgment of the Seventh Judicial Circuit Court, St.  
8 Johns County, Florida, on June 4, 1971, as recorded in O.R.  
9 194, page 344, Public Records of St. Johns County, Florida, in  
10 Case # 2154.

11           Section 3. Chapters 81-481, 82-294, 83-509, 87-502,  
12 and 89-505, Laws of Florida are codified, reenacted, amended,  
13 and repealed as herein provided.

14           Section 4. The Flagler Estates Road and Water Control  
15 District is recreated and reenacted to read:

16           Section 1. Powers and authority.--The drainage  
17 district originally was empowered to accept and maintain  
18 drainage improvements already in existence and to operate  
19 pursuant to the general drainage laws of chapter 298, Florida  
20 Statutes. In addition to the powers provided for in chapter  
21 298, Florida Statutes, in 1981 the district was granted the  
22 power to maintain roadways and roads necessary and convenient  
23 for the exercise of the powers or duties or any of the powers  
24 or duties of said district; and in furtherance of the purposes  
25 and intent of chapter 298, Florida Statutes, to maintain  
26 streets, roadways, and roads necessary and convenient to  
27 provide access to and efficient development of areas made  
28 suitable and available for cultivation and settlement, urban  
29 and suburban, and other beneficial use and development as a  
30 result of the drainage, irrigation, and reclamation operations  
31 of the district for the lands only within the boundaries of

1 the district situated in St. Johns County. This road authority  
2 geographically was expanded in 1982 to include the lands  
3 within the boundaries of the district situated in Flagler  
4 County as well as a component of the district's road  
5 maintenance authority within the district boundaries. This  
6 authority is hereby specified to include, but not be limited  
7 to, street lighting, road striping, reconstruction, and any  
8 other safety features or improvements customary to a modern  
9 road system. Surplus real property owned by the district can  
10 be made available to the public for passive use and the  
11 district is authorized to enter into lease or interlocal  
12 agreements with other governmental entities for the operation  
13 and/or maintenance of such passive use areas within the  
14 district boundaries.

15 Section 2. Landowners' meeting; quorum and  
16 notification of landowners' meeting.--A quorum for the  
17 landowners' meeting is the owners of land in the district  
18 present in person or voting by proxy for the purpose of  
19 holding elections and voting on any matters that may come  
20 properly before the meetings. Landowners must be notified by  
21 first class mail of a landowners' meeting.

22 Section 3. Boundaries.--The district boundaries  
23 originally were established in the Final Judgment  
24 Incorporating the Drainage District by the Seventh Judicial  
25 Circuit Court, St. Johns County, Florida, on June 4, 1971, as  
26 recorded in O.R. 194, page 344, Public Records of St. Johns  
27 County, Florida, in Case # 2154 and as subsequently extended  
28 by Order of the Seventh Judicial Circuit Court, St. Johns  
29 County, Florida, on August 16, 1972, as recorded in O.R. 194,  
30 page 344, and O.R. 224, page 26, Public Records of St. Johns  
31 County, Florida, in Case # 2154. Several Special Acts further

1 adjusted the district boundaries. Section 2 of chapter 81-481,  
2 Laws of Florida, extended district boundaries into St. Johns  
3 County; section 3 of chapter 81-481, Laws of Florida, removed  
4 lands from Hastings Drainage District; section 2 of chapter  
5 82-294, Laws of Florida, extended district boundaries in  
6 Flagler County; and chapter 89-505, Laws of Florida, reduced  
7 the size of the district in St. Johns County. The consolidated  
8 legal description of the boundaries of the district is:

9  
10 THAT PORTION OF TOWNSHIP 10 SOUTH, RANGE 28  
11 EAST, LYING AND BEING IN ST. JOHNS AND FLAGLER  
12 COUNTIES, FLORIDA, DESCRIBED AS FOLLOWS:

13  
14 BEGIN AT THE NORTHEAST CORNER OF SAID TOWNSHIP  
15 10 SOUTH, RANGE 28 EAST; THENCE RUN SOUTHERLY  
16 ALONG THE EAST LINE OF SAID TOWNSHIP 10 SOUTH,  
17 RANGE 28 EAST TO THE SOUTHEAST CORNER OF  
18 SECTION 24; THENCE RUN WESTERLY ALONG THE SOUTH  
19 LINE OF SAID SECTION 24 TO THE NORTHEAST CORNER  
20 OF SECTION 26; THENCE RUN SOUTHERLY ALONG THE  
21 EAST LINE OF SAID SECTION 26 TO THE NORTHERLY  
22 RIGHT OF WAY LINE OF THE FLORIDA EAST COAST  
23 RAILROAD; THENCE RUN NORTHWESTERLY ALONG SAID  
24 NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST  
25 COAST RAILROAD TO THE SOUTH LINE OF SECTION 22;  
26 THENCE RUN WESTERLY ALONG THE SAID SOUTH LINE  
27 OF SECTION 22 TO THE SOUTHWEST CORNER THEREOF;  
28 THENCE RUN NORTHERLY ALONG THE WEST LINE OF  
29 SAID SECTION 22 TO THE SAID NORTHERLY RIGHT OF  
30 WAY LINE OF THE FLORIDA EAST COAST RAILROAD;  
31 THENCE RUN NORTHWESTERLY ALONG THE SAID

1 NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST  
2 COAST RAILROAD TO THE WEST LINE OF THE EAST 1/2  
3 OF THE NORTHWEST 1/4 OF SECTION 21; THENCE RUN  
4 NORTHERLY ALONG THE SAID WEST LINE OF THE EAST  
5 1/2 OF THE NORTHWEST 1/4 TO THE SOUTH LINE OF  
6 SECTION 16; THENCE RUN WESTERLY ALONG THE SAID  
7 SOUTH LINE OF SECTION 16 TO THE SOUTHEAST  
8 CORNER OF SECTION 17; THENCE RUN WESTERLY ALONG  
9 THE SOUTH LINE OF SAID SECTION 17 TO THE  
10 SOUTHWEST CORNER OF THE EAST 1/4 OF SAID  
11 SECTION 17; THENCE RUN NORTHERLY ALONG THE WEST  
12 LINE OF THE EAST 1/4 OF SAID SECTION 17 AND  
13 ALONG THE WEST LINE OF THE EAST 1/4 OF SECTION  
14 8 TO THE NORTH LINE OF SAID SECTION 8; THENCE  
15 RUN EASTERLY ALONG THE NORTH LINE OF SAID  
16 SECTION 8 AND ALONG THE NORTH LINE OF SECTION 9  
17 TO THE SOUTHWEST CORNER OF SECTION 3; THENCE  
18 RUN NORTHERLY ALONG THE WEST LINE OF SAID  
19 SECTION 3 TO THE NORTHWEST CORNER OF U.S.  
20 GOVERNMENT LOT 3 OF SAID SECTION 3; THENCE RUN  
21 EASTERLY ALONG THE NORTH LINES OF U.S.  
22 GOVERNMENT LOTS 3 AND 4 OF SAID SECTION 3 TO  
23 THE NORTHEAST CORNER OF SAID LOT 4; THENCE RUN  
24 S 0°12'38" E FOR A DISTANCE OF 12.54 FEET;  
25 THENCE RUN 88°27'38" E FOR A DISTANCE OF 363.00  
26 FEET; THENCE RUN N 5°12'38" W FOR A DISTANCE OF  
27 458 FEET, MORE OR LESS, TO THE SOUTHERLY LINE  
28 OF THE GEO. I.F. CLARKE GRANT, SECTION 37;  
29 THENCE RUN EASTERLY ALONG SAID SOUTHERLY LINE  
30 OF THE GEO. I.F. CLARKE GRANT TO THE RUN OF  
31 DEEP CREEK; THENCE RUN NORTHERLY DOWN THE RUN

1       OF SAID DEEP CREEK TO THE NORTH LINE OF  
2       TOWNSHIP 10 SOUTH, RANGE 28 EAST; THENCE RUN  
3       EASTERLY ALONG THE SAID NORTH LINE OF TOWNSHIP  
4       10 SOUTH, RANGE 28 EAST TO THE POINT OF  
5       BEGINNING.  
6  
7       ALSO THE CANAL 5A, DESCRIBED AS FOLLOWS:  
8  
9       A STRIP OF LAND 60 FEET IN WIDTH BEING A  
10      PORTION OF THE GEO. I.F. CLARKE GRANT, LYING  
11      AND BEING IN SECTION 38, TOWNSHIP 9 SOUTH,  
12      RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, SAID  
13      STRIP LYING 30.00 FEET ON EACH SIDE OF AND  
14      CONTIGUOUS WITH THE FOLLOWING DESCRIBED  
15      CENTERLINE:  
16  
17      COMMENCE AT THE SOUTHWEST CORNER OF SAID  
18      SECTION 38; THENCE RUN S 87°12'24" E, ALONG THE  
19      SOUTH LINE OF SAID SECTION 38, FOR 30.01 FEET  
20      TO THE POINT OF BEGINNING OF THE FOLLOWING  
21      DESCRIBED CENTERLINE; THENCE RUN N 04°18'32" E,  
22      ALONG A LINE PARALLEL WITH AND 30.00 FEET  
23      EASTERLY OF THE WEST LINE OF SAID SECTION 38,  
24      FOR 2261.05 FEET; THENCE RUN N 54°03'48" E FOR  
25      1118.15 FEET; THENCE RUN N 00°38'15" E FOR  
26      395.40 FEET; THENCE RUN N 69°33'35" E FOR  
27      236.03 FEET TO A POINT OF TERMINATION BEING ON  
28      THE WESTERLY LINE OF THE SIXTEEN MILE CREEK  
29      CANAL FOREBAY, AS DESCRIBED IN OFFICIAL RECORDS  
30      BOOK 224 AT PAGES 31 AND 32 OF THE PUBLIC  
31      RECORDS OF ST. JOHNS COUNTY, FLORIDA.

1  
2           CONTAINING 5.524 ACRES, MORE OR LESS.

3  
4           AND ALSO A 50 FOOT ROAD RIGHT OF WAY, DESCRIBED  
5           AS FOLLOWS:

6  
7           BEING PORTIONS OF SECTION 37, TOWNSHIP 10  
8           SOUTH, RANGE 28 EAST, AND SECTION 38, TOWNSHIP  
9           9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY,  
10          FLORIDA, AND BEING MORE FULLY DESCRIBED AS  
11          FOLLOWS:

12  
13          COMMENCE AT THE SOUTHWEST CORNER OF SAID  
14          SECTION 37; THENCE S 85°45'20" E ALONG THE  
15          SOUTHERLY LINE OF SAID SECTION 37 FOR 569.19  
16          FEET TO THE SW CORNER OF PARCEL ONE, ACCORDING  
17          TO DEED BOOK 136, PAGE 63 OF THE PUBLIC RECORDS  
18          OF ST. JOHNS COUNTY, FLORIDA; THENCE S  
19          84°01'14" E ALONG THE SOUTHERLY LINE OF SAID  
20          PARCEL ONE AND THE EASTERLY PROLONGATION  
21          THEREOF FOR 1675.34 FEET TO THE NORTHEAST  
22          CORNER OF PARCEL 4, ACCORDING TO DEED BOOK 136,  
23          PAGE 64 OF THE PUBLIC RECORDS OF ST. JOHNS  
24          COUNTY, FLORIDA; THENCE S 85°12'38" E ALONG THE  
25          SOUTHERLY LINE OF SAID SECTION 37 FOR 300.00  
26          FEET TO THE POINT OF BEGINNING OF THE  
27          HEREINAFTER DESCRIBED 50.00 FOOT ROAD RIGHT OF  
28          WAY; THE FOLLOWING EIGHT (8) COURSES BEING  
29          ALONG THE CENTERLINE OF THE 50.00 FOOT ROAD  
30          RIGHT OF WAY; (1) THENCE N 02°30'00" E FOR  
31          180.00 FEET TO A POINT OF CURVATURE; (2) THENCE

1 NORTHWESTERLY ALONG A 100.00 FOOT RADIUS CURVE  
2 LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF  
3 87°30'00" FOR AN ARC OF 152.72 FEET TO A POINT  
4 OF TANGENCY; (3) THENCE N 85°00'00" W FOR  
5 700.00 FEET; (4) THENCE N 89°45'00" W, FOR  
6 290.00 FEET TO A POINT OF CURVATURE; (5) THENCE  
7 NORTHERLY ALONG A 100.00 FOOT RADIUS CURVE  
8 LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF  
9 79°15'00" FOR AN ARC OF 138.32 FEET TO A POINT  
10 OF TANGENCY; (6) THENCE N 10°30'00" W FOR  
11 515.00 FEET TO A POINT OF CURVATURE; (7) THENCE  
12 NORTHWESTERLY ALONG A 100.00 FOOT RADIUS CURVE  
13 LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF  
14 37°00'00' FOR AN ARC OF 64.58 FEET TO A POINT  
15 OF TANGENCY; (8) THENCE N 47°30'00" W FOR 120  
16 FEET MORE OR LESS TO A POINT ON THE CENTERLINE  
17 OF AN EXISTING COUNTY ROAD, SAID POINT BEING  
18 ALSO THE POINT OF TERMINATION OF SAID 50 FOOT  
19 ROAD RIGHT OF WAY. THE SIDE LINES OF THE ABOVE  
20 DESCRIBED 50.00 FOOT WIDE ROAD RIGHT OF WAY ARE  
21 TO BE LENGTHENED OR SHORTENED AS MAY BE  
22 NECESSARY TO MAINTAIN A 50.00 FOOT RIGHT OF WAY  
23 ALONG THE DESCRIBED CENTERLINE.

24  
25 ALL LYING AND BEING IN ST. JOHNS COUNTY,  
26 FLORIDA, AND CONTAINING 2.5 ACRES.

27  
28 Section 5. Except as specifically reenacted herein,  
29 chapters 81-481, 82-294, 83-509, 87-502, and 89-505, Laws of  
30 Florida, are hereby repealed.

31



1           Section 6. This act shall take effect upon becoming a  
2 law.  
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