

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT OF FLORIDA  
IN AND FOR HENDRY COUNTY IN CHANCERY.

IN RE: ) NO. 2662  
GERBER GROVES WATER CONTROL )  
DISTRICT. )  
-----)

DECREE CREATING AND  
INCORPORATING DRAINAGE DISTRICT

THIS CAUSE coming on to be heard on the Petition filed in  
this Court on October 19, 1964 by:

1. EDWARD H. GERBER and VIOLA GERBER, his wife,
2. KENNETH TROXEL and JOYCE TROXEL, his wife,
3. GERBER GROVES, INC., a Florida Corporation,
4. JAMES WINZELFR and MARIE N. WINZELER, his wife,
5. WALTER S. GERBER and GLENNYS GERBER, his wife,
6. EDWIN C. GUTWEIN and MARY B. GUTWEIN, his wife,
7. KENNETH TROXEL as TRUSTEE,
8. ALVIN R. GERBER and HELEN GERBER, his wife,  
ROGER R. ISCH and VIOLET J. ISCH, his wife,  
WALTER H. AESCHLIMAN and IMOGENE AESCHLIMAN, his wife,
9. HUGO BULMAHN and FLORENCE R. BULMAHN, his wife,
10. FRED GUTWEIN and KATIE GUTWEIN, his wife,
11. WENDELL GUDEMAN and MARCELLA GUDEMAN, his wife,
12. RICHARD A. WINZELER and DOROTHEA WINZELER, his wife,
13. R. C. McCLURG and VELMA McCLURG, his wife,

for the creation of a Drainage District in Hendry County, Florida  
pursuant to the provisions of Chapter 298, Florida Statutes, 1963,  
otherwise known as the General Drainage Law, and

It appearing to the Court and the Court finding that said  
Petition is in due and proper form and has been signed and executed  
by a majority in acreage of the owners of all of the lands embraced  
in the proposed drainage district described and set forth in said  
Petition, and that notice of the filing of said Petition as required

by Section 298.02, Florida Statutes, 1963, has been duly given and published in regular and proper form, for four consecutive weeks in a newspaper published in Hendry County, in the State of Florida, as and in the manner required by said Statute, requiring all persons interested in the lands and property described and 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 effect the reclamation of the lands included in such District to appear at the Office of the Clerk of the Circuit Court of Hendry County, Florida not later than the first return date not less than twenty days after said Notice was published for four consecutive weeks, to-wit, on or before December 24, 1964; and to show cause, if any there be, why said Drainage District as set forth in said Petition should not be organized as a public corporation of the State of Florida; and

It further appearing that no owner or holder of lands in said Drainage District or any other person whomsoever, has filed any answer or objection in writing or otherwise to said Petition opposing the organization and incorporation of said District, and no objections having been made by anyone in any manner to the granting of the prayers of said Petition and no objections or reasons, in writing or otherwise, having been filed or presented to the Court why said Drainage District should not be organized and incorporated or why the lands in said District or any part thereof should not be included in said Drainage District; and

It further appearing to the Court, and the Court finding that all of said lands embraced in the Petition herein lie in a contiguous body and are wet and overflowed and subject to overflow, and that in their present state and condition said lands are unsuited for agricultural purposes or other public utility or

benefit, on account of their low and 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 agricultural and other public benefits and utility; 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 thereunder as prayed in said Petition will be for the advantage of the owners of the real property in said Drainage District, and that the same will be in the interest of the public health, convenience and welfare; and

It further appearing and the Court finding that all of the allegations, statements and representations insaid Petition 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, ADJUDGED AND DECREED AS FOLLOWS:

1. That the prayers of said Petition be and the same are hereby granted, and that all of those certain pieces, parcels and tracts of land in Hendry County, Florida, mentioned and described in said Petition and included and contained within the following described boundary lines, to-wit:

ALL that part of the following described Sections lying East of the Atlantic Coast Line Railroad right-of-way, to-wit:

<u>SECTION</u>	<u>TOWNSHIP SOUTH</u>	<u>RANGE EAST</u>	<u>ACREAGE</u>
32	43	30	259
6	44	30	621
6	44	30	73
7	44	30	392
13	44	29	49
18	44	30	632

ALSO that part of the Sections lying West of the Canal (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ )

4	44	30	40
8	44	30	640
17	44	30	640

ALSO that portion of Section 33, Township 43 South, Range 30 East, described as follows:

BEGINNING at the Southwest corner of said Section at a lightwood marker; thence running East 3,470 feet; thence North to the Northeast corner of Section 33-43-30; thence West to Northwest corner; thence South to Southwest corner of said Section to the point of beginning, all West of Canal known as Goodno Canal, and which contains 554 acres, WITH A TOTAL ACREAGE OF 4,000 ACRES,

which said perimeter or boundary lines embraces and includes those certain tracts or parcels of land situate, lying and being in Hendry County, Florida, described as follows, to-wit:

- Tracts 1 through 10, Block 1,
- Tracts 1 through 10, Block 2,
- Tracts 1 through 10, Block 3,
- Tracts 1 through 9, Block 4,
- Tracts 1 through 8, Block 5,
- Tracts 1 through 8, Block 6,
- Tracts 1 through 8, Block 7,
- Tracts 1 through 7, Block 8,
- Tracts 1 through 7, Block 9,
- Tracts 1 through 7, Block 10,
- Tracts 1 through 7, Block 11,
- Tracts 1 through 8, Block 12,
- Tracts 1 through 7, Block 13,
- Tracts 1 through 6, Block 14.

FILED  
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 DOROTHY MOORE CLERK  
 HENDRY COUNTY COURT

of GERBER GROVES, SECTION ONE.

and these lands be and the same are hereby created and established into a drainage district and declared and decreed to be a public corporation of the State of Florida by, under and pursuant to and authorized by said aforesaid Chapter 298, Florida Statutes, 1963.

2. The said Drainage District shall be known and be designated as and shall use the corporate name of "GERBER GROVES WATER CONTROL DISTRICT," and shall have a corporate existence of ninety-nine (99) years next after the date of this Decree.

3. That said GERBER GROVES WATER CONTROL 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 rights, powers, duties, privileges, immunities and franchises specified and provided in said Chapter 298, Florida Statutes, 1963.

DONE AND ORDERED at LaBelle, Florida, this \_\_\_\_\_  
day of \_\_\_\_\_, A. D., 196\_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE