

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

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28 Be It Enacted by the Legislature of the State of Florida:

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30 Section 1. This is the Codified Charter for Flagler
31 Estates Road and Water Control District, an independent

1 special district, that consolidates the Final Judgment
2 Incorporating the district, and a subsequent Circuit Court
3 Order extending boundaries, with all special acts of the
4 district, and further clarifies the powers and duties of the
5 district.

6 Section 2. Flagler Estates Road and Water Control
7 District originally was named "Sixteen Mile Creek Water
8 Control District" when it was created as a public corporation
9 by Final Judgment of the Seventh Judicial Circuit Court, St.
10 Johns County, Florida, on June 4, 1971, as recorded in O.R.
11 194, page 344, Public Records of St. Johns County, Florida, in
12 Case # 2154.

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15 and repealed as herein provided.

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

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

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

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

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

1 page 344, and O.R. 224, page 26, Public Records of St. Johns
2 County, Florida, in Case # 2154. Several Special Acts further
3 adjusted the district boundaries. Section 2 of chapter 81-481,
4 Laws of Florida, extended district boundaries into St. Johns
5 County; section 3 of chapter 81-481, Laws of Florida, removed
6 lands from Hastings Drainage District; section 2 of chapter
7 82-294, Laws of Florida, extended district boundaries in
8 Flagler County; and chapter 89-505, Laws of Florida, reduced
9 the size of the district in St. Johns County. The consolidated
10 legal description of the boundaries of the district is:

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

BEGIN AT THE NORTHEAST CORNER OF SAID TOWNSHIP
10 SOUTH, RANGE 28 EAST; THENCE RUN SOUTHERLY
ALONG THE EAST LINE OF SAID TOWNSHIP 10 SOUTH,
RANGE 28 EAST TO THE SOUTHEAST CORNER OF
SECTION 24; THENCE RUN WESTERLY ALONG THE SOUTH
LINE OF SAID SECTION 24 TO THE NORTHEAST CORNER
OF SECTION 26; THENCE RUN SOUTHERLY ALONG THE
EAST LINE OF SAID SECTION 26 TO THE NORTHERLY
RIGHT OF WAY LINE OF THE FLORIDA EAST COAST
RAILROAD; THENCE RUN NORTHWESTERLY ALONG SAID
NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST
COAST RAILROAD TO THE SOUTH LINE OF SECTION 22;
THENCE RUN WESTERLY ALONG THE SAID SOUTH LINE
OF SECTION 22 TO THE SOUTHWEST CORNER THEREOF;
THENCE RUN NORTHERLY ALONG THE WEST LINE OF
SAID SECTION 22 TO THE SAID NORTHERLY RIGHT OF

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

1 OF THE GEO. I.F. CLARKE GRANT TO THE RUN OF
2 DEEP CREEK; THENCE RUN NORTHERLY DOWN THE RUN
3 OF SAID DEEP CREEK TO THE NORTH LINE OF
4 TOWNSHIP 10 SOUTH, RANGE 28 EAST; THENCE RUN
5 EASTERLY ALONG THE SAID NORTH LINE OF TOWNSHIP
6 10 SOUTH, RANGE 28 EAST TO THE POINT OF
7 BEGINNING.

8
9 ALSO THE CANAL 5A, DESCRIBED AS FOLLOWS:

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11 A STRIP OF LAND 60 FEET IN WIDTH BEING A
12 PORTION OF THE GEO. I.F. CLARKE GRANT, LYING
13 AND BEING IN SECTION 38, TOWNSHIP 9 SOUTH,
14 RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, SAID
15 STRIP LYING 30.00 FEET ON EACH SIDE OF AND
16 CONTIGUOUS WITH THE FOLLOWING DESCRIBED
17 CENTERLINE:

18
19 COMMENCE AT THE SOUTHWEST CORNER OF SAID
20 SECTION 38; THENCE RUN S 87°12'24" E, ALONG THE
21 SOUTH LINE OF SAID SECTION 38, FOR 30.01 FEET
22 TO THE POINT OF BEGINNING OF THE FOLLOWING
23 DESCRIBED CENTERLINE; THENCE RUN N 04°18'32" E,
24 ALONG A LINE PARALLEL WITH AND 30.00 FEET
25 EASTERLY OF THE WEST LINE OF SAID SECTION 38,
26 FOR 2261.05 FEET; THENCE RUN N 54°03'48" E FOR
27 1118.15 FEET; THENCE RUN N 00°38'15" E FOR
28 395.40 FEET; THENCE RUN N 69°33'35" E FOR
29 236.03 FEET TO A POINT OF TERMINATION BEING ON
30 THE WESTERLY LINE OF THE SIXTEEN MILE CREEK
31 CANAL FOREBAY, AS DESCRIBED IN OFFICIAL RECORDS

1 BOOK 224 AT PAGES 31 AND 32 OF THE PUBLIC
2 RECORDS OF ST. JOHNS COUNTY, FLORIDA.
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4 CONTAINING 5.524 ACRES, MORE OR LESS.
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6 AND ALSO A 50 FOOT ROAD RIGHT OF WAY, DESCRIBED
7 AS FOLLOWS:
8
9 BEING PORTIONS OF SECTION 37, TOWNSHIP 10
10 SOUTH, RANGE 28 EAST, AND SECTION 38, TOWNSHIP
11 9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY,
12 FLORIDA, AND BEING MORE FULLY DESCRIBED AS
13 FOLLOWS:
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15 COMMENCE AT THE SOUTHWEST CORNER OF SAID
16 SECTION 37; THENCE S 85°45'20" E ALONG THE
17 SOUTHERLY LINE OF SAID SECTION 37 FOR 569.19
18 FEET TO THE SW CORNER OF PARCEL ONE, ACCORDING
19 TO DEED BOOK 136, PAGE 63 OF THE PUBLIC RECORDS
20 OF ST. JOHNS COUNTY, FLORIDA; THENCE S
21 84°01'14" E ALONG THE SOUTHERLY LINE OF SAID
22 PARCEL ONE AND THE EASTERLY PROLONGATION
23 THEREOF FOR 1675.34 FEET TO THE NORTHEAST
24 CORNER OF PARCEL 4, ACCORDING TO DEED BOOK 136,
25 PAGE 64 OF THE PUBLIC RECORDS OF ST. JOHNS
26 COUNTY, FLORIDA; THENCE S 85°12'38" E ALONG THE
27 SOUTHERLY LINE OF SAID SECTION 37 FOR 300.00
28 FEET TO THE POINT OF BEGINNING OF THE
29 HEREINAFTER DESCRIBED 50.00 FOOT ROAD RIGHT OF
30 WAY; THE FOLLOWING EIGHT (8) COURSES BEING
31 ALONG THE CENTERLINE OF THE 50.00 FOOT ROAD

1 RIGHT OF WAY; (1) THENCE N 02°30'00" E FOR
2 180.00 FEET TO A POINT OF CURVATURE; (2) THENCE
3 NORTHWESTERLY ALONG A 100.00 FOOT RADIUS CURVE
4 LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF
5 87°30'00" FOR AN ARC OF 152.72 FEET TO A POINT
6 OF TANGENCY; (3) THENCE N 85°00'00" W FOR
7 700.00 FEET; (4) THENCE N 89°45'00" W, FOR
8 290.00 FEET TO A POINT OF CURVATURE; (5) THENCE
9 NORTHERLY ALONG A 100.00 FOOT RADIUS CURVE
10 LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF
11 79°15'00" FOR AN ARC OF 138.32 FEET TO A POINT
12 OF TANGENCY; (6) THENCE N 10°30'00" W FOR
13 515.00 FEET TO A POINT OF CURVATURE; (7) THENCE
14 NORTHWESTERLY ALONG A 100.00 FOOT RADIUS CURVE
15 LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF
16 37°00'00" FOR AN ARC OF 64.58 FEET TO A POINT
17 OF TANGENCY; (8) THENCE N 47°30'00" W FOR 120
18 FEET MORE OR LESS TO A POINT ON THE CENTERLINE
19 OF AN EXISTING COUNTY ROAD, SAID POINT BEING
20 ALSO THE POINT OF TERMINATION OF SAID 50 FOOT
21 ROAD RIGHT OF WAY. THE SIDE LINES OF THE ABOVE
22 DESCRIBED 50.00 FOOT WIDE ROAD RIGHT OF WAY ARE
23 TO BE LENGTHENED OR SHORTENED AS MAY BE
24 NECESSARY TO MAINTAIN A 50.00 FOOT RIGHT OF WAY
25 ALONG THE DESCRIBED CENTERLINE.

26
27 ALL LYING AND BEING IN ST. JOHNS COUNTY,
28 FLORIDA, AND CONTAINING 2.5 ACRES.

29
30 Section 5. Chapters 81-481, 82-294, 83-509, 87-502,
31 and 89-505, Laws of Florida, are hereby repealed.

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