

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

No. 69-105

In Re:

SAN CARLOS ESTATES DRAINAGE DISTRICT

JUDGMENT CREATING AND INCORPORATING A DRAINAGE DISTRICT

THIS CAUSE coming on to be heard on the Petition filed in this Court on February 5, 1969, by AMERICAN INTERNATIONAL LAND CORPORATION, a Florida corporation, to and pursuant to provisions of Chapter 298 of the Florida Statutes, otherwise known as the General Drainage Law, and

It appearing to the Court and the court finding that this Petition is in due and proper form and it, or the Consent herein has been signed and executed by a majority in acreage of the owners of all the lands embraced by the proposed drainage district described and notice of such application to form drainage district has, as required by Section 298.02 of the Florida Statutes, been duly given and published in regular and proper form for four consecutive weeks in the Fort Myers News Press, a newspaper published in Lee County, in the State of Florida, as and in the manner required by said Statute requiring all persons interested in the land property described as set forth in said Petition and affected by the formation of said Drainage District and rendered liable to taxation for the purpose of paying the expense of organization and making and maintaining the improvements that may be necessary to affect the reclamation of the lands included in such district to appear at the Office of the Clerk as required by said Notice, and

It further appearing to the Court that no objections have been made by anyone in any manner to the granting of the prayers of said Petition, and

It further appearing to the Court and the Court finding from the evidence submitted that all of said lands embraced

in the Petition herein lying in a contiguous body and are wet and overflowed or subject to overflow and in their present state and condition said lands are unsuited for sanitary or agriculture purposes or other public utility or benefit on account of their wet condition and their liability to overflow and that by a proper system of drainage and reclamation said lands can be made well suited for agriculture, sanitary and other public utility and benefit conducive to the public health; that the purposes of the drainage district is to have the lands described herein reclaimed and protected from the effects of water for sanitary and agricultural purposes and to be rendered conducive to the public health, convenience and welfare, and of public utility or benefit by drainage or otherwise, and

It further appearing to the Court and the Court finding and being of the opinion that the establishment of said Drainage District and the improvements to be made as prayed in said Petition will be for the advantage of the owners of the real property in said Drainage District and will benefit all of the lands in said Drainage District and that the same will be in the interest of the public health, convenience and welfare; and

It further appearing to the Court and the Court finding that all the allegations, statements and representations of said Petition contained are true and that the prayers thereof should be granted, and the Court being fully advised in the premises;

Thereupon, upon consideration thereof, it is

ORDERED AND ADJUDGED as follows:

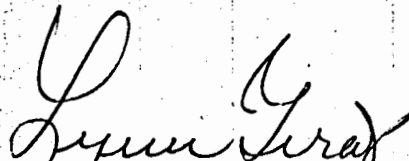
1. That the prayers of said Petition be and the same are hereby granted and that all of those said pieces, parcels and tracts of land in Lee County, Florida, mentioned and described in said Petition and more specifically set forth in the Schedule attached hereto and made a part hereof; be and the

same are hereby created and established into a drainage district and decreed to be a public corporation of the State of Florida by, under and pursuant to and authorized by the aforesaid Chapter 298 of the Florida Statutes.

2. That the said drainage district shall be known and be designated as and shall use the corporate name of SAN CARLOS ESTATES DRAINAGE DISTRICT and shall have corporate existence of 99 years next after the date of this Judgment.

3. That the said SAN CARLOS ESTATES DRAINAGE DISTRICT is hereby declared and decreed to be a public corporation of the State of Florida and that it shall be and is hereby granted and vested with all right, powers, duties, privileges, immunities and franchises specified and provided in said Chapter 298 of the Florida Statutes.

DONE AND ORDERED in Chambers at Lee County, Florida, this 3rd day of April, 1969.



CIRCUIT JUDGE

RECORDER'S MEMO:
Legibility of Writing, Typing or Printing Unaffected
in This Document When Received.

FILED and
RECORDED IN OFFICIAL
RECORDS
APR 3 3 10 PM '69
D. T. FARABEE
CLERK OF CIRCUIT COURT
LEA COUNTY, FLORIDA

In Township 47 South, Range 25 East, Lea County, Florida

Section 14 - the North-half (1/2);

Section 15 - all that portion lying East of Atlantic Coast Line Railroad right-of-way excepting a tract of land described as follows: Beginning at a point on the line common to Sections 15 and 22, which point is westerly along said line for 4,026.5 feet from the Southeast corner of said Section 15 run westerly to the right-of-way line of the Atlantic Coast Line Railroad, thence run northerly along said railroad right-of-way line, 65 feet from the center line, to a point 760 feet North of said Section line common to Sections 15 and 22; thence run easterly parallel with said Section line to a point of intersection with a line through the point of beginning parallel with the West line of said Section 15; thence run South along said line parallel with said West line of said Section 15 for 760 feet to the point of beginning; and also including a tract of land being bounded on the North by the easterly extension of the North line of Lot 14 of Block 15, Bonita Terrace Subdivision and on the South by the easterly extension of the South line of Lot 17 of Block 15 of said Bonita Terrace Subdivision, as recorded in the Public Records of Lea County, Florida in Plat Book 8 at Page 23.

Section 16 - Lots 14, 15, 16 and 17 of Block 15, Bonita Terrace Subdivision, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lea County, Florida in Plat Book 8 at Page 23.

Section 22 - A tract or parcel of land lying North and East of U.S. Highway #41 more particularly described as follows: From the Southeast Corner of said Section run N. 83° 36' 30" W. along the South line of said Section 22 for 192.31 feet to an intersection with the northeasterly right of way line of said U.S. #41; thence run N. 45° 27' 40" W. along said right of way line (50 feet from the center line) for 880 feet to a concrete monument; thence run N. 44° 32' 20" E. Perpendicular to said right of way line for 1,130.31 feet to a concrete monument on the East line of said Section 22; thence run N. 1° 01' 00" W. along said Section line for 271.62 feet to a POINT OF BEGINNING; thence run N. 45° 29' 50" W. for 5,746.7 feet to a point on the southeasterly boundary of the lands conveyed by and described in deed recorded in Deed Book 321 at page 493, Public Records of Lea County, Florida, which point is S. 44° 32' 20" W., and thence northeasterly along this boundary line 22.12 feet to the concrete monument on the North line of Section 22, thence East to the Northeast corner of said Section, thence South along the East line of said Section to the point of beginning.

State of Florida
County of Lee

I, D. T. Farabee, Clerk of the Circuit Court in and for said County and State do hereby certify that the foregoing is a true and correct copy of Judgment Creating & Incorporating a Drainage District as filed in this office April 3, 1969 and recorded in OP

Book 521 Page 120 of the Public Records of Lee County, Florida.

Witness my hand and official seal this 16th day of June 1969
Schedule "A"

D. T. FARABEE, Clerk

By Jeaneline Shoemaker D.C.