

ENROLLED  
HB 1509, Engrossed 1

2006 Legislature

1                                   A bill to be entitled  
2           An act relating to Flagler Estates Road and Water Control  
3           District, St. Johns County; amending chapter 98-529, Laws  
4           of Florida; providing additional powers of the district to  
5           construct, operate, maintain, repair, and replace works  
6           and improvements necessary to execute the district's water  
7           control plan; specifying applicability of certain general  
8           law; providing for an interlocal agreement; revising  
9           district boundaries; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13           Section 1. Sections 1 and 3 of section 4 of chapter 98-  
14           529, Laws of Florida, are amended to read:

15           Section 1. Powers and authority.--

16           (1) The ~~drainage~~ district originally was empowered to  
17           accept and maintain drainage improvements already in existence  
18           and to operate pursuant to the general drainage laws of chapter  
19           298, Florida Statutes. In addition to the powers provided for in  
20           chapter 298, Florida Statutes, in 1981 the district was granted  
21           the power to maintain roadways and roads necessary and  
22           convenient for the exercise of the powers or duties ~~or any of~~  
23           ~~the powers or duties~~ of said district; and in furtherance of the  
24           purposes and intent of chapter 298, Florida Statutes, to  
25           maintain streets, roadways, and roads necessary and convenient  
26           to provide access to and efficient development of areas made  
27           suitable and available for cultivation and settlement, urban and

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28 suburban, and other beneficial use and development as a result  
29 of the drainage, irrigation, and reclamation operations of the  
30 district for the lands ~~only~~ within the boundaries of the  
31 district situated in St. Johns ~~John's~~ County. ~~This road~~  
32 ~~authority geographically was expanded in 1982 to include the~~  
33 ~~lands within the boundaries of the district situated in Flagler~~  
34 ~~County as well as a component of the district's road maintenance~~  
35 ~~authority within the district boundaries.~~ This authority was ~~is~~  
36 ~~hereby~~ specified to include, but not be limited to, street  
37 lighting, road striping, reconstruction, and any other safety  
38 features or improvements customary to a modern road system.

39 (2) Pursuant to chapter 298, Florida Statutes, and this  
40 act, the district shall have full power and authority to  
41 construct, operate, maintain, repair, and replace any and all  
42 works and improvements necessary to execute the district's water  
43 control plan. The works of the district include, without  
44 limitation, all waterways, water control structures, equipment,  
45 facilities, real property interests, roads, streets, lighting,  
46 and appurtenant facilities owned, operated, or maintained by the  
47 district or included in the district water control plan. The  
48 district recognizes that it is subject to the provisions of  
49 chapter 2005-345, Laws of Florida, insofar as that chapter  
50 relates to the Flagler Estates Road and Water Control District  
51 formerly known as Sixteen Mile Creek Water Control District.

52 (3) Pursuant to this section, the Hastings Drainage  
53 District and the Flagler Estates Road and Water Control District  
54 shall, with the assistance and advice of the St. Johns River

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55 | Water Management District, enter into an interlocal agreement by  
56 | December 31, 2006, incorporating provisions for cooperative  
57 | operation of interconnected water control facilities.

58 |       (4) Surplus real property owned by the district can be  
59 | made available to the public for passive use and the district is  
60 | authorized to enter into lease or interlocal agreements with  
61 | other governmental entities for the operation and/or maintenance  
62 | of such passive use areas within the district boundaries.

63 |       Section 3. Boundaries.--The district boundaries originally  
64 | were established in the Final Judgment Incorporating the  
65 | Drainage District by the Seventh Judicial Circuit Court, St.  
66 | Johns County, Florida, on June 4, 1971, as recorded in O.R. 194,  
67 | page 344, Public Records of St. Johns County, Florida, in Case  
68 | #2154 and as subsequently extended by Order of the Seventh  
69 | Judicial Circuit Court, St. Johns County, Florida, on August 16,  
70 | 1972, as recorded in O.R. 194, page 344, and O.R. 224, page 26,  
71 | Public Records of St. Johns County, Florida, in Case # 2154.  
72 | Several Special Acts further adjusted the district boundaries.  
73 | Section 2 of chapter 81-481, Laws of Florida, extended district  
74 | boundaries into St. Johns County; section 3 of chapter 81-481,  
75 | Laws of Florida, removed lands from Hastings Drainage District;  
76 | section 2 of chapter 82-294, Laws of Florida, extended district  
77 | boundaries in Flagler County; and chapter 89-505, Laws of  
78 | Florida, reduced the size of the district in St. Johns County,  
79 | and chapter 2000-479, Laws of Florida, removed Flagler County  
80 | from the jurisdiction of the district. The consolidated legal  
81 | description of the boundaries of the district is:

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82 | THAT PORTION OF TOWNSHIP 10 SOUTH, RANGE 28 EAST, LYING AND  
 83 | BEING IN ST. JOHNS COUNTY ~~AND FLAGLER COUNTIES~~, FLORIDA,  
 84 | DESCRIBED AS FOLLOWS:  
 85 | BEGIN AT THE NORTHEAST CORNER OF SAID TOWNSHIP 10 SOUTH,  
 86 | RANGE 28 EAST; THENCE RUN SOUTHERLY ALONG THE EAST LINE OF  
 87 | SAID TOWNSHIP 10 SOUTH, RANGE 28 EAST TO THE SOUTHERN  
 88 | BOUNDARY OF ST JOHNS COUNTY; THENCE RUN WESTERLY ALONG THE  
 89 | SAID SOUTHERN BOUNDARY OF ST JOHNS COUNTY ~~SOUTHEAST CORNER~~  
 90 | ~~OF SECTION 24~~; THENCE RUN WESTERLY ALONG THE SOUTH LINE OF  
 91 | ~~SAID SECTION 24 TO THE NORTHEAST CORNER OF SECTION 26~~;  
 92 | ~~THENCE RUN SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 26~~  
 93 | ~~TO THE NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST~~  
 94 | ~~COAST RAILROAD~~; THENCE RUN NORTHWESTERLY ALONG SAID  
 95 | ~~NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST~~  
 96 | ~~RAILROAD TO THE SOUTH LINE OF SECTION 22~~; THENCE RUN  
 97 | ~~WESTERLY ALONG THE SAID SOUTH LINE OF SECTION 22 TO THE~~  
 98 | ~~SOUTHWEST CORNER THEREOF~~; THENCE RUN NORTHERLY ALONG THE  
 99 | ~~WEST LINE OF SAID SECTION 22 TO THE SAID NORTHERLY RIGHT OF~~  
 100 | ~~WAY LINE OF THE FLORIDA EAST COAST RAILROAD~~; THENCE RUN  
 101 | ~~NORTHWESTERLY ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF~~  
 102 | ~~THE FLORIDA EAST COAST RAILROAD TO THE WEST LINE OF THE~~  
 103 | ~~EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 21~~; THENCE RUN  
 104 | ~~NORTHERLY ALONG THE SAID WEST LINE OF THE EAST 1/2 OF THE~~  
 105 | ~~NORTHWEST 1/4 TO THE SOUTH LINE OF SECTION 16~~; THENCE RUN  
 106 | ~~WESTERLY ALONG THE SAID SOUTH LINE OF SECTION 16 TO THE~~  
 107 | ~~SOUTHEAST CORNER OF SECTION 17~~ OF SAID TOWNSHIP 10 SOUTH,  
 108 | RANGE 28 EAST; THENCE RUN WESTERLY ALONG THE SOUTH LINE OF

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109 SAID SECTION 17 TO THE SOUTHWEST CORNER OF THE EAST 1/4 OF  
 110 SAID SECTION 17; THENCE RUN NORTHERLY ALONG THE WEST LINE  
 111 OF THE EAST 1/4 OF SAID SECTION 17 AND ALONG THE WEST LINE  
 112 OF THE EAST 1/4 OF SECTION 8 TO THE NORTH LINE OF SAID  
 113 SECTION 8; THENCE RUN EASTERLY ALONG THE NORTH LINE OF SAID  
 114 SECTION 8 AND ALONG THE NORTH LINE OF SECTION 9 TO THE  
 115 SOUTHWEST CORNER OF SECTION 3; THENCE RUN NORTHERLY ALONG  
 116 THE WEST LINE OF SAID SECTION 3 TO THE NORTHWEST CORNER OF  
 117 U.S. GOVERNMENT LOT 3 OF SAID SECTION 3; THENCE RUN  
 118 EASTERLY ALONG THE NORTH LINES OF U.S. GOVERNMENT LOTS 3  
 119 AND 4 OF SAID SECTION 3 TO THE NORTHEAST CORNER OF SAID LOT  
 120 4; THENCE RUN S 0°12'38" E FOR A DISTANCE OF 12.54 FEET;  
 121 THENCE RUN S 88°27'38" E FOR A DISTANCE OF 363.00 FEET;  
 122 THENCE RUN N 5°12'38" W FOR A DISTANCE OF 458 FEET, MORE OR  
 123 LESS, TO THE SOUTHERLY LINE OF THE GEO. I.F. CLARKE GRANT,  
 124 SECTION 37; THENCE RUN EASTERLY ALONG SAID SOUTHERLY LINE  
 125 OF THE GEO. I.F. CLARKE GRANT FOR A DISTANCE OF 824.99 FEET  
 126 TO THE RUN OF SIXTEENMILE DEEP CREEK; THENCE RUN N  
 127 18°58'00" E FOR A DISTANCE OF 188.11 FEET TO THE POINT OF  
 128 CURVATURE OF A CIRCULAR CURVE LEADING TO THE LEFT, HAVING  
 129 FOR ITS ELEMENTS A CENTRAL ANGLE OF 16°46'00" AND A RADIUS  
 130 OF 300.00 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID  
 131 CURVE FOR A DISTANCE OF 87.79 FEET TO THE POINT OF  
 132 TANGENCY; THENCE RUN N 2°12'00" E FOR A DISTANCE OF 302.93  
 133 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO  
 134 THE LEFT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF  
 135 82°00'00" AND A RADIUS OF 200.00 FEET; THENCE RUN NORTHERLY

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136 ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 286.23 FEET  
 137 TO THE POINT OF TANGENCY; THENCE RUN N 79°48'00" W FOR A  
 138 DISTANCE OF 245.34 FEET TO A POINT: THENCE RUN S 50°11'17"  
 139 W FOR A DISTANCE OF 343.96 FEET TO A POINT; THENCE RUN N  
 140 45°05'48" W FOR A DISTANCE OF 82.01 FEET TO A POINT; THENCE  
 141 RUN S 44°19'22" W FOR A DISTANCE OF 40.37 FEET TO A POINT;  
 142 THENCE RUN N 41°15'00" W FOR A DISTANCE OF 733.53 FEET TO A  
 143 POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO THE LEFT,  
 144 HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 27°16'00" AND A  
 145 RADIUS OF 100.00 FEET; THENCE RUN NORTHERLY ALONG THE ARC  
 146 OF SAID CURVE FOR A DISTANCE OF 47.59 FEET TO THE POINT OF  
 147 TANGENCY; THENCE RUN N 68°31'00" W FOR A DISTANCE OF 377.79  
 148 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO  
 149 THE RIGHT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF  
 150 59°20'00" AND A RADIUS OF 100.00 FEET; THENCE RUN NORTHERLY  
 151 ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 103.56 FEET  
 152 TO THE POINT OF TANGENCY; THENCE RUN N 9°11'00" W FOR A  
 153 DISTANCE OF 569.04 FEET TO A POINT; THENCE RUN N 3°34'00" W  
 154 FOR A DISTANCE OF 2177.00 FEET TO A POINT OF CURVATURE OF A  
 155 CIRCULAR CURVE LEADING TO THE RIGHT, HAVING FOR ITS  
 156 ELEMENTS A CENTRAL ANGLE OF 97°13'00" AND A RADIUS OF 48.48  
 157 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE FOR  
 158 A DISTANCE OF 82.86 FEET TO THE POINT OF TANGENCY; THENCE  
 159 RUN S 86°21'00" E FOR A DISTANCE OF 55.00 FEET TO A POINT;  
 160 THENCE RUN N 7°54'00" E FOR A DISTANCE OF 1123.57 FEET TO A  
 161 POINT ON THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 13;  
 162 THENCE RUN ALONG THE SOUTH RIGHT OF WAY LINE OF SAID COUNTY

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163 ROAD 13 FOR A DISTANCE OF 578.44 FEET TO A POINT; THENCE  
 164 RUN S 41°27'41" E FOR A DISTANCE OF 133.83 FEET TO A POINT  
 165 OF CURVATURE OF A CIRCULAR CURVE LEADING TO THE RIGHT,  
 166 HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 33°52'41" AND A  
 167 RADIUS OF 100.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC  
 168 OF SAID CURVE FOR A DISTANCE OF 39.13 FEET TO THE POINT OF  
 169 TANGENCY; THENCE RUN S 7°35'00" E FOR A DISTANCE OF 2058.07  
 170 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO  
 171 THE RIGHT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF  
 172 26°48'00" AND A RADIUS OF 420.00 FEET; THENCE RUN SOUTHERLY  
 173 ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 196.45 FEET  
 174 TO THE POINT OF TANGENCY; THENCE RUN S 19°13'00" W FOR A  
 175 DISTANCE OF 502.38 FEET TO A POINT OF CURVATURE OF A  
 176 CIRCULAR CURVE LEADING TO THE LEFT, HAVING FOR ITS ELEMENTS  
 177 A CENTRAL ANGLE OF 64°29'00" AND A RADIUS OF 80.00 FEET;  
 178 THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE FOR A  
 179 DISTANCE OF 80.04 FEET TO THE POINT OF TANGENCY; THENCE RUN  
 180 S 45°16'00" E FOR A DISTANCE OF 577.38 FEET TO A POINT OF  
 181 CURVATURE OF A CIRCULAR CURVE LEADING TO THE RIGHT, HAVING  
 182 FOR ITS ELEMENTS A CENTRAL ANGLE OF 12°37'59" AND A RADIUS  
 183 OF 720.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID  
 184 CURVE FOR A DISTANCE OF 158.75 FEET TO THE POINT OF  
 185 TANGENCY; THENCE RUN S 32°38'01" E FOR A DISTANCE OF 850.29  
 186 FEET TO A POINT ON THE NORTHERLY LINE OF SAID TOWNSHIP 10  
 187 SOUTH, RANGE 28 EAST; ~~THENCE RUN NORTHERLY DOWN THE RUN OF~~  
 188 ~~SAID DEEP CREEK TO THE NORTH LINE OF TOWNSHIP 10 SOUTH,~~  
 189 ~~RANGE 28 EAST;~~ THENCE RUN EASTERLY ALONG THE SAID NORTH

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190 LINE OF TOWNSHIP 10 SOUTH, RANGE 28 EAST TO THE POINT OF  
 191 BEGINNING.  
 192 ALSO THE CANAL 5A, DESCRIBED AS FOLLOWS:  
 193 A STRIP OF LAND 60 FEET IN WIDTH BEING A PORTION OF THE  
 194 GEO. I.F. CLARKE GRANT, LYING AND BEING IN SECTION 38,  
 195 TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,  
 196 SAID STRIP LYING 30.00 FEET ON EACH SIDE OF AND CONTIGUOUS  
 197 WITH THE FOLLOWING DESCRIBED CENTERLINE:  
 198 COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 38; THENCE  
 199 RUN S 81°12'24" ~~87°12'24"~~ E, ALONG THE SOUTH LINE OF SAID  
 200 SECTION 38, FOR 30.01 FEET TO THE POINT OF BEGINNING OF THE  
 201 FOLLOWING DESCRIBED CENTERLINE; THENCE RUN N 04°18'32" E,  
 202 ALONG A LINE PARALLEL WITH AND 30.00 FEET EASTERLY OF THE  
 203 WEST LINE OF SAID SECTION 38, FOR 2261.05 FEET; THENCE RUN  
 204 N 54°03'48" E FOR 1118.15 FEET; THENCE RUN N 00°38'15" E  
 205 FOR 395.40 FEET; THENCE RUN N 69°33'35" E FOR 236.03 FEET  
 206 TO A POINT OF TERMINATION BEING ON THE WESTERLY LINE OF THE  
 207 SIXTEEN MILE CREEK CANAL FOREBAY, AS DESCRIBED IN OFFICIAL  
 208 RECORDS BOOK 224 AT PAGES 31 AND 32 OF THE PUBLIC RECORDS  
 209 OF ST. JOHNS COUNTY, FLORIDA.  
 210 CONTAINING 5.624 ~~5.524~~ ACRES, MORE OR LESS.  
 211 AND ALSO A 50 FOOT ROAD RIGHT OF WAY, DESCRIBED AS FOLLOWS:  
 212 BEING PORTIONS OF SECTION 37, TOWNSHIP 10 SOUTH, RANGE 28  
 213 EAST, AND SECTION 38, TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST.  
 214 JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS  
 215 FOLLOWS:



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216 COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 37; THENCE  
 217 S 85°45'20" E ALONG THE SOUTHERLY LINE OF SAID SECTION 37  
 218 FOR 569.19 FEET TO THE SW CORNER OF PARCEL ONE, ACCORDING  
 219 TO DEED BOOK 136, PAGE 63 OF THE PUBLIC RECORDS OF ST.  
 220 JOHNS COUNTY, FLORIDA; THENCE S 84°01'14" E ALONG THE  
 221 SOUTHERLY LINE OF SAID PARCEL ONE AND THE EASTERLY  
 222 PROLONGATION THEREOF FOR 1615.34 ~~1675.34~~ FEET TO THE  
 223 NORTHEAST CORNER OF PARCEL 4, ACCORDING TO DEED BOOK 136,  
 224 PAGE 64 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA;  
 225 THENCE S 85°12'38" E ALONG THE SOUTHERLY LINE OF SAID  
 226 SECTION 37 FOR 300.00 FEET TO THE POINT OF BEGINNING OF THE  
 227 HEREINAFTER DESCRIBED 50.00 FOOT ROAD RIGHT OF WAY; THE  
 228 FOLLOWING EIGHT (8) COURSES BEING ALONG THE CENTERLINE OF  
 229 THE 50.00 FOOT ROAD RIGHT OF WAY; (1) THENCE N 02°30'00" E  
 230 FOR 180.00 FEET TO A POINT OF CURVATURE; (2) THENCE  
 231 NORTHWESTERLY ALONG A 100.00 FOOT RADIUS CURVE LEADING TO  
 232 THE LEFT THROUGH A CENTRAL ANGLE OF 87°30'00" FOR AN ARC OF  
 233 152.72 FEET TO A POINT OF TANGENCY; (3) THENCE N 85°00'00"  
 234 W FOR 700.00 FEET; (4) THENCE N 89°45'00" W, FOR 290.00  
 235 FEET TO A POINT OF CURVATURE; (5) THENCE NORTHERLY ALONG A  
 236 100.00 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A  
 237 CENTRAL ANGLE OF 79°15'00" FOR AN ARC OF 138.32 FEET TO A  
 238 POINT OF TANGENCY; (6) THENCE N 10°30'00" W FOR 515.00 FEET  
 239 TO A POINT OF CURVATURE; (7) THENCE NORTHWESTERLY ALONG A  
 240 100.00 FOOT RADIUS CURVE LEADING TO THE LEFT THROUGH A  
 241 CENTRAL ANGLE OF 37°00'00" FOR AN ARC OF 64.58 FEET TO A  
 242 POINT OF TANGENCY; (8) THENCE N 47°30'00" W FOR 120 FEET

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243 MORE OR LESS TO A POINT ON THE CENTERLINE OF AN EXISTING  
244 COUNTY ROAD, SAID POINT BEING ALSO THE POINT OF TERMINATION  
245 OF SAID 50 FOOT ROAD RIGHT OF WAY. THE SIDE LINES OF THE  
246 ABOVE DESCRIBED 50.00 FOOT WIDE ROAD RIGHT OF WAY ARE TO BE  
247 LENGTHENED OR SHORTENED AS MAY BE NECESSARY TO MAINTAIN A  
248 50.00 FOOT RIGHT OF WAY ALONG THE DESCRIBED CENTERLINE.  
249 ALL LYING AND BEING IN ST. JOHNS COUNTY, FLORIDA, AND  
250 CONTAINING 2.5 ACRES.  
251 Section 2. This act shall take effect upon becoming a law.