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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.

27  
28 Be It Enacted by the Legislature of the State of Florida:  
29

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15 and repealed as herein provided.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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12 THAT PORTION OF TOWNSHIP 10 SOUTH, RANGE 28  
13 EAST, LYING AND BEING IN ST. JOHNS AND FLAGLER  
14 COUNTIES, FLORIDA, DESCRIBED AS FOLLOWS:

15

16 BEGIN AT THE NORTHEAST CORNER OF SAID TOWNSHIP  
17 10 SOUTH, RANGE 28 EAST; THENCE RUN SOUTHERLY  
18 ALONG THE EAST LINE OF SAID TOWNSHIP 10 SOUTH,  
19 RANGE 28 EAST TO THE SOUTHEAST CORNER OF  
20 SECTION 24; THENCE RUN WESTERLY ALONG THE SOUTH  
21 LINE OF SAID SECTION 24 TO THE NORTHEAST CORNER  
22 OF SECTION 26; THENCE RUN SOUTHERLY ALONG THE  
23 EAST LINE OF SAID SECTION 26 TO THE NORTHERLY  
24 RIGHT OF WAY LINE OF THE FLORIDA EAST COAST  
25 RAILROAD; THENCE RUN NORTHWESTERLY ALONG SAID  
26 NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST  
27 COAST RAILROAD TO THE SOUTH LINE OF SECTION 22;  
28 THENCE RUN WESTERLY ALONG THE SAID SOUTH LINE  
29 OF SECTION 22 TO THE SOUTHWEST CORNER THEREOF;  
30 THENCE RUN NORTHERLY ALONG THE WEST LINE OF  
31 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.  
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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:  
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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.  
3  
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:  
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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.

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

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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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