

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: A RULE TO ESTABLISH)
THE DOUBLE BRANCH COMMUNITY) Case No. 02-0332
DEVELOPMENT DISTRICT.)
)
)
_____)

REPORT TO THE FLORIDA LAND AND WATER
ADJUDICATORY COMMISSION

Pursuant to Section 190.005(1)(d), Florida Statutes,
Charles A. Stampelos, Administrative Law Judge, conducted a
public hearing on March 12, 2002, at 1:00 p.m., in Orange Park,
Clay County, Florida, for the purpose of taking testimony and
public comment and receiving exhibits on the Petition of OakLeaf
Plantation, L.L.C. (Petitioner) to establish the Double Branch
Community Development District.

APPEARANCES

For OakLeaf Plantation, L.L.C.:

Cheryl G. Stuart, Esquire
Jennifer A. Tschetter, Esquire
Hopping, Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, Florida 32314

STATEMENT OF THE ISSUE

The sole issue to be addressed is whether the Petition to
establish the Double Branch Community Development District meets

the applicable criteria set forth in Chapter 190, Florida Statutes, and Chapter 42-1, Florida Administrative Code.

PRELIMINARY STATEMENT

1. On January 10, 2002, the Petitioner filed the Petition to establish the Double Branch Community Development District with the Secretary of the Florida Land and Water Adjudicatory Commission (Commission). Prior to this time, the Petitioner provided for the delivery of a copy of the Petition and its exhibits, along with the requisite filing fee, to Clay County. A copy of the Petition, including its exhibits, was received into evidence as Petitioner's Composite Exhibit A.

2. On January 22, 2002, the Secretary of the Commission certified that the Petition contained all required elements and forwarded it to the Division of Administrative Hearings for the purpose of holding the public hearing required under Section 190.005(1)(d), Florida Statutes. A copy of the Secretary's correspondence to the Division of Administrative Hearings was received into evidence as Petitioner's Exhibit D.

3. The Commission published a Notice of Receipt of Petition in the Florida Administrative Weekly on March 1, 2002. A copy of the Notice of Receipt of Petition was received into evidence as Petitioner's Exhibit C.

4. The local public hearing was scheduled in Orange Park, Clay County, Florida, for Tuesday, March 12, 2002 at 1:00 p.m.

The Petitioner published notice of the hearing in accordance with Section 190.005(1)(d), Florida Statutes. The Proof of Publication of the Notice of Local Public Hearing was received into evidence as Petitioner's Exhibit I.

5. The land to be included within the proposed District is contained wholly within the boundaries of Clay County. The land within the external boundaries of the proposed District is neither contained within nor contiguous to the boundaries of any municipality or any other county.

6. Section 190.005(1)(c), Florida Statutes, provides that the county containing all or a portion of the lands within the proposed District has the option to hold a public hearing within forty-five (45) days of the filing of the petition. Clay County elected to hold such a hearing on February 26, 2002. After the public hearing, the Clay County Commission passed a resolution in support of the establishment of the Double Branch Community Development District. A certified copy of the resolution was received into evidence as Petitioner's Exhibit G.

7. At the local public hearing on March 12, 2002, the Petitioner presented the testimony of Donald P. Hinson (Hinson), President of OakLeaf Plantation, L.L.C.; Douglas C. Miller, P.E. (Miller) of England, Thims and Miller, Inc., an expert in civil engineering and public infrastructure; and Gary R. Walters (Walters), President of Gary Walters and Associates, a community

planning and management consulting firm and an expert in land planning and economic development. The full names and addresses of Petitioner's witnesses are attached to this Report as Exhibit 1. Petitioner's Exhibits A through L, were received into evidence at the hearing. A list of Petitioner's Exhibits in this proceeding is attached to this report as Exhibit 2.

8. No other persons or entities presented any witnesses or exhibits. No members of the public provided any comment.

9. The one-volume Transcript of the local public hearing was filed on March 25, 2002, with the Division of Administrative Hearings. The original Transcript and hearing exhibits are transmitted with this Report.

FINDINGS OF FACT

Overview

10. The Petitioner is seeking the adoption of a rule by the Commission to establish a community development district proposed to consist of approximately 1,203 acres located within the boundaries of unincorporated Clay County. The suggested name for the proposed District is the Double Branch Community Development District.

11. The Petition notes that the proposed District covers approximately 1,203 acres. Hinson testified that the approximate acreage of the proposed District remains 1,203 acres; however, the metes and bounds description contained in

the Petition has been revised since the time of the filing of the Petition. The revised metes and bounds description was, without objection, admitted into evidence.

12. There are no out-parcels within the area to be included in the proposed District.

13. The estimated cost of the infrastructure facilities and services which are presently expected to be provided to the lands within the District was included in the Petition.

14. The sole purpose of this proceeding was to consider the establishment of the District as proposed by the Petitioner.

Summary of Evidence and Testimony

A. Whether all statements contained within the Petition have been found to be true and correct.

15. Petitioner's Composite Exhibit A was identified for the record as a copy of the Petition and its exhibits as filed with the Commission.

16. Hinson testified that he had reviewed the contents of the Petition and approved its findings. Hinson also generally described the exhibits to the Petition. Hinson testified that the Petition and its exhibits, as modified by the revised metes and bounds description admitted into evidence as Exhibit B, are true and correct to the best of his knowledge.

17. Miller testified that he had assisted in the preparation of portions of the Petition and its exhibits.

Miller also generally described several exhibits to the Petition which he or his office had prepared. Miller testified that the exhibits to the Petition, prepared by England, Thims & Miller, Inc., and admitted into evidence, were true and correct to the best of his knowledge.

18. Walters testified that he had prepared Exhibit 11 to the Petition, the Statement of Estimated Regulatory Costs (SERC). Walters also testified that Statement of Estimated Regulatory Costs submitted as Exhibit 11 to Petitioner's Composite Exhibit A was true and correct to the best of his knowledge.

19. Hinson also testified that the consent by the owner of the lands to be included within the proposed District is still in full force and effect. The Petition included written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the lands to be included in the proposed District. There have been no sales of these lands thus far.

20. Based upon the foregoing, the Petition and its exhibits are true and correct.

B. Whether the establishment of the District is inconsistent with any applicable element or portion of the State Comprehensive Plan or of the effective local government comprehensive plan.

21. Walters reviewed the proposed District in light of the requirements of the State Comprehensive Plan, Chapter 187, Florida Statutes. Walters also reviewed the proposed District in light of the requirements of the Clay County Comprehensive Plan.

22. From a planning and economic perspective, four (4) subjects of the State Comprehensive Plan apply directly to the establishment of the proposed District as do the policies supporting those subjects.

23. Subject 16, Land Use, recognizes the importance of locating development in areas with the fiscal ability and service capacity to accommodate growth. The proposed District will have the fiscal ability to provide services and facilities to the population in the designated growth area and help provide infrastructure in an area which can accommodate development within Clay County in a fiscally responsible manner.

24. Subject 18, Public Facilities, provides that the State shall protect substantial investments in public facilities and plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner. The proposed District will be consistent with this element because the District will plan and finance the infrastructure systems and facilities needed for the development of lands within the District at no capital cost to Clay County.

25. Subject 21, Governmental Efficiency, provides that governments shall economically and efficiently provide the amount and quality of services required by the public. The proposed District will be consistent with this element because the proposed District will finance and deliver those public services and facilities as needed by the District's residents and property owners. The proposed District will be established under uniform general law standards as specified in Chapter 190, Florida Statutes. Creating a District does not burden the general taxpayer with the costs for the services or facilities inside the proposed District. The proposed District will require no subsidies from the state or its citizens.

26. Subject 26, Plan Implementation, provides that systematic planning capabilities be integrated into all levels of government, with emphasis on improving intergovernmental coordination. The proposed District is consistent with this element of the State Comprehensive Plan because the proposed District, by and through a separate and distinct Board of Supervisors, will systematically plan for the construction, operation, and maintenance of the public improvements and the community facilities authorized under Chapter 190, Florida Statutes, subject to and not inconsistent with the local government comprehensive plan and land development regulations. Additionally, the District meetings are publicly advertised and

are open to the public so that all District property owners and residents can be involved in planning for improvements.

Finally, Section 189.415(2), Florida Statutes, requires the District to file and update public facilities reports with the county or city, which they may rely upon in any revisions to the local comprehensive plan.

27. Based on the testimony and exhibits in the record, the proposed District will not be inconsistent with any applicable element or portion of the State Comprehensive Plan.

28. The Clay County Comprehensive Plan contains thirteen (13) elements which are supported by numerous goals and objectives. Walters testified that portions of three (3) of these elements are relevant when determining whether or not the proposed District is inconsistent with the local comprehensive plan.

29. There are Goals and Objectives within the Future Land Use Element which are targeted to effectively manage growth in areas designated to accommodate future development and provide services in a cost-efficient manner. The proposed District is within the County's Planned Urban Service Area, and is part of a Chapter 380, Florida Statutes, development order vested in the County Land Use Plan. The proposed District is a recognized vehicle to provide the necessary services and facilities to the lands within the boundaries of the proposed District.

30. The goal of the Intergovernmental Coordination Element is to establish processes among various governmental, public and private entities to coordinate development activities, preservation of the quality of life, and the efficient use of available resources. The proposed District will assist in the coordination process by providing and maintaining community infrastructure in a way that is not inconsistent with the plans and activities of related public and private agencies.

31. The Capital Improvements Element is intended to provide necessary infrastructure in a timely and orderly manner. The proposed District will expand the areas that enjoy infrastructure in a manner consistent with the Clay County Comprehensive Plan.

32. Based on the evidence in the record, the proposed District will not be inconsistent with any applicable element or portion of the Local Comprehensive Plan, and will in fact further the goals provided.

33. The Florida Department of Community Affairs (DCA) reviewed the Petition for compliance with its various programs and responsibilities. DCA also discussed the contents of the Petition with the Clay County Planning Department and the Northeast Florida Regional Planning Council. After conducting its own review and conferring with local governmental entities,

DCA concluded that it had no objection to the establishment of the Double Branch Community Development District.

C. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

34. Testimony on this criterion was provided by Miller and Walters. The lands that comprise the proposed District will consist of approximately 1,203 acres, located within the borders of unincorporated Clay County.

35. All of the land in the proposed District is part of a planned community included in the Villages of Argyle Forest Development of Regional Impact (DRI).

36. Functional interrelation means that each community purpose has a mutual reinforcing relationship with each of the community's other purposes. Each function requires a management capability, funding source, and an understanding of the size of the community's needs, so as to handle the growth and development of the community. Each function must be designed to contribute to the development or the maintenance of the community.

37. The size of the District as proposed is approximately 1,203 acres. From a planning perspective, this is a sufficient size to accommodate the basic infrastructure facilities and services typical of a functionally interrelated community. The proposed facilities and services require adequate planning, design, financing, construction, and maintenance to provide the community with appropriate infrastructure.

38. Compactness relates to the location in distance between the lands and land uses within a community. The community is sufficiently compact to be developed as a functionally inter-related community. The compact configuration of the lands will allow the District to provide for the installation and maintenance of its infrastructure in a long-term, cost-efficient manner.

39. The Petitioner is developing all of the lands within the District as a single master-planned community. All of these lands are governed by the Villages of Argyle Forest Development of Regional Impact Development Order issued by Clay County.

40. From planning, economics, engineering, and management perspectives, the area of land to be included in the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as a single functionally interrelated community.

D. Whether the proposed district is the best alternative available for delivering community development services and facilities to the area that will be served by the proposed district.

41. It is presently intended that the District will participate in the construction or provision of certain infrastructure improvements as outlined in the Petition.

42. Installation and maintenance of infrastructure systems and services by the District is expected to be financed through the issuance of tax exempt bonds and the debt retired by "non-ad valorem" or "special" assessments on benefited property within

the proposed District. Expenses for operations and maintenance are expected to be paid through maintenance assessments. Use of such assessments will ensure that the real property benefiting from District services is the same property which pays for them.

43. Two types of alternatives to the use of the District were identified. First, the County might provide facilities and services from its general fund. Second, facilities and services might be provided by some private means, with maintenance delegated to a property owners' association (POA) or a home owners' association (HOA).

44. The District is preferable to the available alternatives at focusing attention on when, where, and how the next system of infrastructure will be required. This results in a full utilization of existing facilities before new facilities are constructed and reduces the delivered cost to the citizens being served.

45. The District will construct certain infrastructure and community facilities which will be needed by the property owners and residents of the project. Expenses for the operations and maintenance are expected to be paid through maintenance assessments to ensure that the property or person receiving the benefit of the district services is the same property or person to pay for those services.

46. Only a community development district allows for the independent financing, administration, operations and maintenance of the land within such a district. Only a community development district allows district residents to

completely control the district. The other alternatives do not have these characteristics.

47. From an engineering perspective, the proposed District is the best alternative to provide the proposed community development services and facilities to the land included in the proposed District because it is a long-term, stable, perpetual entity capable of funding, constructing, and in some cases, maintaining the facilities over their expected life.

48. From planning, economic, engineering, and special district management perspectives, the proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the District.

E. Whether the community development services and facilities of the proposed district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

49. The services and facilities proposed to be provided by the District are not incompatible with uses and existing local and regional facilities and services. The District's facilities and services within the proposed boundaries will not duplicate any existing regional services or facilities which are provided to the lands within the District by another entity. None of the proposed services or facilities are presently being provided by another entity for the lands to be included within the District.

50. Therefore, the community development services and facilities of the proposed district will not be incompatible

with the capacity and uses of existing local and regional community development services and facilities.

F. Whether the area that will be served by the district is amenable to separate special-district government.

51. As cited previously, from planning, economics, engineering, and special district management perspectives, the area of land to be included in the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed and become a functionally interrelated community. The community to be included in the District has need for basic infrastructure systems to be provided.

52. From planning, engineering, economic and management perspectives, the area that will be served by the amended District is amenable to separate special-district government.

G. Other requirements imposed by statute or rule.

53. Chapter 190, Florida Statutes, and Chapter 42-1, Florida Administrative Code, impose specific requirements regarding the Petition and other information to be submitted to the Commission.

Elements of the Petition

54. The Commission has certified that the Petition to Establish the Double Branch Community Development District meets

all of the requirements of Section 190.005(1)(a), Florida Statutes.

Statement of Estimated Regulatory Costs (SERC)

55. The SERC contains an estimate of the costs and benefits to all persons directly affected by the proposed rule to establish the District -- the State of Florida and its citizens, the County and its citizens, the City and its citizens, the Petitioner, and consumers.

56. Beyond administrative costs related to rule adoption, the State and its citizens will only incur minimal costs from establishing the District. These costs are related to the incremental costs to various agencies of reviewing one additional local government report. The proposed District will require no subsidies from the State. Benefits will include improved planning and coordination of development, which are difficult to quantify, but nonetheless substantial.

57. Administrative costs incurred by the County related to rule adoption should be minimal. Benefits to the County will include improved planning and coordination of development, without incurring any administrative or maintenance burden for facilities and services within the proposed District except for those it chooses to accept.

58. Consumers will pay non-ad valorem or special assessments for certain facilities. Location in the District by

new residents is voluntary. Generally, District financing will be less expensive than maintenance through a property owners' association or capital improvements financed through developer loans. Benefits to consumers in the area within the CDD will include the option of having a higher level of public services and amenities than might otherwise be available, completion of District-sponsored improvements to the area on a timely basis, and a larger share of direct control over community development services and facilities within the area.

59. Section 190.005(1)(a), Florida Statutes, requires the Petition to include a SERC which meets the requirements of Section 120.541, Florida Statutes. The Petition contains a SERC. It meets the requirements of Section 120.541, Florida Statutes.

Other Requirements

60. Petitioner has complied with the provisions of Section 190.005(1)(b)1, Florida Statutes, in that Clay County was paid the requisite filing fees.

61. Section 190.005(1)(d), Florida Statutes, requires the Petitioner to publish notice of the local public hearing in a newspaper of general circulation in Clay County for four consecutive weeks prior to the hearing. The notice was published in The County Line section of The Florida Times-Union, a newspaper of general circulation in Clay County for four

consecutive weeks, on February 13, 2002, February 20, 2002, February 27, 2002, and March 6, 2002.

Clay County Support for Establishment

62. Pursuant to the requirements of Section 190.005(1)(b), Florida Statutes, Petitioner filed a copy of the Petition and the \$15,000 filing fee with Clay County prior to filing the Petition with the Commission.

63. As permitted by Section 190.005(1)(c), Florida Statutes, the Clay County Commission held a public hearing on February 26, 2002, to consider the establishment of the Double Branch Community Development District.

64. At the conclusion of its public hearing on February 26, 2002, the Clay County Commission adopted Resolution No. 01/02-42, expressing support for the Commission to promulgate a rule establishing the Double Branch Community Development District.

65. The Clay County Resolution specifically found that all six (6) of the statutory factors for evaluating the establishment of community development districts found in Section 190.005(1)(e), Florida Statutes, had been met by the Petition in this matter.

CONCLUSIONS OF LAW

66. This proceeding is governed by Chapters 190 and 120, Florida Statutes, and Chapter 42-1, Florida Administrative Code.

67. The proceeding was properly noticed pursuant to Section 190.005, Florida Statutes, by publication of an advertisement in a newspaper of general circulation in Clay County once each week for the four (4) consecutive weeks immediately prior to the hearing.

68. The Petitioner has met the requirements of Section 190.005, Florida Statutes, regarding the submission of the Petition and satisfaction of filing fee requirements.

69. The Petitioner bears the burden of establishing that the Petition meets the relevant statutory criteria set forth in Section 190.005(1)(e), Florida Statutes.

70. All portions of the Petition and other submittals have been completed and filed as required by law.

71. All statements contained within the Petition as corrected and supplemented at the hearing are true and correct.

72. The establishment of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the effective Clay County Comprehensive Plan.

73. The area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

74. The proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the District.

75. The community development services and facilities of the proposed District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.

76. The area to be served by the proposed District is amenable to separate special district government.

RECOMMENDATION

Based upon the foregoing Findings of Fact and Conclusions of Law, it is

RECOMMENDED that the Governor and Cabinet, sitting as the Florida Land and Water Adjudicatory Commission, pursuant to Chapters 190 and 120, Florida Statutes, and Chapter 42-1, Florida Administrative Code, establish the Double Branch Community Development District as requested by the Petitioner by formal adoption of the proposed rule attached to this Report as Exhibit 3.

DONE AND ENTERED this 1st day of April, 2002, in
Tallahassee, Leon County, Florida.

CHARLES A. STAMPELOS
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 1st day of April, 2002.

Exhibit 1

Petitioner's Witnesses at Public Hearing

Donald P. Hinson
OakLeaf Plantation, L.L.C
3020 Hartley Road, Suite 100
Jacksonville, Florida 32257

Douglas C. Miller, P.E.
England Thims & Miller, Inc.
14775 St. Augustine Road
Jacksonville, Florida 32258

Gary R. Walters
Gary Walters and Associates
12 Crooked Tree Trail
Ormond Beach, Florida 32174

Exhibit 2

List of Petitioner's Exhibits

<u>Letter</u>	<u>Description</u>
A	Composite Exhibit (Petition with twelve (12) exhibits)
B-1	Pre-filed Testimony of Donald P. Hinson (11 pages)
B	Revised legal description for lands to be included within the boundaries of the proposed District
C	Commission Notice of Receipt of Petition
D	Letter to Division of Administrative Hearings from Commission
E	Letter to Department of Community Affairs from Commission
F	Correspondence from Department of Community Affairs to the Commission
G	Clay County Resolution 01/02-42
H	Development Order (No. 99-45) for Villages of Argyle Forest Development of Regional Impact
I	Florida Times-Union Proof of Publication of Notice of Local Public Hearing
J	Pre-filed Testimony of Douglas C. Miller, P.E. (8 pages)
K	Pre-filed Testimony of Gary R. Walters (21 pages)
L	Chapter 187, Florida Statutes (23 pages)

Exhibit 3

Text of Proposed Rule

CHAPTER 42___-1

DOUBLE BRANCH COMMUNITY DEVELOPMENT DISTRICT

- 42___-1.001 Establishment.
- 42___-1.002 Boundary.
- 42___-1.003 Supervisors.

42___-1.001 Creation. The Double Branch Community Development District is hereby established.

Specific Authority 120.53(1), 190.005 FS. Law Implemented
190.005 FS. History-New

42___-1.002 Boundary. The boundaries of the District are as follows:

A parcel of land lying in the being part of Sections 4, 5, 6, 8 and 9, Township 4 South, Range 25 East, Clay County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of said Section 4, also being the Northeast corner of said Section 5; thence, on the West line of said Section 4, South 00 degrees 10 minutes 14 seconds East, 5.00 feet to the point of beginning; thence, parallel with and 5.0 feet South from the North line of said Section 4, also being the line dividing Clay County and Duval County, and the North line of said Township 4 South, North 89 degrees 50 minutes 04 seconds East, 2039.14 feet to the West line of Deerfield Pointe, as recorded in Plat Book 22, Pages 62 through 65, of the public records of said Clay County; thence, on said West line, South 00 degrees 20 minutes 13 seconds West, 1354.17 feet to the South line of said Deerfield Pointe; thence, on said South line, North 89 degrees 51 minutes 50 seconds East, 675.62 feet to the West line of Spencer's Crossing Unit 1, as recorded in Plat Book 18, Pages 18 through 22, of said public records; thence, on said West line, the West line of Spencer's Crossing Unit 5, as recorded in Plat Book 27, Pages 19 through 22, the West line of Sweetbriar, as recorded in Plat Book 32, Pages 61 through 64, the West line of lands recorded in Official Records Book 1603, Page 1212, and the West line of a 20 foot right-of-way recorded in Official Records Book 1603, Page 1220, all being recorded in the public records of said county, said line also being the East

line of the Southeast quarter of the Northwest quarter and the Southwest quarter of said Section 4, South 00 degrees 31 minutes 32 seconds West, 4050.46 feet to the South line of said Section 4; thence, on said South line, North 89 degrees 51 minutes 57 seconds West, 662.62 feet to the West line of lands described in Official Records Book 1603, page 1212, of said public records, also being the East line of the West half of the Northeast quarter of the Northwest quarter of said Section 9; thence, on last said line, South 00 degrees 11 minutes 52 seconds East, 1388.96 feet to the South line of said Northeast quarter of the Northwest quarter of said Section 9; thence, on said South line, South 89 degrees 09 minutes 05 seconds West, 662.36 feet to the East line of the Southwest quarter of the Northwest quarter of said Section 9; thence, on said East line, South 00 degrees 21 minutes 15 seconds East, 699.95 feet to the South line of the North half of the Southwest quarter of the Northwest quarter of said Section 9; thence, on said South line, South 88 degrees 36 minutes 38 seconds West, 1327.66 feet to the West line of said Section 9, also being the East line of said Section 8; thence, on the South line of the North half of the Southeast quarter of the Northeast quarter of said Section 8, North 88 degrees 34 minutes 52 seconds West, 1335.51 feet to the East line of the Southwest quarter of the Northeast quarter of said Section 8; thence, on said East line, South 00 degrees 10 minutes 48 seconds East, 700.93 feet to the South line of said Southwest quarter of the Northeast quarter of Section 8; thence, on said South line, North 88 degrees 09 minutes 42 seconds West, 1156 feet, more or less, to the centerline of the North prong of Double Branch; thence, in a Northwesterly direction, by and along said centerline and following the meanderings thereof, 12,053 feet, more or less, to a point bearing South 89 degrees 49 minutes 27 seconds West from the point of beginning; thence, parallel with and 5.0 feet South from the North line of said Section 5, North 89 degrees 49 minutes 27 seconds East, 5043 feet, more or less, to the point of beginning. said parcel containing 1203 acres, more or less.

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.004, 190.005 FS. History-New

42____-1.003 Supervisors. The following five persons are designed as the initial members of the Board of Supervisors: Donald P. Hinson, James T. O'Riley, Donald E. Brown, Charles W. Arnold, III, and Gary F. Hannon.

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.006(1) FS. History - New

COPIES FURNISHED:

Cheryl G. Stuart, Esquire
Jennifer A. Tschetter, Esquire
Hopping, Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, Florida 32314

Charles Canady, General Counsel
Florida Land and Water
Adjudicatory Commission
Office of the Governor
Department of Legal Affairs
The Capitol, Room 209
Tallahassee, Florida 32399

Donna Arduin, Secretary
Florida Land and Water
Adjudicatory Commission
Office of the Governor
The Capitol, Room 2105
Tallahassee, Florida 32399

Barbara Leighty, Clerk
Growth Management and Strategic Planning
The Capitol, Room 2105
Tallahassee, Florida 32399